

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

041 OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION

ELEVATOR AND TRAMWAY SAFETY PROGRAM

Chapter 501: DEFINITIONS

Summary: This Chapter defines (1) terms that are used in the rules adopted by the Director and (2) terms used in Title 32-MRS, Chapter 133 of the Maine Revised Statutes, but not defined by statute. Terms used in the Program's rules also are defined by statute and by the national codes adopted in Chapter 511.

1. Incorporation by Reference; Conflicts

The Director incorporates in the Program's rules the definitions that appear in Title 32-MRS, Chapter 133 of the Maine Revised Statutes and in the national codes and standards adopted in Chapter 511 of these rules.

If a conflict exists as to definitions contained in Title 32-MRS, Chapter 133 of the Maine Revised Statutes, the Program's rules, or the national codes, the definitions in Title 32-MRS, Chapter 133 of the Maine Revised Statutes prevail over both the definitions in the Program's rules and the definitions in the national codes, and the definitions in the Program's rules prevail over the definitions in the national codes.

2. Definitions

As used in the Program's rules, unless the context otherwise indicates, the following terms have the following meanings:

- A. **ASME.** "ASME" means the American Society of Mechanical Engineers.
- B. **ANSI.** "ANSI" means the American National Standards Institute.
- C. **Chief Inspector.** "Chief Inspector" means the Chief Inspector or the Chief Inspector's designee.
- D. **Declare Idle.** "Declare idle" means to place out of service.
- E. **Elevator.** "Elevator" means a guided hoisting and lowering mechanism equipped with a car, platform or load-carrying unit, including the doors, well enclosures, means and appurtenances required by the rules adopted by the Director. "Elevator" includes vertical lifts, incline lifts, escalators and manlifts.
- F. **Elevator Mechanic.** "Elevator mechanic" means a person who is licensed by the Director to install, service, repair or alter an elevator.

- G. **Lift.** “Lift” means a platform lift as defined in ASME A18.1.
- H. **Lift Mechanic.** “Lift mechanic” means a person who is licensed by the Director to install, service, repair or alter a lift.
- I. **Place Out of Service.** “Place out of service” means to render an elevator, unit or device safe and completely inoperable, other than for the purpose of making repairs, for an indefinite period.
- J. **Program.** “Program” means the Elevator and Tramway Safety Program as administered by the Director of the Office of Professional and Occupational Regulation.
- K. **Maximum Load.** With respect to elevators, “maximum load” means rated load. With respect to tramways, “maximum load” means design capacity.
- L. **Reportable Accident.** “Reportable accident” means an incident that is caused by equipment failure or results in significant injury or death to a person or that results in substantial damage to equipment.
- M. **Significant Injury (tramways).** With respect to tramways, significant injury includes, but is not limited to, an injury arising out of the use of a tramway that reasonably requires emergency or immediate medical attention but does not include injuries sustained during the process of loading or unloading the tramway that are not the result of equipment failure.
- M-1. **State Periodic Test Record.** Documentation of the completion of periodic tests required by the adopted standards on a form furnished by the director.
- N. **Suspend Operation.** “Suspend operation” means to not use the elevator, unit or device for any purpose, other than to make repairs, for a limited period of time.
- O. **Take Out of Operation or Service.** “Take out of operation or service” means to suspend operation.
- P. **Tramway Equipment Failure.** With respect to tramways, for purposes of the Program’s rules, equipment failure includes, but is not limited to:
- (1) Any malfunction that results in damage to or failure of, tramway components such as wire rope support structures, gear box, motor, bullwheel and bearings, brakes, roll back equipment shafts or couplings;
 - (2) Any deropement of an aerial tramway or lift;
 - (3) Any deropement of a surface lift or tow not caught by designed rope catchers or, if the surface lift or tow is not equipped with rope catchers, any deropement in which the wire rope leaves the tower support or bullwheel and reaches within 2 feet of the surface;
 - (4) Any failure of aerial lift carrier grips resulting in the slippage on the haul rope or detachment of the carrier from the main haul rope; and

- (5) Any fire damage to mechanical equipment, control building, drive building or any structure close enough to the tramway to interfere with proper operation of the tramway.
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Proposed Rules

(Note: In 2013, statutory changes restructured the licensing and regulation of elevators and tramways by eliminating the Board of Elevator and Tramway Safety and creating the Elevator and Tramway Safety Program, administered by the Director of the Office of Professional and Occupational Regulation.)

STATUTORY AUTHORITY: 32 MRS §§ 15202, 15205-A

EFFECTIVE DATE:

March 15, 1998

REPEALED AND REPLACED:

January 1, 2003 – filing 2002-480

AMENDED:

January 5, 2009 – filing 2008-604

December 1, 2015 – filing 2015-210

Proposed Rules

ELEVATOR AND TRAMWAY SAFETY PROGRAM

Chapter 511: NATIONAL CODES APPLICABLE TO ELEVATORS AND TRAMWAYS

Summary: This Chapter adopts the national safety codes and standards that apply to elevators and tramways installed in the State of Maine. Additional requirements regarding elevators and tramways are contained in Title 32, Chapter 133 of the Maine Revised Statutes and in other chapters of the rules adopted by the Director.

SECTION 1. Adoption of Codes; Conflicts

1. Incorporation by Reference.

The Director adopts and incorporates by reference into this Chapter the following editions of national safety codes and standards, subject to the amendments and exclusions as set forth in this Chapter. All installations and servicing of any elevators and tramways must comply with applicable requirements of these codes and standards, as well as any additional standards imposed by Title 32, Maine Revised Statutes, Chapter 133 and Program rules.

