

By: Hernandez, Ward Johnson, Simmons

H.B. No. 2186

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of elevator mechanics, elevator apprentices, and contractors; requiring an occupational registration.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 754.011, Health and Safety Code, is amended by amending Subdivision (13) and adding Subdivisions (14-a) and (14-b) to read as follows:

(13) "Contractor" means a person engaged in the business of installation, alteration, testing, repair, or maintenance of equipment. The term does not include an employee of a contractor or a person engaged in cleaning or any other work performed on equipment that does not affect the operational safety of the equipment or diminish the safety of the equipment below the level required by the ASME Code A17.1, ASME Code A17.3, ASME Code A18.1, or ASCE Code 21, as applicable.

(14-a) "Elevator apprentice" means an individual who assists an elevator mechanic or contractor in erecting, constructing, installing, altering, servicing, repairing, or maintaining equipment.

(14-b) "Elevator mechanic" means an individual who is engaged in erecting, constructing, installing, altering, servicing, repairing, or maintaining equipment.

SECTION 2. Section 754.015(a), Health and Safety Code, is

1 amended to read as follows:

2 (a) The commission by rule shall provide for:

3 (1) an annual inspection and certification of the
4 equipment covered by standards adopted under this chapter;

5 (2) enforcement of those standards;

6 (3) registration, including certification, of
7 elevator inspectors, elevator mechanics, and elevator apprentices;

8 (4) registration of contractors;

9 (5) the procedures by which a certificate of
10 compliance is issued and displayed;

11 (6) notification to building owners, architects, and
12 other building industry professionals regarding the necessity of
13 annually inspecting equipment;

14 (7) approval of continuing education programs for
15 registered elevator inspectors;

16 (8) standards of conduct for individuals who are
17 registered under this chapter;

18 (9) general liability insurance written by an insurer
19 authorized to engage in the business of insurance in this state or
20 an eligible surplus lines insurer, as defined by Section [981.002](#),
21 Insurance Code, as a condition of contractor registration with
22 coverage of not less than:

23 (A) \$1 million for each single occurrence of
24 bodily injury or death; and

25 (B) \$500,000 for each single occurrence of
26 property damage;

27 (10) the submission and review of plans for the

1 installation or alteration of equipment;

2 (11) continuing education requirements for renewal of
3 contractor registration;

4 (12) maintenance control programs, maintenance,
5 repair, and parts manuals, and product-specific inspection,
6 testing, and maintenance procedures;

7 (13) the method and manner of reporting accidents and
8 reportable conditions to the department; and

9 (14) an owner's designation of an agent for purposes of
10 this chapter.

11 SECTION 3. Chapter 754, Health and Safety Code, is amended
12 by adding Sections 754.0165 and 754.0166 to read as follows:

13 Sec. 754.0165. ELEVATOR MECHANIC REGISTRATION. (a) An
14 individual may not erect, construct, install, alter, service,
15 repair, or maintain equipment unless the individual is registered
16 as an elevator mechanic with the department as provided by this
17 section.

18 (b) An applicant for elevator mechanic registration or
19 registration renewal shall submit an application to the department
20 in the form and manner the department prescribes.

21 (c) An applicant for a registration must submit with the
22 application:

23 (1) a certificate of completion or proof of a
24 certificate of completion from:

25 (A) a nationally recognized training program for
26 the elevator industry;

27 (B) an elevator constructor apprenticeship

1 program approved by the United States Department of Labor or a
2 similar federal program for other equipment; or

3 (C) an equivalent program acceptable to the
4 department; or

5 (2) verifiable evidence in the form and manner the
6 department prescribes that the applicant has at least five years of
7 experience erecting, constructing, installing, altering,
8 servicing, repairing, or maintaining equipment.

9 (d) An applicant for registration renewal must submit with
10 the application proof of completion of continuing education related
11 to the erection, construction, installation, alteration,
12 servicing, repair, or maintenance of equipment in accordance with
13 commission rule.

14 (e) The commission shall adopt rules on issuance of a
15 limited elevator mechanic registration, including rules:

16 (1) on the qualifications required for the limited
17 elevator mechanic registration; and

18 (2) to restrict the scope and location of practice of
19 an elevator mechanic who receives a limited elevator mechanic
20 registration.

