

Adopted	Rejected
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COMMITTEE REPORT

YES:	22
NO:	2

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred Senate Bill 488, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 3, line 21, delete "IC 25-41-3-1." and insert "**IC 22-15-5-7**."
- 2 Page 3, between lines 24 and 25, begin a new paragraph and insert:
- 3 "SECTION 4. IC 22-12-2-2, AS AMENDED BY P.L.1-1999,
- 4 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2002]: Sec. 2. (a) The commission consists of ~~eighteen (18)~~
- 6 **nineteen (19)** voting members and two (2) nonvoting members. The
- 7 governor shall appoint ~~sixteen (16)~~ **seventeen (17)** voting members to
- 8 the commission, each to serve a term of four (4) years. The state health
- 9 commissioner or the commissioner's designee shall serve as a voting
- 10 member of the commission, and the commissioner of labor or the
- 11 commissioner's designee shall serve as a voting member of the
- 12 commission. The state fire marshal and the state building commissioner
- 13 shall serve as nonvoting members of the commission.
- 14 (b) Each appointed member of the commission must have a
- 15 recognized interest, knowledge, and experience in the field of fire

- 1 prevention, fire protection, building safety, or other related matters.
- 2 (c) The appointed members of the commission must include the
- 3 following:
- 4 (1) One (1) member of a ~~professional~~, paid fire department.
- 5 (2) One (1) member of a volunteer fire department.
- 6 (3) One (1) individual in the field of fire insurance.
- 7 (4) One (1) individual in the fire service industry.
- 8 (5) One (1) individual in the manufactured housing industry.
- 9 (6) One (1) individual in the field of fire protection engineering.
- 10 (7) One (1) professional engineer.
- 11 (8) One (1) building contractor.
- 12 (9) One (1) individual in the field of building one (1) and two (2)
- 13 family dwellings.
- 14 (10) One (1) registered architect.
- 15 (11) One (1) individual engaged in the design or construction of
- 16 heating, ventilating, air conditioning, or plumbing systems.
- 17 (12) One (1) individual engaged in the design or construction of
- 18 regulated lifting devices.
- 19 (13) One (1) building commissioner of a city, town, or county.
- 20 (14) One (1) individual in an industry that operates regulated
- 21 amusement devices.
- 22 (15) One (1) individual who is knowledgeable in accessibility
- 23 requirements and who has personal experience with a disability.
- 24 (16) One (1) individual who represents owners, operators, and
- 25 installers of underground and aboveground motor fuel storage
- 26 tanks and dispensing systems.
- 27 **(17) One (1) individual in the masonry trades.**
- 28 (d) Not more than ~~nine (9)~~ **ten (10)** of the appointed members of the
- 29 commission may be affiliated with the same political party.
- 30 (e) An appointed member of the commission may not serve more
- 31 than two (2) consecutive terms. However, any part of an unexpired
- 32 term served by a member filling a vacancy does not count toward this
- 33 limitation.
- 34 SECTION 5. IC 22-12-2-6 IS AMENDED TO READ AS
- 35 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 6. (a) The commission
- 36 shall meet at least quarterly.
- 37 (b) A quorum of the commission consists of ten (10) voting
- 38 members. IC 4-21.5-3-3 applies to a commission action governed by

1 IC 4-21.5. The commission may take other actions by an affirmative
2 vote of:

- 3 (1) nine (9) members, if less than ~~eighteen (18)~~ **nineteen (19)**
4 voting members are present and voting on the action; or
5 (2) ten (10) members, if ~~eighteen (18)~~ **nineteen (19)** members are
6 present and voting on the action.

7 (c) In the case of a tie vote on an action of the commission, the
8 deciding vote shall be cast by the:

- 9 (1) state fire marshal, in even-numbered years; or
10 (2) state building commissioner, in odd-numbered years.

11 SECTION 6. IC 22-12-6-6 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 6. (a) The commission
13 may adopt rules under IC 4-22-2 setting a fee schedule for the
14 following:

- 15 (1) Fireworks display permits issued under IC 22-11-14-2.
16 (2) Explosives magazine permits issued under IC 22-14-4.
17 (3) Design releases issued under IC 22-15-3.
18 (4) Certification of industrialized building systems and mobile
19 structures under IC 22-15-4.
20 (5) Inspection of regulated amusement devices under IC 22-15-7.
21 (6) Application fees for variance requests under IC 22-13-2-11
22 and inspection fees for exemptions under IC 22-13-4-5.
23 **(7) Permitting and inspection of regulated lifting devices**
24 **under IC 22-15-5.**
25 **(8) Permitting and inspection of regulated boiler and pressure**
26 **vessels under IC 22-15-6.**
27 **(9) Licensing of:**
28 **(A) boiler and pressure vessel inspectors under**
29 **IC 22-15-6-5; and**
30 **(B) an owner or user boiler and pressure vessel inspection**
31 **agency under IC 22-15-6-6.**
32 **(10) Licensing of elevator contractors, elevator inspectors,**
33 **and elevator mechanics under IC 22-15-5-6 through**
34 **IC 22-15-5-16.**

35 (b) Fee schedules set under this section must be sufficient to pay all
36 of the costs, direct and indirect, that are payable from the fund into
37 which the fee must be deposited, after deducting other money deposited
38 in the fund. In setting these fee schedules, the commission may

1 consider differences in the degree or complexity of the activity being
2 performed for each fee.

3 (c) The fee schedule set for design releases issued under subsection
4 (a)(3) may not be changed more than one (1) time each year. The
5 commission may include in this fee schedule a fee for the review of
6 plans and specifications and, if a political subdivision does not have a
7 program to periodically inspect the construction covered by the design
8 release, a fee for inspecting the construction.

9 (d) The fee schedule set under subsection (a) for design releases
10 may provide that a portion of the fees collected shall be deposited in
11 the statewide fire and building safety education fund established under
12 section 3 of this chapter."

13 Page 4, between lines 17 and 18, begin a new paragraph and insert:

14 "SECTION 6. IC 22-13-2-10 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE APRIL 1, 2003]: Sec. 10. (a) A county, city,
16 or town may regulate regulated lifting devices if the unit's regulatory
17 program is approved by the commission.

18 (b) A unit must submit its ordinances and other regulations that
19 regulate lifting devices to the commission for approval. The ordinance
20 or other regulation is not effective until it is approved by the
21 commission. If any of these ordinances or regulations conflict with the
22 commission's rules, the commission's rules supersede the local
23 ordinance or other regulation.