2. Conflicts.

When a rule in another Chapter refers to a national code, the reference is to the edition of the code and addenda adopted in this Chapter. In the event of a conflict between a standard in a national code or addenda and the provision of a Maine statute or the Program's rules, the provision of the Maine statute or the Program's rules governs.

SECTION 2. Elevators

Any device or equipment that constitutes an elevator, as that term is defined by 32 M.R.S. § 15202(5), must be designed, constructed, installed, maintained, repaired, altered, operated, and inspected in accordance with the standards specified in this section and not with any other national codes or standards.

1. **Pre-1984.** The design, construction, installation, maintenance, repair, alteration, operation and inspection of elevators installed before January 1, 1984, must comply with the standards of ASME A17.3-2023, *Safety Code for Existing Elevators and Escalators* (2023 edition, issued by The American Society of Mechanical Engineers on February 26, 2024, copyright © 2024 by The American Society of Mechanical Engineers), subject to the amendments and exclusions set forth in Section 3(2).
2. **On or after January 1, 1984.** The design, construction, installation, maintenance, repair, alteration, operation and inspection of elevators installed on or after January 1, 1984, must comply with the standards of the following national codes and addenda:

Elevators

- A. ASME A17.1. The Director adopts ASME A17.1-2022, *Safety Code for Elevators and Escalators* (2022 edition, issued by The American Society of Mechanical Engineers on September 20, 2023, copyright © 2023 by The American Society of Mechanical Engineers), subject to the amendments and exclusions set forth in Section 3(1).

When ASME A17.1-2022 refers to editions of the code in effect at an earlier time, the relevant versions of the code are adopted as follows:

Date of Installation	National Code	Supplement/Addenda to Code
1/1/1984 to 6/3/1992	ASME A17.1, 1981 edition	1982 Supplement
6/4/1992 to 6/30/1997	ASME A17.1, 1990 edition	
7/1/1997 to 12/31/2002	ASME A17.1, 1996 edition	
1/1/2003 to 1/4/2009	ASME A17.1, 2000 edition	2002 Addenda
1/5/2009 to 11/30/2015	ASME A17.1, 2007 edition	
12/1/2015 to the effective date of this rule	ASME A17.1, 2013 edition	

- B. ASME A17.3. The Director adopts ASME A17.3-2023, *Safety Code for Existing Elevators and Escalators* (2023 edition, issued by The American Society of Mechanical Engineers on February 26, 2024, copyright © 2024 by The American Society of Mechanical Engineers), subject to the amendments and exclusions set forth in Section 3(2).
- C. ASME A17.6. The Director adopts ASME A17.6-2022, *Standard for Elevator Suspension, Compensation, and Governor Systems* (2022 edition, issued by The American Society of Mechanical Engineers on March 27, 2023, copyright © 2023 by The American Society of Mechanical Engineers).
- D. ASME A17.8. The Director adopts ASME A17.8-2021, *Standard for Wind Turbine Elevators* (2021 edition, issued jointly by The American Society of Mechanical Engineers and the Canadian Standards Association on January 28, 2022, copyright © 2021 by The American Society of Mechanical Engineers and © 2021 CSA Group), subject to the amendments and exclusions set forth in Section 3(3).

Platform Lifts

- E. ASME A18.1. The Director adopts ASME A18.1-2023, *Safety Standard for Platform Lifts and Stairway Chairlifts* (2023 edition, issued by The American Society of Mechanical Engineers on March 18, 2024, copyright © 2024 by The

American Society of Mechanical Engineers), subject to the amendments and exclusions set forth in Section 3(4).

Belt Manlifts

- F. ASME A90.1. The Director adopts ASME A90.1-2023, *Safety Standard for Belt Manlifts* (2023 edition, issued by The American Society of Mechanical Engineers on January 12, 2024, copyright © 2024 by The American Society of Mechanical Engineers).

3. Aramid Fiber Ropes.

Aramid fiber ropes for elevators are not permitted.

SECTION 3. Amendments and Exclusions of Adopted Standards - Elevators

1. The Director adopts ASME A17.1 subject to the following amendments and exclusions:
 - A. The Director does not adopt ASME A17.1, Sections 1.2.1, Purpose, subsections (b) and (c).
 - B. The Director adopts ASME A17.1, Section 2.20.1, Suspension Means, as amended below:

2.20.1 Suspension Means

Elevator cars and counterweights shall be suspended by steel wire ropes or noncircular elastomeric-coated steel suspension members attached to the car frame or passing around sheaves attached to the car frame specified in 2.15.1. Suspension means that have previously been installed and used on another installation shall not be reused. All suspension members in a set of suspension means shall be the same material, grade, construction, and dimensions. A suitable means shall be provided to protect the suspension means during the installation process. Only the following shall be permitted:

- (a) steel wire ropes constructed in accordance with ASME A17.6, Part 1
- (b) noncircular elastomeric-coated steel suspension members constructed in accordance with ASME A17.6, Part 3

- C. The Director adopts ASME A17.1, Section 2.26.13, Remote Interaction Operation, as amended below:

2.26.13 Remote Interaction Operation

When remote interaction operation (RIO) is provided, its use is subject to approval by the authority having jurisdiction. Before engaging or permitting RIO to perform any actions, the owner of the elevator must file a petition for a variance.

- D. The Director adopts ASME A17.1, Section 8.11.1.1, Persons Authorized to Make Periodic Inspections and Witness Tests, as amended below:

8.11.1.1 Persons Authorized to Make Periodic Inspections and Witness Tests. Persons authorized to make periodic inspections and witness tests shall be licensed by the Director.

