
A BILL FOR AN ACT

RELATING TO ELEVATOR MECHANICS.

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

1 SECTION 1. The legislature finds that elevators are one of
2 the safest modes of transportation. There are an estimated
3 eighteen billion elevator trips taken per year in the United
4 States. With the continued vertical growth of urban Honolulu,
5 including some condominium developments that exceed forty
6 floors, it is important for Hawaii to ensure that state laws
7 governing repair and maintenance of elevators remain current.
8 The legislature notes that the elevator mechanics' statute,
9 chapter 448H, Hawaii Revised Statutes, has not been updated in
10 more than ten years.

11 The legislature further finds that, like many other
12 sectors, the elevator industry is undergoing rapid technological
13 advancements, which require elevator mechanics to expand their
14 knowledge and skills through training and education to ensure
15 that licensing standards and core competencies are met. Given
16 these technological advancements, it is necessary for elevator
17 mechanics to demonstrate core competencies when installing,



1 repairing, and maintaining all elevators, escalators, and other
2 vertical transportation.

3 The purpose of this Act is to strengthen regulatory
4 oversight of the licensed profession of elevator mechanics by
5 amending the permissible scope of work, apprenticeship and
6 licensing requirements, and remote interaction requirements.

7 SECTION 2. Chapter 448H, Hawaii Revised Statutes, is
8 amended by adding five new sections to be appropriately
9 designated and to read as follows:

10 "§448H-A Examination. Every applicant shall pass an
11 examination prescribed by the board for licensure. Every
12 applicant shall:

13 (1) Pass the examination with no less than seventy per
14 cent correct; and

15 (2) Not be allowed to review any of the applicant's failed
16 examinations.

17 §448H-B License renewals; continuing education. (a)
18 Licenses shall expire on June 30 of each even-numbered year.
19 Licensees seeking renewal shall pay all applicable fees and
20 complete the continuing education requirements pursuant to
21 subsection (b).



1 (b) Prior to each license renewal, all licensed elevator
2 mechanics shall complete:

3 (1) An educational course, approved by the board, of no
4 less than eight hours related to the elevator
5 industry; or

6 (2) A qualified elevator inspector continuing education
7 course of no less than eight hours offered by a
8 certifying organization accredited by the American
9 National Standards Institute.

10 (c) An elevator mechanic initially licensed within one
11 year prior to the applicable renewal date shall not be required
12 to complete the eight hours of continuing education to renew the
13 elevator mechanic's license.

14 (d) The board may conduct random audits to determine
15 compliance with the continuing education requirement. The board
16 shall provide written notice of an audit to a licensee randomly
17 selected for audit. Within sixty days of notification, the
18 licensee shall provide the board with documentation verifying
19 compliance with the continuing education requirement established
20 by this section.



1 §448H-C Elevator mechanics; scope of work. All
2 construction; reconstruction; alteration, including flooring;
3 and all elevator cab work, maintenance, repair, troubleshooting,
4 mechanical, or electrical work or adjustments, which includes
5 but is not limited to updating software, changing parameters,
6 resetting faults, and operation of all systems and functions, of
7 any conveyance shall be performed by a licensed elevator
8 mechanic.

9 Work on adjustment of the structure or facility, of which
10 the conveyance may be part or to which the conveyance may be
11 attached, including any construction; reconstruction;
12 alteration, including flooring; and all elevator cab work
13 necessary for proper completion of the work on the conveyance
14 shall be performed by a licensed elevator mechanic.

15 §448H-D Exemptions. Licensure as an elevator mechanic
16 shall not be required for:

- 17 (1) Dismantling or removing a conveyance; provided that
18 the conveyance is not reused and the building or
19 structure, as defined by its foundation outline, is
20 totally secure from public and unauthorized access and



1 the entire building is being completely demolished
 2 down to and including the foundation; and
 3 (2) Employees of a contractor duly licensed under chapter
 4 444 who enters into the contract to install, repair,
 5 or remove the platform lift or stairway lift within a
 6 private residence not accessible to the general public
 7 or to other occupants in the building.

