



NOTICE OF ELEVATOR RULE CHANGES

June 2024

At its meeting on May 31, 2024, the Ohio Board of Building Standards adopted the rule changes identified as Amendments Group 102. These rule amendments were adopted with an **effective date of July 1, 2024.**

Amendments Group 102 includes the amended Elevator rules shown below.
The complete text of each rule follows this coversheet.

Rule Number	Tagline	Effective date
4101:5-1-01	Scope.	July 1, 2024
4101:5-1-02	Definitions.	July 1, 2024
4101:5-1-03	Enforcement.	July 1, 2024
4101:5-1-04	Application for permit.	July 1, 2024
4101:5-1-05	Adjudication order.	July 1, 2024
4101:5-1-06	Examination for certificate of competency.	July 1, 2024
4101:5-1-07	Assessment fee.	July 1, 2024
4101:5-3-01	Accepted engineering practice and approved standards.	July 1, 2024
4101:5-3-02	Resolution of conflicts.	July 1, 2024

Reason for Changes: The Board amended the Ohio Administrative Code Chapters 4101:5-1 to 4101:5-3 to comply with the five-year rule review, to remove regulatory restrictions, and to update the referenced standards relating to the design, construction, repair, alteration, and maintenance of elevators.

Please contact the Board with any questions at (614) 644-2613 or BBS@com.ohio.gov

4101:5-1-01

Scope.

This ~~code covers~~ division of the Administrative Code applies to the design, construction, repair, alteration, and maintenance of:

- (A) Passenger elevators;
- (B) Freight elevators;
- (C) Stage lifts;
- (D) Dumbwaiters;
- (E) Escalators;
- (F) Moving walks;
- (G) Belt Manlifts;
- (H) Mine elevators;
- (I) Wind turbine tower elevators
- (J) Special service elevators and other lifting and lowering equipment as provided for by section 4105.01 of the Revised Code, but ~~shall~~ does not include the following:
 - (1) Conveyors and related equipment within the scope of "ANSI B20.1";
 - (2) Tiering or piling machines used to move material to and from storage and located and operating entirely within one story;
 - (3) Equipment for feeding or positioning materials at machine tools, printing presses, etc.;
 - (4) Hoists for raising or lowering materials and which are provided with unguided hooks, slings, and similar means for attachment to the materials;
 - (5) Skip or furnace hoists;
 - (6) Wharf ramps;
 - (7) Amusement devices, but does include elevators in observation towers, etc.;
 - (8) Lift bridges;
 - (9) Railroad car lifts or dumpers;

- (10) Material hoists and material lifts; ~~and~~
- (11) Workmen's hoists in place for the duration of the construction renovation or demolition of the project; and
- (12) Elevators within individual dwelling units.

Effective: 7/1/2024

Five Year Review (FYR) Dates: 3/20/2024 and 07/01/2029

CERTIFIED ELECTRONICALLY

Certification

05/31/2024

Date

Promulgated Under: 119.03

Statutory Authority: 4105.011(A)

Rule Amplifies: 4105.01, 4105.011(A), 4105.17

Prior Effective Dates: 04/01/1974, 12/15/1984, 02/01/1996, 12/01/2000,
04/01/2002, 01/01/2018

4101:5-1-02

Definitions.

~~Note: For definitions~~ This rule defines terms used in rules 4101:5-1-01 to 4101:5-3-02 of the Administrative Code.

~~(For definitions~~ of terms not contained herein, refer to the " ASME" standards listed in rule 4101:5-3-01 of the Administrative Code.)

"ASME" means the "American Society of Mechanical Engineers." Referenced standards, codes, and related technical information developed by this organization can be purchased by logging on to <http://www.asme.org> or by calling 1-800-the-asme.

"Board" means the board of building standards as established by section 3781.07 of the Revised Code and authorized by division (A) of section 4105.011 of the Revised Code to formulate rules and regulations governing the design, construction, repair, alteration, and maintenance of elevators.

"Board of building appeals" means the board of building appeals as established by section 3781.19 of the Revised Code.

"Division" means the division of industrial compliance in the department of commerce.

"Elevator" means, a hoisting and lowering apparatus equipped with a car, cage, or platform which moves on or between permanent rails or guides and serves two or more fixed landings in a building or structure to which section 3781.06 of the Revised Code applies. "Elevator" includes dumb-waiters other than hand-powered dumb-waiters, escalators, manlifts of the endless belt type, moving walks, other lifting or lowering apparatus permanently installed on or between rails or guides, and all equipment, machinery, and construction related to any elevator; but does not include construction hoists and other similar temporary lifting or lowering apparatuses, ski lifts, traveling, portable amusement rides or devices that are not affixed to a permanent foundation, or nonportable amusement rides or devices that are affixed to a permanent foundation.

