

**PART C**

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4101:5-1-02 Definitions.

Note: For definitions used in ~~this code~~ rules 4101:5-1-01 to 4101:5-3-02 of the Administrative Code:

(For definitions not contained herein, refer to the "ANSI ASME" standards listed in rule 4101:5-3-01 of the Administrative Code.)

"ASME" means the "American Society of Mechanical Engineers." Referenced standards, codes, and related technical information developed by this organization can be purchased by logging on to <http://www.asme.org> or by calling 1-800-the-asme.

"Board" means the board of building standards as established by section 3781.07 of the Revised Code and authorized by division (A) of section 4105.011 of the Revised Code to formulate rules and regulations governing the design, construction, repair, alteration, and maintenance of elevators.

"Board of building appeals" means the board of building appeals as established by section 3781.19 of the Revised Code.

~~"Chief" means the superintendent of the division of industrial compliance created in the department of commerce under section 121.04 of the Revised Code, or the person designated by the superintendent as responsible for the enforcement of this code.~~

~~"Division" means the division of industrial compliance as established in Chapter 4105. of the Revised Code in the department of commerce .~~

"Elevator" means, a hoisting and lowering apparatus equipped with a car, cage, or platform which moves on or between permanent rails or guides and serves two or more fixed landings in a building or structure to which section 3781.06 of the Revised Code applies. "Elevator" includes dumb-waiters other than hand-powered dumb-waiters, escalators, manlifts of the endless belt type, moving walks, other lifting or lowering apparatus permanently installed on or between rails or guides, and all equipment, machinery, and construction related to any elevator; but does not include construction hoists and other similar temporary lifting or lowering apparatuses, ski lifts, traveling, portable amusement rides or devices that are not affixed to a permanent foundation, or nonportable amusement rides or devices that are affixed to a permanent foundation.

"Freight elevator" means an elevator normally used for carrying freight and on which only the operator and employees in the pursuit of their duties, by the permission of the employer, are allowed to ride.

"General inspector" means a state inspector examined and hired to inspect elevators and lifting apparatus for that state.

"Inspector" means either a general or special inspector.

"Moving walks" means a type of passenger-carrying device on which passengers stand or walk, and in which the passenger-carrying surface remains parallel to its direction of motion and is uninterrupted.

"Owner or user" means any person, firm or corporation owning or operating any elevator.

"Special inspector" means an inspector examined and commissioned by the ~~chief of the division - superintendent~~ to inspect elevators and lifting apparatus in the state.

"Superintendent" means the superintendent of the division of industrial compliance created in the department of commerce under section 121.04 of the Revised Code, or the person designated by the superintendent as responsible for the enforcement of rules 4101:5-1-01 to 4101:5-3-02 and 1301:3-6-01 to 1301:3-6-06 of the Administrative Code.

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**TO BE RESCINDED**

4101:5-1-03 Enforcement.

The chief of the division shall enforce all provisions of the "Ohio Elevator Code" relating to the design, construction, repair, alteration, and maintenance of elevators and moving walks.

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4101:5-1-03 Enforcement.

The superintendent shall enforce all provisions of rules 4101:5-1-01 to 4101:5-3-02 and rules 1301:3-6-01 to 1301:3-6-06 of the Administrative Code relating to the design, construction, repair, alteration, and maintenance of elevators as defined in rule 4101:5-1-02 of the Administrative Code.

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**TO BE RESCINDED**

4101:5-1-04 Application for permit.

All applications for a new installation permit or an alteration permit shall be submitted in accordance with section 4105.16 of the Revised Code and shall certify that the submitted plans fully comply with the required standards.

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4101:5-1-04 Application for permit.

In accordance with section 4105.16 of the Revised Code , every owner or contractor shall apply for and obtain a permit from the division of industrial compliance prior to the installation of, alteration of, or repair of any elevator regulated by the division. The application shall be made on forms prescribed by the superintendent and in accordance with rule 1301:3-6-03 of the Administrative Code.

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4101:5-1-05 Adjudication order.

Before attempting to enforce, by any remedy, civil or criminal, the provisions with which the inspected elevator does not comply, the ~~chief of the division~~ superintendent shall issue an adjudication order in accordance with section 4105.11 of the Revised Code. The owner of the elevator specified therein may appeal to the board of building appeals under section 3781.19 of the Revised Code.

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4101:5-1-06 Examination for certificate of competency.

(A) No person may act, either as a general inspector or as a special inspector of elevators, unless he holds a certificate of competency ~~from the division of industrial compliance pursuant to section 4105.02 of the Revised Code~~ issued by the superintendent in accordance with rule 1301:3-6-02 of the Administrative Code.

(B) The written examination administered by the superintendent, prior to issuance of a certificate of ~~competency~~ competency, shall be the "Quality Elevator Inspectors (QEI) Examination".

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4101:5-1-07 Assessment fee.

(A) In accordance with division (I) of section 4105.17~~(4)~~ of the Revised Code, in addition to any fees assessed and collected directly from the owner or user for the inspection and issuance of a certificate of operation, the superintendent will collect, directly from the owner or user, a board assessed fee of three dollars and twenty-five cents for each certificate of operation or renewal thereof and for each inspection conducted.

(B) The three dollars and twenty-five cent assessment fee collected directly from the owner or user on behalf of the board shall be remitted to the board when deposited by the division of industrial compliance pursuant to section 121.084 of the Revised Code. The superintendent shall report to the board the amounts remitted not later than one month following the first full month's collection and then monthly thereafter.

