CHAPTER 365
ELEVATOR SAFETY BOARD ADMINISTRATIVE AND REGULATORY AUTHORITY

[Prior to 7/9/25, see Labor Services Division[875] Ch 65]

Chapter rescission date pursuant to Iowa Code section 17A.7: 2/12/30

481—365.1(89A) Definitions. The definitions contained in this rule apply to 481—Chapters 365 through 373.

"Board" means the elevator safety board.

"Board office" means the offices of the department of inspections, appeals, and licensing.

"Conveyance" means an elevator, construction personnel hoist, dumbwaiter, escalator, moving walk, lift or inclined or vertical wheelchair lift subject to regulation under Iowa Code chapter 89A and includes hoistways, rails, guides, and all other related mechanical and electrical equipment.

"Department" means the department of inspections, appeals, and licensing.

"Director" means the director of the department of inspections, appeals, and licensing or the director's designee.

[**ARC 8771C**, IAB 1/8/25, effective 2/12/25; Editorial change: IAC Supplement 7/9/25]

481—365.2(89A) Authority of the board. The authority and responsibilities of the board include but are not limited to:

365.2(1) Adopting rules necessary to protect public health, safety and welfare and to administer the duties of the board.

365.2(2) Hearing and deciding appeals concerning inspection reports that relate to the installation, alteration, operation, and maintenance of conveyances in the state.

365.2(3) Hearing and deciding appeals concerning actions by the director to deny, suspend or revoke operating permits.

365.2(4) Establishing fees.

365.2(5) Establishing committees of the board.

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481—365.3(21,89A) Board officers. The board shall elect a chairperson, vice chairperson, and secretary from its membership at the first meeting after July 1 of each year. Neither the director nor the director's designee may serve as chairperson. The chairperson presides at meetings, appoints members and chairpersons of committees, and performs all duties and exercises all powers of the chairperson. The vice chairperson, in the absence or incapacity of the chairperson, performs all duties and exercises all powers of the chairperson.

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481—365.4(21,89A) Public meetings.

365.4(1) The board shall hold at least one meeting each calendar quarter.

365.4(2) Board meetings are governed in accordance with Iowa Code chapter 21 and conducted in accordance with Robert's Rules of Order.

365.4(3) The chairperson or the chairperson's designee prepares the agenda listing all matters to be discussed at the meeting.

365.4(4) A majority of the members of the board constitutes a quorum, and all final motions and actions must receive a majority of a quorum vote.

365.4(5) Members of the public may be present during board meetings unless the board votes to hold a closed session in accordance with Iowa Code chapter 21. The dates and locations of board meetings may be obtained from the board's website or the board office.

365.4(6) At every regularly scheduled board meeting, time will be designated for public comment. During the public comment period, any person may speak for up to two minutes. Requests to speak for two minutes per person when a particular topic comes before the board may be granted at the discretion of the chairperson. The chairperson may limit total public comment time to ten minutes.

365.4(7) The person presiding at a meeting of the board may exclude a person from an open meeting for behavior that obstructs the meeting.

365.4(8) Cameras and recording devices may be used at open meetings provided the cameras and recording devices do not obstruct the meeting. If the user of a camera or recording device obstructs the meeting by the use of such device, the person presiding at the meeting may request the user to discontinue use of the camera or device.

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481—365.5(89A) Official communications. All official communications, including submissions and requests, are to be addressed to the Elevator Safety Board, Department of Inspections, Appeals, and Licensing, 6200 Park Avenue, Suite 100, Des Moines, Iowa 50321.

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These rules are intended to implement Iowa Code chapters 21 and 89A.

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