

FILED

2009 APR 11 PM 3: 02

OFFICE WEST VIRGINIA
SECRETARY OF STATE

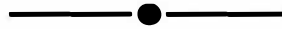
WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2009



ENROLLED

House Bill No. 3066

(By Delegates Morgan, Stephens, Martin, Talbott,
Butcher, Argento and D. Poling)



Passed April 7, 2009

In Effect Ninety Days from Passage

HB 3066

ENROLLED FILED

2009 APR 11 PM 3:02

H. B. 3066

OFFICE WEST VIRGINIA
SECRETARY OF STATE

(BY DELEGATES MORGAN, STEPHENS, MARTIN, TALBOTT,
BUTCHER, ARGENTO AND D. POLING)

[Passed April 7, 2009; in effect ninety days from passage.]

AN ACT to amend and reenact §21-3C-10a of the Code of West Virginia, 1931, as amended, relating to elevator safety; and clarifying the supervision requirements for elevator apprentices.

Be it enacted by the Legislature of West Virginia:

That §21-3C-10a of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 3C. ELEVATOR SAFETY.

§21-3C-10a. License requirements for elevator mechanics; contractors license required; supervision of elevator apprentices required.

- 1 (a) On and after January 1, 2010, a person may not
- 2 engage or offer to engage in the business of erecting,
- 3 constructing, installing, altering, servicing, repairing or
- 4 maintaining elevators or related conveyances covered by this

5 article in this state, unless he or she has a license issued by
6 the Commissioner of Labor in accordance with the provisions
7 of this article.

8 (b) A person licensed under this article must:

9 (1) Have in his or her possession a copy of the license
10 issued pursuant to this article on any job on which he or she
11 is performing elevator mechanic work; and

12 (2) Be, or be employed by, a contractor licensed
13 pursuant to the provisions of article eleven, chapter twenty-
14 one of this code.

15 (c) An elevator apprentice who is enrolled in a four year
16 apprenticeship program approved by the Commissioner, and
17 who is in good standing in the program, may work under the
18 supervision of a licensed elevator mechanic, as follows:

19 (1) An apprentice who has not successfully completed
20 the equivalent of at least one year of the program may work
21 only under the direct supervision of a licensed elevator
22 mechanic who is present on the premises and available to the
23 apprentice at all times.

24 (2) An apprentice who has successfully completed the
25 equivalent of at least one year of the program may:

26 (A) Work under the direct supervision of a licensed
27 elevator mechanic as set forth in subdivision (1) of this
28 subsection; and

29 (B) Perform the tasks set forth in this paragraph, only if
30 delegated by and performed under the general supervision of
31 a licensed elevator mechanic, who must, at a minimum, meet
32 the apprentice on the job at the beginning of each day to

33 delegate the specific tasks, and who remains responsible for
34 the delegated tasks:

35 (i) Oiling, cleaning, greasing and painting;

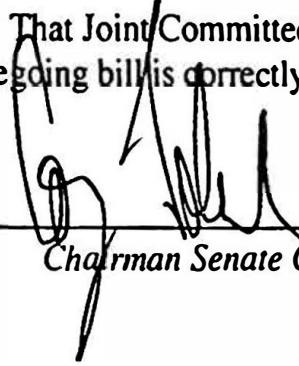
36 (ii) Replacing of combplate teeth;

37 (iii) Reclamping and fixture maintenance;

38 (iv) Inspection, cleaning and lubricating of hoistway
39 doors, car tops, bottoms and pits; and

40 (v) Observing operation of equipment.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



Chairman Senate Committee



Chairman House Committee

Originating in the House.

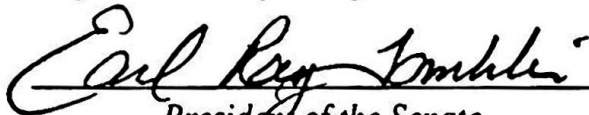
In effect ninety days from passage.



Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker of the House of Delegates

The within is approved this the 11th
day of April, 2007.



Governor

PRESENTED TO THE
GOVERNOR

APR 9 2009

Time

4:20 pm