21 (f) A registration issued under this section expires on the
22 first anniversary of the date of issuance.

23 (g) An elevator mechanic registered under this section may
24 not supervise more than one elevator apprentice registered under
25 Section 754.0166.

26 Sec. 754.0166. ELEVATOR APPRENTICE REGISTRATION. (a) An
27 individual may not assist an elevator mechanic or contractor in

erecting, constructing, installing, altering, servicing,
repairing, or maintaining equipment unless the individual is:

(1) registered as an elevator apprentice as provided
by this section; and

(2) employed by a contractor registered under this
chapter and, subject to Section 754.0165(g), supervised by an
elevator mechanic registered under Section 754.0165.

(b) An applicant for elevator apprentice registration or
registration renewal shall submit an application to the department
in the form and manner the department prescribes.

(c) An applicant for registration renewal must submit with
the application proof of completion of continuing education related
to the erection, construction, installation, alteration,
servicing, repair, or maintenance of equipment in accordance with
commission rule.

(d) A registration issued under this section expires on the
first anniversary of the date of issuance.

SECTION 4. Section 754.0171(a), Health and Safety Code, is
amended to read as follows:

(a) A person may not be engaged in the business of
installing, altering, testing, repairing, or maintaining ~~[install,~~
~~repair, alter, test, or maintain]~~ equipment unless the person
registers ~~[without registering]~~ as a contractor with the department
as required by this chapter.

SECTION 5. Chapter 754, Health and Safety Code, is amended
by adding Section 754.01715 to read as follows:

Sec. 754.01715. CONTRACTOR RESPONSIBILITIES. A contractor

1 may not employ, contract with, or obtain the services of a person to
2 install, alter, test, repair, or maintain equipment on the
3 contractor's behalf unless the person is registered as an elevator
4 mechanic or elevator apprentice under this chapter.

5 SECTION 6. Section 754.021, Health and Safety Code, is
6 amended to read as follows:

7 Sec. 754.021. LIST OF REGISTERED ELEVATOR INSPECTORS,
8 ELEVATOR MECHANICS, ELEVATOR APPRENTICES, AND CONTRACTORS;
9 PERSONNEL. The executive director shall:

10 (1) compile a list of elevator inspectors, elevator
11 mechanics, elevator apprentices, and contractors who are
12 registered with the department; and

13 (2) employ personnel who are necessary to enforce this
14 chapter.

15 SECTION 7. (a) Except as otherwise provided by Subsection
16 (b) of this section, not later than September 1, 2027, the Texas
17 Commission of Licensing and Regulation shall adopt the rules
18 required by Sections 754.0165 and 754.0166, Health and Safety Code,
19 as added by this Act.

20 (b) As soon as practicable after the effective date of this
21 Act, the Texas Commission of Licensing and Regulation shall adopt
22 the rules required by Sections 754.0165(d) and 754.0166(c), Health
23 and Safety Code, as added by this Act.

24 (c) Notwithstanding Section 754.0165 or 754.0166, Health
25 and Safety Code, as added by this Act, an individual is not required
26 to comply with those sections until November 1, 2027.

27 SECTION 8. The changes in law made by this Act apply only to

1 an application or renewal application for registration as a
2 contractor under Chapter 754, Health and Safety Code, as amended by
3 this Act, filed on or after November 1, 2027. An application or
4 renewal application for registration as a contractor under that
5 chapter filed before November 1, 2027, is governed by the law in
6 effect immediately before the effective date of this Act, and that
7 law is continued in effect for that purpose.

8 SECTION 9. An individual who has engaged in the practice of
9 erecting, constructing, installing, altering, servicing,
10 repairing, or maintaining equipment, as defined by Section 754.011,
11 Health and Safety Code, in this state for at least five years
12 preceding the effective date of this Act is entitled to obtain a
13 registration under Section 754.0165, Health and Safety Code, as
14 added by this Act, if before September 1, 2027, the person:

15 (1) submits an application in the form and manner the
16 Texas Department of Licensing and Regulation prescribes; and

17 (2) pays the required registration fee.

18 SECTION 10. This Act takes effect September 1, 2025.