

13 NCAC 15 .0307 MAINTENANCE AND PERIODIC INSPECTIONS AND TESTS

(a) Inspections and Tests. Devices and equipment shall be subject to maintenance and periodic inspections and tests in accordance with the requirements of the A17.1 - American National Standard, incorporated by reference under Rule .0201 of this Chapter; and in accordance with the National Electric Code, incorporated by reference under Rule .0206 of this Chapter. Special equipment as defined by G.S. 95-110.4(n) shall be subject to periodic and to maintenance inspections and tests in accordance with A17.1 of the ASME Safety Code for Elevators and Escalators, the National Electric Code, and manufacturers' specifications.

(b) Inspections.

- (1) Advance Notice. Inspections shall be accomplished without advance notice, except where the Director determines that advance notice of an inspection is necessary to complete the inspection.
- (2) Inspection Report Forms. The inspector shall note findings of his inspection and tests on the inspection report form.

(c) Certificate of Operation Issuance.

- (1) Closing Conference. After the inspections and tests of the equipment prescribed in this Rule, the inspector shall, when possible, hold a closing conference with the owner or his representative.
- (2) Approval. When the inspector has determined that the equipment is in compliance with the rules in this Chapter and G.S. 95 Article 14A, the inspector may reissue the certificate of operation.
- (3) Violations creating unsafe conditions. When the inspector has determined the equipment is not in compliance with the regulations of this Chapter and all applicable law, and that the non-compliance creates an unsafe condition that exposes the public to an unsafe condition likely to result in serious personal injury or property damage, the inspector shall immediately order, in writing, that the use of the equipment be stopped until such time as it is determined that the equipment has been made safe for use by the public. The inspector shall provide the owner or his representative with a description of all violations and necessary repairs.

(A) Notice. After an inspector has issued a written order which stops or limits the use of the equipment, the owner or his representative shall notify the Division, in writing, when the equipment is brought into compliance with the regulations of this Chapter and G.S. 95 Article 14A.

(B) Reinspection. After receipt of written notice from the owner or his representative that the equipment has been brought into compliance with the regulations of this Chapter and all applicable law, an inspector shall reinspect to determine if all violations have been corrected and necessary repairs have been made and the equipment is in compliance with the rules in this Chapter and G.S. 95 Article 14A.

- (4) Violations not creating unsafe conditions. When the inspector has determined the equipment is not in compliance with the regulations of this Chapter and G.S. 95 Article 14A, and that the non-compliance does not create an unsafe condition which is exposing the public to an unsafe condition likely to result in serious personal injury or property damage, the inspector shall provide the owner or his representative with a description of all violations and necessary repairs.

(A) Corrective action. The owner or his representative shall have 60 calendar days from receipt of written notice of all violations and necessary repairs to comply with the regulations of this Chapter and all applicable law, correct violations and complete necessary repairs.

(B) Notice. The owner or his representative shall notify the Division in writing within 60 calendar days of receiving written notification of the violations and necessary repairs that the equipment has been brought into compliance with the regulations of this Chapter and G.S. 95 Article 14A.

(C) Follow-up Inspection. If the owner or his representative fails to provide notice of abatement as required by Part (B) of this Subparagraph, and an inspection is required to determine status of abatement, then the owner or his representative shall pay a follow-up inspection fee of two hundred dollars (\$200.00).

(d) Tests. Periodic tests required by the A17.1 - American National Standard Safety Code for Elevators and Escalators shall be performed in the presence of an elevator inspector whenever possible. In the absence of an inspector, a signed copy of the test report shall be sent to the Director of the Division without delay. The report shall be signed by the person conducting such tests.

History Note: Authority G.S. 95-110.5;

Eff. August 1, 1987;

Amended Eff. March 1, 2015; December 1, 2004;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 5, 2016.