

## **2018 Legislative Update (Chapter 337 of the Laws of 2018 (HB1107))**

During the 2018 session of the Maryland General Assembly, House Bill 1107 passed and was signed into law by Governor Hogan. The bill makes significant changes to the Maryland Elevator Safety law and the Safety Inspection Unit would like to make the elevator community aware of these changes.

As many of you know, there are two components to the process that results in the issuance of a certificate of inspection: inspecting equipment (TPQEI or State Inspector) and testing equipment (Licensed Elevator Mechanic). Inspecting is one component required by elevator code, (A17.1 section 8.11) to be performed by a QEI certified inspector, confirming compliant equipment safety functions. Testing is another separate component required by the elevator code, (A17.1 section 8.6) to be performed by a licensed elevator mechanic, demonstrating compliant equipment safety performance operation. Currently, annual testing may be “verified” by an authorized/registered TPQEI through documentation during an onsite inspection. Witnessing of the annual test is currently an option in Maryland for privately owned elevator units, depending on the facility owner’s choice, or the authorized/registered TPQEI’s business practice.

HB 1107 significantly changes the witnessing requirement. Beginning October 1, 2018, a TPQEI is required to be physically present during the testing of an elevator unit. This requirement is phased in as follows:

- Beginning October 1, 2018: Five year inspections of privately owned elevators will transfer from the State to TPQEI who will witness the test;
- Beginning October 1, 2019: Annual and Five year inspection of elevators owned by State or local governments will transfer from the State to TPQEI who will witness the test;<sup>1</sup> and
- Beginning October 1, 2020: Annual inspection tests of privately owned elevators will be witnessed by TPQEI.

The law also eliminates the requirement for a third-party pre-final (compliance) inspection.

The State will retain final acceptance inspections (new installations), alterations, investigation of accidents, complaints, incidences, follow up inspections to confirm the corrective action, and systematic/random quality control monitoring inspections, of third-party QEI inspectors.

The law also creates an apprenticeship program for TPQEI.

A copy of Chapter 337 of 2018 laws (House Bill 1107) may be obtained at the following link:

<http://mgaleg.maryland.gov/webmga/frmMain.aspx?id=HB1107&stab=01&pid=billpage&tab=subject3&ys=2018RS>

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<sup>1</sup> If the Commissioner determines that the number of TPQEI is insufficient to physically witness the tests on State and local government units, the licensed elevator mechanic may perform the test in the presence of either a State inspector or TPQEI.