- E. The Director adopts ASME A17.1, Section 8.11.1.1.2, Periodic Tests, subsection (a), as amended below:

8.11.1.1.2 Periodic Tests

(a) Periodic tests as required in Section 8.6 shall be performed by a licensed elevator mechanic. The periodic tests need not be performed in the presence of an inspector.

- F. The Director adopts ASME A17.1, Section 8.11.1.1.2, Periodic Tests, subsection (b), as amended below:

8.11.1.1.2 Periodic Tests

...

(b) The licensed elevator mechanic shall complete the State Periodic Test Record, keep it with the maintenance records, and post the completed State Periodic Test Record in the machine room. The State Periodic Test Record must contain the following information:

- (1) date of test(s)
- (2) type of test(s) performed
- (3) code deficiencies noted during the test
- (4) statement as to any corrective action taken

- G. The Director adopts ASME A17.1, Section 8.11.1.3, Periodic Inspection and Test Frequency, as amended below:

8.11.1.3 Periodic Inspection and Test Frequency. Periodic inspections must occur every 12 months and Category 1, 3 and 5 periodic tests must be performed at 1-year, 3-year, and 5-year intervals, respectively.

2. The Director adopts ASME A17.3 subject to the following amendments and exclusions:

- A. The Director adopts ASME A17.3, Section 1.2, Application of Code, as amended below:

Section 1.2 Application of Code

There are specific requirements for existing installations in this Code that could differ from those found in the latest or previous editions of ASME A17.1/CSA B44.

Existing installations, as a minimum, shall meet the requirements of this Code or ASME A17.1/CSAB44 or ASME A17.7/CSA B44.7 (see Section 1.3).

If an existing installation does not meet the requirements of this Code, it shall be upgraded if installed before 1984. If an existing installation was required to meet more stringent requirements, it shall continue to meet those requirements.

Existing installations shall also meet the following requirements in the current edition of ASME A17.1/CSA B44:

(a) Section 8.1, Security.

(b) Section 8.6, Maintenance, Repair, Replacement, and Testing.

(c) Section 8.7, Alterations. Alterations, if made, shall conform to the applicable requirements of this Section. The applicable requirements in ASME A17.1/CSA B44, Section 8.7, could be more stringent than the ASME A17.3-2023 requirements in ASME A17.3. The more stringent of the two shall be adhered to.

(d) Section 8.9, Code Data Plate.

(e) Section 8.10, Acceptance Inspections and Tests. Altered equipment shall comply with the applicable inspection and test requirements of this Section.

(f) Section 8.11, Periodic Inspections and Witnessing of Tests.

- B. The Director does not adopt ASME A17.3, Section 1.5, Alterations, Maintenance, and Inspections and Tests. In Maine, existing installations shall conform with ASME A17.1 as adopted by the Director.

- 3. The Director adopts ASME A17.8 subject to the following amendments and exclusions:

- A. The Director does not adopt ASME A17.8, Section 1.2.1, Purpose, subsections (b) and (c).
- B. The Director adopts ASME A17.8, Section 3.1.6.1, Witnessing tests, as amended below:

3.1.6.1 Witnessing tests.

Elevator personnel are required to perform the periodic tests, complete the State Periodic Test Record, and post the completed State Periodic Test Record in the Maintenance Control Program (MCP). The periodic tests need not be performed in the presence of an inspector.

- C. The Director adopts ASME A17.8, Section 3.7.1.1, Persons authorized to make periodic inspections and witness tests, as amended below:

3.7.1.1 Persons authorized to make periodic inspections and witness tests.

Persons authorized to make periodic inspections and witness tests shall be licensed by the Director.

- D. The Director adopts ASME A17.8, Section 3.7.1.1.1, Periodic inspections, as amended below:

3.7.1.1.1 Periodic inspections

- a) Periodic inspection shall be made by a licensed elevator inspector.
- b) The licensed elevator inspector shall complete a signed written report containing the following information:
 - 1. date of inspection(s)
 - 2. components or systems that have not been inspected
 - 3. Code deficiencies noted during the inspection and a statement as to corrective action taken, if any.

- E. The Directors adopts ASME A17.8, Section 3.7.1.1.2, Periodic tests, as amended below:

3.7.1.1.2 Periodic tests

- a) Periodic tests as required in Part 3 shall be performed by elevator personnel who must complete the State Periodic Test Record and post the completed State Periodic Test Record in the Maintenance Control Program (MCP). The periodic tests need not be performed in the presence of an inspector.
- b) The State Periodic Test Record shall be signed and contain the following information:
 - 1. date of test(s)
 - 2. type of test(s) performed
 - 3. detailed results of the test(s) including but not limited to, speed, safety trip speed, safety slide distance, etc.
 - 4. code deficiencies noted during the test
 - 5. statement as to any corrective action taken

- F. The Director adopts ASME A17.8 Section 3.7.1.3, Periodic inspection and test frequency, as amended below:

3.7.1.3 Periodic inspection and test frequency

Periodic inspections shall be completed at 12 month intervals.

- G. The Director adopts ASME A17.8 Section 3.7.2, Periodic inspection requirements, as amended below:

3.7.2 Periodic inspection requirements

Persons authorized to make periodic inspections shall be licensed by the Director. Inspectors shall include the following when identifying components or systems, or both, that shall be inspected.

- H. The Director adopts ASME A17.8 Section 3.7.3, Periodic test requirements – Category 1, as amended below:

3.7.3 Period test requirements—Category 1

Category 1 periodic tests shall be completed annually.

- I. The Director adopts ASME A17.8 Section 3.7.4, Periodic test requirements – Category 5, as amended below:

3.7.4 Periodic test requirements – Category 5

Category 5 periodic tests shall be completed at 5 year intervals.

