



Department of **Business**  
**Professional Regulation** &

**Florida Elevator Safety Code**

# Administrative Rules

**November 9, 2006**

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
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**CHAPTER 61C-5  
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**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>
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**61C-5.001 Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts.**

The installation and maintenance of elevators, dumbwaiters, escalators, moving walks, manlifts, inclined and vertical wheelchair lifts, and inclined stairway chairlifts, in Florida, shall be governed by the following standards, which are hereby adopted by reference, with certain amendments and exclusions. This rule shall not apply to hand-operated dumbwaiters, construction hoists, or other similar temporary lifting or lowering apparatus.

(1) American National Standard Safety Code for elevators and escalators, ASME A17.1, 1996 edition, effective 10-4-00 and ASME A17.1a, 1997 addenda, effective 10-4-00, and ASME A17.1b, 1998 addenda, effective 10-4-00.

(2)(a) American National Standard Inspectors Manual for Electric Elevators, ASME A17.2.1, 1996 edition including ASME A17.2.1a, 1997 Addenda and ASME A17.2.1b, 1998 Addenda.

(b) American National Standard inspectors Manual of Hydraulic Elevators ASME A17.2.2, 1997 edition including ASME A17.2.2a, 1998 Addenda.

(c) American National Standard Inspectors Manual for Escalators and Moving Walks, ASME A17.2.3, 1998 edition.

(3) American National Standard Safety Code for Manlifts, ASME A90.1, 1992 edition.

(4) National Fire Protection Association, NFPA-70, National Electrical Code, 1999 edition.

(5) The Uniform Fire Safety Standards for Elevators, Chapter 4A-47, Florida Administrative Code, established by the Department of Insurance, State Fire Marshal's Office, are hereby adopted by reference.

(6) Each elevator shall be accessible to Americans with Disabilities in accordance with the Federal Americans with Disabilities Act Accessibility Guidelines, Appendix B, Sections 4.10 and 4.11 and all applicable requirements, references, and drawings set forth in these sections.

(7) The following rules of ASME A17.1, are hereby amended as follows:

(a) Rule 211.9e is added, and reads as follows: Each car in a multicar group shall be sequentially numbered from left to right, as viewed from the elevator lobby.

(b) Rule 101.3a of the ASME A17.1, which is amended to read as follows: Rule 101.3a General Requirements. A permanent, safe and convenient means of access to elevator machine rooms and overhead machinery spaces shall be provided for authorized persons. The key to the machine rooms and overhead machinery spaces shall be kept on the premises at all times and readily available for use by state elevator inspectors.

(c) Rule 211.8 Switch Keys, of ASME A17.1, is amended to read as follows: The switches required by Rule 211.2 through 211.5, for all elevators in a building, must be operable by the same keys. This key must not operate any other switch and shall not be part of a building master key system. There must be a key for the designated level switch and for each elevator in the group. These keys must be kept on the premises at all times in a location readily accessible to authorized personnel, and state elevator inspectors, but not where the key is available to the general public. NOTE: (RULE 211.8): Local authorities may specify a uniform keyed lock box to contain the necessary keys.

(d) Rule 805.2d is added, and reads as follows: The key for the starting switches must be kept on the premises at all times in a location readily available to authorized personnel and state elevator inspectors, but not where the key is available to the general public.

(e) Rule 106.1b(3). Drains connected directly to sewers shall not be installed in elevator pits. Where drains are not provided to prevent the accumulation of water, a sump of adequate size and depth to accommodate a pump shall be provided, with or without a pump.

(8) Specifically excluded from ASME A17.1, 1996 edition and supplements are:

(a) Part XVIII, entitled Screw Column Elevators.

(b) Part XXI, entitled Private Residence Inclined Stairway Chairlifts and Inclined and Vertical Wheelchair Lifts.

(c) Section 1200 General Requirements, Rule 1200.1 Conformance with Safety Code for Existing Installations.

(d) Part V, Private Residence Elevators.

*Specific Authority 399.02 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.*

### **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-5.0012 Electrolysis Protection for Underground Hydraulic Elevator Cylinders.**

All newly installed underground hydraulic pressure cylinders shall be encased in an outer plastic containment to minimize electrolytic corrosion between the metal cylinder and ground cathode.

(1) The plastic casing shall be capped at the bottom, and all joints must be solvent or heat welded to insure water tightness.

(2) The plastic casing shall be constructed of polyethylene or polyvinyl chloride (PVC). The plastic pipe wall thickness must not be less than .125 inches (3.175 mm).

