

HOUSE No. 2100

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Mahoney

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to elevator fees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>1/16/2019</i>

HOUSE No. 2100

By Mr. Mahoney of Worcester, a petition (accompanied by bill, House, No. 2100) of John J. Mahoney relative to elevator fees. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to elevator fees.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 65 of Chapter 143 of the General Laws, as appearing in the 2016 Official Edition,
2 is hereby amended by striking out the second paragraph and inserting in place thereof the
3 following paragraph:

4 No elevator licensed under this chapter shall be operated without a valid inspection
5 certificate. If a certificate has expired, no new certificate shall be issued until a new inspection
6 has been completed and no elevator shall be operated until a new certificate has been issued by a
7 qualified state inspector. The owner, the operator, or an entity contracted for the maintenance of
8 an elevator who fails to comply with this section shall be punished with a fine of \$100 for each
9 day that an elevator is in operation without a valid license. The commissioner or the
10 commissioner's designee may waive all or a portion of the \$100 per day fine and may
11 promulgate rules and regulations establishing criteria used to determine whether the fine may be
12 waived. For the purposes of this section, an elevator shall be deemed to be in operation unless it
13 has been placed out of service or decommissioned in accordance with procedures approved by

14 the board. Fines shall stop accruing on the date on which the owner or operator has, in writing or
15 in any manner prescribed by the department, requested an inspection of the elevator by the
16 department. For any dumbwaiter, limited use elevator or limited application elevator, as defined
17 in section 71E, or a wheelchair lift that has a travel distance of 25 feet or less and is located in an
18 owner-occupied single family residence in accordance with section 64, the maximum fine shall
19 be \$5,000. For all other units, the maximum fine shall be \$20,000. The commissioner or the
20 commissioner's designee, or any other person that the commissioner may specifically authorize,
21 may issue a written notice of violation under section 22 of chapter 22 for a violation of this
22 section.