

3/18/81
Do Pass 4/16 (p 1316)

State Government
Briles, Chairperson
Lura
Carr

HOUSE FILE 726

MAR 3 1981

Place On Calendar

BY COMMITTEE ON COMMERCE

(Formerly Study Bill 229)

Passed House, Date 3-12-81 (p 748) Passed Senate, Date 4-23-81 (p 1384)

Vote: Ayes 78 Nays 6 Vote: Ayes 42 Nays 5

Approved May 5, 1981

A BILL FOR

1 An Act relating to nonconforming facilities under the state
2 elevator code.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 104.11, Code 1981, is amended to read
2 as follows:

3 104.11 NONCONFORMING FACILITIES. The commissioner,
4 pursuant to rule, may grant exceptions and variances from
5 the requirements of rules adopted for any facility existing
6 on-January-1,--1975. Exceptions or variations shall be
7 reasonably related to the age of the facility, and may be
8 conditioned upon a repair or modification of the facility
9 deemed necessary by the commissioner to assure reasonable
10 safety. However, no exception or variance may be granted
11 except to prevent undue hardship, ~~and no exception or variation~~
12 ~~shall be granted for a period extending beyond five years~~
13 ~~from the effective date of applicable rules.~~ Such facilities
14 shall be subject to orders issued pursuant to section 104.10.

15 EXPLANATION

16 This bill amends the state elevator code with respect to
17 nonconforming facilities. Present law authorizes exceptions
18 to and variations from compliance only with respect to
19 facilities in existence on January 1, 1975, and only for a
20 period of five years. The amendments would allow exceptions
21 and variations to be granted by administrative rules for any
22 facility and for any period of time, as specified in the
23 rules.

24 The bill would take effect July 1 following enactment.

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~~shall be granted for a period extending beyond five years from the effective date of applicable rules.~~ Such facilities shall be subject to orders issued pursuant to section 104.10.

HOUSE FILE 726

AN ACT

RELATING TO NONCONFORMING FACILITIES UNDER THE STATE ELEVATOR CODE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 104.11, Code 1981, is amended to read as follows:

104.11 NONCONFORMING FACILITIES. The commissioner, pursuant to rule, may grant exceptions and variances from the requirements of rules adopted for any facility ~~existing on January 17, 1976.~~ Exceptions or variations shall be reasonably related to the age of the facility, and may be conditioned upon a repair or modification of the facility deemed necessary by the commissioner to assure reasonable safety. However, no exception or variance may be granted except to prevent undue hardship, ~~and no exception or variation~~

DELWYN STROMER
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 726, Sixty-ninth General Assembly.

PAT H. HARPER
Chief Clerk of the House

Approved May 5, 1981

ROBERT D. RAY
Governor

H.F. 726