- J. The Director does not adopt ASME A17.8 Section 3.7.5, Category 5 tests without load via alternative test methodologies. In Maine, Category 5 alternative test methods are not adopted.

- 4. The Director adopts ASME A17.8 subject to the following amendments and exclusions:

- A. The Director adopts ASME A18.1, Section 2.11.2, as amended below:

2.11.2 The lift shall be provided with a means of two-way conversation between the platform and a readily accessible point outside the runway that is available to building or emergency personnel (telephone, intercom, etc.).

- C. The Director adopts ASME A18.1, Section 3.11, Emergency Signal, as amended below:

3.11 Emergency Signal

Emergency signaling devices shall be provided in accordance with the requirements of 3.11.1 and 3.11.2.

3.11.1 The lift shall be provided with an audible signaling device, operable from the emergency stop switch, marked also with “ALARM” or from a separate switch marked “ALARM,” which is located in or adjacent to each platform operating panel.

3.11.1.1 The switch marked “ALARM” shall illuminate when actuated.

3.11.1.2 The signaling device shall be audible inside the platform and outside the runway.

3.11.1.3 The audible signaling device shall have a rated sound pressure rating of not less than 80-dBA nor greater than 90-dBA at 3 000 m (120 in.) and respond without delay after the switch has been activated.

3.11.2 The lift shall be provided with means of two-way conversation between the platform and a readily accessible point outside the runway that is available to emergency personnel (telephone, intercom, etc.). The means to activate the two-way conversation system does not have to be provided on the platform.

- C. The Director does not adopt ASME A18.1, Section 4, Inclined Stairway Chairlifts.
- D. The Director does not adopt ASME A18.1, Section 5, Private Residence Vertical Platform Lifts.

- E. The Director does not adopt ASME A18.1, Section 6, Private Residence Inclined Platform Lifts.
- F. The Director does not adopt ASME A18.1, Section 7, Private Residence Inclined Stairway Chairlifts.
- G. The Director adopts ASME A18.1, Section 10.1, General Requirements, as amended below:

10.1 General Requirements

In Maine, unless otherwise provided in Program rules, periodic inspections and tests must occur every 12 months.

- D. The Director adopts ASME A18.1, Section 10.1.1, Periodic Inspections, as amended below:

10.1.1. Periodic Inspections. Periodic inspections shall be made by a person licensed by the Director.

10.1.1.1 A licensed elevator inspector shall complete a signed written report containing the following information:

- (a) date and time of inspection(s)
- (b) type of test(s) performed
- (c) detailed results of the test(s)
- (d) code deficiencies noted during the inspection and the test(s), including references to the applicable code and rule number(s)
- (e) statement as to any corrective action taken

- E. The Director adopts ASME A18.1, Section 10.1.2.1, Periodic Tests, as amended below:

10.1.2.1 Periodic Tests.

A licensed elevator mechanic or lift mechanic is required to perform the periodic tests, complete the State Periodic Test Record, and post the completed Periodic Test record in the machine room. A licensed elevator mechanic or lift mechanic is not required to perform periodic inspections and tests in the presence of an inspector.

- F. The Director adopts ASME A18.1, Section 10.1.3, Qualification of Inspectors, as amended below:

10.1.3 Qualification of Inspectors. In Maine, an individual who is licensed by the Director as an elevator inspector may inspect lifts.

SECTION 4. Tramways

The design, construction, installation, maintenance, repair, alteration, operation and inspection of all tramways must comply with the in accordance with the standards specified in this section and not with any other national codes or standards.

1. The Director adopts ANSI B77.1-2022, *American National Standard for Passenger Ropeways – Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements* (2022 edition, approved by the American National Standards Institute, Inc. on May 5, 2022, copyright © 2022 by the National Ski Areas Association), subject to the exceptions as set forth in Section 5.

SECTION 5. Exceptions to Adopted Standards – Tramways

1. The following are exceptions to ANSI B77.1:

- A. The Director adopts ANSI, Section 3.1.4.4.4, Chairs, as amended below:

3.1.4.4.4 Chairs

Chair lift carriers shall be designed to support a vertical load 4 times the design load without permanent deformations of the assembly or component parts.

All carriers shall be uniquely identified with numbers visible to the operator and attendant.

Each chair shall be equipped with a railing at each side, to a height of not less than 4 inches (100 mm) above the seat for a distance of not less than 12 inches (305 mm) from the back of the seat.

Each chair shall be equipped with a passenger restraint device that will not open under forward pressure. Restraining devices must be utilized.

For aerial lifts operating primarily for skiers, the thickness of the chair seat front, including padding, shall not exceed 5 inches (125 mm) from the top of the seating surface to the bottom of the curl. Tilt back angle of the seat bottom should be a minimum of 7 degrees when loaded. Loaded shall mean an evenly distributed load using load test criteria. Provisions shall be made to keep the tails of skis from passing through and becoming trapped in open spaces between framework, restraint device and chair seat underside.

The chair shall be designed to accommodate equipment for the purpose of emergency evacuation of passengers.

- B. The Director adopts ANSI, Section 4.1.4.5.4 Chair safety details, as amended below:

4.1.4.5.4 Chair safety details

Each chair shall be equipped with a railing at each side, to a height of not less than 4 inches (100 mm) above the seat for a distance of not less than 12 inches (305 mm) from the back of the seat.

Each chair shall be equipped with a passenger restraint device that will not open under forward pressure. Restraining devices must be utilized.

For aerial lifts operating primarily for skiers, the thickness of the chair seat front, including padding, shall not exceed 5 inches (125 mm) from the top of the seating surface to the bottom of the curl. Tilt back angle of the seat bottom should be a minimum of 7 degrees when loaded. Loaded shall mean an evenly distributed load using load test criteria. Provisions shall be made to keep the tails of skis from passing through and becoming trapped in open spaces between framework, restraint device and chair seat underside.

