

FIFTIETH LEGISLATURE
FIRST SESSION, 2011

SB 280/a

February 16, 2011

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

SENATE BILL 280

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 3, line 2, strike "and the American society of mechanical engineer's".

2. On page 4, between lines 8 and 9, insert the following new section to read:

"SECTION 4. COMMISSION DUTIES--RULES.--

A. The commission shall adopt rules for the equipment regulated by the Elevator Safety Act, including the latest editions of:

- (1) a safety code for elevators and escalators;
- (2) a safety code for existing elevators and escalators;
- (3) a performance-based safety code for elevators and escalators;
- (4) safety standards for platform lifts and stairway chairlifts;
- (5) standards for the qualification of elevator inspectors developed by the American society of mechanical engineers; and
- (6) the automated people mover standards promulgated by the American society of civil engineers.

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B. The commission shall adopt the latest editions of the standards provided for in Subsection A of this section within six months of their effective date. Any modifications to those standards, that the commissioner deems necessary, shall be justified in writing. The commission shall grant exceptions and variances to its rules only where such exceptions and variances will not jeopardize the public safety and welfare.

C. The commission shall hear an appeal and hold hearings and issue a decision on an appeal within thirty days of the submission of an appeal.

D. The commission shall establish fee schedules for licenses, permits, certificates and inspections. The fees shall reflect the actual costs and expenses to carry out the provisions of the Elevator Safety Act."

3. Renumber the succeeding sections accordingly.
4. On page 9, strike lines 9 through 20 in their entirety.
5. Reletter the succeeding subsection accordingly.,

and thence referred to the **FINANCE COMMITTEE**.

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Respectfully submitted,

Richard C. Martinez, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 1 Against

Yes: 6

No: Harden

Excused: Eichenberg, Griego, E., Lopez, Sanchez, M.

Absent: None

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