24 (c) A unit may issue permits only to applicants who qualify under
25 IC 22-15-5. However, the unit may specify a lesser fee than that set in
26 ~~IC 22-12-6-9~~ under IC 22-12-6-6(a)(7).

27 (d) A unit must inspect regulated lifting devices with inspectors who
28 possess the qualifications necessary to be employed by the office of the
29 state building commissioner as a regulated lifting device inspector."

30 Page 4, delete lines 18 through 24.

31 Page 5, line 29, delete "construction, erection,".

32 Page 5, line 29, after "installation" delete ",".

33 Page 6, line 6, strike "IC 22-12-6-9." and insert "IC
34 22-12-6-6(a)(7)."

35 Page 6, line 8, delete "IC 25-41-3." and insert "IC 22-15-5-7.".

36 Page 6, between lines 15 and 16, begin a new paragraph and insert:

37 "(e) **The regulated lifting device must be installed or altered**
38 **under the direction and control of a licensed contractor. The**

- 1 **elevator contractor does not have to be present at the site."**
- 2 Page 6, line 16, delete "(e)" and insert "(f)".
- 3 Page 7, line 9, delete "erects, constructs,".
- 4 Page 7, line 9, after "installs" delete ",".
- 5 Page 7, line 11, delete "IC 25-41-3, IC 25-41-4, or IC 25-41-5." and
- 6 insert **"IC 22-15-5-7, IC 22-15-5-8, IC 22-15-5-9, IC 22-15-5-10,**
- 7 **IC 22-15-5-11, or IC 22-15-5-12."**
- 8 Page 7, line 15, delete "IC 25-41-5." and insert **"IC 22-15-5-12."**
- 9 Page 7, line 19, delete "erected, constructed,".
- 10 Page 7, line 19, after "installed" delete ",".
- 11 Page 7, line 23, delete "erected, constructed,".
- 12 Page 7, line 23, after "installed" delete ",".
- 13 Page 7, line 25, delete "erection, construction,".
- 14 Page 8, line 20, strike "IC 22-12-6-9;" and insert **"IC**
- 15 **22-12-6-6(a)(7);"**.
- 16 Page 8, line 31, delete "IC 22-12-6-9." and insert **"IC**
- 17 **22-12-6-6(a)(7)."**
- 18 Page 8, line 36, strike "IC 22-12-6-9" and insert **"IC**
- 19 **22-12-6-6(a)(7)".**
- 20 Page 9, delete lines 7 through 42, begin a new paragraph and insert:
- 21 **"(i) A licensed elevator mechanic shall perform the maintenance**
- 22 **on a regulated lifting device.**
- 23 SECTION 15. IC 22-15-5-6 IS ADDED TO THE INDIANA CODE
- 24 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 25 1, 2002]: **Sec. 6. (a) The following definitions apply to sections 7**
- 26 **through 16 of this chapter:**
- 27 (1) **"Competency examination" means an examination that**
- 28 **thoroughly tests the scope of the knowledge and skill of the**
- 29 **applicant for the license.**
- 30 (2) **"Educational institution" has the meaning set forth in**
- 31 **IC 20-12-0.5-1.**
- 32 (3) **"Elevator apprentice" means an individual who works**
- 33 **under the direct supervision of a licensed elevator mechanic.**
- 34 **The term includes an individual commonly known as an**
- 35 **elevator helper while working under the direct supervision of**
- 36 **a licensed elevator mechanic.**
- 37 (4) **"Elevator contractor" means a person who by himself or**
- 38 **herself or with other persons, constructs, repairs, alters,**

- 1 remodels, adds to, subtracts from, or improves a regulated
 2 lifting device and who is responsible for substantially all the
 3 regulated lifting device within the entire project, or who
 4 fabricates elevator lifting devices substantially completed and
 5 ready for installation.
- 6 (5) "Elevator inspector" means an individual who conducts
 7 the acceptance inspection of a regulated lifting device
 8 required by section 4(c)(1)(A) of this chapter.
- 9 (6) "Elevator mechanic" means an individual who engages in
 10 the construction, reconstruction, alteration, maintenance,
 11 mechanical, or electrical work or adjustments of a regulated
 12 lifting device.
- 13 (7) "License" means a certificate issued by the department
 14 that confers upon the holder the privilege to act as an elevator
 15 contractor, elevator inspector, or elevator mechanic.
- 16 (8) "Licensing program" means the program for licensing
 17 elevator contractors, elevator inspectors, and elevator
 18 mechanics established under this section and sections 7
 19 through 13 of this chapter.
- 20 (9) "Municipality" has the meaning set forth in IC 36-1-2-11.
- 21 (10) "Person" means:
- 22 (A) a natural person;
- 23 (B) the partners or members of a partnership or a limited
 24 partnership;
- 25 (C) an educational institution; or
- 26 (D) a corporation or the officers, directors, and employees
 27 of the corporation.
- 28 (11) "Practitioner" means a person that holds:
- 29 (A) an unlimited license;
- 30 (B) a limited or probationary license;
- 31 (C) a temporary license;
- 32 (D) an emergency license; or
- 33 (E) an inactive license.
- 34 (b) The commission and the department shall establish a
 35 program to license elevator contractors, elevator mechanics, and
 36 elevator inspectors.
- 37 (c) The department shall issue licenses as elevator contractors,
 38 elevator mechanics, and elevator inspectors to a person who

1 **qualifies and complies with the provisions of the licensing program.**
 2 **A person who receives a license under this chapter is subject to the**
 3 **supervision and control of the department.**

4 **(d) The department may contract with public and private**
 5 **institutions, agencies, businesses, and organizations to implement**
 6 **all or part of its duties established under this chapter.**

7 **(e) The commission may adopt rules under IC 4-22-2 to**
 8 **implement the licensing program.**

9 SECTION 16. IC 22-15-5-7 IS ADDED TO THE INDIANA CODE
 10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 11 1, 2002]: **Sec. 7. (a) An individual may not act as an elevator**
 12 **contractor unless the individual:**

13 **(1) holds an elevator contractor license issued under this**
 14 **chapter; or**

15 **(2) is an employee of a partnership, a limited partnership, a**
 16 **corporation, or an educational institution that holds an**
 17 **elevator contractor license issued under this chapter.**

18 **(b) A partnership, a limited partnership, a corporation, or an**
 19 **educational institution may not act as an elevator contractor unless**
 20 **it holds an elevator contractor license issued under this chapter.**

21 **(c) An individual who is an applicant for an elevator contractor**
 22 **license shall:**

