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HOUSE BILL NO. 3162

Offered January 19, 2007

A BILL to amend and reenact §§ 54.1-1140, 54.1-1142, and 54.1-1143 of the Code of Virginia and to amend the Code of Virginia by adding a section number 54.1-1140.1, relating to the Board for Contractors; elevator mechanics.

 Patron—Suit

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-1140, 54.1-1142, and 54.1-1143 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 54.1-1140.1 as follows:

§ 54.1-1140. Definitions.

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

"Certified elevator mechanic" means an individual who is certified by the Board in accordance with this article to engage in work as an elevator mechanic.

"Elevator mechanic" means an individual who is engaged in erecting, constructing, installing, altering, servicing, repairing, testing or maintaining elevators, escalators, 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, or related conveyance, as provided in the regulations of the Board.

§ 54.1-1140.1. Applicability.

The certification program established under this article shall be voluntary and shall not be construed to restrict or otherwise affect the right of any uncertified person to engage in activity as an elevator mechanic; however, no person may hold himself out as, or use the title of, "certified elevator mechanic" unless he has been so certified pursuant to the provisions of this article.

§ 54.1-1142. Issuance of certification.

A. The Board shall issue a certificate to practice as ~~an~~ a certified 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~~ a certified 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. ~~Any~~ A certified 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 approval of curriculum sponsored by national or state professional elevator industry associations approved by the Board.

INTRODUCED

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