"Freight elevator" means an elevator normally used for carrying freight and on which only the operator and employees in the pursuit of their duties, by the permission of the employer, are allowed to ride.

"General inspector" means a state inspector examined and hired to inspect elevators and lifting apparatus for that state.

"Inspector" means either a general or special inspector.

"Moving walks" means a type of passenger-carrying device on which passengers stand or walk, and in which the passenger-carrying surface remains parallel to its direction of motion and is uninterrupted.

"Owner or user" means any person, firm or corporation owning or operating any elevator.

"Special inspector" means an inspector examined and commissioned by the superintendent to inspect elevators and lifting apparatus in the state.

"Superintendent" means the superintendent of the division of industrial compliance created in the department of commerce under section 121.04 of the Revised Code, or the person designated by the superintendent as responsible for the enforcement of rules 4101:5-1-01 to 4101:5-3-02 and 1301:3-6-01 to 1301:3-6-06 of the Administrative Code.

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Rule Amplifies: 3781.06, 4105.01, 4105.011(A)
Prior Effective Dates: 04/01/1974, 11/01/1980, 02/01/1996, 01/01/2003,
03/15/2012

4101:5-1-03

Enforcement.

- (A) The superintendent of the division of industrial compliance ~~shall enforce all~~ enforces the provisions of rules 4101:5-1-01 to 4101:5-3-02 and rules 1301:3-6-01 to 1301:3-6-06 of the Administrative Code relating to the design, construction, repair, alteration, and maintenance of elevators and elevator controls as defined in rule 4101:5-1-02 of the Administrative Code.

Exception: Municipal corporations, such as the city of Cleveland and the city of Cincinnati, which are authorized to adopt regulations for the regular inspection of elevators pursuant to section 4105.19 of the Revised Code.

- (B) All requirements within the standards referenced in "Table 4101:5-3-01" of rule 4101:5-3-01 of the Administrative Code that relate to the construction of the building and the building service equipment located within an elevator hoistway enclosure, hoistway, machine room, and control room such as, but not limited to, requirements for wall materials, wall fire resistance ratings, fire and/or smoke dampers, means of egress doors and hardware, ladders, air conditioning systems, ventilation systems, fire protection systems, lighting systems, electrical power supply to the elevator controls, lighting switches, electrical disconnects and selective coordination of overcurrent protective devices (OCPD), plumbing, sanitary piping, and sump pits ~~shall~~ are to be enforced by the building official having jurisdiction as determined in division (A)(1) of section 3791.04 of the Revised Code.

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Statutory Authority: 4105.011(A)

Rule Amplifies: 4105.02, 4105.03, 4105.04, 4105.07, 4105.08,
4105.10, 4105.11, 4105.16

Prior Effective Dates: 04/01/1974, 02/01/1996, 03/15/2012, 01/01/2018

4101:5-1-04

Application for permit.

In accordance with section 4105.16 of the Revised Code , every owner or contractor ~~shall~~ is required to apply for and obtain a permit from the division of industrial compliance prior to the installation of, alteration of, or repair of any elevator regulated by the division. The application ~~shall~~ is to be made on forms prescribed by the superintendent and in accordance with rule 1301:3-6-03 of the Administrative Code.

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Statutory Authority: 4105.011(A)
Rule Amplifies: 4105.16
Prior Effective Dates: 04/01/1974, 03/15/2012

4101:5-1-05

Adjudication order.

Before attempting to enforce, by any remedy, civil or criminal, the provisions with which the proposed or inspected elevator does not comply, the superintendent ~~shall~~ will issue an adjudication order in accordance with section 4105.11 of the Revised Code. The owner of the elevator specified therein may appeal to the board of building appeals under section 3781.19 of the Revised Code.

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Statutory Authority: 4105.011(A)

Rule Amplifies: 3781.19, 4105.11

Prior Effective Dates: 04/01/1974, 02/01/1996, 03/15/2012

4101:5-1-06

Examination for certificate of competency.

- (A) No person may act, either as a general inspector or as a special inspector of elevators, unless ~~he~~ that person holds a certificate of competency issued by the superintendent in accordance with rule 1301:3-6-02 of the Administrative Code.
- (B) The written examination administered by the superintendent, prior to issuance of a certificate of competency, ~~shall be~~ is the "Quality Elevator Inspectors (QEI) Examination."

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Statutory Authority: 4105.011(A)
Rule Amplifies: 4105.011(C), 4105.02, 4105.03, 4105.04, 4105.05,
4105.06
Prior Effective Dates: 04/01/1974, 02/01/1996, 01/01/2003, 03/15/2012

4101:5-1-07

Assessment fee.

