

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 480

Department or Agency: Alabama Department of Labor Elevator Safety Rules

Rule No.: 480-8-5-.05

Rule Title: Lock Boxes

Intended Action New

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Arthur F. Ray II
Arthur Ray

Date

Wednesday, January 17, 2024

REC'D & FILED
JAN 17, 2024
LEGISLATIVE SVC AGENCY

ALABAMA DEPARTMENT OF LABOR
ELEVATOR SAFETY RULES

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Labor (Alabama Department of Labor and Alabama Department of Industrial Relations merged)

RULE NO. & TITLE: 480-8-5-.05 Lock Boxes

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

Procedure for when an owner of a conveyance fails or refuses to provide the Department inspectors with access to conveyance machine rooms for purposes of the annual inspection.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Within 35 days of publishing by email to contact person at the Department of Labor by or before 3/6/2024.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, March 6, 2024

CONTACT PERSON AT AGENCY:

arthur.ray@labor.alabama.gov

Arthur F. Ray II

Arthur Ray

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

480-8-5-.05 Lock Boxes.

(1) In the event a licensed inspector visits a location to perform an annual inspection, and he/she fails to be provided access to the machine room, a certificate blocking violation shall be issued. The certificate blocking violation prevents the owner from receiving an operating certificate. A return visit to clear the violation must be made.

(2) If the inspector fails to be provided full access to the machine room during the follow-up inspection, a second violation shall be issued requiring a lock box to be installed.

(3) Once required, a lock box marked "Elevator Personnel Only" shall be installed on the wall outside of the Elevator Machine Room. The lock box will be available for purchase from the Alabama Department of Labor Elevator Inspection Division. The purchase will include the box and one key for the owner. A duplicate key will be made available to the inspector and the elevator maintenance company at cost.

(4) Failure to comply with this requirement will result in the disconnection of the elevator from service and/or include an additional fine.

Author: Eddie Wiggins, Director Inspections Division

Statutory Authority: Code of Ala. 1975, §25-13-6 (2003).

History: New Rule: Published _____; effective _____.