

**TITLE 380. DEPARTMENT OF LABOR
CHAPTER 70. ELEVATOR SAFETY ACT**

SUBCHAPTER 1. GENERAL PROVISIONS

380:70-1-2. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise.

"Acceptance Test" means a test or a group of tests required by the applicable standard that are performed prior to a conveyance being placed into service or after an approved alteration.

"The Act" means the Oklahoma Elevator Safety Act, Title 59 of the Oklahoma Statutes, Sections 3020 et seq. and the Administrative Rules contained in this Chapter.

"Alteration" means any change, including major repair, made to an existing elevator, escalator, moving walkway or conveyance, its hoistway, enclosure, doors, and controls, other than the repair or replacement of damaged, worn, or broken parts necessary for normal operation. The changing of the speed governor shall be considered an alteration.

"Annually" means a period of twelve (12) calendar months.

"ANSI" means the American National Standards Institute, ~~1819~~1899 L Street NW, ~~6th~~11th Floor, Washington, D.C., 20036.

"ASME" means the American Society of Mechanical Engineers, ~~3~~Two Park Avenue, New York, NY, 10016-5990.

~~"ASSE"~~**"ASSP"** means the American Society of Safety Engineers Professionals, ~~1800 E. Oakton St., Des Plaines, IL., 60018~~520 N. Northwest Highway, Park Ridge, IL 60068.

"AWS" means the American Welding Society, ~~550 N.W. LeJune Road~~8669 36th Street, #130, Miami, Florida 33126~~33166-6672.~~

"Chief Elevator Inspector" means the Chief Elevator Inspector appointed under the Act.

"Commissioner" means the Commissioner of Labor or his/her authorized representative.

"Certificate of Operation" means a document issued by the Commissioner of Labor, affixed to an elevator or conveyance that indicates it has been inspected, tested and found to be in compliance for operation as required by the Act.

"Conveyance" means any elevator, escalator, moving walkway, wheelchair lift or other such device subject to the provisions of the Act.

"Department" means the Oklahoma Department of Labor, ~~3017 N. Stiles, Suite 100~~409 NE 28th St., 3rd Floor, Oklahoma City, OK 73105.

"Deputy Inspector" means an inspector appointed by the Chief Elevator Inspector subject to the approval of the Commissioner under the provisions of the Act.

"Elevator" means any device for lifting or moving people, cargo, or freight within, or adjacent and connected to, a structure or excavation, and includes any escalator, power driven stairway, moving walkway or stairway chair lift. It does not mean any of the following:

(A) Amusement ride or device subject to inspection and regulation under the provisions of Section 460 et seq. of Title 40 of the Oklahoma Statutes;

(B) Mining equipment subject to inspection and regulation by the Department of Mines;

- (C) Aircraft, railroad car, boat, barge, ship, truck, or other self-propelled vehicle or component thereof;
- (D) Any boiler grate stoker or other similar firing mechanism subject to inspection under the provisions of the Oklahoma Boiler and Pressure Vessel Safety Act; or
- (E) A dumbwaiter, conveyor, chain or bucket hoist, construction hoist or similar devices used for the primary purpose of elevating or lowering materials. This list is not exhaustive.

"Elevator Apprentice" means an unlicensed person registered with the Department of Labor who works under the direct supervision of a licensed elevator mechanic, licensed elevator contractor, or licensed elevator inspector.

"Existing Installation" means any elevator, escalator, moving walkway or other conveyance subject to the provisions of this Act in operation before the effective date of this Act.

"Expedited Inspection" means an inspection performed by the Commissioner, Chief Elevator Inspector, or Deputy Inspector that is to be performed during the same calendar month as it is requested.

"Freight Elevator" means an elevator used for carrying freight and on which only the operator and the person(s) necessary for loading and unloading are permitted to ride.

"Installation Permit" means a document issued by the Commissioner to a licensed elevator contractor upon receipt of an application to install or construct an elevator or conveyance which indicates Department approval of the proposed installation or construction project.

"ICC" means the International Code Council, ~~5360 Workman Mill Road, Whittier, California, 90601-2298~~ 200 Massachusetts Ave. NW, Suite 250, Washington D.C., 20001.

"Maintenance" means a process of routine examination, lubrication, cleaning, and adjustment of parts, components, and/or subsystems for the purpose of ensuring performance in accordance with the applicable Code requirements.

"May" means that an action or requirement is optional and non-mandatory.

"Mobility Restricted" means a person or persons unable to move freely without the aid of mechanical assistance such as walkers, wheelchairs, crutches or canes, and/or an inability to move freely because of a physical or mental disability, handicap or restriction.

"New Installation/New Construction" means a completely new elevator or conveyance installation or construction occurring on or after the effective date of this Act.

