

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 169 Session of  
1993

INTRODUCED BY WOZNIAK, TRELLO AND FARGO, FEBRUARY 3, 1993

REFERRED TO COMMITTEE ON RULES, FEBRUARY 3, 1993

AN ACT

1 Amending the act of May 2, 1929 (P.L.1518, No.452), entitled, as  
2 reenacted and amended, "An act regulating the construction,  
3 equipment, maintenance, operation and inspection of  
4 elevators; granting certain authority to and imposing certain  
5 duties upon the Department of Labor and Industry; providing  
6 fees for inspection of elevators, certificates of operation,  
7 and approval of plans; providing penalties for violations of  
8 this act; and repealing all acts or parts of acts  
9 inconsistent with this act," adding the definition of  
10 "conveyor"; and removing the term "conveyors" from the  
11 definition of "elevator" and from the rules and regulations  
12 of the Department of Labor and Industry.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 Section 1. The definition of "elevator" in section 1 of the  
16 act of May 2, 1929 (P.L.1518, No.452), referred to as the  
17 Elevator Regulation Law, reenacted and amended April 8, 1937  
18 (P.L.277, No.69) and amended June 23, 1972 (P.L.485, No.156), is  
19 amended and the section is amended by adding a definition to  
20 read:

21 Section 1. Definitions.--Be it enacted, &c., That, as used  
22 in this act, "Department" shall mean the Department of Labor and

1 Industry of the Commonwealth of Pennsylvania.

2 "Conveyor" shall mean a horizontal, inclined or vertical  
3 device for moving or transporting bulk material, packages or  
4 objects, in a path predetermined by the design of the device and  
5 having points of loading and discharge, fixed or selective.  
6 Included are skip hoists and vertical reciprocating and inclined  
7 reciprocating conveyors. Exceptions are those devices known as  
8 industrial trucks, tractors and trailers, tiering machines,  
9 cranes, hoists, power shovels, power scoops, bucket drag lines,  
10 platform elevators designated to carry passengers or the  
11 operator, man lifts, moving walks, moving stairways  
12 (escalators), highway or rail vehicles, cableways, tramways,  
13 pneumatic conveyors, robots or integral machine transfer  
14 devices.

15 "Elevator" shall mean all the machinery and equipment used in  
16 raising and lowering personnel, material, equipment or other  
17 goods or cargo by means of a car, cage or platform vertically  
18 between permanent rails or guides, and shall also include all  
19 elevators, dumb-waiters, escalators, gravity elevators, inclined  
20 passenger lifts, hoists, except temporary construction elevators  
21 approved and meeting the provisions of sections 3 and 7 of this  
22 act, and other lifting or lowering apparatus, except elevators,  
23 hoists and lifting or lowering apparatus used in raising and  
24 lowering a car, cage or platform in the coal mines and on slopes  
25 used in open-pit coal mining in this Commonwealth, and in the  
26 breakers, washeries and cleaning plants connected therewith and  
27 which are under the jurisdiction of the Department of  
28 Environmental Resources and the mine inspectors, and shall not  
29 include elevators, hoists and lifting apparatus used on farms,  
30 and except elevators, hoists and lifting or lowering apparatus

1 used in raising and lowering a car, cage or platform in any ore  
2 mine; and except conveyors and related equipment including belt,  
3 bucket, roller and vertical conveyors with or without a  
4 platform.

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6 Section 2. Section 3 of the act, amended July 29, 1941  
7 (P.L.581, No.246), is amended to read:

8 Section 3. Rules and Regulations.--To carry out the  
9 provisions and the intent and purpose of this act, the  
10 department shall have power, and its duty shall be, to make,  
11 alter, amend or repeal rules and regulations for the  
12 construction, installation, maintenance, operation and  
13 inspection of elevators used or destined for use in this  
14 Commonwealth, and shall make specifications for the construction  
15 and equipment of such elevators. No elevator shall be permitted  
16 to be installed and used in this Commonwealth which does not  
17 comply with the rules and regulations herein provided for.

18 No rules and regulations shall be adopted prohibiting the use  
19 of man lifts, except only when such man lifts are found to have  
20 been incorrectly installed, to be mechanically defective, or to  
21 be operating under some unnecessary hazard. No rules and  
22 regulations shall be adopted which effect the use of conveyors  
23 as defined in section 1.

24 Section 3. This act shall take effect immediately.