SECTION 6. Copies of Safety Codes and Standards

1. Copies of ASME Codes may be purchased from:

The American Society of Mechanical Engineers
ASME
Two Park Avenue
New York, NY 10016-5990
Tel. 1-800-843-2763
customer@asme.org
www.asme.org

2. Copies of ANSI Codes may be purchased from:

American National Standards Institute
1899 L Street, NW, 11th Floor
Washington, DC 20036
Telephone: (212) 293-8020
info@ansi.org
www.ansi.org

(Note: In 2013, statutory changes restructured the licensing and regulation of elevators and tramways by eliminating the Board of Elevator and Tramway Safety and creating the Elevator and Tramway Safety Program, administered by the Director of the Office of Professional and Occupational Regulation.)

STATUTORY AUTHORITY: 5 M.R.S. § 8056(2-A), 32 M.R.S. § 15205-A

EFFECTIVE DATE:

January 1, 2003 – filing 2002-494

AMENDED:

January 5, 2009 – filing 2008-606

December 1, 2015 – filing 2015-213

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
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ELEVATOR AND TRAMWAY SAFETY PROGRAM

Chapter 513: ELEVATORS

Summary: This chapter establishes specific requirements for elevators in addition to those established in Title 32-MRS, Chapter 133 of the Maine Revised Statutes and the national codes specified~~adopted~~ in Chapter 511Program rules.

SECTION 1. New Installations; Alterations

- A1.** Before an elevator is installed, the owner shall submit, or cause to be submitted, to the Chief Inspector:
- (1)A.** Detailed plans for approval; and
- (2)B.** The completed form provided by the Chief Inspector for approval of plans and specifications, which must be accompanied by the fee set forth in Chapter 10, Section 5(16) of the rules of the Office of Professional and Occupational Regulation, ~~entitled Establishment of License Fees~~.
- B2.** Before any alteration of an elevator, the owner shall submit to the Chief Inspector:
- (1)A.** Detailed plans and/or specifications for approval; and
- (2)B.** The completed form provided by the Chief Inspector for approval of plans and specifications, which must be accompanied by the fee set forth in Chapter 10, Section 5(16) of the rules of the Office of Professional and Occupational Regulation, ~~entitled Establishment of License Fees~~.

Before beginning any installation or alteration, the owner shall comply with any request by the Chief Inspector for additional plans, specifications, or other information.

SECTION 2. Registration Numbers

Registration numbers must be visible and must be legibly and permanently affixed in the following locations:

- A1.** **Elevators.** On the crosshead of the elevator car, controller and disconnect.
- B2.** **Escalators.** On the underside of the machine area access cover and controller or other location in the machine area.
- C3.** **Manlifts.** On the machine area structure.

D4. Platform Lifts. On the disconnect and tower.

SECTION 3. Standard Key for Firefighters' Service Switches

Each elevator installed in the state equipped with "Firefighters' Service" and activated by a key operated switch or switches in the lobby, in the elevator car, or in both, must be installed with a key tumbler that accepts the designated standard key, the Yale 3502.

SECTION 4. Size Requirements for Stretchers

A.1. Size Requirements. A passenger elevator, as defined by ASME A17.1, installed in Maine, must comply with the requirements of 32 MRS.M.R.S. § 15228. ~~The Whenever a passenger elevator is installed in a building being newly constructed or in a new addition that extends beyond the exterior walls of an existing building, at least one (1) passenger elevator must accommodate the transportation satisfy both of the following requirements:~~

- ~~(a) reach every story within that building; and~~
- ~~(a)(b) be of sufficient size to allow the transport of a person on an ambulance stretcher at least 7684 inches long by 24 inches wide placed horizontally in the elevator car, with not less than 5-inch radius corners, in the fully supine position, without having to raise, lower or bend the stretcher in any way.~~

~~B. As used in this subsection, "story" has the same meaning as in the International Building Code, as adopted by the Technical Building Codes and Standards Board under Title 10, section 9722 of the Maine Revised Statutes.~~

2. Exclusions. Vertical lifts, inclined lifts and escalators are excluded from the size requirements of 32 MRS.M.R.S. § 15228 and this section of the Program's rules.

SECTION 5. Temporary Use of Permanent Elevators

An elevator being installed for permanent use may be used temporarily during the construction of the building to carry workers and materials if: the elevator has been inspected by the Chief Inspector; the Chief Inspector has certified temporary use of the elevator; and a licensed elevator mechanic operates the elevator at all times during its temporary use. An application for temporary use under this section must be submitted to the Chief Inspector on a form provided by the Chief Inspector and must be accompanied by the filing fee required by Chapter 10, ~~Section 5(16)~~ of the rules of the Office of Professional and Occupational Regulation, ~~entitled "Establishment of License Fees."~~ The Chief Inspector may issue a certificate in accordance with this section for a period not to exceed sixty (60) days.

SECTION 6. Vertical Platform Lifts – Disconnecting Means

The disconnecting means for vertical platform lifts shall be at the lowest landing outside the runway.

(Note: In 2013, statutory changes restructured the licensing and regulation of elevators and tramways by eliminating the Board of Elevator and Tramway Safety and creating the Elevator and Tramway Safety Program, administered by the Director of the Office of Professional and Occupational Regulation.)

SECTION 7. Construction Hoists

It is the hoist owner's responsibility to ensure that hoist operators are appropriately trained and competent in the safe operation of construction hoists. Please cross reference Chapter 521, Section 6 of these rules.