(3) The neck of the plastic casing shall have a means of inspection provided to monitor the annulus between the pressurized hydraulic cylinder and the protective plastic casing.

(4) Replacements of existing hydraulic cylinders shall be protected by the aforementioned method where existing physical dimensions permit.

*Specific Authority 399.02 FS. Law Implemented 399.02 FS. History--New 9-10-89, Formerly 7C-5.0012.*

#### **61C-5.004 Bulletin Boards.**

(1) Bulletin boards and frames used in elevator cars shall not create any conditions which will be unsafe for user of the elevator car. Users shall include:

- (a) Disabled persons;
- (b) Persons confined to wheelchairs; and
- (c) All other persons who may operate the elevator car in its normal course of use.

(2) Bulletin boards shall not protrude more than 1 inch beyond the vertical line of the car wall. They shall not encroach on any clearances required to be maintained in the elevator by chapter 399, Florida Statutes, and ASME A17.1.

(3) Bulletin boards shall be framed and all edges must be smooth and rounded. No sharp edges of any kind shall protrude.

(4) A glass or plastic cover shall be provided. Glass, if used, must meet the following requirements:

- (a) Be laminated;
- (b) Meet the requirement for laminated glass as set forth in ANSI Z97.1;
- (c) The cover shall be securely held in place by the frame.

(5) The frame and bulletin board shall be permanently fastened to the car wall in such a manner so that all parts including the cover in place will withstand any and all tests required of the elevator.

(6) All materials used shall be fire resistive equal to the requirements of the cab enclosure.

(7) The bottom of the bulletin boards shall not be less than 4 feet above the cab floor, and no less than three inches above a handrail. The total area shall not exceed 4 square feet.

*Specific Authority 399.02 FS. Law Implemented 399.02(2) 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.*

#### **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 A17.1, rule 210.2(e).

(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 A17.1, rule 210.2(e).

(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 A17.1, rule 210.2(v).

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

**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; Temporary Operation Permits Certificate Replacement.**

(1) Application for elevator permit to erect or move shall be accompanied by a fee of \$250. Every permit issued becomes invalid unless the work authorized by such permit is commenced within 1 year after issuance, or if the work authorized by such permit is suspended or abandoned for a period of 1 year after the time the work is commenced; provided that, 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 or his designee. The following grounds for extension shall constitute good cause for the granting of an extension:

(a) An extension of time shall be granted due to delays in construction, including delay arising from the non-availability of parts necessary to complete construction; except when the director or his designee determines that the delay is the fault of the contractor or applicant, or where the delay results from failure to diligently pursue construction.

(b) An extension of time shall be granted due to delays caused by the injury, illness or death of an involved material party to the construction.

(c) The director shall also grant an extension of time where failure to grant the requested extension will impose hardship on the party requesting the permit; except when the director or his designee determines that the necessity for the extension is due to the party's own negligence and the necessity for the extension would have been avoided by the party's exercise of due diligence.

(2) Application for elevator permit to alter shall be accompanied by a fee of \$200.

(3) The annual renewal period of certificates of operation commences on August 1 of each year. A renewal application for a certificate of operation filed with the division after August 1 of each year must be accompanied by a delinquency fee of \$50 in addition to the annual renewal fee and any other fees required by law. For the purpose of this section, all certificates will expire on July 31 at 11:59 p.m. of each year. Applications for renewal certificates of operation not paid by August 1 of each year will be deemed delinquent.

(4) Annual certificate of operation fees for elevators are based on whether or not a service maintenance contract to insure safe elevator operation is consistently in force. In addition, the fee shall be based on the following schedules:

(a) 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

(b) 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

(c) Fee for Temporary Operating Permits -- \$100. The permit shall be issued for a period not to exceed 30 days.

(5) Replacement of a mutilated or lost certificate of operation shall be provided to the owner when requested in writing to the division. Such replacement certificates shall have the word "DUPLICATE" stamped in large letters across the face and bear the same serial number as the original.

(6) THESE FEES ARE NONREFUNDABLE.

*Specific Authority 399.07(1)(d), 399.07(2)(d), 399.10 FS. Law Implemented 399.07(1)(d), (2)(d) 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.*

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

The following requirements shall apply unless local applicable codes provide a more stringent standard:

(1) 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. However, such requirement shall not apply to hoistways not extending into the top floor of the building, in buildings other than hotels, apartment houses, hospitals and similar buildings with overnight sleeping quarters, where the hoistways are equipped with automatic sprinklers connected to the building water supply system or to an approved automatic sprinkler system. Refer to National Fire Protection (NFPA) No. 13 Sprinkler Systems.