23 **(1) hold a valid elevator contractor license issued by another**
 24 **state that has a licensing program that, as determined by the**
 25 **department or the commission, is equivalent to the elevator**
 26 **contractor licensing program established under this chapter;**
 27 **or**

28 **(2) except as otherwise provided, satisfy both of the following**
 29 **requirements:**

30 **(A) Have at least five (5) years of documented work**
 31 **experience in the elevator industry in construction,**
 32 **maintenance, and service or repair in Indiana.**

33 **(B) Successfully complete a written competency**
 34 **examination approved by the commission.**

35 **An applicant for an elevator contractor license is entitled to a**
 36 **license without examination if the applicant applies for the license**
 37 **before March 2, 2003.**

38 **(d) A corporation or an educational institution that is an**

1 **applicant for an elevator contractor license must have at least one**
 2 **(1) officer or employee of the corporation or an educational**
 3 **institution that holds a valid elevator contractor license issued**
 4 **under this chapter. A license granted to a corporation or an**
 5 **educational institution to act as an elevator contractor under this**
 6 **chapter becomes invalid when an officer or employee of the**
 7 **corporation or educational institution no longer holds a valid**
 8 **elevator contractor license issued under this chapter.**

9 **(e) A partnership or limited partnership that is an applicant for**
 10 **an elevator contractor license must have at least one (1) partner or**
 11 **general partner that holds a valid elevator contractor license issued**
 12 **under this chapter. A license granted to a partnership or limited**
 13 **partnership to act as an elevator contractor under this chapter**
 14 **becomes invalid when the partner of a partnership or general**
 15 **partner of a limited partnership named in the application no longer**
 16 **holds a valid elevator contractor license as provided by this**
 17 **chapter.**

18 SECTION 17. IC 22-15-5-8 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2002]: **Sec. 8. (a) An applicant for an initial**
 21 **elevator contractor license must do the following:**

22 **(1) Submit to the department an application on the form that**
 23 **the department provides.**

24 **(2) Submit to the department any proof of eligibility the**
 25 **department requires.**

26 **(3) Demonstrate proof of insurance as required by section 11**
 27 **of this chapter.**

28 **(4) Demonstrate proof of worker's compensation coverage**
 29 **under IC 22-3-2-5.**

30 **(5) Pay the license fee established under IC 22-12-6-6. The**
 31 **license fee is nonrefundable and must be paid each time an**
 32 **applicant submits an application or applies to take the**
 33 **examination.**

34 **(6) Affirm under penalty of perjury that all information**
 35 **provided to the department is true to the best of the**
 36 **applicant's knowledge and belief.**

37 **(b) An applicant for a renewal elevator contractor license must**
 38 **do the following:**

- 1 **(1) Submit an application on the form that the department**
 2 **provides.**
- 3 **(2) Submit proof of completion of the continuing education**
 4 **required by section 12 of this chapter.**
- 5 **(3) Demonstrate proof of insurance as required by section 14**
 6 **of this chapter.**
- 7 **(4) Demonstrate proof of worker's compensation coverage**
 8 **under IC 22-3-2-5.**
- 9 **(5) Pay the license fee established under IC 22-12-6-6. The**
 10 **license fee is nonrefundable and must be paid each time an**
 11 **applicant submits an application.**
- 12 **(6) Affirm under penalty of perjury that all information**
 13 **provided to the department is true to the best of the**
 14 **applicant's knowledge and belief.**

15 SECTION 18. IC 22-15-5-9 IS ADDED TO THE INDIANA CODE
 16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 17 1, 2002]: **Sec. 9. (a) An application for an elevator contractor**
 18 **license must contain the following information:**

- 19 **(1) If the applicant is an individual, the name, business**
 20 **address, telephone number, and electronic mail address of the**
 21 **applicant.**
- 22 **(2) If the applicant is a corporation or an educational**
 23 **institution, the following:**
- 24 **(A) The name and address of the corporation.**
- 25 **(B) The name, business address, phone number, and**
 26 **electronic mail address of every officer or employee in the**
 27 **corporation who holds a valid elevator contractor license**
 28 **as provided by this chapter.**
- 29 **(C) The name and address of the resident agent of the**
 30 **corporation.**
- 31 **(3) If the applicant is a partnership or limited partnership, the**
 32 **following:**
- 33 **(A) The name and address of the partnership or limited**
 34 **partnership.**
- 35 **(B) The name, business address, phone number, and**
 36 **electronic mail address of every partner, for a partnership,**
 37 **or every general partner, for a limited partnership, who**
 38 **holds a valid elevator contractor license as provided by this**

1 **chapter.**

2 **(4) Any other information the department requires.**

3 **(b) An initial elevator contractor license issued under this**
 4 **chapter expires on December 31 of the second year after it was**
 5 **issued.**

6 **(c) A renewal of an elevator contractor license is valid for two**
 7 **(2) years.**

8 SECTION 19. IC 22-15-5-10 IS ADDED TO THE INDIANA
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2002]: **Sec. 10. An individual engaged in the**
 11 **business of an elevator contractor shall carry:**

12 **(1) the individual's license; or**

13 **(2) a facsimile of the license of the partnership, corporation,**
 14 **or educational institution by which the individual is**
 15 **employed;**

16 **and present the license for inspection by a representative of the**
 17 **department upon request.**

18 SECTION 20. IC 22-15-5-11 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2002]: **Sec. 11. (a) An individual may not act**
 21 **as an elevator inspector unless the individual holds an elevator**
 22 **inspector license issued under this chapter.**

23 **(b) An individual who is an applicant for an elevator inspector**
 24 **license shall meet the standards set forth in American Society of**
 25 **Mechanical Engineers (ASME) American National Standard**
 26 **QEI-1 (Standard for the Qualification of Elevator Inspectors) or**
 27 **other nationally accepted standard qualifying authority that the**
 28 **commission has determined has equivalent requirements as ASME**
 29 **QEI-1 for obtaining and retaining certification.**

30 **(c) An applicant for an initial elevator inspector license must do**
 31 **the following:**

32 **(1) Submit to the department an application provided by the**
 33 **department that contains the following information:**

34 **(A) The name, address, telephone number, and electronic**
 35 **mail address of the applicant.**

36 **(B) Any other information the department requires.**

37 **(2) Submit to the department any proof of eligibility the**
 38 **department requires.**

