

By: Carona

S.B. No. 1729

Substitute the following for S.B. No. 1729:

By: Thompson

C.S.S.B. No. 1729

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the regulation of elevators, escalators, and related  
3 equipment.

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

5 SECTION 1. Sections 754.011(5), (6), and (8), Health and  
6 Safety Code, are amended to read as follows:

7 (5) "ASCE Code 21" means the American Society of Civil  
8 Engineers Code 21 for people movers operated by cables, as it  
9 existed on January 1, 2004, or any subsequent revision of that code  
10 adopted after a review by the commission, as required by law.

11 (6) "ASME Code A17.1" means the American Society of  
12 Mechanical Engineers Safety Code for Elevators and Escalators  
13 (Bi-national standard with CSA B44-2007), ASME A17.1/CSA-B44, as it  
14 existed on January 1, 2004, or any subsequent revision of that code  
15 adopted after a review by the commission, as required by law  
16 [A17.1].

17 (8) "ASME Code A18.1" means the American Society of  
18 Mechanical Engineers Safety Code for Platform Lifts and Stairway  
19 Chairlifts A18.1, as it existed on January 1, 2004, or any  
20 subsequent revision of that code adopted after a review by the  
21 commission, as required by law.

22 SECTION 2. Section 754.014, Health and Safety Code, is  
23 amended by adding Subsections (l) and (m) to read as follows:

24 (l) Standards adopted by the commission may include and be

1 guided by revised versions of ASME Code A17.1, ASME Code A18.1, and  
2 ASCE Code 21, as appropriate. The commission may not adopt a  
3 version of ASME Code A17.3 revised after January 1, 2004.

4 (m) The executive director may on application of a person  
5 and in accordance with procedures adopted by the commission, grant  
6 a variance to allow the installation of new technology if the new  
7 component, system, subsystem, function, or device is equivalent or  
8 superior to the standards adopted by the commission.

9 SECTION 3. Section 754.015(d), Health and Safety Code, is  
10 amended to read as follows:

11 (d) The executive director may charge a reasonable fee as  
12 set by the commission for:

13 (1) registering or renewing registration of an  
14 inspector;

15 (2) registering or renewing registration of a  
16 contractor;

17 (3) applying for a certificate of compliance;

18 (4) filing an inspection report as required by Section  
19 754.019(a)(3), 30 days or more after the date the report is due, for  
20 each day the report remains not filed after the date the report is  
21 due;

22 (5) applying for a waiver, variance, or delay; and

23 (6) attending a continuing education program  
24 sponsored by the department for registered QEI-1 inspectors.

25 SECTION 4. Section 754.011(11), Health and Safety Code, is  
26 repealed.

27 SECTION 5. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2007.