



## **Florida Elevator Safety Code**

# **Administrative Rules**

**April 2, 2008**

**CHAPTER 61C-5  
Florida Administrative Code  
FLORIDA ELEVATOR SAFETY CODE**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
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2008 April 2

**CHAPTER 61C-5  
Florida Administrative Code**

**FLORIDA ELEVATOR SAFETY CODE**

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61C-5.001	Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts. <i>(Amended 10-4-00)</i>
61C-5.0012	Electrolysis Protection for Underground Hydraulic Elevator Cylinders. <i>(New 9-10-89)</i>
61C-5.004	Bulletin Boards. <i>(Amended 10-4-00)</i>
61C-5.0051	Emergency Stop Switches and In-Car Stop Switches. <i>(Amended 2-2-94)</i>
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61C-5.016	Elevator Safety Technical Advisory Council <i>(New 10-20-04)</i> .

**61C-5.001 Standards Adopted; Exclusions; and Conflicts.**

(1) Adopted Standards. The installation and maintenance of elevators, dumbwaiters, escalators, moving walks, manlifts, inclined and vertical wheelchair lifts, and inclined stairway chairlifts shall be governed by the following standards, which are hereby adopted and incorporated by reference.

(a) Chapter 30, Elevators and Conveying Systems, of the 2004 Florida Building Code, including the 2006 supplements.

(b) American National Standard Guide for Inspection of Elevators, Escalators, and Moving Walks, ASME A17.2-2004; and

(c) The Uniform Fire Safety Standards for Elevators, Chapter 69A-47, Florida Administrative Code, established by the Department of Financial Services.

(2) Exclusions. This rule chapter shall not apply to manlifts, hand-operated dumbwaiters, construction hoists, or other similar temporary lifting or lowering apparatus. The following standards are specifically excluded from Chapter 30, Elevators and Conveying Systems, Florida Building Code, as incorporated by reference.

(a) ASME A90.1, American National Standard Safety Standard for Belt Manlifts;

(b) ASME B20.1, Safety Standard for Conveyors and Related Equipment; and

(c) ALI ALCTV, Safety Requirements for Automotive Lifts.

(3) When conflicts occur between provisions of the Florida Building Code and provisions of other adopted codes, the provisions of the Florida Building Code shall apply.

*Specific Authority 399.10 FS. Law Implemented 399.02 FS. History--Amended 10-20-63, 4-20-64, 11-17-73, 12-20-73, Revised 3-22-74, Amended 12-18-74, 8-21-79, 8-1-82, 9-19-84, Formerly 7C-5.01, Amended 11-1-87, 10-31-88, 6-12-89, 9-10-89, 10-3-90, 5-12-91, 6-23-91, 8-9-91, 8-27-92, Formerly 7C-5.001, Amended 2-2-94, 8-1-96, 1-1-98, 10-4-00, 4-2-08.*

**61C-5.0012 Electrolysis Protection for Underground Hydraulic Elevator Cylinders.**

All newly installed and replacement underground hydraulic pressure cylinders shall be encased in an outer plastic containment to minimize electrolytic corrosion between the metal cylinder and ground cathode and shall conform to Chapter 30, Section 3009, of the Florida Building Code, as incorporated by reference.

*Specific Authority 399.10 FS. Law Implemented 399.02 FS. History--New 9-10-89, Formerly 7C-5.0012, Amended 4-2-08.*

**61C-5.004 Bulletin Boards.**

All bulletin boards and frames used in elevator cars shall conform to Chapter 30, Section 3010, of the Florida Building Code, as incorporated by reference.

*Specific Authority 399.10 FS. Law Implemented 399.02 FS. History--New 5-14-79, Amended 8-1-82, Formerly 7C-5.04, Amended 10-31-88, 4-11-91, Formerly 7C-5.004, Amended 2-2-94, 10-4-00, 4-2-08.*

**61C-5.0051 Emergency Stop Switches and In-Car Stop Switches.**

(1) Emergency Stop Switches. Only passenger elevators with non-perforated enclosures, installed prior to May 14, 1979, shall be permitted to have an emergency stop switch in the elevator car. The emergency stop switch shall be located in or adjacent to the operating panel of the elevator car in accordance with the ASME A17.1a-2005, rule 2.26.2.5, hereby incorporated by reference.

