

By: Hamilton

H.B. No. 2643

A BILL TO BE ENTITLED

AN ACT

relating to safety standards for elevators, escalators, and related equipment.

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

SECTION 1. Sections 754.015(a) and (b), Health and Safety Code, are amended to read as follows:

(a) The commission by rule shall provide for:

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

(2) enforcement of those standards;

(3) registration of qualified inspectors and contractors;

(4) the form of inspection documents, contractor reports, and certificates of compliance;

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

(6) approval of continuing education programs for registered QEI-1 certified inspectors; ~~and~~

(7) standards of conduct for individuals who are registered under this subchapter;

(8) minimum insurance standards as a condition of certification and registration;

(9) minimum experience and education standards as a

1 condition of certification and registration; and

2 (10) proposed plans for installation or alteration of
3 related equipment to be submitted to the department.

4 (b) The commission by rule may not:

5 (1) require inspections of equipment to be made more
6 often than every 12 months, except as provided by Subsection (c); or

7 ~~(2) [require persons to post a bond or furnish~~
8 ~~insurance or to have minimum experience or education as a condition~~
9 ~~of certification or registration;~~

10 ~~[(3) require building owners to submit to the~~
11 ~~department proposed plans for equipment installation or~~
12 ~~alteration; or~~

13 ~~[(4)]~~ prohibit a QEI-1 certified inspector who is
14 registered with the department from inspecting equipment.

15 SECTION 2. (a) The Texas Commission of Licensing and
16 Regulation shall adopt the rules required by Section 754.015,
17 Health and Safety Code, as amended by this Act, not later than
18 November 1, 2011.

19 (b) A person is not required to comply with the rules
20 adopted under Section 754.015, Health and Safety Code, as amended
21 by this Act, before January 1, 2012.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2011.