- 1 **(3) Demonstrate proof of insurance as required by section 14**
2 **of this chapter.**
- 3 **(4) Pay the license fee established under IC 22-12-6-6. The**
4 **license fee is nonrefundable and must be paid each time an**
5 **applicant submits an application.**
- 6 **(5) Affirm under penalty of perjury that all information**
7 **provided to the department is true to the best of the**
8 **applicant's knowledge and belief.**
- 9 **(d) An applicant for a renewal elevator inspector license shall:**
- 10 **(1) Submit to the department an application provided by the**
11 **department that contains the following information:**
- 12 **(A) The name, address, telephone number, and electronic**
13 **mail address of the applicant.**
- 14 **(B) Any other information the department requires.**
- 15 **(2) Submit proof of completion of the continuing education**
16 **required by section 15 of this chapter.**
- 17 **(3) Demonstrate proof of insurance as required by section 11**
18 **of this chapter.**
- 19 **(4) Pay the license fee established under IC 22-12-6-6. The**
20 **license fee is nonrefundable and must be paid each time an**
21 **applicant submits an application.**
- 22 **(5) Affirm under penalty of perjury that all information**
23 **provided to the department is true to the best of the**
24 **applicant's knowledge and belief.**
- 25 **(e) An initial elevator inspector license issued under this chapter**
26 **expires on December 31 of the second year after the license was**
27 **issued.**
- 28 **(f) A renewal of an elevator inspector license is valid for two (2)**
29 **years.**
- 30 **(g) An individual who engages in the business of an elevator**
31 **inspector shall carry the individual's license and present the license**
32 **for inspection by a representative of the department upon request.**
- 33 **(h) If the QEI-1 certification or other certification standard**
34 **approved by the commission that made the individual eligible for**
35 **an inspector license under subsection (b):**
- 36 **(1) is terminated;**
37 **(2) expires; or**
38 **(3) becomes invalid for any other reason;**

1 **the elevator inspector's license immediately becomes invalid.**

2 SECTION 21. IC 22-15-5-12 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2002]: **Sec. 12. (a) An individual may not act**
5 **as an elevator mechanic unless the individual holds an elevator**
6 **mechanic license issued under this chapter. A license is not**
7 **required for an elevator apprentice.**

8 **(b) An individual who is an applicant for an elevator mechanic**
9 **license must meet one (1) of the following eligibility criteria:**

10 **(1) Hold an active elevator mechanic license issued by a state**
11 **that has a licensing program that is at least equivalent to the**
12 **elevator mechanic licensing program established under this**
13 **chapter.**

14 **(2) Satisfy both of the following:**

15 **(A) Have at least one (1) of the following types of work**
16 **experience or training:**

17 **(i) Have at least three (3) years of documented work**
18 **experience in the elevator industry in construction,**
19 **maintenance, and service or repair.**

20 **(ii) Have at least eighteen (18) months experience in the**
21 **elevator industry in construction, maintenance, and**
22 **service or repair and have at least three (3) years**
23 **experience in a related field that is certified by a licensed**
24 **elevator contractor.**

25 **(iii) Complete an apprenticeship program that is**
26 **registered with the Bureau of Apprenticeship and**
27 **Training of the United States Department of Labor or a**
28 **state apprenticeship program and that the commission**
29 **determines is at least equivalent to three (3) years of**
30 **work experience in the elevator industry in construction,**
31 **maintenance, and service or repair.**

32 **(B) Successfully complete a written competency**
33 **examination approved by the commission.**

34 **(3) Successfully complete an elevator mechanic's program**
35 **that consists of a combination of extensive training and a**
36 **comprehensive examination that the commission has**
37 **determined is at least equivalent to both the work experience**
38 **required under subdivision (2)(A)(i) and the competency**

- 1 examination established under subdivision (2)(B).
- 2 **(4) Furnish acceptable proof to the department of:**
- 3 **(A) at least three (3) years work experience in the elevator**
- 4 **industry in construction, maintenance, service or repair;**
- 5 **and**
- 6 **(B) current performance of the duties of an elevator**
- 7 **mechanic in Indiana without direct supervision;**
- 8 **and apply for the license on or before March 1, 2003.**
- 9 **(c) An applicant for an initial elevator mechanic license must do**
- 10 **the following:**
- 11 **(1) Submit to the department an application provided by the**
- 12 **department that contains the following information:**
- 13 **(A) The name, business address, telephone number, and**
- 14 **electronic mail address of the applicant.**
- 15 **(B) Any other information the department requires.**
- 16 **(2) Submit to the department any proof of eligibility the**
- 17 **department requires.**
- 18 **(3) Pay the nonrefundable and nontransferable license fee**
- 19 **established under IC 22-12-6-6.**
- 20 **(4) Affirm under penalty of perjury that all information**
- 21 **provided to the department is true to the best of the**
- 22 **applicant's knowledge and belief.**
- 23 **(d) An applicant for a renewal elevator mechanic license must**
- 24 **do the following:**
- 25 **(1) Submit to the department an application provided by the**
- 26 **department that contains the following information:**
- 27 **(A) The name, business address, telephone number, and**
- 28 **electronic mail address of the applicant.**
- 29 **(B) Any other information the department requires.**
- 30 **(2) Submit proof of completion of the continuing education**
- 31 **required by section 15 of this chapter.**
- 32 **(3) Pay the nonrefundable and nontransferable license fee**
- 33 **established under IC 22-12-6-6.**
- 34 **(4) Affirm under penalty of perjury that all information**
- 35 **provided to the department is true to the best of the**
- 36 **applicant's knowledge and belief.**
- 37 **(e) An initial elevator mechanic license issued under this chapter**
- 38 **expires on December 31 of the second year after the license was**

1 issued.

2 (f) A renewal of an elevator mechanic license is valid for two (2)
3 years.

4 (g) An individual engaged in the business of an elevator
5 mechanic shall carry the individual's license and present the license
6 for inspection by a representative of the department upon request.

7 SECTION 22. IC 22-15-5-13 IS ADDED TO THE INDIANA
8 CODE AS A NEW SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2002]: Sec. 13. (a) A temporary elevator
10 mechanic license may be issued by the department upon receipt of
11 the following:

12 (1) A certification by a licensed elevator contractor that the
13 contractor is unable to secure, despite the contractor's best
14 efforts, licensed elevator mechanics to perform construction,
15 maintenance, or service and repair of elevators.

16 (2) An application on the form that the department provides.

17 (3) A certification by the licensed elevator contractor that the
18 individual to receive the temporary license possesses sufficient
19 documented experience and education to perform elevator
20 construction, maintenance, or service and repair.