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**TO BE RESCINDED**

**4101:5-3-01 Accepted engineering practice and approved standards.**

(A) Unless otherwise specifically provided for in this code, compliance with the applicable technical provisions, requirements, recommendations, and determinations of the standards listed in "Table 4101:5-3-01" of the Administrative Code is prima facie evidence of conformity with accepted engineering practice or with an approved standard governing the design, construction, repair, alteration and maintenance of elevators.

(B) Pursuant to division (A) of section 4105.011 of the Revised Code, the standards shall include the dated edition, as well as amendments thereto, subsequently published by the same authority.

Table 4101:5-3-01

Authority (Note a)	Designation	Edition	Title
ASME	A 17.1 (Note b)	2004	Safety Code for Elevators and Escalators
ASME	A 17.3 (Note d)	2005	Safety Code for Existing Elevators and Escalators.
ASME	A 18.1 (Note c)	2003	Safety Standard for Platform Lifts and Stairway Chairlifts.
ASME	A 90.1	2003	Safety Standard for Belt Manlifts.
Note a	ASME means "American Society of Mechanical Engineers."		
Note b	Section 8.6.1.2.1 of ASME A17.1 shall be deleted. Sections 8.10.1.1.3 and 8.11.1.1 of ASME A17.1 shall be changed to read: Inspectors shall meet the qualification requirements of Chapters 4105 of the Revised Code and 4101:5-1 of the Administrative Code, and be certified in accordance therewith.		
Note c	In section 3.6.6.1 of ASME A18.1, add an exception to read: platforms equipped with a power folding feature which automatically fold the platform when the unit is not in use shall not be required to meet the provisions of section 3.6.6.1.		
Note d	The rules of the board shall not be retroactively applied to existing elevators that are not otherwise being altered or repaired. Portions of an elevator not altered and not affected by an alteration are not required to comply with the code requirements for a new elevator.		

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**4101:5-3-01 Accepted engineering practice and approved standards.**

Unless otherwise specifically provided for in rules 4101:1-30-01 or 4101:5-1-01 to 4101:5-3-02 of the Administrative Code, compliance with the applicable technical provisions and requirements of the standards listed in "Table 4101:5-3-01" of the Administrative Code is prima facie evidence of conformity with accepted engineering practice or with an approved standard governing the design, construction, repair, alteration and maintenance of elevators.

Table 4101:5-3-01

Table 4101:5-3-01

Authority (Note a)	Designation (Note c)	Edition	Title
ASME	A 17.1 (Note b)	2010	Safety Code for Elevators and Escalators
ASME	A17.3 (Note d)	2008	Safety Code for Existing Elevators and Escalators.
ASME	A17.6	2010	Standard for Elevator Suspension, Compensation, and Governor Systems
ASME	A17.7	2007	Performance-based Safety Code for Elevators and Escalators
ASME	A18.1	2008	Safety Standard for Platform Lifts and Stairway Chairlifts
ASME	A 90.1	2009	Safety Standard for Belt Manlifts
Note a	ASME means the "American Society of Mechanical Engineers"		
Note b	Section 2.2.2.5-delete the last sentence; Section 8.11.1.1.2(a)- change to read as follows: Periodic tests, as required in 8.6, are not required to be witnessed by a general or special inspector.; Section 8.11.1.1.2(b)- change to read as follows: Periodic test reports shall be submitted to the division within five business days of the completion of the periodic test. The test reports shall be on forms prescribed by the superintendent and shall include the date and type of test(s) performed, detailed results of the test(s), and a statement as to any corrective action taken.		
Note c	Where additional standards are referenced both in the "Ohio Building Code" and the standards referenced within this rule, the applicable edition of the standard shall be the edition referenced in rule 4101:1-35-01 of the Administrative Code		
Note d	The rules of the board shall not be retroactively applied to existing elevators that are not otherwise being altered or repaired. Portions of an elevator not altered and not affected by an alteration are not required to comply with the code requirements for a new elevator.		

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4101:5-3-02 Resolution of conflicts.

- (A) ~~The~~ In the event of conflict, the rules of the board of building standards adopted pursuant to section 3781.10 of the Revised Code and known as the "Ohio Building Code", the "Ohio Mechanical Code", and the "Ohio Plumbing Code" shall govern any rule or standards adopted by the board pursuant to division (A) of section 4105.011 of the Revised Code.
- (B) The rules of the board shall not be retroactively applied to existing elevators that are not otherwise being altered or repaired. Portions of an elevator not altered and not affected by an alteration are not required to comply with the code requirements for a new elevator.

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**TO BE RESCINDED**

4101:5-3-03 Special purpose personnel elevators.

Special purpose personnel elevators used for access to agricultural storage and processing facilities shall comply with ANSI A17.1-2000, Safety Code for Elevators and Escalators, with the following modifications:

- (A) Change section 5.7.9, Locking Devices for Hoistway Doors or Gates, to read: "Hoistway doors or gates shall be provided with hoistway-door interlocks or with locking devices and electric contacts conforming to the requirements of section 2.12."
- (B) Section 5.7.19, add subsection 2.26.1.5-Inspection Operation with Open Door Circuits.
- (C) Section 5.7.19, add subsection 2.26.2.29-Ascending Car Overspeed Protection Device.
- (D) Section 5.7.19, add subsection 2.26.2.30-Unintended Car Movement Device.
- (E) Section 5.7.19, add subsection 2.26.12.3-Braille.