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1301:3-11-01 Definitions.

The following definitions apply to all rules in chapter 1301:3-11 of the Administrative Code:

- (A) “Board” means the elevator safety review board, as created pursuant to section 4785.09 of the Revised Code.
- (B) “Disqualifying offense” has the following meaning:
 - (1) For applicants seeking to renew an elevator mechanic’s license, any offense that is a felony.
 - (2) For initial applicants (those not seeking to renew) of an elevator mechanic’s license, any of the following:
 - (a) A violation of section 2903.01 or 2903.02 of the Revised Code;
 - (b) A “sexually oriented offense” as defined in section 2950.01 of the Revised Code;
 - (c) An offense that is an “offense of violence” as defined in section 2901.01 of the Revised Code, if the offense is a felony of the first or second degree;
 - (d) Complicity in committing an offense described in paragraph (B)(2)(a) of this rule;
 - (e) An attempt or conspiracy to commit or complicity in committing any offense described in paragraph (B)(2)(a), (B)(2)(b), (B)(2)(c), or (B)(2)(d) of this rule if the attempt, conspiracy, or complicity is a felony of the first or second degree;
 - (f) A violation of any former law of this state, any existing or former law applicable in a military court or in an Indian tribal court, or any existing or former law of any nation other than the United States that is or was substantially equivalent to any offense listed in paragraph (B)(2)(a), (B)(2)(b), (B)(2)(c), (B)(2)(d), or (B)(2)(e) of this rule;
 - (g) Forgery (R.C. 2913.31);
 - (h) Trademark counterfeiting (R.C. 2913.34);
 - (i) Fraud (R.C. 2913.40, R.C. 2913.42, R.C. 2913.45, R.C. 2913.47, R.C. 2913.48, or R.C. 2913.49);
 - (j) Receiving stolen property (R.C. 2913.51);
 - (k) Bribery (R.C. 2921.02);
 - (l) Theft in office (R.C. 2921.41);
 - (m) Having an unlawful interest in a public contract (R.C. 2921.42);
 - (n) Engaging in pattern of corrupt activity (R.C. 2923.32);
 - (o) Money laundering (R.C. 1315.55(A)); and
 - (p) Criminal negligence (R.C. 2901.21).
- (C) “Division” or “division of industrial compliance” or “industrial compliance” means the division of industrial compliance in the Ohio department of commerce.
- (D) “Elevator contractor” has the same meaning as that term is defined in section 4785.01 of the Revised Code.

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- (E) “Elevator contractor’s license” means a license to operate as an elevator contractor issued by the division to a business entity under Chapter 4785. of the Revised Code.
- (F) “Elevator mechanic’s license” has the same meaning as that term is defined in section 4785.01 of the Revised Code.
- (G) “Elevator tradesperson” means any individual who is employed by an elevator contractor and who engages in erecting, constructing, installing, altering, servicing, repairing, dismantling, removing, or maintaining a conveyance without assuming responsibility for the means, method, or manner of that erecting, constructing, installing, altering, servicing, repairing, dismantling, removing, or maintaining.
- (H) “License” means a license to operate as either an elevator contractor or elevator mechanic issued under Chapter 4785. of the Revised Code.
- (I) “Licensee” means a holder of a license issued by the division pursuant to Chapter 4785. of the Revised Code.
- (J) “Limited-scope conveyance services” means altering, servicing, repairing, or maintaining a conveyance and both of the following applies:
 - (1) The scope of work is restricted to a specific part, portion, or area of a conveyance, including the following:
 - (a) New construction of an elevator hoistway, but does not include structural alterations of an existing hoistway; or
 - (b) Technical support specialist; and
 - (2) The work described in paragraph (J)(1) of this rule is the sole type of work offered by the individual or business entity that is subject to the jurisdiction of Chapter 4785. of the Revised Code.
- (K) “Nationally recognized training program for the elevator industry” means a training program requiring no less than four years to complete that includes on-the-job training, classroom instruction, or a combination thereof, and provides programing on topics relevant to conveyance services including technical information regarding conveyance equipment, safety codes and reference standards applicable to the operation of conveyances, as well as principles of worker and workplace safety.

1301:3-11-02 Scope.

