

BILL ANALYSIS

Senate Research Center

S.B. 1729
By: Carona
Business & Commerce
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Department of Licensing and Regulation (TDLR) incorporated aspects of the American Society of Mechanical Engineers (ASME) Code in the 2003 addenda relating to the regulation of elevators. As a result, elevator manufacturers that comply with the most recent version of the ASME Code A17.1 are considered out of compliance with the version enforced by TDLR. This situation also applies to an elevator manufacturer's adherence to ASCE Code 21 and ASME Code A18.1.

S.B. 1729 defines the version of the ASCE Code 21, ASME Code A17.1, and ASME Code A18.1, to be enforced by TDLR.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 754.011(5), (6), and (8) Health and Safety Code, to redefine "ASCE Code 21," "ASME Code A17.1," and "ASME Code A18.1," respectively.

SECTION 2. Amends Section 754.014, Health and Safety Code, by adding Subsections (l) and (m), as follows:

(l) Authorizes standards adopted by the Texas Commission of Licensing and Regulation (commission) to include and be guided by revised versions of ASME Code A17.1, ASME Code A18.1, and ASCE Code 21, as appropriate.

(m) Authorizes the executive director of the Texas Department of Licensing and Regulation (executive director), on application of a person and in accordance with procedures adopted by the commission, to grant a variance to allow the installation of new technology if the component, system, subsystem, function, or device is equivalent or superior to the standards adopted by the commission.

SECTION 3. Amends Section 754.015(d), Health and Safety Code, to authorize the executive director to charge a reasonable fee, set by the commission, for applying for a variance.

SECTION 4. Repealer: Section 754.011(11) (defining commissioner), Health and Safety Code.

SECTION 5. Effective date: upon passage or September 1, 2007.