8 §448H-E Remote interaction. Remote interaction of a
 9 conveyance shall not be permitted without the express permission
 10 of a licensed elevator mechanic who shall be physically present
 11 at the conveyance; provided that this section shall not preclude
 12 remote interaction with the conveyance from within the building
 13 or complex in which the conveyance is located if the interaction
 14 is for the sole purpose of securing, locking, or providing
 15 private use of the conveyance."

16 SECTION 3. Section 448H-1, Hawaii Revised Statutes, is
 17 amended as follows:

18 1. By adding two new definitions to be appropriately
 19 inserted and to read:

20 "Conveyance" shall have the same meaning as "elevator and
 21 kindred equipment" as in section 397-3.



1 "Remote interaction" means an action to manipulate or
2 interact with the controls of a conveyance remotely, or from
3 within the building or complex in which the conveyance is
4 located."

5 2. By amending the definition of "apprentice elevator
6 mechanic" to read:

7 "Apprentice elevator mechanic" means any person who is [in
8 training to acquire the skill to become an elevator mechanic and
9 who is required to work for at least four years under the
10 supervision of an elevator mechanic duly licensed under section
11 448H-6-] enrolled in an apprenticeship program for the elevator
12 industry that is registered with a state apprenticeship agency
13 recognized by the United States Department of Labor or the
14 Office of Apprenticeship, United States Department of Labor."

15 3. By amending the definition of "elevator mechanic" to
16 read:

17 "Elevator mechanic" means any person who engages in the
18 construction, reconstruction, alteration, maintenance, repair,
19 troubleshooting, mechanical, or electrical work or adjustments,
20 which includes but is not limited to updating software, changing
21 parameters, resetting faults, and the operation of all systems



1 and functions, of any [~~elevator, dumbwaiter, stage lift,~~
2 ~~mechanized parking garage elevator, escalator, moving walk or~~
3 ~~ramp, lift]~~ conveyance, including any construction,
4 reconstruction, alteration, or adjustment of the structure or
5 facility of which the same may be a part or to which the same
6 may be attached, necessary for proper completion of the work on
7 the [~~elevator, dumbwaiter, stage lift, mechanized parking garage~~
8 ~~elevator, escalator, moving walk or ramp, or lift.]~~ conveyance."

9 SECTION 4. Section 448H-5, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "§448H-5 Powers and duties of the board. In addition to
12 any other powers and duties authorized by law, the board shall:

- 13 (1) Adopt rules in accordance with chapter 91 to carry out
14 the purposes of this chapter;
- 15 (2) Develop, apply, review, and upgrade appropriate
16 techniques, including examinations and investigations
17 for determining whether a person meets the
18 requirements of this chapter and standards to insure
19 that elevator mechanics will be persons qualified to
20 serve as such;



- 1 (3) Prescribe, at a minimum, that a nationally recognized
- 2 examination, augmented with locally developed
- 3 material, be used in testing for licensure[~~the~~
- 4 ~~passing grade for the examination to be not less than~~
- 5 ~~seventy per cent~~];
- 6 (4) Issue licenses to persons determined, after
- 7 application of those techniques, to have met the
- 8 required qualifications and revoke or suspend
- 9 licenses[~~the~~] previously issued by the board, pursuant
- 10 to hearings held in accordance with chapter 91, in any
- 11 case where the individual holding any license is
- 12 determined substantially to have failed to conform to
- 13 the required qualifications, this chapter, or the
- 14 rules of the board;
- 15 (5) Establish and carry out procedures designed to
- 16 [~~insure~~] ensure that persons licensed as elevator
- 17 mechanics [~~will~~], during any period they serve as
- 18 such, shall comply with the requirements of this
- 19 chapter, the rules of the board, and chapter 397 and
- 20 rules adopted thereunder;



1 (6) Receive, investigate, and take appropriate action with
2 respect to, any charge or complaint filed with the
3 board to the effect that any individual licensed as an
4 elevator mechanic has failed to comply with the
5 requirements of this chapter regarding any complaint
6 regarding job performance by mechanics, the rules of
7 the board, or chapter 397 and the rules adopted
8 thereunder;