This chapter of the Administrative Code concerns procedures applicable to the division of industrial compliance pertaining to enforcement of Chapter 4785. of the Revised Code and rules promulgated thereunder. Administrative rules applicable to the elevator safety review board, created under section 4785.09 of the Revised Code, are found in Chapter 1301:3-12 of the Administrative Code. This chapter of the Administrative Code should be read in conjunction with Chapter 4785. of the Revised Code and Chapter 1301:3-12 of the Administrative Code. Where possible, effect should be given to Chapter 4785. of the Revised Code, these rules, and Chapter 1301:3-12 of the Administrative Code.

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1301:3-11-03 License required; Exceptions.

- (A) Except as provided in paragraph (B) of this rule, no individual shall engage in “conveyance services,” as defined in division (A)(7) of section 4785.01 of the Revised Code, in buildings or structures unless one of the following applies:
- (1) The individual possesses an elevator mechanic’s license issued in accordance with section 4785.04 of the Revised Code and rules promulgated thereunder;
 - (2) The individual is an elevator tradesperson and a licensed elevator mechanic has responsibility for the means, method, and manner of the work being performed by the individual;
 - (3) The individual is working pursuant to a contract with a licensed elevator contractor and a licensed elevator mechanic is physically present while the individual is performing work pursuant to the contract; or
 - (4) The individual is an employee of a conveyance manufacturing company and is servicing, repairing, or maintaining a conveyance manufactured by the individual’s employer.
- (B) An individual or business entity providing exclusively a limited-scope conveyance service is not required to obtain a license under this chapter.
- (C) No licensed elevator contractor shall permit its employee(s), within the scope of employment, to perform conveyance services without a licensed elevator mechanic having responsibility for the means, method, and manner of the work being performed by the employee(s).

1301:3-11-04 Initial application for elevator contractor’s license and elevator mechanic’s license.

- (A) In order to obtain an elevator contractor’s license, a business entity shall submit a completed application to the division on a form designated by the division, as well as the following:
- (1) Any fees required by rule 1301:3-11-07 of the Administrative Code;
 - (2) Documentation of the approximate number of individuals, if any, to be employed by the applicant, and if applicable, satisfactory evidence that the employees are or will be covered by worker’s compensation insurance in accordance with section 4785.07 of the Revised Code;
 - (3) Satisfactory evidence that the applicant and all employees are, or will be, covered by general liability, personal injury, and property damage insurance in accordance with section 4785.07 of the Revised Code;
 - (4) A description of the criminal convictions and pleas of guilty, if any, of each of the applicant’s employees that hold or are seeking to obtain an elevator mechanic’s license, as verified by a criminal records check; and
 - (5) Such other information as the division considers appropriate.
- (B) In order to obtain an elevator mechanic’s license, an initial applicant shall do either of the following:

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- (1) (a) If the initial applicant is seeking to obtain an elevator mechanic's license by passing an examination administered by the division, or by a testing agency approved by the division, the initial applicant shall submit a completed application to the division on a form designated by the division, as well as the following:
 - (i) Any fees required by rule 1301:3-11-07 of the Administrative Code;
 - (ii) Satisfactory evidence that the applicant has not less than four years of work experience in the elevator industry, in construction, maintenance, service, repair, or any combination thereof, as verified by current and previous employers licensed to do business in this state;
 - (iii) A description of the criminal convictions and pleas of guilty of the applicant, if any, as verified by a criminal records check; and
 - (iv) Such other information as the division considers appropriate; and
- (b) Obtain a passing score on the elevator mechanic's examination in accordance with rule 1301:3-11-06 of the Administrative Code.
- (2) If the initial applicant is seeking to obtain an elevator mechanic's license without passing an examination administered by the division, or by a testing agency approved by the division, the initial applicant shall submit a completed application to the division on a form designated by the division, as well as the following:
 - (a) Any fees required by rule 1301:3-11-07 of the Administrative Code;
 - (b) Evidence demonstrating to the satisfaction of the division that the applicant meets the qualifications to obtain an elevator mechanic's license in one of the following ways:
 - (i) A certificate of completion or other evidence of having successfully passed the mechanic examination of a nationally recognized training program for the elevator industry;
 - (ii) A certificate of completion of an apprenticeship program for elevator mechanics that has standards substantially equal to those of this chapter and is registered with the bureau of apprenticeship and training, United States department of labor, or a state apprenticeship council;
 - (iii) Evidence demonstrating that the initial applicant is licensed as an elevator mechanic in a state having standards substantially equal to those of this chapter; or
 - (iv) Acceptable proof that the applicant has worked as an elevator construction, maintenance, or repair person, consisting of having worked without direct and immediate supervision for an elevator contractor authorized to do business in this state for a period of not less than four years immediately prior to the effective date of section 4785.04 of the Revised Code, as provided in division (D)(2) of section 4785.04 of the Revised Code.
 - (c) A description of the criminal convictions and pleas of guilty of the applicant, if any, as verified by a criminal records check; and
 - (d) Such other information as the division considers appropriate.
- (C) Upon receipt of an application submitted in accordance with this rule, the division shall notify the applicant if any additional information or records are needed to properly evaluate the applicant's qualification for