STATUTORY AUTHORITY: 32 MRS §§ 15202, 15205-A, 15221, 15224, 15225-A, 15227, 15228, 15229, 15230

EFFECTIVE DATE:

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02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
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Chapter 521: ELEVATOR OWNERS' DUTIES AND RESPONSIBILITIES

Summary: This Chapter establishes general duties and responsibilities of owners of elevators. Duties and responsibilities of owners also are set forth in Title 32-MRS, Chapter 133, of the Maine Revised Statutes and elsewhere in the Program's rules.

SECTION 1. Plan Review and Initial Inspections

- A1. Interim Certificate.** After the Chief Inspector has made the initial inspection of an elevator, and if the elevator complies with all provisions of Title 32-MRS, Chapter 133 of the Maine Revised Statutes, the Program's rules, and the applicable national code, the Chief Inspector may issue an interim certificate for the operation of the elevator up to sixty (60) days pending issuance of the initial inspection certificate.
- B2. Expenses.** The owner or the owner's designee shall pay the plan review and initial inspection fee required by Chapter 10, Section 5(16) of the rules of the Office of Professional and Occupational Regulation, entitled "Establishment of License Fees", and any related expenses for the initial inspection of an elevator. If the fee has not been paid by the date the interim certificate expires, the Chief Inspector shall direct the owner to suspend operation of the elevator.

SECTION 2. Application for Annual Inspection Certificates

- A1. Notice.** Approximately At least 90 days before the expiration of an inspection certificate, the Program will send an application for a new inspection certificate to the owner. A failure by the Program to send the application does not relieve the owner of the duty to file a timely application for a new certificate.
- B2. Submission.** The owner shall submit to the Director an the renewal application for a new inspection certificate, the inspection report, the current Annual Periodic Inspection Report, sign off from the maintenance company showing that all deficiencies have been repaired, and the certificate fee required by Chapter 10, Section 5(16) of the rules of the Office of Professional and Occupational Regulation, entitled "Establishment of License Fees", no later than 30 days before the date the current inspection certificate expires. The owner shall ensure that the elevator is inspected in sufficient time to comply with the requirements of this paragraph. The Director may assess a late inspection certificate fee if the owner fails to submit the renewal application, inspection report, sign off on repairs, and certificate fee at least- 30 days prior to the date the current inspection certificate expires.
- C3. Rejection of Reports.** The Chief Inspector may reject any inspection report that is incomplete, illegible or otherwise fails to comply with the requirements of Title 32-MRS,

Chapter 133 of the Maine Revised Statutes or the rules adopted by the Director. If a report is rejected, the Chief Inspector shall ~~return the report with a statement of~~ communicate the reasons for rejection to the owner.

SECTION 3. Expiration of Inspection Certificates

- A1. Date of Expiration.** Annual inspection certificates for elevators expire on the last day of the month when the unit was last inspected and will expire annually on the last day of that month unless the owner requests to change the month of inspection, in a manner acceptable to the Chief Inspector.
- B2. Suspension of Operation.** If an inspection certificate expires before the Director issues a new inspection certificate, on the date of expiration the owner shall suspend operation of the elevator until the Director issues a new inspection certificate.

SECTION 4. Orders of Correction

When an owner receives an order of correction stating that an elevator requires repair, the owner will not receive a new inspection certificate for the elevator until the owner submits satisfactory written evidence that the repairs have been completed.

SECTION 5. Posting of Certificate

- A1. Display and Location.** The owner shall ensure that ~~the original or~~ a copy of the current inspection certificate issued under 32 ~~MRS.~~ M.R.S. § 15221 is displayed at all times in accordance with the following:
 - (1)A. Elevators.** The owner of an elevator shall post the original or a copy of the inspection certificate in a conspicuous location in the elevator car.
 - (2)B. Escalators.** The owner of an escalator shall post the original or a copy of the inspection certificate in a conspicuous location at the entrance to the escalator.
 - (3)C. Inclined Lifts.** The owner of an inclined lift shall post the original or a copy of the inspection certificate at the bottom of the lift.
 - (4)D. Manlifts.** The owner of a manlift shall post the original or a copy of the inspection certificate in a conspicuous place at the bottom landing.
 - (5)E. Vertical Lifts.** The owner of a vertical lift shall post the original or a copy of the inspection certificate in the cab.
 - ~~**(6)** If an owner posts a copy of the inspection certificate rather than the original, the copy must state that it is a copy and specify the location where the original is located and available for examination.~~
- B2. Replacement.** If an ~~original~~ inspection certificate is lost or stolen, the owner must replace the certificate promptly, but in any event not later than ~~30 days after the date it was lost or stolen. A request for replacement of an original certificate shall be submitted~~

~~to the Director in writing and must be accompanied by the replacement fee required by Chapter 10, Section 3(1) of the rules of the Office of Professional and Occupational Regulation, entitled "Establishment of License Fees", thirty (30) days after the date it was lost or stolen.~~

SECTION 6. General Responsibility

1. Owners shall ensure that all parts of elevators, including machines, cars, hoistways, hoistway landing opening protective devices and all appurtenances are maintained in a structurally sound, firmly secured, and sufficient condition to perform safely the work for which they were intended and are kept sufficiently clean to prevent fire hazards. No existing elevator may be altered by removing, modifying or rendering inactive any safety feature that was part of the original installation or that was added at a later date, if the alteration diminishes the safety of the elevator below that which existed before the alteration.
2. ~~Owners of construction hoists must provide training for hoist operators that includes, but is not limited to manufacturers' specifications, rules and recommendations. Hoist operators must possess technical proficiency in the safe use and operation of construction hoists as demonstrated in the owner's training records which must be available to the Director and Chief Inspector upon request.~~

SECTION 7. Change of Status

- ~~A1.~~ **Owner.** An owner shall notify the Director of any change in the owner's address, e-mail address, or telephone number within ten (10) days of the change.
- ~~B2.~~ **Elevator.** An owner shall notify the Director in writing of any change of status with respect to an elevator within 10 days of the change. As used in this section, "change of status" means the transferal of ownership of an elevator, physical removal of an elevator, or placing an elevator out of service.