(a) Exception. The requirements of subsection (1) of this rule shall not apply to those elevators whose owners have removed the emergency stop switch after receiving written approval from the division.

(b) An emergency stop switch shall be provided in the car of all freight and passenger elevators with a perforated enclosure, in accordance with ASME A17.1a-2005, rule 2.26.2.5, as incorporated by reference.

(2) In-Car Stop Switch -- New Installations. On passenger elevators equipped with non-perforated enclosures, a stop switch, either key operated or behind a locked cover, shall be provided in the car and located in or adjacent to the car operating panel, in accordance with ASME A17.1a-2005, rule 2.26.2.21, hereby incorporated by reference.

*Specific Authority 399.10 FS. Law Implemented 399.02 FS. History--New 5-6-90, Formerly 7C-5.0051, Amended 2-2-94, 4-2-08.*

**61C-5.0052 Falsification of Reports.**

*Specific Authority 399.02, 399.10, 399.105 FS. Law Implemented 399.105(4) FS. History--New 4-11-91, Formerly 7C-5.0052, Repealed 8-1-96.*

**61C-5.006 Elevator Fees; Construction and Alteration Permits; Annual Certificates of Operation; Delinquency Fee; Transfer of Ownership; Certificate Replacement.**

(1) Application for permit to install or relocate an elevator shall be accompanied by a fee of \$250 and an affidavit of elevator code compliance completed and signed by a Certificate of Competency holder

designated by the registered elevator company making application. The appropriate certificate of operation fee specified in paragraph 61C-5.006(4)(a), F.A.C., may be submitted with the application for permit to install or relocate an elevator. Every permit issued becomes invalid unless the work authorized by such permit is commenced within 6 months after issuance, or if the work authorized by such permit is suspended or abandoned for a period of 60 days after the time the work is commenced. For good cause, one or more extensions of time, for periods not exceeding 90 days each may be allowed. Such extensions shall be in writing and signed by the director of the Division of Hotels and Restaurants.

(a) An extension of time for good cause shall be granted due to delays in construction arising from the non-availability of parts necessary to complete construction; the occurrence of a natural disaster or civil disturbance; the injury, illness, or death of an involved material party to the construction; or other hardship as approved by the director.

(b) Extensions will not be granted when the director determines that the delay is the fault of the contractor or applicant; the delay results from failing to diligently pursue construction; or the necessity for the extension is due to the party's own negligence and would have been avoided by the party's exercise of due diligence.

(2) Application for permit to alter an elevator shall be accompanied by a fee of \$200; an affidavit of elevator code compliance completed and signed by a Certificate of Competency holder designated by the registered elevator company making application; and a list of the alterations to be performed under the permit.

(3) The license renewal period of certificates of operation commences on August 1 of each year. All certificates of operation will expire on July 31 at 11:59 p.m. of each year. Applications and fee payments for renewal of certificates of operation not postmarked or received before August 1 of each year will be deemed delinquent. The following items are required for renewal and must be received by the Bureau of Elevator Safety prior to issuance of a renewal certificate of operation:

(a) Proof of a current satisfactory inspection;

(b) Those elevators or other conveyances not requiring an inspection pursuant to Section 399.061(1)(a), F.S., shall submit proof of a current satisfactory inspection or a notarized statement to the presence of a current service maintenance contract as defined in Section 399.01(10), F.S., which is in compliance with Rule 61C-5.013, F.A.C. The statement shall include the parties to the contract; the beginning and ending dates of the contract; and the date of the most recent routine examination. The length of the service maintenance contract shall equal or exceed the license renewal period;

(c) The license renewal fee; and

(d) A delinquent certificate of operation renewal application must be accompanied by a delinquency fee of \$50 in addition to the license renewal fee.