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licensure as an elevator contractor or elevator mechanic. Upon that determination, the division may request the applicant provide additional information in a manner the division deems appropriate.

1301:3-11-05 Elevator contractor's and mechanic's license application review process; Disqualifying offenses.

- (A) Upon approval of the applicant's qualifications, the division shall notify the applicant it has been approved to obtain an elevator contractor's license pending receipt of proof of insurance coverage as required by section 4785.07 of the Revised Code, if proof of coverage has not yet been provided by the applicant.
- (B) (1) Upon approval of the applicant's qualifications, the division shall notify the applicant in writing that the applicant has been approved either to take the mechanic's examination, if the application was submitted under paragraph (B)(1) of rule 1301:3-11-04 of the Administrative Code, or to obtain an elevator mechanic's license, if the application was submitted under paragraph (B)(2) of rule 1301:3-11-04 of the Administrative Code, pending the receipt of an acceptable criminal records check. The notice shall instruct the applicant on how to submit to a criminal records check, if such a check is required, as set forth in Chapter 4776. of the Revised Code and this chapter.
- (2) Upon receipt of the criminal records check, the division shall determine whether the applicant has been convicted of, had a judicial finding of, or pleaded guilty to a disqualifying offense, as that term is defined in rule 1301:3-11-01 of the Administrative Code.
- (3) Upon the receipt of an acceptable criminal records check, the division shall notify the applicant in writing of either of the following:
 - (a) If the application was submitted under paragraph (B)(1) of rule 1301:3-11-04 of the Administrative Code, that the applicant has been approved to take the elevator mechanic's examination, as provided for in rule 1301:3-11-06 of the Administrative Code. The notification shall include a schedule of test dates and information pertaining to the third party authorized to administer the test, if any. The notification shall be sent to the applicant in such a manner that the applicant will receive the notification within a reasonable time prior to the scheduled date of the examination.
 - (b) If the application was submitted under paragraph (B)(2) of rule 1310:3-11-04 of the Administrative Code, that the applicant has been approved to obtain an elevator mechanic's license.

1301:3-11-06 Elevator mechanic's examination.

- (A) The division, or the division's designee(s), shall schedule the examination for individuals seeking an elevator mechanic's license who have been approved to take the examination. The examination shall be scheduled at least four times a year. The examinations may be held at locations approved by the superintendent of the division of industrial compliance or the superintendent's designee(s).
- (B) Prior to the examination, each applicant will be given printed instructions pertaining to the examination. Failure to comply with those instructions may be cause for expulsion from the examination. Applicants shall not be permitted to communicate with other applicants during the examination.
- (C) An applicant that has attained a score of seventy per cent or higher on the examination shall be deemed to have satisfactorily passed the examination.

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- (D) Within a reasonable amount of time following completion and scoring of the examination, each individual taking the examination shall be notified whether he or she has passed or failed the examination.
- (E) An applicant that fails to pass the examination may retake the examination upon payment of the appropriate fee, if any. The approval to take the examination shall automatically expire without the taking of any action by the superintendent one calendar year from the date of receipt of a completed criminal records check.

1301:3-11-07 Fees for elevator contractor's license and elevator mechanic's license.

