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HOUSE BILL NO. 829**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on General Laws
on January 22, 2004)

(Patron Prior to Substitute—Delegate Drake)

A BILL to amend the Code of Virginia by adding in Chapter 11 of Title 54.1 an article numbered 4, consisting of sections numbered 54.1-1140 through 54.1-1143, relating to the Board for Contractors; certification of elevator mechanics.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 11 of Title 54.1 an article numbered 4, consisting of sections numbered 54.1-1140 through 54.1-1143, as follows:

Article 4.

Certification of Elevator Mechanics.

§ 54.1-1140. Definitions.

As used in this article, unless the context requires a different meaning:

"Elevator mechanic" means an individual who is certified by the Board in accordance with this article who is engaged in erecting, constructing, installing, altering, servicing, repairing, testing or maintaining elevators, escalators, dumbwaiters, or related conveyances in accordance with the Uniform Statewide Building Code. However, a person not certified as an elevator mechanic may perform maintenance that is not related to the operating integrity of an elevator, escalator, dumbwaiter or related conveyance, as provided in the regulations of the Board.

§ 54.1-1141. Requirements for certification.

A. Effective July 1, 2005, no individual shall present himself as a certified elevator mechanic as defined in § 54.1-1140 unless he has been certified under the provisions of this article. Individuals certified as elevator mechanics shall not be required to hold any other professional or occupational license or certification; however, nothing in this subsection shall prohibit an individual from holding more than one professional or occupational license or certification.

B. Any individual desiring to be certified as an elevator mechanic shall file a written application on a form prescribed by the Board. The application shall be accompanied by a fee set by the Board pursuant to § 54.1-201. The application shall contain, at a minimum, the applicant's name, place of employment, business address, and information on the knowledge, skills, abilities and education or training of the applicant.

§ 54.1-1142. Issuance of certification.

A. The Board shall issue a certificate to practice as an elevator mechanic in the Commonwealth to any applicant who has submitted satisfactory evidence that he has successfully:

1. Completed the educational requirements as required by the Board, which shall at a minimum include such requirements as the Board determines will establish minimum competency on the part of the applicant;

2. Completed the experience requirements as required by the Board, which shall at a minimum consist of at least three years in the elevator industry; and

3. Passed an examination offered or approved by the Board.

B. The Board may issue a certificate to practice as a certified elevator mechanic to any applicant who has a certification from an association approved by the Board that is equal to or exceeds the requirements established by the Board for all applicants.

C. Any individual who applies for certification as an elevator mechanic between July 1, 2004, and July 1, 2005, shall be deemed to have fulfilled the examination requirement if he is able to demonstrate that he has at least five years experience as an elevator mechanic.

§ 54.1-1143. Continuing education.

A. The Board shall establish in the regulations requirements for continuing education as a prerequisite to renewal of any certificate issued under this article. The Board shall require evidence of knowledge of the Uniform Statewide Building Code changes as a prerequisite to renewal of any certificate issued under this article. In addition, the Board may require continuing education for any individual who is found to be in violation of law or regulations governing the practice of an elevator mechanic certified under this article.

B. An elevator mechanic, as a condition of recertification and as part of the recertification application, shall certify to the Board that he has completed at least eight hours of continuing education, approved by the Board, in the specialty of elevator/escalator contracting. The Board may establish such requirements for approval of training instructors, the criteria for the continuing education and such other regulations to ensure the protection of the public interest. Such criteria shall include

60 *approval of curriculum sponsored by national or state professional elevator industry associations*
61 *approved by the Board.*