

198B.490 Rules and regulations. (Effective until July 1, 2011)

The commissioner of housing, buildings and construction shall make, alter, amend, and repeal rules and regulations exclusively for the safety and inspection of passenger elevators and fixed guideway systems. The commissioner shall have the authority to prescribe, by regulation, the fee to be charged for each inspection. All fees established and regulated by this section shall be payable to the department except as may be provided in a specific written agreement between the commissioner and any agency authorized to inspect elevators or fixed guideway systems by the provisions of this chapter.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 268, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 157, sec. 8, effective July 12, 2006. -- Amended 1980 Ky. Acts ch. 295, sec. 89, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 123, sec. 5, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 232, sec. 2. -- Created 1974 Ky. Acts ch. 239, sec. 12.

Formerly codified as KRS 336.620.

198B.490 Rules and regulations -- Administrative regulations on equipment and standards -- Review of standards -- Consistency with building code. (Effective July 1, 2011)

- (1) The department shall make, alter, amend, and repeal rules and administrative regulations exclusively for the safety and inspection of passenger elevators and fixed guideway systems. The department shall have the authority to prescribe, by administrative regulation, a reasonable fee to be charged for each inspection. All fees established and regulated by this section shall be paid to the department, made payable to the Kentucky State Treasurer, except as may be provided in a specific written agreement between the commissioner and any agency authorized to inspect elevators or fixed guideway systems by the provisions of this chapter.
- (2) The department shall consult with the Elevator Advisory Committee, engineering authorities, and organizations concerned with standard safety codes, rules, and administrative regulations governing the operation, maintenance, servicing, construction, alteration, installation, and inspection of elevators and fixed guideway systems, and the qualifications that are necessary for an elevator mechanic, contractor, and inspector.
- (3) The department shall promulgate administrative regulations establishing the approved equipment regulated by KRS 198B.400 to 198B.540. These administrative regulations shall include the following, except as modified under subsection (4) of this section:
 - (a) Safety Code for Elevators and Escalators, ASME A17.1/CSA B44;
 - (b) Safety Code for Existing Elevators and Escalators, ASME A17.3;
 - (c) Performance-Based Safety Code for Elevators and Escalators, ASME 17.7/CSA B44.7;
 - (d) Safety Standards for Platform Lifts and Stairway Chairlifts, ASME A18.1;
 - (e) Standard for the Qualification of Elevator Inspectors, ASME OEI-1; and

- (f) Automated People Mover Standards, ASCE 21.
- (4) The department and the committee shall review the latest editions of any standard listed in subsection (3) of this section within twelve (12) months of that standard's effective date. Upon completion of reviews, the committee shall give the department its recommendations for or against adoption or modification of a standard.
- (5) All administrative regulations issued by the department relating to KRS 198B.400 to 198B.540 shall be consistent with the standards of safety as established in 815 KAR 10:060 and the Uniform State Building Code established in KRS 198B.050.

Effective: July 1, 2011

History: Amended 2010 Ky. Acts ch. 24, sec. 268, effective July 15, 2010; and ch. 116, sec. 26, effective July 1, 2011. -- Amended 2006 Ky. Acts ch. 157, sec. 8, effective July 12, 2006. -- Amended 1980 Ky. Acts ch. 295, sec. 89, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 123, sec. 5, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 232, sec. 2. -- Created 1974 Ky. Acts ch. 239, sec. 12.

Formerly codified as KRS 336.620.

Legislative Research Commission Note (7/1/2011). This section was amended by 2010 Ky. Acts chs. 24 and 116. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 116, which was last enacted by the General Assembly, prevails under KRS 446.250.

Legislative Research Commission Note (7/1/2011). References to the Office" of Housing, Buildings and Construction in this section, as amended by 2010 Ky. Acts ch. 116, sec. 26, have been changed in codification to the "Department" of Housing, Buildings and Construction to reflect the reorganization of certain parts of the Executive Branch, as set forth in Executive Order 2009-535 and confirmed by the General Assembly in 2010 Ky. Acts ch. 24. These changes were made by the Reviser of Statutes pursuant to 2010 Ky. Acts ch. 24, sec. 1938.