



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 934

PRINTERS NO. 1826

PRIME SPONSOR: Baker

COST / (SAVINGS)

| FUND | FY 2017/18 | FY 2018/19 |
|--------------|------------|------------|
| General Fund | \$0 | \$0 |

SUMMARY: Amends the Administrative Code to create “Kristopher’s Law” which would establish an “Elevator Safety Board” which will have specific jurisdiction over elevator appeals/variances and make recommendations on regulations. The creation of fees for the Elevator Safety Board will take effect on the date of the first meeting of the board and the remainder of legislation would take effect in 60 days.

ANALYSIS: Amends the Administrative Code (Act 175 of 1929) to create “Kristopher’s Law” which would establish an “Elevator Safety Board” which will have specific jurisdiction over elevator appeals/variances and make recommendations on regulations.

Creation of Elevator Safety Board: The board will be appointed by the Governor and be composed of 9 members, with one representative from each of the following:

1. The Department of Labor and Industry (L&I).
2. An elevator manufacturing company.
3. An elevator servicing company.
4. An architectural design or elevator consulting profession.
5. An elevator inspector.
6. A labor organization specializing in the installation, maintenance and repair of elevators and other conveyances.
7. A building owner or manager.
8. A municipality.
9. The general public.

The legislation requires that the Governor make initial appointments within 30 days. Members of the board shall serve for a term of three years, and may not serve for more than three consecutive terms (provided, that the representative of L&I will serve continuously). The Governor will appoint the Chairperson, who will be the deciding vote in case of a tie.

Board members will serve without a salary and receive reimbursement in amounts determined by L&I for reasonable travel, lodging, and other expenses.

The board must meet and organize within 120 days, and at that meeting shall elect a secretary of the board to serve during a term to be fixed by the board. The board must meet monthly at a time and place to be fixed by L&I and at other times as it is deemed necessary for the consideration of code regulations/appeals/variances and the transaction of other business. The board could call special meetings as provided in the rules of the board, although L&I must set the time and place of the special meeting. Any member absent from three consecutive meetings shall be dismissed and the vacancy shall be filled in the same manner as the appointment of the absent member.

Duties and Powers of Elevator Safety Board: The legislation requires that the board recommend regulations to L&I relating to construction/ maintenance/inspection of elevators and safe operation of elevators. The board may consult with engineering authorities and other appropriate organizations regarding the application of elevator industry codes and standards. The Secretary must review any recommendations for regulations submitted by the board and, if the Secretary approves the recommendations, must promulgate regulations consistent with the recommendations.

The board may grant exceptions and variances from the requirements of applicable codes and standards/regulations if the changes will not jeopardize the safety and welfare of the general public or individuals employed in the elevator industry. L&I must accept applications for all exceptions/variances and shall make recommendations to the board. The board may hold hearings and hear appeals in accordance with rules or regulations established by the board.

Meeting Notice: The legislation requires that within 7 days of the first meeting of the board, L&I must publish a notice in the PA Bulletin stating the date of the meeting.

Establishment of Fees for Elevator Safety Board: The legislation amends Section 613-A of the Act to create fees for appeals/variance requests to the Elevator Safety Board. Fees are as follows:

- 1) Standard fee = \$321
- 2) Expedited action = \$1,321

The fees are identical to current fees that are assessed by the Industrial Board for such requests.

Editorial Changes: The legislation amends Section 2214 (Industrial Board) of the Act to delete archaic references to the Elevator Advisory Board, Boiler Regulation Law (Act 451 of 1929), Elevator Regulation Law (Act 452 of 1929), Employment Agency Law (Act 261 of 1941), Dry Cleaning and Dyeing Law (Act 402 of 1949), and the Liquefied Petroleum Gas Act (Act 475 of 1951).

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth funds. Currently, the Industrial Board receives variance, appeal and extension of time requests in relation to elevators. Those functions would move to the new Elevator Safety Board. The legislation maintains the current fee structure for the aforementioned requests related to elevators.

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House Appropriations Committee (R)

DATE: June 20, 2018

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.