SECTION 8. Accidents

~~1.~~ ~~A.~~ **Reporting of Accidents**

- ~~(1)~~
~~A.~~ **Initial Report.** When a reportable accident occurs, the owner of the elevator shall immediately report the accident to the Chief Inspector, ~~immediately~~, and in any event not later than twenty-four (24) hours after the accident. The report must state the owner's name, the location of the accident, a brief statement of facts surrounding the accident, and the name(s), e-mail addresses and telephone number(s) of the person(s) to be contacted regarding the accident.
- ~~(2)B.~~ **Additional Information.** After making the initial report required by ~~subparagraph~~ (+paragraph (A)), the owner of an elevator involved in a reportable accident shall provide to the Chief Inspector any additional information requested by the Chief Inspector regarding the accident or the elevator.

B2. Suspension of Operation

When a reportable accident occurs, the owner shall immediately suspend operation of the elevator, and the elevator must remain out of operation until the Chief Inspector has approved resumption of operation.

€3. Examination and Determination

(+)A. Examination. When a reportable accident occurs that results in significant injury to a person or substantial damage to equipment, the Chief Inspector may examine the elevator and investigate the circumstances surrounding the accident.

When a reportable accident occurs that involves equipment failure to an elevator and does not result in significant injury to a person or substantial damage to equipment, the Chief Inspector may authorize a licensed elevator mechanic to examine the elevator and to report to the Chief Inspector the findings from the examination.

(2)B. Determination. After the Chief Inspector has examined, or has caused to be examined, the elevator and the circumstances surrounding the reportable accident, the Chief Inspector shall:

- (a1)** Approve the resumption of operation;
- (b2)** Direct that the owner continue to suspend operation until required repairs have been made;
- (e3)** Summarily revoke the inspection certificate in accordance with 32 ~~MRS~~ §521-M.R.S. § 15211(2); or
- (d4)** Take other action with respect to the operation of the elevator that the Chief Inspector deems appropriate to ensure the safety of the public.

SECTION 9. Unsafe Conditions

If an owner becomes aware of an unsafe condition involving an elevator, the owner shall immediately notify the Chief Inspector in accordance with the procedure for reporting accidents specified in ~~section~~Section 8.

SECTION 10. Placing an Elevator Out of Service

An owner who:

- A1.** Voluntarily places an elevator out of service;
- B2.** Is required to place an elevator out of service by Title 32-MRS, Chapter 133 of the Maine Revised Statutes or the Program's rules; or

3. Is directed by the Chief Inspector to place an elevator out of service shall comply with the standards of the applicable national codes ~~specified~~adopted in ~~Chapter 511~~these rules and the provisions of this section.

When an owner places an elevator out of service, the work must be performed by a licensed elevator mechanic except as provided in 32 ~~MRS §~~M.R.S. § 15213.

Proposed Rules

(Note: In 2013, statutory changes restructured the licensing and regulation of elevators and tramways by eliminating the Board of Elevator and Tramway Safety and creating the Elevator and Tramway Safety Program, administered by the Director of the Office of Professional and Occupational Regulation.)

STATUTORY AUTHORITY: 32 MRS §§ 15202, 15205-A, 15211, 15212, 15221, 15227, 15229, 15230

EFFECTIVE DATE:

~~January 1, 2003 — filing 2002-499~~

AMENDED:

~~January 5, 2009 — filing 2008-608~~

~~December 1, 2015 — filing 2015-216~~

Proposed Rules

Notice of Agency Rulemaking Proposal

AGENCY: 02-041, Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, Elevator and Tramway Safety Program

CHAPTER NUMBER AND TITLE:

- Chapter 501 Definitions (amend)
- Chapter 511 National Codes Applicable to Elevators and Tramways (repeal and replace)
- Chapter 513 Elevators (amend)
- Chapter 521 Elevator Owners' Duties and Responsibilities (amend)

TYPE OF RULE (*check one*): ☒ Routine Technical ☐ Major Substantive

PROPOSED RULE NUMBER (*leave blank; to be assigned by Secretary of State*):

BRIEF SUMMARY:

The rulemaking proposes changes to four chapters of the Elevator and Tramway Safety Program rules:

Chapter 501, Definitions

The rulemaking will amend the chapter by adding a definition for a State Periodic Test Record.

Chapter 511, National Codes Applicable to Elevators and Tramway

The rulemaking will repeal and replace the existing chapter with the same title. The Director proposes the adoption of updated national safety codes and standards that apply to elevators and tramways installed in the State of Maine, subject to the exceptions and amendments as set forth in the rule. The chapter will adopt and incorporate by reference:

ASME A17.1-2022, *Safety Code for Elevators and Escalators*

ASME A17.3-2023, *Safety Code for Existing Elevators and Escalators*

ASME A17.6-2022, *Standard for Elevator Suspension, Compensation, and Governor Systems*

ASME A17.8 2021, *Standard for Wind Turbine Elevators*

ASME A18.1 2023, *Safety Standard for Platform Lifts and Stairway Chairlifts*

ASME A90.1 2023, *Safety Standard for Belt Manlifts*

ANSI B77.1 2022, *American National Standard for Passenger Ropeways – Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements*