- (A) The fees for applications for examination, issuance of licenses, and biennial renewal of licenses are as follows:
 - (1) One-hundred dollars for application for examination and for reexamination, if the examination is administered by the division of industrial compliance;
 - (2) One-thousand dollars for issuance of an elevator contractor's license;
 - (3) Two-hundred and fifty dollars for issuance of an elevator mechanic's license;
 - (4) One-thousand dollars for the renewal of an elevator contractor's license;
 - (5) Two-hundred and fifty dollars for the renewal of an elevator mechanic's license;
 - (6) Two-hundred and fifty dollars for issuance of a temporary elevator mechanic's license;
 - (7) Two-hundred and fifty dollars for the renewal of a temporary elevator mechanic's license;
 - (8) A late fee of not more than two-hundred and fifty dollars will be assessed when a license is not timely renewed under rule 1301:3-11-09 of the Administrative Code; and
 - (9) A penalty fee of thirty dollars will be assessed for any check or other draft instrument used to pay any fee required by Chapter 4785. of the Revised Code, and rules adopted thereunder, that is returned to the division as unpaid.
- (B) Except as provided in paragraph (C) of this rule, each fee described in paragraph (A) of this rule is nonrefundable and payable to the Ohio department of commerce, division of industrial compliance, or its designee.
- (C) The examination and reexamination fee charged to an examinee by a testing agency approved by the division under rule 1301:3-11-10 of the Administrative Code shall be set at the amount proposed by the testing agency under paragraph (A)(1)(e) of that rule and shall be collected by the testing agency administering the examination. Approval from the division must be obtained prior to this fee being increased.

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1301:3-11-08 Denial of an initial application or renewal application for elevator contractor's or elevator mechanic's license.

- (A) The superintendent may direct the division to deny an initial application for elevator contractor's or elevator mechanic's license or refuse to renew a license issued in accordance with Chapter 4785. of the Revised Code upon a finding that the applicant or licensee has done any of the following:
- (1) Been convicted of a "disqualifying offense," as that term is defined in paragraph (B) of rule 1301:3-11-01 of the Administrative Code, and the division determines that the license should be denied using the process described in section 9.79 of the Revised Code;
 - (2) Violated any provision of Chapters 4105. or 4785. of the Revised Code;
 - (3) Violated any rule adopted pursuant to Chapter 4105. or 4785. of the Revised Code;
 - (4) Failed to meet the requirements for obtaining or renewing a license under Chapter 4785. of the Revised Code or rules promulgated thereunder;
 - (5) Obtained or attempted to obtain a license pursuant to Chapter 4785. of the Revised Code by means of fraud, deception, or misrepresentation;
 - (6) Obtained an order, ruling, or authorization from the division of industrial compliance by means of fraud, deception, or misrepresentation; or
 - (7) Engaged in fraud, misrepresentation, or deception in the conduct of business.
- (B) A party adversely affected by an adjudication order issued pursuant to this rule shall have a right of appeal pursuant to section 119.12 of the Revised Code.

1301:3-11-09 Renewal of elevator contractor's license and elevator mechanic's license.

- (A) At least ninety days prior to the expiration of an elevator contractor's or elevator mechanic's license, the division shall provide or make available an application to each holder of a license issued pursuant to Chapter 4785. of the Revised Code. The application shall be on a form and in a format prescribed by the division.
- (B) Upon receipt of a completed application and submission of any applicable fee(s) as required by rule 1301:3-11-07 of the Administrative Code, the division shall renew a license if the holder demonstrates that the licensee continues to meet the qualifications set forth in sections 4785.04 and 4785.041 of the Revised Code, and the licensee meets all of the following renewal requirements:
- (1) For elevator contractors: submits proof that the licensee is in compliance with the insurance requirements prescribed in section 4785.07 of the Revised Code.
 - (2) For elevator mechanics:
 - (a) Certifies the licensee has not been convicted of, had a judicial finding of, or pleaded guilty to a disqualifying offense as defined in rule 1301:3-11-01 of the Administrative Code since obtaining the license or renewal or provides documentation of the offense if a certification cannot be provided in accordance with this rule.

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(b) Submits evidence that the licensee has satisfied all continuing education requirements as set forth in Chapter 4785. of the Revised Code and rules promulgated thereunder.

(C) If the licensee fails to timely meet the renewal requirements, the license shall automatically be suspended without the taking of any action by the division. A suspended license may be reactivated upon application within one calendar year from the expiration date of the license and approval of the division, provided that the renewal fee plus a late fee is submitted by the renewal applicant.

1301:3-11-10 Testing agency approval; Continuing education and training provider approval.