- (A) In accordance with division (I) of section 4105.17 of the Revised Code, in addition to any fees assessed and collected directly from the owner or user for the inspection and issuance of a certificate of operation, the superintendent will collect, directly from the owner or user, a board assessed fee of three dollars and twenty-five cents for each certificate of operation or renewal thereof and for each inspection conducted.
- (B) The three dollars and twenty-five cent assessment fee collected directly from the owner or user on behalf of the board ~~shall~~is to be remitted to the board when deposited by the division of industrial compliance pursuant to section 121.084 of the Revised Code. The superintendent ~~shall~~is to report to the board the amounts remitted not later than one month following the first full month's collection and then monthly thereafter.

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Prior Effective Dates: 04/01/1974, 03/10/1982, 12/01/1983, 01/01/1990,
05/01/1992, 07/05/1993, 02/01/1996, 01/01/2003,
03/15/2012

4101:5-3-01

Accepted engineering practice and approved standards.

Unless otherwise specifically provided for in rules 4101:1-30-01 or 4101:5-1-01 to 4101:5-3-02 of the Administrative Code, compliance with the applicable technical provisions and requirements of the standards listed in "Table 4101:5-3-01" of ~~the Administrative Code~~this rule is prima facie evidence of conformity with accepted engineering practice or with an approved standard governing the design, construction, repair, alteration and maintenance of elevators. Compliance with a more recently published edition of a standard listed in "Table 4101:5-3-01" of this rule is acceptable as meeting the minimum standard identified provided that compliance is demonstrated to the entire standard and the specific edition of that standard is identified on the approval record issued by the superintendent. Additionally, the specific edition of that standard is to be identified on the certificate of plan approval and the certificate of occupancy issued by the building official having jurisdiction pursuant to rule 4101:1-1-01 of the Administrative Code. Addenda subsequently issued by the promulgating agency in between published editions is not enforceable unless specifically adopted herein.

Table 4101:5-3-01

Promulgating Agency (Note a)	Standard Identification	Edition	Title
ASME	A 17.1 (Note b)	2016 <u>2019</u>	Safety Code for Elevators and Escalators
ASME	A17.3 (Note c)	2015 <u>2020</u>	Safety Code for Existing Elevators and Escalators.
ASME	A17.6	2010 <u>2017</u>	Standard for Elevator Suspension, Compensation, and Governor Systems
ASME	A17.7	2007	Performance-based Safety Code for Elevators and Escalators
ASME	A17.8	2016	Standard for Wind Turbine Tower Elevators

ASME	A18.1	2014 <u>2020</u>	Safety Standard for Platform Lifts and Stairway Chairlifts
ASME	A 90.1	2015	Safety Standard for Belt Manlifts
ESTA	E1.42	2016 <u>2018</u>	Design, Installation, and Use of Orchestra Pit Lifts
Note a	ASME means the "American Society of Mechanical Engineers" and ESTA means the "Entertainment Services and Technology Association"		
Note b	Section 2.2.2.5-delete the last sentence; <u>Section 8.6.11.10-delete the entire section</u> ; Section 8.11.1.1.2(a)- change to read as follows: Periodic tests, as required in 8.6, are not required to be witnessed by a general or special inspector.; Section 8.11.1.1.2(b)- change to read as follows: Periodic test reports <u>shall</u> are <u>to</u> be submitted to the division within five business days of the completion of the periodic test. The test reports <u>shall</u> are <u>to</u> be on forms prescribed by the superintendent and <u>shall</u> are <u>to</u> include the date and type of test(s) performed, detailed results of the test(s), and a statement as to any corrective action taken.		
Note c	The rules of the board <u>shall</u> are <u>not to</u> be retroactively applied to existing elevators that are not otherwise being altered or repaired. Portions of an elevator not altered and not affected by an alteration are not required to comply with the code requirements for a new elevator.		

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Prior Effective Dates: 04/01/1974, 09/10/1979, 07/01/1984, 12/01/1985,
07/01/1988, 07/01/1989, 01/01/1992, 05/15/1995,
04/01/1999, 04/01/2002, 01/01/2003, 08/15/2003,
03/01/2005, 07/01/2006, 03/15/2012, 01/01/2018

4101:5-3-02

Resolution of conflicts.

- (A) In the event of conflict, the rules of the board of building standards adopted pursuant to section 3781.10 of the Revised Code and known as the "Ohio Building Code", the "Ohio Mechanical Code", and the "Ohio Plumbing Code" ~~shall~~ govern any rule or standards adopted by the board pursuant to division (A) of section 4105.011 of the Revised Code.
- (B) The rules of the board ~~shall~~are not to be retroactively applied to existing elevators that are not otherwise being altered or repaired. Portions of an elevator not altered and not affected by an alteration are not required to comply with the code requirements for a new elevator.

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Rule Amplifies: 3781.10, 3791.04(D), 4105.011(A)
Prior Effective Dates: 10/01/1999, 01/01/2003, 03/15/2012