

By: Smith

H.B. No. 3741

A BILL TO BE ENTITLED

AN ACT

relating to standards for elevators, escalators, and related equipment; authorizing a fee.

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

SECTION 1. Section 754.014(a), Health and Safety Code, is amended to read as follows:

(a) The commission by rule shall adopt standards for the installation, maintenance, alteration, operation, testing, removal from service, and inspection of equipment used by the public in:

(1) buildings owned or operated by the state, a state-owned institution or agency, or a political subdivision of the state; and

(2) buildings that contain equipment that is open to the general public, including a hotel, motel, apartment house, boardinghouse, church, office building, shopping center, or other commercial establishment.

SECTION 2. Section 754.015, Health and Safety Code, is amended by adding Subsection (c-1) and amending Subsection (d) to read as follows:

(c-1) The commission by rule may adopt requirements for inspection and certification of equipment that is transferred to another person.

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

1 (1) registering or renewing registration of an
2 elevator inspector;

3 (2) registering or renewing registration of a
4 contractor;

5 (3) applying for a certificate of compliance;

6 (4) filing an inspection report as required by Section
7 [754.019\(a\)\(3\)](#), 30 days or more after the date the report is due, for
8 each day the report remains not filed after the date the report is
9 due;

10 (5) submitting for review plans for the installation
11 or alteration of equipment;

12 (6) reviewing and approving continuing education
13 providers and courses for renewal of elevator inspector and
14 contractor registrations;

15 (7) applying for a waiver, new technology variance, or
16 delay; ~~and~~

17 (8) attending a continuing education program
18 sponsored by the department for registered elevator inspectors; and

19 (9) applying to remove equipment from service.

20 SECTION 3. Section [754.019\(a\)](#), Health and Safety Code, is
21 amended to read as follows:

22 (a) The owner shall:

23 (1) have the equipment inspected annually by a
24 registered elevator inspector, unless the equipment has been
25 removed from service in accordance with commission rules;

26 (2) obtain an inspection report from the inspector
27 evidencing that all equipment in a building on the real property was

1 inspected in accordance with this chapter and rules adopted under
2 this chapter;

3 (3) file with the executive director each inspection
4 report, and all applicable fees, not later than the 30th calendar
5 day after the date on which an inspection is made under this
6 chapter;

7 (4) display the certificate of compliance for the
8 equipment in a publicly visible area as defined by commission rule;
9 and

10 (5) maintain the equipment in compliance with the
11 standards and codes adopted under commission rules.

12 SECTION 4. As soon as practicable after the effective date
13 of this Act, the Texas Commission of Licensing and Regulation shall
14 adopt the rules necessary to implement the changes in law made by
15 this Act.

16 SECTION 5. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2015.