(4)(a) Until March 1, 2008, certificate of operation fees for elevators are based on whether or not a service maintenance contract to ensure safe elevator operation is consistently in force, and shall be based on the following schedules:

1. Fees based on type of installation and number of landings. Hand-operated, electric, hydraulic passenger and freight elevators, escalators, side walk elevators, power operated dumbwaiters, material lifts and dumbwaiters with automatic transfer devices, inclined stairway chairlifts, inclined and vertical

wheelchair lifts and inclined elevators.

<b>NUMBER OF LANDINGS</b>	<b>FEE UNDER SERVICE MAINTENANCE CONTRACT</b>	<b>FEE NO SERVICE MAINTENANCE CONTRACT</b>
Elevators serving 0 - 2 landings	\$32	\$72
Elevators serving 3 - 5 landings	\$36	\$77
Elevators serving 6 - 10 landings	\$41	\$81
Elevators serving 11 - 15 landings	\$45	\$86
Elevators serving Over 15 landings	\$45	\$90

2. Fee based on type of installation, regardless of the number of landings:

<b>TYPE OF INSTALLATION</b>	<b>FEE UNDER SERVICE MAINTENANCE CONTRACT</b>	<b>FEE NO SERVICE MAINTENANCE CONTRACT</b>
Special purpose Elevators, Manlifts, Moving Walks	\$45	\$90

(b) Beginning March 1, 2008, certificate of operation fees will no longer be based on the existence of a service maintenance contract or the number of landings. The certificate of operation fee shall be \$75 for each type of installation and class as follows:

TYPE OF INSTALLATION	CLASS	TYPE OF INSTALLATION	CLASS
Traction Passenger	01	LU/LA (Limited Use/Limited Application)	09
Hydraulic Passenger	02	Dumbwaiter	10
Traction Freight	03	Escalator	12
Hydraulic Freight	04	Sidewalk Elevator	14
Hand Power Passenger	05	Material Lift/Dumbwaiter with Automatic Transfer Device	15
Hand Power Freight	06	Special Purpose Personnel Elevator	16
Moving Walk	07	Inclined Stairway Chairlift	17
Inclined Lift	08	Inclined & Vertical Wheelchair Lift	18

(5) Certificate of operation renewal is the responsibility of the elevator owner or lessee, when owner responsibilities are specifically assigned by lease. It is the responsibility of the current owner to notify the division in writing within 30 days after transfer of ownership or lease assignment. A new certificate of operation will be issued to the new owner or lessee upon receipt of notification. No fee will be charged for processing a transfer of ownership or lease assignment.

(6) Replacement of a mutilated or lost certificate of operation shall be provided to the owner when a request is submitted to the division. Such requests must include the elevator serial number, business name and address, and a contact name and phone number. Requests for a replacement certificate of operation may be submitted by phone, e-mail, fax, or in writing to the division.

(7) THESE FEES ARE NONREFUNDABLE.

*Specific Authority 399.02, 399.03, 399.07(1), 399.10 FS. Law Implemented 399.03, 399.061, 399.07 FS. History—New 8-21-79, Amended 11-20-79, 10-8-81, 4-21-82, 8-1-82, 11-27-83, 9-19-84, 10-8-85, Formerly 7C-5.06, Amended 10-31-88, 7-1-92, 10-11-92, Formerly 7C-5.006, Amended 2-2-94, 1-1-98, 5-24-01, 9-17-07.*

#### **61C-5.007 Fees; Certificates of Competency, Renewal.**

(1) The initial application for a certificate of competency shall be accompanied by a fee of \$100.

(2) The renewal application for a certificate of competency shall be accompanied by a fee of \$50.

(3) All applicants for a Certificate of Competency must have a degree in mechanical or electrical engineering from a four-year, accredited College or University or equivalent work experience in the construction, installation, inspection, maintenance, and repair of elevators. Work in the areas indicated above may be substituted on a year for year basis for the required College training.