(A)(1) In order to obtain approval to administer the elevator mechanic's examination, as required by division (D)(1)(b) of section 4785.04 of the Revised Code, a testing agency shall apply to the division on a form prescribed and furnished by the division. The testing agency shall provide the following information to the division on the application form prescribed by the division:

- (a) Name, address, email address, and telephone number of the testing agency;
- (b) Name, address, email address, and telephone number of the owner(s) of the testing agency;
- (c) The testing agency's experience in administering examinations, including years of operation and types of examinations the testing agency has administered;
- (d) Procedures the testing agency will utilize to administer the examination, including procedures to monitor examinees during the examination;
- (e) The amount of the examination and reexamination fee the testing agency will charge to an examinee to sit for the examination and reexamination; and
- (f) Any other information the division may reasonably require.

(2) Approval as a testing agency under paragraph (A)(1) of this rule shall expire five years after the date the division approved the testing agency.

(B)(1) In order to obtain approval to provide continuing education programming, as required by section 4785.041 of the Revised Code, a continuing education provider shall apply to the division on a form prescribed and furnished by the division. The continuing education provider shall provide the following information to the division on the application form prescribed by the division:

- (a) Name, address, email address, and telephone number of the continuing education provider;
- (b) Name, address, email address, and telephone number of the owner(s) of the continuing education provider;
- (c) A list of instructors that will conduct the continuing education program on behalf of the provider, including an explanation of how the instructors are qualified to conduct the continuing education program;
- (d) An agenda for each continuing education course offered by the provider;
- (e) An agreement to attend an annual meeting held by the division, at the division's request; and

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(f) Any other information the division may reasonably require.

(2) Approval as a continuing education provider under paragraph (B)(1) of this rule shall expire two years after the date the division approved the continuing education provider.

1301:3-11-11 Continuing education; Credits; Temporary continuing education waiver; inactive status.

(A) Continuing education:

- (1) An approved continuing education provider shall provide to the division a roster of all individuals holding a license issued pursuant to Chapter 4785. of the Revised Code that attended a continuing education course as well as a copy of the agenda of the education course provided. The roster must be submitted within fourteen calendar days of the date of completion of the course or program of instruction. The roster shall be provided to the division on a form prescribed by the division or via any other means of electronic transmission that the division deems appropriate. The roster shall contain any information the division deems appropriate. The continuing education provider shall maintain a copy of every roster for a period of three years after each course is held. Failure to properly report may result in disapproval or non-renewal of a continuing education provider's approval.
- (2) Upon request of the division, training materials and handouts provided to attendants of continuing education courses shall be made available to the division for inspection.

(B) Credits: Only time of actual instruction counts toward a credit hour. Thirty minutes of instruction equals one-half hour of continuing education credit. Credit is not awarded for breaks.

(C) Temporary continuing education waiver: An application for a temporary continuing education waiver must be submitted prior to expiration of the applicant's elevator mechanic's license. An extension may be permitted at the division's discretion in extenuating circumstances, but under no circumstances may a temporary continuing education waiver be issued to a licensee more than one year after his or her license has expired.

(D) Inactive status:

- (1) A holder of a license that has been placed into inactive status is prohibited from performing any conveyance services subject to the jurisdiction of Chapter 4785. of the Revised Code and rules promulgated thereunder. Engaging in conveyance services while a license remains in inactive status shall be grounds for discipline, including up to revocation of the license.
- (2) A holder of a license that has been placed into inactive status shall submit to the division a certified statement on a form prescribed by the division attesting to the termination of the temporary disability within thirty calendar days of the date the temporary disability has been terminated. A waiver sticker, valid for ninety days, will then be provided to the licensee and affixed to the license. During this ninety-day period, the licensee shall comply with the continuing education requirements for renewal of the license, or prior to the expiration of the license, whichever is later. Failure to meet the continuing education requirements during this ninety-day period shall result in the license being suspended with no action needing to be taken by the division.

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1301:3-11-12 Monitoring of inspections and testing.