Chapter 513, Elevators

The rulemaking makes technical and formatting corrections. It will implement LD 1709 from the 131st Legislature (P.L. 2023, c. 326), providing the Director shall adopt rules regarding the proper operation of construction hoists and training requirements for construction hoist operators. It will also implement changes pursuant to LD 975 from the 131st Legislature (P.L. 2023, c. 149). P.L. 2023, c. 149 revised 32 M.R.S. § 15228 to require that whenever a passenger elevator is installed in a building being newly constructed or in a new addition that extends beyond the exterior walls of an existing building, only one passenger elevator must reach every story within the building and be of sufficient size to allow the transport of a person on an ambulance stretcher. This rulemaking defines the minimum size stretcher that such a passenger elevator must be able to accommodate, changing the requirement from at least 76 inches long by 24 inches wide placed horizontally to 84 inches long by 24 inches wide, to reflect the

requirements prescribed by the Maine Uniform Building and Energy Code (MUBEC) and the size of ambulance stretchers most commonly used in Maine.

Chapter 521, Elevator Owners' Duties and Responsibilities

The rulemaking makes technical and formatting corrections. It will also implement LD 1709 from the 131st Legislature (P.L. 2023, c. 326), providing the Director shall adopt rules regarding the proper operation of construction hoists and training requirements for construction hoist operators.

Copies of the proposed rule and rulemaking forms may be found at <https://www.maine.gov/pfr/professionallicensing/professions/elevator-tramway-safety-program>.

Date, time and location of PUBLIC HEARING (if any): N/A

COMMENT DEADLINE: Friday, January 2, 2026, at 5:00 p.m. (EST) Comments may be submitted in writing: (1) by e-mail to **Kristin Racine** at kristin.racine@maine.gov, or (2) by mail to the Elevator and Tramway Safety Program, 35 State House Station, Augusta, ME 04333-0035.

CONTACT PERSON FOR THIS FILING: Holly Poirier, Program Manager, 35 State House Station, Augusta, ME 04333-0035, holly.poirier@maine.gov, 207-592-0434, TTY users call Maine Relay 711.

CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT (if different): N/A

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (if any): N/A

STATUTORY AUTHORITY FOR THIS RULE: 32 M.R.S. §§ 15202, 15205-A, 15211, 15212, 15221, 15224, 15225-A, 15227, 15228, 15229, 15230; 5 M.R.S. § 8056(2-A)

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different): N/A

AGENCY WEBSITE: <https://www.maine.gov/pfr/professionallicensing/professions/elevator-tramway-safety-program>

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: holly.poirier@maine.gov

* Check one of the following two boxes.

☒ The summary provided above is for publication in both the newspaper and website notices.

☐ The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rulemaking notice posted on the Secretary of State's website. Title 5 §8053, sub-§3, ¶D & sub-§6.

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____
(authorized signature)

FUND	AGENCY	ORG	APP	OBJ	PROGRAM	FUNDING Profile JVC	FUND Pri JVC	FUND Line JVC
014	02A	4530	01	4946				

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Notice of Agency Rulemaking Proposal

Additional Information for the Web (*if any*)

DETAILED SUMMARY:

Rulemaking Fact Sheet

(5 MRS §8057-A)

AGENCY: 02-041, Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, Elevator and Tramway Safety Program

NAME, ADDRESS, PHONE NUMBER, EMAIL OF AGENCY CONTACT PERSON: Holly Poirier, Program Manager, 35 State House Station, Augusta, ME 04333-0035, holly.poirier@maine.gov, 207-592-0434, TTY users call Maine Relay 711.

CHAPTER NUMBER AND RULE TITLE:

- Chapter 501 Definitions (amend)
- Chapter 511 National Codes Applicable to Elevators and Tramways (repeal and replace)
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TYPE OF RULE (*check one*): ☒ Routine Technical ☐ Major Substantive

STATUTORY AUTHORITY: 32 M.R.S. §§ 15202, 15205-A, 15211, 15221, 15224, 15225-A, 15227, 15228, 15229, 15230; 5 M.R.S. § 8056(2-A)

DATE, TIME AND PLACE OF PUBLIC HEARING: N/A

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PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: The rulemaking proposes changes to four chapters of the Elevator and Tramway Safety Program rules:

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The rulemaking will amend the chapter by adding a definition for a State Periodic Test Record.

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The rulemaking makes technical and formatting corrections. It will also implement LD 1709 from the 131st Legislature (P.L. 2023, c. 326), providing the Director shall adopt rules regarding the proper operation of construction hoists and training requirements for construction hoist operators.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? ☒ YES ☐ NO

ANALYSIS AND EXPECTED OPERATION OF THE RULE: It is expected that the rulemaking will update the national codes and standards that apply to the elevators and tramways installed in the State of Maine and will implement LD 1709 from the 131st Legislature (P.L. 2023, c. 326), providing the Director shall adopt rules regarding the proper operation of construction hoists and training requirements for construction hoist operators. It is also expected that the rule will align the minimum size of at least one passenger elevator that must reach all stories in a building pursuant to 32 M.R.S. § 15228 with the provisions of MUBEC, and also reflect the size of ambulance stretchers used in Maine.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon) Expertise of the Chief Elevator Inspector, Elevator and Tramway Safety Program staff, Office of the State Fire Marshal.

ESTIMATED FISCAL IMPACT OF THE RULE: It is anticipated that there will be a cost incurred by those needing to purchase updated versions of the national codes and standards; however, it is likely that those affected by the rulemaking have already purchased copies of the new codes.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:
[see §8057-A(2)(A)]

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED
AND HOW THEY WILL BE AFFECTED: [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

Note: If necessary, additional pages may be used.