(4) Each Certificate of Competency shall be issued for a calendar year and shall expire at the end of the year unless renewed by the division. For the purpose of this section, certificates will expire on

December 31 at 11:59 p.m. of each year. Applications for renewal certificates of competency must be paid by January 1 of each year.

(5) Before an initial Certificate of Competency is issued by the division, the applicant must pass an examination conducted by the division or its designee covering the construction, installation, inspection, maintenance, and repair of elevators and their appurtenances.

(6) Each elevator company employing a person or persons to construct, install, inspect, maintain, or repair any vertical conveyance regulated by the bureau, must register and have on file with the division a valid Certificate of Comprehensive General Liability Insurance evidencing coverage limits in the minimum amounts of \$100,000 per person and \$300,000 per occurrence and the name of at least one employee who holds a current Certificate of Competency issued pursuant to section 399.01(17), Florida Statutes.

(7) Any elevator company that fails to register with the division is subject to an administrative fine set by the division not greater than \$500 in addition to any other penalty provided by law.

(8) Each certified elevator inspector and each certified elevator technician who, independent of a registered elevator company as defined in section 399.01(13), Florida Statutes, performs any services on any vertical conveyance regulated by the bureau must have on file with the division a valid Certificate of Comprehensive General Liability Insurance evidencing coverage limits in the minimum amounts of \$100,000 per person and \$300,000 per occurrence prior to performing any services independent of a registered elevator company.

*Specific Authority 399.001, 399.049, 399.10, 399.105(2), FS. Law Implemented 399.01(13), 399.01(14), 399.01(15), 399.01(17), FS. History- New 10-8-81, Amended 11-27-83, 2-19-84, Formerly 7C-5.07, Amended 4-11-91, Formerly 7C-5.007, Amended 2-2-94, 8-21-06.*

#### **61C-5.008 Definitions.**

When used in this rule, the following terms shall have these meanings:

- (1) "Bureau" means the Bureau of Elevator Safety.
- (2) "Course" means a course, seminar or other program of instruction approved by the bureau for the purpose of satisfying continuing education requirements established in Chapter 399, Florida Statutes.
- (3) "Course hour" means fifty minutes of instruction, exclusive of breaks, recesses, or time not spent in instruction.
- (4) "Course provider" means the person or entity approved by and registered with the bureau pursuant to this rule and who is responsible for conducting a course approved pursuant to this rule.
- (5) "Course instructor" means the person appointed by the course provider to actually conduct an approved course.
- (6) "Current satisfactory inspection" means an inspection completed on or after August 1 of the previous year that is the most recent annual inspection conducted prior to submission of the current application for renewal and contains no violations.
- (7) "Direct supervision" means a certificate of competency holder supervising an elevator helper as set forth in section 399.01(16), Florida Statutes, is within physical proximity of the person being directly supervised such that timely observation and evaluation of the work being performed is facilitated to

ensure the work is completed in accordance with applicable statutory and administrative code requirements.

(8) "Session" means each distinct occasion a course is conducted.

(9) "Syllabus" means a detailed outline of the course content to a level of detail that sufficiently demonstrates the relevance required by section 61C-5.008(3).

*Specific Authority 399.01, 399.02, FS. Law Implemented 399.01(17), FS. History—New 11-9-06.*

### **61C-5.0085 Continuing Education Requirements.**

(1) Continuing Education Requirements.

(a) To renew a Certificate of Competency, a Certified Elevator Technician, or a Certified Elevator Inspector credential issued by the bureau pursuant to Chapter 399, Florida Statutes, that requires continuing education, a person must submit, in addition to the required application and fee, proof of completion within the current annual licensure period of 8 hours of approved continuing education.

(b) A person holding more than one individual credential issued by the bureau that requires continuing education need only complete 8 hours of continuing education during each annual period, but must submit proof of completion of the continuing education with each application submitted to the bureau for renewal of the credentials.

(c) A person initially certified or registered by the bureau 180 days or more prior to the renewal deadline must complete 4 hours of approved continuing education as a condition of renewal.

(d) A person initially certified or registered by the bureau for less than 180 days prior to the renewal deadline need not complete any approved continuing education as a condition of renewal.

