

LABOR SERVICES DIVISION[875]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 89A.3, the Elevator Safety Board (Board) hereby gives Notice of Intended Action to amend Chapter 71, “Administration of the Conveyance Safety Program,” Chapter 72, “Conveyances Installed On or After January 1, 1975,” and Chapter 73, “Conveyances Installed Prior to January 1, 1975,” Iowa Administrative Code.

The proposed amendments change the safety standards for alterations of residential elevators installed in public buildings and for alterations of escalators.

The current Iowa safety standards for alterations of escalators can make modernizations of escalators unnecessarily difficult and expensive. These amendments make the more flexible American Society of Mechanical Engineers (ASME) standards applicable in Iowa.

The Board proposes changes relating to residential elevators installed in public buildings in order to facilitate the child entrapment rules adopted in **ARC 1972C** (IAB 4/29/15).

The purposes of these amendments are to protect the health and safety of the public, ease an existing restriction on escalator alterations, and implement legislative intent.

If requested in accordance with Iowa Code section 17A.4(1)“b” by the close of business on December 15, 2015, a public hearing will be held on December 16, 2015, at 1:30 p.m. in the Capitol View Room at 1000 East Grand Avenue, Des Moines, Iowa. Interested persons will be given the opportunity to make oral statements and file documents concerning the proposed amendments. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should call (515)281-5915 in advance to arrange access or other needed services.

Written data, views, or arguments to be considered in adoption shall be submitted no later than December 16, 2015, to Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to kathleen.uehling@jwd.iowa.gov.

No variance procedures are included in this rule making. Applicable variance procedures are set forth in 875—Chapter 66.

After analysis and review of this rule making, no adverse impact on jobs is expected.

These amendments are intended to implement Iowa Code chapter 89A.

The following amendments are proposed.

ITEM 1. Amend subrule 71.10(3) as follows:

71.10(3) ~~With the exception of replacing brushes on or adding brushes to escalators, all alterations~~ Alterations of conveyances other than escalators and elevators shall require that the entire conveyance be brought into compliance with the current code.

ITEM 2. Adopt the following **new** subrule 72.13(6):

72.13(6) *Alterations of handicapped restricted use elevators.* A component of a handicapped restricted use elevator being altered shall comply with the portions of ASME A17.1, section 5.3, applicable to the component. The edition of ASME A17.1 adopted by reference in rule 875—72.1(89A) shall be applied.

ITEM 3. Adopt the following **new** subrule 73.8(7):

73.8(7) *Alterations of handicapped restricted use elevators.* A component of a handicapped restricted use elevator being altered shall comply with the portions of ASME A17.1, section 5.3,

applicable to the component. The edition of ASME A17.1 adopted by reference in rule 875—72.1(89A) shall be applied.