

Chapter 460

1957 REPLACEMENT PART

Elevators

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CROSS REFERENCES

460.030
Tithing law, application of, 291.374

460.010 Definitions. As used in this chapter, unless the context requires otherwise:

(1) "Commissioner" means the Commissioner of the Bureau of Labor.

(2) "Elevators" includes all power-driven elevators, dumbwaiters, escalators and manlifts.

460.020 [Repealed by 1957 c.398 §9]

460.025 Elevator installation and operation regulations; operating permit. (1) It is unlawful for any person to install or commence to install any elevator without first having submitted to the commissioner, for his inspection and approval, a copy of the plans and specifications of the elevator and the installation thereof. The commissioner may deny or withdraw permission to install the elevator if he determines that the elevator or the installation thereof may result in an unsafe condition during its operation, as provided in ORS 460.060.

(2) It is unlawful for any person who owns, leases, controls or manages an elevator or the structure or building within which the elevator is located, to operate or suffer to be operated an elevator for which no currently effective operating permit has been issued by the commissioner. An unlawfully installed or operated elevator may be disconnected from the source of power by the commissioner until such time as the necessary action has been taken to place the elevator in compliance with this chapter. [1957 c.398 §§2, 3]

460.027 Denial, suspension or revocation of operating permit. The commissioner may deny, suspend or revoke an operating permit for an elevator if the elevator is not in safe operating condition as provided in ORS 460.060, or otherwise is not in compliance with the provisions of this chapter. [1957 c.398 §4]

460.030 Permit fees; due dates; delinquent payment fee. (1) No operating permit shall be issued by the commissioner until the owner, lessee or user has paid an annual permit fee of \$10 on each elevator, except as provided in subsection (2) of this section.

(2) The commissioner shall charge and collect directly from the owner, lessee or user an annual \$3 permit fee for each operating permit issued by him under the provisions of subsections (2) and (3) of ORS 460.050.

(3) Such fees shall be due and payable upon completion of the initial installation, and annually thereafter, or annually on the anniversary of the payment of the previous fee due and paid.

(4) If not paid within 30 days after service of written notice by the commissioner therefor, a fee shall be delinquent, and shall be doubled. [Amended by 1955 c.138 §1; 1957 c.398 §5; 1957 c.465 §3]

460.040 Annual inspection; expenses of administering chapter. (1) The commissioner shall cause all elevators in this state to be inspected at least once each year.

(2) The expenses incurred by the commissioner in making inspections and in the administration of the provisions in this chapter shall be paid as prescribed by ORS 651.180. [Amended by 1955 c.138 §2; 1957 c.398 §6; 1957 c.465 §4]

460.050 Exemption of certain elevators from fees. (1) Elevators which are under the supervision of the United States Government or which are located in private homes are exempt from the payment of the fees provided for in this chapter.

(2) Elevators inspected regularly by elevator insurance companies on which reports of inspection have been received by the commissioner, are exempt from the payment of the fees provided for in subsection (1) of ORS 460.030; provided that each inspection by an insurance company is made by a person authorized by the commissioner. The commissioner shall authorize any bona fide employe of an elevator insurance company to make such inspections, provided that the applicant for such authorization has had experience in designing or installing, or maintaining, or inspecting elevators and satisfactorily passes a written examination given by the commissioner testing his knowledge of this chapter and the rules or regulations of the commissioner made in accordance therewith, and provided further, that the commissioner may waive the examination if the applicant holds a similar license for a city or another state.

(3) The commissioner may reject such authorization of any inspector of an insurance company should such inspector be incompetent or cancel any such authorization if any such inspector persistently violates reasonable rules or regulations of the commissioner made in accordance with this chapter or proves to be incompetent. Said inspector has the right of appeal to the circuit

courts of this state from the rejection of his authorization application or the cancelation of his authorization. [Amended by 1957 c.398 §7]

460.060 American Standard Safety Code to be used as guide. In order to determine whether an elevator, dumbwaiter, escalator or manlift is in a condition so it can safely be operated, the commissioner shall be guided by the current code of the United States Bureau of Standards, known as the American Standard Safety Code, for elevators, dumbwaiters, escalators and manlifts. The latest edition of such code on file in the office

of the commissioner on July 1 of each year shall constitute the "current" code for the following fiscal year. The commissioner shall obtain and keep on file in his office a copy of the latest edition issued by the United States Bureau of Standards, and shall have printed and certify to and deliver, upon request, to the general public, at cost, copies of such code. [Amended by 1957 c.398 §8]

460.990 Penalties. Violation of any provision of this chapter is punishable, upon conviction, by a fine not exceeding \$100 or imprisonment in the county jail not exceeding 60 days, or both.

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.
Done at Salem, Oregon,
on December 2, 1957.

Sam R. Haley
Legislative Counsel

CHAPTER 461

[Reserved for expansion]

