

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 1098 - L.D. 1709

**An Act to Update the Elevator and Tramway Safety Laws Regarding
Construction Hoists**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §15202, sub-§3-A is enacted to read:

3-A. Construction hoist. "Construction hoist" means a hoist that is not an integral part of a building or structure; is installed inside or outside the building or structure during the construction, alteration or demolition of the building or structure; and is used to raise and lower workers, other personnel and materials. "Construction hoist" does not include:

A. An elevator that is temporarily installed in a hoistway during the construction of a building or structure and that incorporates a part of a permanent elevator that will be installed later;

B. A hoist for raising and lowering materials that is not designed to carry workers or other personnel;

C. A manlift that operates through a counterbalance mechanism or through the use of a continuous belt;

D. A mine hoist;

E. A wire rope hoist, whether guided or unguided; or

F. A transport platform.

Sec. 2. 32 MRSA §15202, sub-§3-B is enacted to read:

3-B. Construction hoist operator. "Construction hoist operator" means a person who operates or is responsible for the operation of a construction hoist.

Sec. 3. 32 MRSA §15230 is enacted to read:

§15230. Construction hoist operators; rules

The director shall adopt rules regarding the proper operation of construction hoists and training requirements for construction hoist operators. After adoption of the rules, a person may not operate a construction hoist except as in accordance with the rules adopted by the

director. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.