

LABOR SERVICES DIVISION[875]

Adopted and Filed

Rule making related to conveyance safety

The Elevator Safety Board hereby amends Chapter 71, “Administration of the Conveyance Safety Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 89A.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 89A.

Purpose and Summary

The ASME A17.3 Code requires upgrades of some older elevators. These amendments will reduce the fee for alteration permits linked to ASME A17.3 and clarify which ASME A17.3 upgrades need an alteration permit.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on January 16, 2019, as **ARC 4237C**. No public comments were received. Item 4 was revised to clarify that the reduced rate for an alteration permit will apply not only within 120 days after an inspection report is issued, but also if the application is submitted before an inspection report is issued.

Adoption of Rule Making

This rule making was adopted by the Board on February 26, 2019.

Fiscal Impact

Reducing the alteration fee linked to ASME A17.3 will cause a slight reduction of receipts to the elevator safety fund.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 875—Chapter 66.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on May 1, 2019.

The following rule-making actions are adopted:

ITEM 1. Adopt the following new subrule 71.10(4):

71.10(4) Work required by ASME A17.3 (2011) qualifies as normal maintenance and does not require an alteration permit except for work performed to comply with ASME A17.3 (2011) 2.3.3, 3.4.4.1(a), 3.4.4.2, 3.5.3, 3.5.5(a) and (b), 3.5.7, 3.6.1, 3.6.2, 3.8.1(a), 3.8.3(a), 3.10.1, 3.10.4(b) through (g), 3.10.4(i) through (k), 3.10.4(m), 3.10.4(r), 3.10.4(w), 3.10.7, 3.10.9, 3.10.10, 4.4.2, 4.4.3, and 4.7.3.

ITEM 2. Amend paragraph **71.16(4)“a”** as follows:

a. ~~The~~ Except as set forth below, the fee for any elevator alteration permit shall be \$500 and shall cover the initial print review, alteration permit, and initial inspection.

ITEM 3. Reletter paragraph **71.16(4)“d”** as **71.16(4)“e.”**

ITEM 4. Adopt the following new paragraph **71.16(4)“d”**:

d. The fee for an initial print review, elevator alteration permit, and initial inspection shall be \$250 if both of the following conditions are met:

- (1) The only changes covered by the elevator alteration permit application are required by ASME A17.3 (2011) as adopted in 875—Chapters 72 and 73; and
- (2) The elevator alteration permit application is submitted before or no later than 120 days after the issuance of an inspection report describing ASME A17.3 requirements.

[Filed 2/26/19, effective 5/1/19]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 3/27/19.