(2) Vents shall be located:

(a) In the side of the hoistway enclosure directly below the floor or floors at the top of the hoistway, and shall open either directly to the outer air through noncombustible ducts to the outer air; or

(b) If approved by a local building official, in the wall or roof of the penthouse or overhead machinery space above the roof, provided that openings have a total area not less than the minimum specified in subsection (3) of this rule.

(3) The area of the vents shall be not less than 3.5 percent of the area of the hoistway nor less than 3 square feet for each elevator car, whichever is greater. Of the total required vent area, not less than 1/3 shall be permanently open or automatically opened by a damper. A hinged damper which will open under a small amount of pressure shall be considered a permanently open vent. However, where mechanical ventilation providing equivalent venting of the hoistway is provided, the required vent area may be reduced if it maintains adequate ventilation and if:

(a) The building is not a hotel, apartment house, hospital or similar building with overnight sleeping quarters, or

(b) The hoistway or machine room is so located that it has no outside exposure, or

(c) The hoistway does not extend to the top of the building, or

(d) The hoistway or machine room exhaust fan is automatically reactivated by thermostatic means.

*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.*

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

(1) In addition to the alterations set forth in Rule 1003.3 and Rule 1006.3, ASME A17.1, 1996, the following alterations require, in addition to a construction permit, that inspections and tests be performed to determine conformance with the ASME A17.1, 1996, rules cited below:

<b>ALTERATIONS</b>	<b>Electric Elevators</b>	<b>Hydraulic Elevators</b>
(a) Addition of elevator to existing hoistway (new installation)	1201.1b	1201.1b
(b) Brake (replacement of existing drive machine brake by a new brake)	208-210.8	-----
(c) Buffer (addition of oil buffer)	1202.2	1203.2b
(d) Driving machine (replacement of)	1202.9a	1203.3
(e) Freight elevator converted to passenger service	1202.8a	1203.2h
(f) Rope, replacement in size or number of ropes	1200.4d	1200.4d
(g) Sheave, driving machine (replacement in size)	1202.9a	1202.9a

(2) The following alterations require, in addition to a construction permit, that inspections be performed to determine conformance with the ASME A17.1, 1996, rule cited below:

<b>ALTERATIONS</b>	<b>Electric Elevators</b>	<b>Hydraulic Elevators</b>
(a) Access Switch (addition of)	1201.11d	1203.1k
(b) Automatic transfer device (addition of)	1205	1205
(c) Car, door or gate (addition of car door or gate electric contacts)	1202.5	1203.2e
(d) Car enclosure	1202.5	1203.2e
(e) Car leveling device (addition of) and (trucking device)	1202.12b	1203.8b
(f) Control	1202.12e	1203.8f
(g) Control equipment	1202.12	1203.8
(h) Controller (existing controller w/new) (excluding dispatching device)	1202.12d	1203.8e
(i) Counterweight (change of)	1202.3	1203.2c
(j) Increase in travel (or decrease)	1202.10a	1203.4a
(k) Door, hoistway (replacement of all hoistway doors)	1201.10	1203.1j
(l) Escalator, relocation of	1207	-----
(m) Escalator, skirt switches (addition of safety device)	805	-----
(n) Freight elevator permitted to carry passengers	1202.8c	1203.2j
(o) Guide rails (change in type or size)	1202.1	1203.2a
(p) Hoistway door, power operation of (addition of)	1201.12	1203.1m
(q) Hoistway door locking device (addition of)	1201.11	1203.1k
(r) Operation, change in type of	1202.12f	1203.8q
(s) Platform, car (complete replacement of)	1202.4a	1203.2d
(t) Roller guide shoe, counter-weight and car (addition of)	1202.3	1202.3
(u) Rope equalizer (addition of)	1202.14c	1203.9c
(v) Rope fastening device, auxiliary (addition of)	1202.14d	1202.14d
(w) Tank (replacement of) (with different capacity)	-----	1203.6
(x) Top of car operating device (addition of)	1202.12a	1203.8a

*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.*

**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 A17.2.1, A17.2.2, A17.2.3, Inspectors Manual, and latest Addendas, for its routine examinations of elevators;

(b) The safety tests required by ASME A17.1 and its latest Addendas 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 required code related tests are not included in a service maintenance contract, the service contract will not be valid and would not be considered to be a service maintenance contract pursuant to Section 399.01(7), Florida Statutes.

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

**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.*