

LEGISLATIVE BILL 659

Approved by the Governor March 24, 1982

Introduced by Business and Labor Committee, Barrett, 39, Chpn.; R. Peterson, 21; Labeledz, 5; Wiitala, 31; Goll, 16; Vickers, 38; Apking, 32

AN ACT relating to health and safety regulations; to define elevators as prescribed; to amend sections 48-418 and 48-418.12, Reissue Revised Statutes of Nebraska, 1943, and section 48-418.13, Revised Statutes Supplement, 1981; to provide for an elevator code; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. For purposes of sections 48-418 to 48-418.13, unless the context otherwise requires, elevator shall include (1) any hoisting or lowering mechanism equipped with a car or platform which moves in guides in a substantially vertical direction and which serves two or more floors of a building or structure, (2) an escalator, (3) a power driven incline, (4) a continuous stairway used for raising or lowering passengers, (5) moving sidewalks, (6) dumbwaiters, and (7) tray conveyors.

Sec. 2. That section 48-418, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-418. The Commissioner of Labor shall, on or before the first day of July, 1965, appoint a state elevator inspector, subject to the approval of the Governor, who shall work under the direct supervision of the commissioner. The person so appointed shall be qualified by not less than five years' journeyman experience in elevator installation, maintenance, and inspection as determined by the Commissioner of Labor, and he must be familiar with the inspection process provided by the American-National-Standard-Safety-Code for-Elevators-A-17.1-1971 Nebraska Code provided under section 48-418.12. The commissioner, subject to the approval of the Governor, may appoint deputy inspectors possessing the same qualifications as the state elevator inspector.

Sec. 3. That section 48-418.12, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-418.12. The American National Standard Safety Code A ~~17-1-1974--of--1974~~ 17.1 as published by the American Society of Mechanical Engineers as amended as of ~~September-27-1973~~ the effective date of this act, may be adopted as a regulation by the Commissioner of Labor and shall thereafter be known as the Nebraska Code. A copy of this code, if so adopted, shall be kept on file in the office of the Commissioner of Labor. Any amendment or change thereafter made in such code shall become effective in this state only after public notice and hearing thereon as provided in sections 84-901 to 84-908.

Sec. 4. That section 48-418.13, Revised Statutes Supplement, 1981, be amended to read as follows:

48-418.13. On or before July 1, 1968, all elevators equipped with photoelectric tube devices, which control the closing of automatic, power-operated elevator doors, except those having fire service as provided in the ~~American-National-Standard-Safety-Code-A-17-1-1978-of-1978;-as-published-by-the-American-Society-of--Mechanical-Engineers~~ Nebraska Code provided under section 48-418.12, with ionization or smoke detectors, shall have a switch in the elevator car which, when actuated, will render the photoelectric tube device ineffective.

This switch shall be constant pressure type, requiring not less than ten pounds nor more than fifteen pounds pressure to actuate. It shall be located not less than six feet nor more than six feet, six inches above the car floor, and shall be in or adjacent to the operating panel.

The switch shall be clearly labeled To Be Used In Case Of Fire Only. The switch shall be under glass shield to prevent its indiscriminate use by the public.

Sec. 5. That original sections 48-418 and 48-418.12, Reissue Revised Statutes of Nebraska, 1943, and section 48-418.13, Revised Statutes Supplement, 1981, are repealed.

Sec. 6. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.