At the division's request, a licensed elevator contractor or licensed elevator mechanic shall notify the division when the licensee will be performing a safety test of a conveyance subject to Chapters 4105. and 4785. of the Revised Code. The division may request notice as to a specific licensee, specific type of conveyance, specific location as to where a safety test will be performed, or any combination thereof. The notice provided by the licensee shall inform the division of the time, place, and type of safety test(s) that the licensee intends to perform and shall be given in such a manner so as to permit the division to monitor the test as it is being performed. Failure to provide notice of a safety test as required by this rule may result in the division deeming the safety test invalid and requiring the safety test to be performed again.

1301:3-11-13 State of emergency declaration; Emergency elevator mechanic's license.

(A) After the superintendent has declared a state of emergency in accordance with section 4785.05 of the Revised Code, an individual seeking an emergency elevator mechanic's license shall submit an application for such a license on a form prescribed by the division. The applicant shall supply the following information with the form provided by the division:

- (1) Name, address, phone number, and email address of the applicant;
- (2) Name, address, phone number, and email address of the licensed elevator contractor that has found the applicant to have an acceptable combination of documented experience and education to perform conveyance services without direct and immediate supervision, as required by division (B) of section 4785.05 of the Revised Code;
- (3) A statement of the applicant's education, training, and experience qualifying him or her to obtain an emergency elevator mechanic's license; and
- (4) Any additional information the division may reasonably require.

(B) Upon receipt of an application submitted in accordance with paragraph (A) of this rule, the division shall make a determination as to whether an emergency elevator mechanic's license should be issued to the applicant. In making this determination, the division may consider the following factors:

- (1) The nature of the emergency, including the following:
 - (a) The severity of the emergency;
 - (b) The geographical area affected by the emergency;
 - (c) The length of time the emergency is likely to persist; and
 - (d) The approximate number of conveyances subject to the jurisdiction of Chapter 4785. of the Revised Code likely to be affected by the emergency;
- (2) The applicant's qualifications for obtaining an emergency elevator mechanic's license, including the following:
 - (a) The applicant's education and training experience;

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- (b) The applicant's experience in performing conveyance services; and
 - (c) Any other experience the applicant may possess relevant to the performance of conveyance services;
 - (3) The availability of licensed elevator contractors and elevator mechanics to provide conveyance services in the area subject to the emergency; and
 - (4) Any other information the division deems relevant to the determination.
- (C) Upon a favorable finding, the division shall issue an emergency elevator mechanic's license to the applicant. At the time the license is issued, the division shall provide notice to the emergency elevator mechanic licensee of all restrictions placed on the emergency license, if any, including geographical area and particular conveyance(s) upon which the licensee is authorized to perform conveyance services under the emergency license.
- (D) Within ten days of the expiration of an emergency elevator mechanic's license, a renewal application may be submitted by the holder of the license. The division shall consider a renewal application in the same manner as an initial application as provided in paragraph (B) of this rule.

1301:3-11-14 Licensee shortage; Temporary elevator mechanic's license.

- (A) An elevator contractor shall notify the division of industrial compliance within the department of commerce when there are no licensed elevator mechanics available to provide conveyance services by submitting notice of a licensee shortage on a form prescribed and provided by the division, as well as the following:
- (1) A brief description of the nature of the licensee shortage that the elevator contractor has observed; and
 - (2) A brief description of the steps the elevator contractor has undertaken, if any, to find licensed elevator mechanics to fill the purported shortage.
- (B) After an elevator contractor has submitted notice of a licensee shortage in accordance with paragraph (A) of this rule, an elevator contractor may submit an elevator mechanic certification to the division on a form prescribed and provided by the division. The elevator contractor shall provide the following information to the division on the certification form:
- (1) Name, address, email address, and telephone number of the elevator contractor;
 - (2) Name, address, email address, and telephone number of the individual on behalf of whom the elevator contractor is providing the certification form;
 - (3) A brief description of the experience and education of the individual on behalf of whom the elevator contractor is providing the certification that demonstrates the individual is qualified to provide conveyance services without direct and immediate supervision; and
 - (4) A statement that the elevator contractor plans to employ the individual the elevator contractor is providing the certification form on behalf of if the individual is issued a temporary elevator mechanic's license.
- (C) Any individual certified by an elevator contractor in accordance with paragraph (B) of this rule may submit an application for a temporary elevator mechanic's license to the division on a form prescribed and provided

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by the division. The applicant shall provide the following information to the division on the application form:

- (1) Name, address, email address, and telephone number of the applicant;
 - (2) A brief description of the applicant's experience and education relevant to the individual's qualifications to provide conveyance services;
 - (3) The application fee required under rule 1301:3-11-07 of the Administrative Code; and
 - (4) Any additional information the division may reasonably require.
- (D) Upon receipt of an application submitted in accordance with paragraph (C) of this rule, the division shall make a determination as to whether the applicant is qualified to obtain a temporary elevator mechanic's license. Upon a favorable finding, the division shall issue a temporary elevator mechanic's license to the applicant that includes a notation of the term the temporary license will be valid.
- (E) (1) Within thirty days of the expiration of a temporary elevator mechanic's license, the holder of a temporary license may submit a renewal application on a form prescribed and provided by the division, as well as the following:
- (a) Evidence demonstrating that the holder of the temporary elevator mechanic's license is still employed with the elevator contractor that certified the individual as being qualified;
 - (b) A certification by the elevator contractor that the licensee shortage has not been alleviated;
 - (c) The renewal fee required under rule 1301:3-11-07 of the Administrative Code; and
 - (d) Any additional information the division may reasonably require.
- (2) A temporary elevator mechanic's license issued in accordance with this rule remains effective during the period a renewal application is being reviewed by the division.
- (3) Upon a favorable finding, the division shall issue a renewal of a temporary elevator mechanic's license that includes a notation of the term that the renewal of the temporary license will be valid.
- (F) A temporary elevator mechanic's license issued in accordance with this rule shall expire immediately, with no action needing to be taken by the division, upon the termination of the employment relationship between the temporary licensee and the licensed elevator contractor that certified the individual as being qualified.

1301:3-11-15 Elevator contractor insurance requirements; Notice of updated insurance policy.

- (A) All business entities holding an elevator contractor's license pursuant to Chapter 4785. of the Revised Code shall maintain contractor's liability insurance in accordance with section 4785.07 of the Revised Code. The contractor's liability insurance shall be in the name of the business entity. The business entity must be registered with the Ohio secretary of state to do business in Ohio.
- (B) An initial application for an elevator contractor's license may be conditionally approved pending receipt of proof of insurance in accordance with section 4785.07 of the Revised Code. Upon receipt of proof of insurance, an initial elevator contractor's license will be issued.

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- (C) No less than ten days before a material alteration or cancellation of an insurance policy required by section 4785.07 of the Revised Code will take effect, notice of the change shall be provided to the division on a form prescribed and provided by the division.

1301:3-11-16 Death of licensed elevator mechanic.

- (A) Except as otherwise provided in this section, a licensed elevator contractor shall have at least one licensed elevator mechanic in its employ in order to provide conveyance services under Chapter 4785. of the Revised Code.
- (B) An elevator mechanic's license terminates upon the death of the licensee. A licensed elevator contractor shall provide notice to the division of the death of a licensed elevator mechanic if the deceased is the only licensed elevator mechanic employed by the contractor.
- (C) Notwithstanding paragraph (A) of this rule, a licensed elevator contractor may continue to provide conveyance services for sixty days following the death of a licensed elevator mechanic employed by the contractor, if the deceased was the only licensed elevator mechanic employed by the elevator contractor at the time of the elevator mechanic's death.

1301:3-11-17 Elevator safety review board referral; Investigations.

- (A) Upon receipt of a complaint that a violation of Chapter 4785. of the Revised Code or rules promulgated thereunder has been committed, the division of industrial compliance shall refer the matter to the elevator safety review board for investigation under section 4785.092 of the Revised Code.
- (B) In addition to referring a complaint to the elevator safety review board, the division may independently investigate an alleged violation of Chapter 4785. of the Revised Code or rules promulgated thereunder to the extent relevant to renewal of an elevator mechanic's or elevator contractor's license, as provided in division (F) of section 4785.041 of the Revised Code.

1301:3-11-18 Temporary licenses for members of the military and their spouses.

As provided in section 4743.041 of the Revised Code, temporary licenses shall be issued in accordance with Chapter 1301:3-9 of the Administrative Code.

1301:3-11-19 License issued to out-of-state applicants pursuant to sections 4796.03 through 4796.05 of the Revised Code.

A license under sections 4796.03 through 4796.05 of the Revised Code shall be issued in accordance with the plan established by the superintendent of the division of industrial compliance in Chapter 1301:3-10 of the Administrative Code.