9 [~~7~~] ~~Register apprentice elevator mechanics,~~
10 ~~8~~] (7) Maintain a record of its proceedings;
11 [~~9~~] (8) Assist and advise the department of labor and
12 industrial relations in the adoption of rules relating
13 to the conditions of work for elevator mechanics,
14 including requirements related to equipment or
15 facilities essential for the safe installation,
16 repair, maintenance, or alteration of any [~~elevator,~~
17 ~~dumbwaiter, escalator, moving walk or ramp, and lift,~~]
18 conveyance; and

19 [~~10~~] (9) Notify the department of labor and industrial
20 relations of any fact or situation that, in the



1 opinion of the board, constitutes a violation of
2 chapter 397 or of any rule adopted thereunder."

3 SECTION 5. Section 448H-6, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§448H-6 Qualifications for license. No person shall be
6 licensed as an elevator mechanic unless the person has
7 satisfactorily passed the examination administered by the board
8 and [~~satisfactorily completed at least four years of training~~
9 ~~under the supervision of a licensed elevator mechanic.~~] has met
10 the following minimum qualifications:

11 (1) Obtained a certificate of completion from an
12 apprenticeship program for the elevator industry that
13 is registered with a state apprenticeship agency
14 recognized by the United States Department of Labor or
15 the Office of Apprenticeship, United States Department
16 of Labor, and is approved by the board using standards
17 similar to but no less stringent than those set forth
18 by the National Elevator Industry Educational Program;
19 and

20 (2) Satisfactorily completed no less than four and one-
21 half years of full-time work or its equivalent, but no



1 less than nine thousand hours, under the direct
2 supervision of an elevator mechanic duly licensed
3 under this section. The board, by rule, shall
4 establish the terms for the verification of time in
5 the industry."

6 SECTION 6. Section 448H-7, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§448H-7 Temporary permit.** The board may issue a
9 temporary permit to ~~[any]~~ the following:

10 (1) Any person who has qualified as an elevator mechanic
11 in another state with standards substantially equal to
12 those of this chapter and who possesses skills or
13 training not available in the State [~~;- provided that~~
14 ~~the board shall not register any such person as an~~
15 ~~apprentice elevator mechanic]~~. The board [~~shall~~], by
16 [~~rules and regulations,~~] rule, shall establish the
17 terms of the temporary permit [~~-~~]; and

18 (2) An apprentice elevator mechanic who has a minimum of
19 three years of full-time work experience, but no less
20 than six thousand hours, under the direct supervision
21 of an elevator mechanic duly licensed under section



1 448H-6, if there is a shortage of elevator mechanics
2 in the State. The board, by rule, shall establish the
3 terms for the determination of a shortage of elevator
4 mechanics, the verification of time in the industry,
5 and the terms of the apprentice's temporary permit."

6 SECTION 7. Section 448H-8, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§448H-8 Fees.** Application, examination, license,
9 temporary permit, and biennial renewal fees shall be as provided
10 in rules adopted by the director of commerce and consumer
11 affairs pursuant to chapter 91. A fee is required for each
12 reexamination. Application fees are not refundable.

13 ~~[Licenses shall expire on June 30 of each even-numbered~~
14 ~~year.] "~~

15 SECTION 8. In codifying the new sections added by section
16 2 of this Act, the revisor of statutes shall substitute
17 appropriate section numbers for the letters used in designating
18 the new sections in this Act.

19 SECTION 9. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 10. This Act shall take effect on January 1, 2050;
2 provided that section 448H-B, Hawaii Revised Statutes, as added
3 by section 2 of this Act, and section 5 of this Act, shall take
4 effect on January 1, 2050.



Report Title:

Elevator Mechanics; Apprenticeship; Licensure; Continuing Education; Requirements; Scope of Work

Description:

Updates requirements for apprenticeship and licensure of elevator mechanics, including examination, license renewal, continuing education, scope of work, exemptions, remote interaction, and qualifications for licensure. Clarifies powers and duties of the Elevator Mechanics Licensing Board and requirements for temporary permits. (SB2494 HD2)

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