"NFPA" means The National Fire Protection Association, Inc., ~~One~~ 1 Batterymarch Park, Quincy, Massachusetts, 02169-7471.

"Night Time Inspection" means any inspection that does not occur during "reasonable hours."

"Occurrence" means any event involving an elevator, escalator, moving walkway, wheel chair lift or other conveyance subject to the provisions of this Act, that the operation of which has caused personal injury or property damage.

"Owner-Occupied Private Residence" means a separate dwelling, or a separate apartment in a multiple dwelling/complex, which is occupied by the legal owner and/or his/her family.

"Periodic Test" means a group of tests performed at common time intervals required by the authority having jurisdiction.

"Personnel Hoist" means a mechanism and its hoistway for use in connection with the construction, alteration, ongoing maintenance or demolition of a building, structure or other

work. It is used for hoisting and lowering workers or materials or both, and is equipped with a car that moves vertically on guide members

"Professional Engineer" means a mechanical engineer registered as such in one or more states, or the equivalent certification registration if from another country.

"Reasonable Hours" means that period of time beginning one hour prior to normal advertised business hours and ending one hour after normal advertised business hours. For facilities normally open twenty-four (24) hours, reasonable hours shall be that period of time beginning at 7:00 a.m. and ending at 6:00 p.m.

"Red Tag" means a document issued by a licensed elevator inspector and attached to an elevator or conveyance declaring that any further operation of the elevator or conveyance shall constitute a violation of the Oklahoma Elevator Safety Act.

"Repair" means reconditioning or renewal of parts, components, and/or subsystems, not constituting an alteration, necessary to keep equipment in compliance with applicable Code requirements and for which a permit is not required.

"Responsible Party" means that person(s) so named and designated on an elevator contractors license required to have met and maintain training credentials and knowledge necessary to satisfy the requirements of the Act.

"Shall" means that an action or requirement as stated in this Chapter is mandatory.

"Special Inspector" means an inspector, licensed by the Department, who is regularly employed by an insurance company providing liability insurance on an elevator, escalator, moving walkway, chairlift or conveyance subject to the provisions of the Act.

"State Special" means the designation applied to an elevator or conveyance subject to the provisions of this Act that is of special or unique construction and cannot be constructed, installed and/or operated in accordance with the applicable ASME Code and the provisions of this Act.

"Temporarily Dormant" means an elevator or conveyance whose power supply has been disconnected by removing fuses and placing a padlock on the mainline disconnect switch in the "OFF" position.

"Temporary Certificate of Operation" means a document issued by a licensed elevator inspector granting the temporary continued operation of a non-compliant elevator or conveyance for a period not to exceed sixty (60) days so that repairs can be performed; or to a licensed elevator contractor for the temporary continued operation of an elevator, transport platform, or personnel hoist for a specified period of time not to exceed the length of the applicable construction project.

"Transport platform" means an elevator consisting of a platform that is elevated by a mechanical drive system and guided by and moving along its supporting masts, where the mast requires lateral restraint from separate supporting structures, that is primarily used to vertically transport authorized persons, along with materials and necessary tools, to various access levels on a building or structure for construction, renovation, maintenance, or other types of work.

"Triennially" means a period of thirty-six (36) calendar months.

SUBCHAPTER 3. ADMINISTRATION

380:70-3-4. National standards, adoption and availability

(a) The following American National Standards are hereby adopted:

- (1) Safety Code for Elevators and Escalators, ASME A17.1, latest edition and most current addenda.
 - (2) Safety Code for Existing Elevators and Escalators, ASME A17.3, latest edition and most current addenda.
 - (3) Safety Standard for Platform Lifts and Stairway Chairlifts, ASME A18.1, latest edition and most current addenda.
 - (4) Safety Standard for Belt Manlifts, ASME A90.1, latest edition and most current addenda.
 - (5) Safety Requirements for Personnel Hoists and Employee Elevators, ~~ASSE~~ASSP A10.4, latest edition.
 - (6) The National Electrical Code, NFPA 70, latest edition.
 - (7) The International Building Code, latest edition.
 - (8) American National Standard for Transport Platforms, ANSI/SIA A92.10-2009.
- (b) Standards referenced in this chapter are available for public viewing in the office of the Chief Elevator Inspector and may be purchased from the American Society of Mechanical Engineers, the National Fire Protection Association, the American Society of Safety ~~Engineers~~Professionals, and the International Code Council.
- (c) Compliance with the provisions of the Elevator Safety Act does not relieve an owner, operator, or licensed Elevator Contractor from the requirement to comply with Codes and Standards as may be adopted and enforced by the Construction Industries Board and the Office of the State Fire Marshal, or other such state or jurisdictional agency as may be required.
- (d) Where there is a conflict between the adopted standard and this Chapter, the requirements of this Chapter shall take precedence.