(2) Course Provider Approval.

(a) Each course provider must register with and obtain approval from the bureau to appoint instructors and conduct courses that satisfy continuing education requirements of Chapter 399, Florida Statutes, by submitting a completed application. Approval shall be granted upon verification that the provider possesses the following: five years experience in the construction, alteration, modification, maintenance or repair of elevators, and one of the following:

1. Possession of a Certificate of Competency issued by the bureau and in good standing;
2. Certification in good standing, pursuant to the American Society of Mechanical Engineers standards as a Qualified Elevator Inspector;
3. Proof of registration, licensure or certification in the elevator trade by a United States authority having jurisdiction, to standards substantially equal to or more stringent than those of Chapter 399, Florida Statutes.

(b) A licensed, certified or registered contractor or engineer having five years experience in the elevator industry may, upon verification, be approved as a course provider.

(c) Each course provider approval and registration expires three years from the date of issue, and must be renewed prior to conducting any further courses intended to satisfy continuing education requirements of Chapter 399, Florida Statutes.

(d) Each course provider seeking bureau approval must submit at least one continuing education course syllabus to the bureau for approval.

(e) A course provider must provide the bureau written notice of any material changes to information contained in its most recent application for, or renewal of, approval and registration no later than 30 days after such a change.

(f) The bureau shall maintain a list of all course providers it has approved.

(g) The bureau shall deny approval of, suspend, or revoke the registration of any course provider if based on any of the following:

1. Obtaining or attempting to obtain registration or course approval through fraud, deceit, false statements, or misrepresentation of material facts, whether such statements or misrepresentations are made knowingly or negligently.

2. Failure to provide complete and accurate information in the initial application for registration or in any notification of change in information.

3. Failure to notify the bureau of a change in the information required in subsection (4) for registration of course providers.

4. Falsification of any records regarding the continuing education courses conducted by the course provider or the persons who attended the courses.

5. Failure to maintain any required records regarding the continuing education courses conducted by the course provider or the persons who attended the courses.

6. Failure to properly record attendance at any session of an approved course.

7. Failure to provide the bureau with copies of any document or other information required to be maintained by the course provider pursuant to this rule.

8. Advertising that a course is approved prior to the date approval is granted, or otherwise including false or misrepresentative information in advertising.

9. Participating in any activity designed or intended to circumvent or evade the requirements of Chapter 399, Florida Statutes, or the rules adopted by the bureau to implement that section.

10. Failure to include the bureau course identification number in any advertisement, brochure, course completion certificate, or other marketing or instructional material.

(h) If a course provider's registration is suspended or revoked, the course provider must cancel all sessions scheduled after the suspension or revocation takes effect and refund any fees associated with those sessions until such time as the course provider is restored to good standing.

(i) The bureau may deny approval or renewal of, suspend, or revoke the registration of any course provider when any license prerequisite to approval and registration of the course provider becomes suspended or revoked by the bureau.

(j) A provider whose approval and registration is delinquent, expired, suspended or revoked may not conduct courses. Any courses conducted while a provider is delinquent, expired, suspended or revoked, will not satisfy the continuing education requirements of Chapter 399, Florida Statutes.

### (3) Continuing Education Course Approval.

(a) To satisfy continuing education requirements of Chapter 399, Florida Statutes, and this rule, each approved course provider must submit at least one continuing education course syllabus to the bureau for approval. To be approved as a course of continuing education for purposes of Chapter 399, Florida Statutes and this rule, the course must provide technical or safety relevance to elevator construction, alteration, modification, repair or maintenance.

(b) The following subjects are relevant and provided as a guide. Courses submitted for approval need not encompass all these nor be limited to only these: elevator general theory and principles; plan and specification reading and interpretation; electrical codes; wiring and protection; wiring methods and materials; special occupancies and situations; life safety and Americans with Disabilities Act; current

adopted elevator safety codes; inspectors manuals and structural considerations; wheelchair or accessibility lifts; OSHA Safety standards; periodic safety tests; or use of specialized tools and equipment.

