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
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 engage or offer to engage in the business of erecting, constructing, installing, altering, servicing, repairing or maintaining elevators or related conveyances covered by this
article in this state, unless he or she has a license issued by
the Commissioner of Labor in accordance with the provisions
of this article.

(b) A person licensed under this article must:

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

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

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

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

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

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

(B) Perform the tasks set forth in this paragraph, only if
delegated by and performed under the general supervision of
a licensed elevator mechanic, who must, at a minimum, meet
the apprentice on the job at the beginning of each day to
delegate the specific tasks, and who remains responsible for
the delegated tasks:

(i) Oiling, cleaning, greasing and painting;

(ii) Replacing of combplate teeth;

(iii) Reclamping and fixture maintenance;

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

(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