21 (4) A temporary mechanic license fee established under
22 IC 22-12-6-6. The license fee is nonrefundable and must be
23 paid each time an applicant submits an application.

24 (5) An affirmation under penalty of perjury made by both the
25 individual who would receive the temporary license and the
26 licensed elevator contractor that all information provided to
27 the department is true to the best of their knowledge and
28 belief.

29 (b) A temporary elevator mechanic license is valid for sixty (60)
30 days after the date of issuance and is valid only for work
31 performed for the licensed elevator contractor that has made the
32 certifications under subsection (a).

33 (c) A temporary elevator mechanic license issued under this
34 section may be renewed for two (2) subsequent sixty (60) day
35 periods. To renew the license, the license holder must submit:

36 (1) A certification by a licensed elevator contractor that the
37 contractor is unable to secure, despite the contractor's best
38 efforts, licensed elevator mechanics to perform construction,

- 1 maintenance, or service and repair of elevators.
- 2 (2) An application on the form that the department provides.
- 3 (3) A temporary mechanic license renewal fee established
- 4 under IC 22-12-6-6. The license fee is nonrefundable and must
- 5 be paid each time an applicant submits an application.
- 6 (4) An affirmation by both the individual that would receive
- 7 the temporary license and the licensed elevator contractor
- 8 under penalty for perjury that all information provided to the
- 9 department is true to the best of their knowledge and belief.
- 10 (d) An emergency elevator mechanic license may be issued by
- 11 the department upon receipt of the following:
- 12 (1) A certification by a licensed elevator contractor that the
- 13 contractor is unable to secure, despite the contractor's best
- 14 efforts, licensed elevator mechanics to perform construction,
- 15 maintenance, or service and repair of elevators due to a
- 16 disaster (as defined in IC 10-4-1-3).
- 17 (2) An application on the form that the department provides.
- 18 (3) A certification by the licensed elevator contractor that the
- 19 individual to receive the temporary license possesses sufficient
- 20 documented experience and education to perform elevator
- 21 construction, maintenance, or service and repair.
- 22 (4) An emergency mechanic license fee established under
- 23 IC 22-12-6-6. The license fee is nonrefundable and must be
- 24 paid each time an applicant submits an application.
- 25 (5) An affirmation by both the individual that would receive
- 26 the temporary license and the licensed elevator contractor
- 27 under penalty for perjury that all information provided to the
- 28 department is true to the best of their knowledge and belief.
- 29 (e) An emergency elevator mechanic license is valid for sixty
- 30 (60) days after the date of issuance and is valid only for work
- 31 performed for the licensed elevator contractor that has made the
- 32 certifications under subsection (d).
- 33 (f) An emergency elevator mechanic license issued under this
- 34 section may be renewed for two (2) subsequent sixty (60) day
- 35 periods. To renew the license, the license holder must submit the
- 36 following:
- 37 (1) A certification by a licensed elevator contractor that the
- 38 contractor is unable to secure, despite the contractor's best

1 **efforts, licensed elevator mechanics to perform construction,**
 2 **maintenance, or service and repair of elevators.**

3 **(2) An application on the form that the department provides.**

4 **(3) An emergency mechanic license renewal fee established**
 5 **under IC 22-12-6-6. The license fee is nonrefundable and must**
 6 **be paid each time an applicant submits an application.**

7 **(4) An affirmation by both the individual who would receive**
 8 **the emergency license and the licensed elevator contractor**
 9 **under penalty for perjury that all information provided to the**
 10 **department is true to the best of their knowledge and belief.**

11 SECTION 23. IC 22-15-5-14 IS ADDED TO THE INDIANA
 12 CODE AS A NEW SECTION TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2002]: **Sec. 14. (a) This section does not apply**
 14 **to the following:**

15 **(1) An individual employed by the following:**

16 **(A) The state.**

17 **(B) A county.**

18 **(C) A municipality.**

19 **(D) An educational institution.**

20 **(2) An educational institution.**

21 **(b) The department may not issue an elevator inspector or**
 22 **elevator contractor license until the applicant has filed with the**
 23 **department a certificate of insurance indicating that the applicant**
 24 **has liability insurance:**

25 **(1) in effect with an insurer that is authorized to write**
 26 **insurance in Indiana; and**

27 **(2) that provides general liability coverage to a limit of at**
 28 **least:**

29 **(A) one million dollars (\$1,000,000) for the injury or death**
 30 **of any number of persons in any one (1) occurrence; and**

31 **(B) five hundred thousand dollars (\$500,000) for property**
 32 **damage in any one (1) occurrence.**

33 **(c) An insurance policy required under this section may include**
 34 **a deductible clause if the clause provides that any settlement made**
 35 **by the insurance company with an injured person or a personal**
 36 **representative must be paid as though the deductible clause did not**
 37 **apply.**

38 **(d) An insurance policy required under this section must**

1 provide by the policy's original terms or an endorsement that the
2 insurer may not cancel the policy without:

- 3 (1) thirty (30) days written notice; and
- 4 (2) a complete report of the reasons for the cancellation to the
5 office.

6 (e) An insurance policy required under this section must provide
7 by the policy's original terms or an endorsement that the insurer
8 shall report to the department within twenty-four (24) hours after
9 the insurer pays a claim or reserves any amount to pay an
10 anticipated claim that reduces the liability coverage below the
11 amounts established in this section.

12 (f) If an insurance policy required under this section:

- 13 (1) is canceled during the policy's term;
- 14 (2) lapses for any reason; or
- 15 (3) has the policy's coverage fall below the required amount;

16 the license holder shall replace the policy with another policy that
17 complies with this section.

18 (g) If a license holder fails to file a certificate of insurance for
19 new or replacement insurance, the license holder:

- 20 (1) must cease all operations under the license immediately;
21 and
- 22 (2) may not conduct further operations until the license holder
23 receives the approval of the department to resume operations
24 after the license holder complies with the requirements of this
25 section.

26 SECTION 24. IC 22-15-5-15 IS ADDED TO THE INDIANA
27 CODE AS A NEW SECTION TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2002]: **Sec. 15. (a) This section applies only
29 to a licensed elevator contractor who is an individual.**

30 (b) To renew a license issued under this licensing program, the
31 license holder must satisfy the continuing education requirement
32 and submit a proof of completion of training to the department.

33 (c) The continuing education requirement is at least eight (8)
34 hours of instruction that must be attended and completed within
35 one (1) year before a license renewal.