(c) Continuing education courses will only be considered for approval when the appropriate application is submitted by an approved course provider to the bureau. The application must include: total number of hours of the course; a syllabus that demonstrates topical relevance of the course and includes an accounting of time spent on each topic or subsection in increments of not less than a quarter hour; the name and qualifications of all instructors known at the time of the application. The bureau shall assign each approved course a unique identification number.

(d) Any course denied approval may be modified and resubmitted for approval.

(e) The bureau may not deny or withdraw approval for a course on the sole basis that another course provider conducts the same or similar course approved by the bureau.

(4) Course Instructor Qualifications.

(a) Course instructors must be affiliated with an approved course provider and possess education and experience that qualifies the instructor to teach the course or parts of the course to which he or she is assigned. This education and experience must be verified by the course provider, and consist of the following: five years experience in the construction, alteration, modification, maintenance or repair of elevators, and one of the following:

1. Possession of a Certificate of Competency issued by and in good standing with the bureau;
2. Current certification under the American Society of Mechanical Engineers standards as a Qualified Elevator Inspector;
3. Proof of registration, licensure or certification in the elevator trade by a United States authority having jurisdiction, to standards substantially equal to or more stringent than those of Chapter 399, Florida Statutes.

(b) A licensed, certified or registered contractor or engineer having five years experience in the elevator industry verified by the course provider, and whose license, certification, or registration is in good standing, also verified by the course provider, may teach a course within the scope of his or her license.

(5) Records Required of Course Providers.

(a) The course provider must maintain records for each session of courses it conducts for the purpose of satisfying continuing education requirements established in Chapter 399, Florida Statutes, and provide any of these required records upon request by the bureau. Such records must be maintained for three years, and contain the following:

1. The time, dates and address of each course session.
2. The name, address and qualifications of any instructor teaching any portion of a course session.
3. The syllabus of each course, which must be provided to each attendee.
4. The name, address and bureau certification or registration number and type of each person that completed a course session, regardless of whether a fee is charged.
5. The original sign-in sheet used on-site to record attendance for each course session, which must include: the time, date and address of the course session, the attendee's printed name, signature, and bureau certification or registration number and type, and number of course hours the attendee completed. The sign-in sheet must prominently bear the following statement above the attendees information: "By affixing my name and/or signature and/or mark to this document, I attest and certify that I am correctly and accurately identified herein as the person attending this continuing education course session." The sign-in sheet must also bear the following statement: "I attest the information recorded

herein is true and accurate" above the signature of the instructor and the printed names of the course provider and instructor.

(b) Upon completion of a course, each attendee shall receive from the course provider a certificate measuring 8½ inches by 11 inches, displaying the following: the time, date and address of the course session; name of the course; number of course hours attended; the name of the course provider and instructor, and bureau course identification number.

(6) Advertising Continuing Education Courses.

(a) A course provider may not advertise a course as approved by the bureau until such approval is granted.

(b) A course provider may not misrepresent or include false or misleading information regarding the contents, instructors or number of hours of any course approved under this rule.

(c) The course provider must include the bureau course identification number in any advertising used in connection with the course, and any other materials used in connection with the course including but not limited to the syllabus or other instructional materials.

*Specific Authority 399.001, 399.01, 399.02, 399.049, FS. Law Implemented 399.01(17), FS. History--New 11-9-06.*

**61C-5.009 Venting of Hoistways, Minimum Requirements.**

Hoistways of elevators serving more than three stories shall be provided with means for venting smoke and hot gases to the outer air in case of fire. Hoistway vents shall conform to Chapter 30, Section 3004, of the Florida Building Code, as incorporated by reference.