36 (d) The continuing education courses designed to ensure the
37 continuing education of an individual holding a license regarding
38 new and existing provisions of the rules of the commission may

1 **include:**

- 2 **(1) programs sponsored by the commission;**
 3 **(2) trade association seminars;**
 4 **(3) labor training programs; or**
 5 **(4) joint labor management apprenticeship and journeyman**
 6 **upgrade training programs.**

7 **For an individual's completion of a continuing education course to**
 8 **satisfy the individual's continuing education requirement under**
 9 **this chapter, the continuing education provider, instructor and the**
 10 **curriculum must have been approved by the department.**

11 **(e) All instructors of continuing education courses must be**
 12 **approved by the department. If an instructor is approved by the**
 13 **department, has worked as an instructor teaching a curriculum**
 14 **approved by the department at any time within the year preceding**
 15 **the expiration date of the license, and submits proof of this work to**
 16 **the department, the instructor is exempt from the requirements of**
 17 **subsection (c).**

18 **(f) Continuing education providers shall keep uniform records**
 19 **of attendance at approved continuing education courses for at least**
 20 **ten (10) years on forms designed and distributed by the**
 21 **department.**

22 **(g) A license holder who is unable to complete the continuing**
 23 **education required under this chapter before the expiration of the**
 24 **individual's license due to temporary physical or mental disability**
 25 **may apply for a waiver from the department in accordance with**
 26 **the following:**

- 27 **(1) A waiver application must be submitted to the department**
 28 **on a form established by the department.**
 29 **(2) A waiver application must be signed and accompanied by**
 30 **an affidavit signed by the physician of the applicant attesting**
 31 **to the applicant's temporary disability.**

32 **(h) After the cessation of the temporary disability, the applicant**
 33 **must submit to the department a certification from the same**
 34 **physician, if the physician is still the treating physician of the**
 35 **applicant, or from a subsequent treating physician attesting to the**
 36 **termination of the temporary disability.**

37 **(i) Upon the submission of the certification under subsection (h),**
 38 **the department shall issue a temporary waiver of the continuing**

1 **education requirement. A temporary waiver is valid for ninety (90)**
2 **days after the date of issue and allows the individual to work as an**
3 **elevator contractor, elevator inspector, or elevator mechanic**
4 **without the completion of the continuing education requirement**
5 **for ninety (90) days.**

6 **(j) A temporary waiver of the continuing education requirement**
7 **may not be renewed.**

8 SECTION 25. IC 22-15-5-16 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2002]: **Sec. 16. (a) A practitioner shall**
11 **comply with the standards established under this licensing**
12 **program. A practitioner is subject to the exercise of the**
13 **disciplinary sanctions under subsection (b) if the department finds**
14 **that a practitioner has:**

15 **(1) engaged in or knowingly cooperated in fraud or material**
16 **deception in order to obtain a license to practice, including**
17 **cheating on a licensing examination;**

18 **(2) engaged in fraud or material deception in the course of**
19 **professional services or activities;**

20 **(3) advertised services or goods in a false or misleading**
21 **manner;**

22 **(4) falsified or knowingly allowed another person to falsify**
23 **attendance records or certificates of completion of continuing**
24 **education courses provided under this chapter.**

25 **(5) been convicted of a crime that has a direct bearing on the**
26 **practitioner's ability to continue to practice competently;**

27 **(6) knowingly violated a state statute or rule or federal statute**
28 **or regulation regulating the profession for which the**
29 **practitioner is licensed;**

30 **(7) continued to practice although the practitioner has become**
31 **unfit to practice due to:**

32 **(A) professional incompetence;**

33 **(B) failure to keep abreast of current professional theory**
34 **or practice;**

35 **(C) physical or mental disability; or**

36 **(D) addiction to, abuse of, or severe dependency on alcohol**
37 **or other drugs that endanger the public by impairing a**
38 **practitioner's ability to practice safely;**

- 1 **(8) engaged in a course of lewd or immoral conduct in**
 2 **connection with the delivery of services to the public;**
 3 **(9) allowed the practitioner's name or a license issued under**
 4 **this chapter to be used in connection with an individual or**
 5 **business who renders services beyond the scope of that**
 6 **individual's or business's training, experience, or competence;**
 7 **(10) had disciplinary action taken against the practitioner or**
 8 **the practitioner's license to practice in another state or**
 9 **jurisdiction on grounds similar to those under this chapter;**
 10 **(11) assisted another person in committing an act that would**
 11 **constitute a ground for disciplinary sanction under this**
 12 **chapter; or**
 13 **(12) allowed a license issued by the department to be:**
 14 **(A) used by another person; or**
 15 **(B) displayed to the public when the license has expired, is**
 16 **inactive, is invalid, or has been revoked or suspended.**

17 **For purposes of subdivision (10), a certified copy of a record of**
 18 **disciplinary action constitutes prima facie evidence of a**
 19 **disciplinary action in another jurisdiction.**

20 **(b) The department may impose one (1) or more of the following**
 21 **sanctions if the department finds that a practitioner is subject to**
 22 **disciplinary sanctions under subsection (a):**

- 23 **(1) Permanent revocation of a practitioner's license.**
 24 **(2) Suspension of a practitioner's license.**
 25 **(3) Censure of a practitioner.**
 26 **(4) Issuance of a letter of reprimand.**
 27 **(5) Assess a civil penalty against the practitioner in**
 28 **accordance with the following:**
 29 **(A) The civil penalty may not be more than one thousand**
 30 **dollars (\$1,000) for each violation listed in subsection (a),**
 31 **except for a finding of incompetency due to a physical or**
 32 **mental disability.**
 33 **(B) When imposing a civil penalty, the department shall**
 34 **consider a practitioner's ability to pay the amount**
 35 **assessed. If the practitioner fails to pay the civil penalty**
 36 **within the time specified by the department, the**
 37 **department may suspend the practitioner's license without**
 38 **additional proceedings. However, a suspension may not be**

1 **imposed if the sole basis for the suspension is the**
 2 **practitioner's inability to pay a civil penalty.**

3 **(6) Place a practitioner on probation status and require the**
 4 **practitioner to:**

5 **(A) report regularly to the department upon the matters**
 6 **that are the basis of probation;**

7 **(B) limit practice to those areas prescribed by the**
 8 **department;**

9 **(C) continue or renew professional education approved by**
 10 **the department until a satisfactory degree of skill has been**
 11 **attained in those areas that are the basis of the probation;**
 12 **or**

13 **(D) perform or refrain from performing any acts,**
 14 **including community restitution or service without**
 15 **compensation, that the department considers appropriate**
 16 **to the public interest or to the rehabilitation or treatment**
 17 **of the practitioner.**

18 **The department may withdraw or modify this probation if the**
 19 **department finds after a hearing that the deficiency that**
 20 **required disciplinary action has been remedied or that**
 21 **changed circumstances warrant a modification of the order.**

22 **(c) If an applicant or a practitioner has engaged in or knowingly**
 23 **cooperated in fraud or material deception to obtain a license to**
 24 **practice, including cheating on the licensing examination, the**
 25 **department may rescind the license if it has been granted, void the**
 26 **examination or other fraudulent or deceptive material, and**
 27 **prohibit the applicant from reapplying for the license for a length**
 28 **of time established by the department.**

29 **(d) The department may deny licensure to an applicant who has**
 30 **had disciplinary action taken against the applicant or the**
 31 **applicant's license to practice in another state or jurisdiction or**
 32 **who has practiced without a license in violation of the law. A**
 33 **certified copy of the record of disciplinary action is conclusive**
 34 **evidence of the other jurisdiction's disciplinary action.**

35 **(e) The department may order a practitioner to submit to a**
 36 **reasonable physical or mental examination if the practitioner's**
 37 **physical or mental capacity to practice safely and competently is**
 38 **at issue in a disciplinary proceeding. Failure to comply with a**

1 department order to submit to a physical or mental examination
2 makes a practitioner liable to temporary suspension under
3 subsection (h).

4 (f) Except as provided under subsection (g) or (h), a license may
5 not be denied, revoked, or suspended because the applicant or
6 holder has been convicted of an offense. The acts from which the
7 applicant's or holder's conviction resulted may, however, be
8 considered as to whether the applicant or holder should be
9 entrusted to serve the public in a specific capacity.

10 (g) The department may deny, suspend, or revoke a license
11 issued under this chapter if the individual who holds the license is
12 convicted of any of the following:

13 (1) Possession of cocaine, a narcotic drug, or
14 methamphetamine under IC 35-48-4-6.

15 (2) Possession of a controlled substance under IC 35-48-4-7(a).

16 (3) Fraudulently obtaining a controlled substance under
17 IC 35-48-4-7(b).

18 (4) Manufacture of paraphernalia as a Class D felony under
19 IC 35-48-4-8.1(b).

20 (5) Dealing in paraphernalia as a Class D felony under
21 IC 35-48-4-8.5(b).

22 (6) Possession of paraphernalia as a Class D felony under
23 IC 35-48-4-8.3(b).

24 (7) Possession of marijuana, hash oil, or hashish as a Class D
25 felony under IC 35-48-4-11.

26 (8) Maintaining a common nuisance under IC 35-48-4-13.

27 (9) An offense relating to registration, labeling, and
28 prescription forms under IC 35-48-4-14.

29 (10) Conspiracy under IC 35-41-5-2 to commit an offense
30 listed in clauses (1) through (9).

31 (11) Attempt under IC 35-41-5-1 to commit an offense listed
32 in clauses (1) through (10).

33 (12) An offense in any other jurisdiction in which the elements
34 of the offense for which the conviction was entered are
35 substantially similar to the elements of an offense described
36 under clauses (1) through (11).

37 (h) The department shall deny, revoke or suspend a license or
38 certificate issued under this chapter if the individual who holds the

- 1 license or certificate is convicted of any of the following:
- 2 (1) Dealing in cocaine, a narcotic drug, or methamphetamine
- 3 under IC 35-48-4-1.
- 4 (2) Dealing in a schedule I, II, or III controlled substance
- 5 under IC 35-48-4-2.
- 6 (3) Dealing in a schedule IV controlled substance under
- 7 IC 35-48-4-3.
- 8 (4) Dealing in a schedule V controlled substance under
- 9 IC 35-48-4-4.
- 10 (5) Dealing in a substance represented to be a controlled
- 11 substance under IC 35-48-4-4.5.
- 12 (6) Knowingly or intentionally manufacturing, advertising,
- 13 distributing, or possessing with intent to manufacture,
- 14 advertise, or distribute a substance represented to be a
- 15 controlled substance under IC 35-48-4-4.6.
- 16 (7) Dealing in a counterfeit substance under IC 35-48-4-5.
- 17 (8) Dealing in marijuana, hash oil, or hashish under
- 18 IC 35-48-4-10(b).
- 19 (9) Conspiracy under IC 35-41-5-2 to commit an offense listed
- 20 in clauses (1) through (8).
- 21 (10) Attempt under IC 35-41-5-1 to commit an offense listed
- 22 in clauses (1) through (9).
- 23 (11) An offense in any other jurisdiction in which the elements
- 24 of the offense for which the conviction was entered are
- 25 substantially similar to the elements of an offense described
- 26 under clauses (1) through (10).
- 27 (12) A violation of any federal or state drug law or rule
- 28 related to wholesale legend drug distributors licensed under
- 29 IC 25-26-14.
- 30 (i) A decision of the department under subsections (b) through
- 31 (h) may be appealed to the commission under IC 4-21.5-3-7.
- 32 (j) The department may temporarily suspend a practitioner's
- 33 license under IC 4-21-5-4 before a final adjudication or during the
- 34 appeals process if the department finds that a practitioner
- 35 represents a clear and immediate danger to the public's health,
- 36 safety, or property if the practitioner is allowed to continue to
- 37 practice.
- 38 (k) On receipt of a complaint or an information alleging that a

1 person licensed under this chapter has engaged in or is engaging in
2 a practice that jeopardizes the public health, safety, or welfare, the
3 department shall initiate an investigation against the person.

4 (l) Any complaint filed with the office of the attorney general
5 alleging a violation of this licensing program shall be referred to
6 the department for summary review and for its general
7 information and any authorized action at the time of the filing.

8 (m) The department shall conduct a fact finding investigation as
9 the department considers proper in relation to the complaint.

10 (n) The department may reinstate a license that has been
11 suspended under this section if, after a hearing, the department is
12 satisfied that the applicant is able to practice with reasonable skill,
13 safety, and competency to the public. As a condition of
14 reinstatement, the department may impose disciplinary or
15 corrective measures authorized under this chapter.

16 (o) The department may not reinstate a license that has been
17 revoked under this chapter. An individual whose license has been
18 revoked under this chapter may not apply for a new license until
19 seven (7) years after the date of revocation.