*Specific Authority 399.02 FS. Law Implemented 399.02 FS. History--New 7-12-83, Formerly 7C-5.09, Amended 11-1-87, 10-31-88, Formerly 7C-5.009, Amended 2-2-94, 10-04-00, 4-2-08.*

**61C-5.011 Alterations to Electric and Hydraulic Elevators and Escalators.**

All alterations set forth in Chapter 30, Section 3011 of the Florida Building Code, as incorporated by reference, require that inspections and tests be performed to determine conformance with the ASME A17.1. Replacement of the critical system components referenced in Chapter 30, Section 3011 of the Florida Building Code, as incorporated by reference, shall require an alteration permit and satisfactory completion of all tests listed.

*Specific Authority 399.02 FS. Law Implemented 399.02 FS. History--New 2-11-92, Formerly 7C-5.0011, Amended 8-1-96, 10-4-00, 4-2-08.*

**61C-5.012 Elevator Accessibility for Americans with Disabilities.**

*Specific Authority 399.02 FS. Law Implemented 399.02 FS. History--New 2-2-94, Repealed 8-1-96.*

**61C-5.013 Service Maintenance Contracts.**

(1) For the purpose of this chapter, the term "routine examination" as it relates to the definition of a service maintenance contract means:

(a) Registered elevator companies that enter into service maintenance contracts with elevator owners must follow the procedures within the scope of ASME A17.2, as incorporated by reference, for routine examinations and periodic safety tests of elevators;

(b) The periodic safety tests required by ASME A17.1 and its latest Addendas and supplements, as reference in the Florida Building Code, must be conducted within the time frames established by that standard;

(c) The routine examination by registered elevator companies shall be performed at least on a yearly basis; and

(d) The elevator service maintenance company must make a written record indicating the date or dates of routine examinations and required testing. This record must be maintained in the elevator machine room, available for review by the division or its contractual designees.

(2) If the periodic safety tests required by ASME A17.1 and its latest Addendas and supplements, as referenced in the Florida Building Code, are not included in a service maintenance contract, the service contract will not be valid and will not be considered to be a service maintenance contract as defined by Section 399.01(10), Florida Statutes.

(3) The owner or lessee, when owner responsibilities are specifically assigned by lease, of a two-stop elevator or other conveyance not requiring an annual inspection pursuant to Section 399.061(1)(a), Florida Statutes, must notify the division in writing within 30 days of cancellation, termination, or expiration of the service maintenance contract. For the purpose of this section, notification is not required if the service maintenance contract is renewed or a new contract is executed within 30 days of cancellation, termination, or expirations, provided that proper notification of the terms of the new or renewed contract is submitted by the registered elevator company on letterhead attesting to the existence of a service maintenance agreement as required for license renewal.

(4) The owner or lessee, when owner responsibilities are specifically assigned by lease, of a two-stop elevator or other conveyance not requiring an annual inspection pursuant to Section 399.061(1)(a), Florida Statutes, must notify the division in writing within 30 days of transfer of service maintenance contract ownership.

(5) Written notifications shall be mailed to the Bureau of Elevator Safety, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

*Specific Authority 399.02 FS. Law Implemented 399.01 FS. History--New 2-2-94, Amended 10-4-00, 4-2-08.*

#### **61C-5.015 Enforcement and Penalties.**

*Specific Authority 399.02 FS. Law Implemented 399.105 FS. History--New 2-2-94, Repealed 8-1-96.*

#### **61C-5.016 Elevator Safety Technical Advisory Council.**

The Elevator Safety Technical Advisory Council shall consist of eight members appointed by the secretary of the department. Each of the representatives shall serve 4-year terms except, to provide for staggered terms as specified in statute, four of the initial appointees shall serve 2-year terms. The council representatives that shall serve an initial 2-year term of service are as follows: one representative from a major elevator manufacturing company or its authorized representative; one representative from a

building design profession; one representative of labor involved in the installation, maintenance, and repair of elevators; and one representative of a local government in this state. The council representatives that shall serve an initial 4-year term of service are as follows; one representative from an elevator servicing company; one representative of the general public; one representative of a building owner or manager; and one representative who is a certified elevator inspector from a private inspection service. All subsequent appointments shall be for 4-year terms.

*Specific Authority 399.1061, FS. Law Implemented 399.10, 399.1061, FS. History—New 10-20-04.*