20 (p) The department shall seek to achieve consistency in the
21 application of sanctions authorized in this chapter. Significant
22 departures from prior decisions involving similar conduct must be
23 explained in the department's findings or orders.

24 (q) A practitioner may petition the department to accept the
25 surrender of the practitioner's license instead of having a hearing
26 before the commission. The practitioner may not surrender the
27 practitioner's license without the written approval of the
28 department, and the department may impose any conditions
29 appropriate to the surrender or reinstatement of a surrendered
30 license.

31 (r) A practitioner who has been subjected to disciplinary
32 sanctions may be required by the commission to pay the costs of
33 the proceeding. The practitioner's ability to pay shall be considered
34 when costs are assessed. If the practitioner fails to pay the costs, a
35 suspension may not be imposed solely upon the practitioner's
36 inability to pay the amount assessed. The costs are limited to costs
37 for the following:

38 (1) Court reporters.

- 1 **(2) Transcripts.**
- 2 **(3) Certification of documents.**
- 3 **(4) Photo duplication.**
- 4 **(5) Witness attendance and mileage fees.**
- 5 **(6) Postage.**
- 6 **(7) Expert witnesses.**
- 7 **(8) Depositions.**
- 8 **(9) Notarizations.**

9 SECTION 26. IC 22-15-6-2 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE APRIL 1, 2003]: Sec. 2. (a) The office shall
 11 conduct a program of periodic inspections of regulated boilers and
 12 pressure vessels. The office or a boiler and pressure vessel inspector
 13 acting under section 4 of this chapter shall issue a regulated boiler and
 14 pressure vessel operating permit to an applicant who qualifies under
 15 this section.

16 (b) Except as provided in subsection (d), a permit issued under this
 17 section expires one (1) year after it is issued. The permit terminates if
 18 it was issued by an insurance company acting under section 4 of this
 19 chapter and the applicant ceases to insure the boiler or pressure vessel
 20 covered by the permit against loss by explosion with an insurance
 21 company authorized to do business in Indiana.

22 (c) To qualify for a permit under this section, an applicant must:
 23 (1) demonstrate through an inspection that the regulated boiler or
 24 pressure vessel covered by the application complies with the rules
 25 adopted by the rules board; and
 26 (2) pay the fee set under ~~IC 22-12-6-10~~ and ~~IC 22-12-6-11~~.
 27 **IC 22-12-6-6(a)(8).**

28 (d) The rules board may, by rule adopted under IC 4-22-2, specify
 29 a period between inspections of more than one (1) year. However, the
 30 rules board may not set an inspection period of greater than five (5)
 31 years for regulated pressure vessels or steam generating equipment that
 32 is an integral part of a continuous processing unit.

33 (e) The office may inspect a device listed under IC 22-12-1-20(b)
 34 if the owner or operator of the device requests that the office make an
 35 inspection.

36 SECTION 27. IC 22-15-6-5 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE APRIL 1, 2003]: Sec. 5. (a) The office shall
 38 issue a boiler and pressure vessel inspector license to an applicant who

1 qualifies under this section.

2 (b) To qualify for a license under this section an applicant must:

- 3 (1) meet the qualifications set by the rules board in its rules;
- 4 (2) pass an examination approved by the rules board and
- 5 conducted, supervised, and graded as prescribed by the rules
- 6 board; and
- 7 (3) pay the fee set under ~~IC 22-12-6-13~~ **IC 22-15-6-6(a)(9)**.

8 (c) The rules board may exempt an applicant from any part of the
9 examination required by subsection (b) if the applicant has:

- 10 (1) a boiler and pressure vessel inspector's license issued by
- 11 another state with qualifications substantially equal to the
- 12 qualifications for a license under this section; or
- 13 (2) a commission as a boiler and pressure vessel inspector issued
- 14 by the National Board of Boiler and Pressure Vessel Inspectors.

15 SECTION 28. IC 22-15-6-6 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE APRIL 1, 2003]: Sec. 6. (a) The office shall
17 issue a license to act as an owner or user boiler and pressure vessel
18 inspection agency who qualifies under this section.

19 (b) A license issued under this section expires if the bond required
20 by subsection (c)(3) becomes invalid.

21 (c) To qualify for a license under this section an applicant must:

- 22 (1) submit the name and address of the applicant;
- 23 (2) submit proof that inspections will be supervised by one (1) or
- 24 more professional engineers licensed under IC 25-31 and
- 25 regularly employed by the applicant;
- 26 (3) provide a surety bond issued by a surety qualified to do
- 27 business in Indiana for five thousand dollars (\$5,000), made
- 28 payable to the office and conditioned upon compliance with the
- 29 equipment laws applicable to inspections and the true accounting
- 30 for all funds due to the office; and
- 31 (4) pay the fee set under ~~IC 22-12-6-14~~ **IC 22-12-6-6(a)(9)**.

32 (d) A licensee under this section shall maintain with the office the
33 most current name and address of the licensee and the name of the
34 professional engineer supervising the licensee's inspections and notify
35 the office of any changes within thirty (30) days after the change
36 occurs. An inspection agency that violates this subsection is subject to
37 a disciplinary action under IC 22-12-7.

38 SECTION 29. THE FOLLOWING ARE REPEALED [EFFECTIVE

1 APRIL 1, 2003]: IC 22-12-6-9; IC 22-12-6-10; IC 22-12-6-11;
2 IC 22-12-6-12; IC 22-12-6-13; IC 22-12-6-14.

3 SECTION 30. [EFFECTIVE JULY 1, 2002] (a) **Notwithstanding**
4 **IC 22-15-5-7(a), as added by this act, the requirement that a person**
5 **may not act as an elevator contractor unless the person holds an**
6 **elevator contractor license does not apply to a person before**
7 **March 1, 2003.**

8 (b) **Notwithstanding IC 22-15-5-8(a), as added by this act, the**
9 **requirement that an individual may not act as an elevator**
10 **inspector unless the individual holds an elevator inspector license**
11 **does not apply to an individual before March 1, 2003.**

12 (c) **Notwithstanding IC 22-15-5-12(a), as added by this act, the**
13 **requirement that an individual may not act as an elevator**
14 **mechanic unless the individual holds an elevator mechanic license**
15 **does not apply to an individual before March 1, 2003.**

16 (d) **This SECTION expires June 30, 2003."**

17 Delete pages 10 through 25.

18 Renumber all SECTIONS consecutively.

(Reference is to SB 488 as printed February 1, 2002.)

and when so amended that said bill do pass.

Representative Bauer