



STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
& FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION



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**TESTIMONY OF
PENNY VAILLANCOURT, DIRECTOR**

**OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
NEITHER FOR NOR AGAINST L.D. 2224**

“AN ACT TO REDUCE CERTAIN COSTS ASSOCIATED WITH RESIDENTIAL CONSTRUCTION”

**BEFORE THE JOINT STANDING COMMITTEE ON
HOUSING AND ECONOMIC DEVELOPMENT**

PUBLIC HEARING: THURSDAY, MARCH 5, 2026 AT 1:15 PM

Senator Curry, Representative Gere, and Members of the Committee, I am Penny Vaillancourt, Director of the Office of Professional and Occupational Regulation (“OPOR”). OPOR has 38 licensing boards and programs including the Elevator and Tramway Safety Program (“Program”). Thank you for the opportunity to provide testimony on behalf of OPOR regarding LD 2224.

The Program’s sole purpose is to protect its citizens and visitors from unnecessary mechanical hazards in the operation of elevators and tramways and to ensure that reasonable design and construction are used, that accepted safety devices and sufficient personnel are provided and that periodic maintenance, inspections and adjustments considered essential for the safe operation of elevators and tramways are made. The responsibility for design, construction, maintenance and inspection rests with the firm, person, partnership, association, corporation or company that owns elevators or tramways.

LD 2224 amends provisions of Title 10 Chapter, 1103 the Maine Uniform Building and Energy Code (MUBEC) by excluding the requirement that elevators have a two-way communication system and smoke partitions as identified in the 2021 International Building Code. The bill also requires the Director of OPOR to report back to the committee by January 15, 2027, the status of the adoption of rules for the Elevator and Tramway Safety Program.

This bill is one of many recommendations identified in a December 31, 2025 report submitted by the Governor's Office of Policy Innovation and the Future (GOPIF) pursuant to Resolve 2025, Chapter 64 to implement the recommendations of a work group to address regulatory barriers to housing construction.

Two recommendations relate to elevators. One of the recommendations was to delete from MUBEC provisions requiring the installation of smoke curtains and two-way, text-based communication protocols in elevators. The report also included a recommendation to not allow the State Elevator and Tramway Safety Program to require video cameras in elevators as part of its rulemaking activities.

OPOR is not taking a position on this bill, but offers the following information to the Committee as it considers this bill:

- Two-way, text-based communications and video cameras:

OPOR believes that the bill intended to direct the Elevator and Tramway Safety Program not to adopt the two-way, text-based communication and video camera provisions of the ASME A17.1-2022 as part of their rulemaking. However, as drafted, the bill only governs MUBEC and the Program is not bound by the provisions of MUBEC in determining what aspects of the national safety codes for elevators to adopt.

In December 2025, proposed rulemaking changes were published for the Program that includes adoption of the ASME A17.1-2022, *Safety Code for Elevators and Escalators* (2022 edition, issued by The American Society of Mechanical Engineers), subject to certain amendments and exclusions as set forth in the proposed rule. The Program has not adopted new codes since 2015, when it adopted the 2013 edition of the A17.1 ASME code. The two-way text-based communication and video camera requirement was added to the 2019 ASME code.

These national codes go through a rigorous vetting process, involving committees of experts, public comment opportunity, and many rounds of discussion. Therefore, the Program usually proposes adopting these national safety codes in their entirety unless there is a clear justification that makes sense for Maine. The comment period on the proposed adoption of the 2022 ASME closed on January 2, 2026, and Program staff are currently reviewing public comments. It is anticipated that the rulemaking effort will undergo further amendments based on public comments received and pending the outcome of this legislation.

- Smoke curtains:

The Program does not mandate smoke curtains or designate areas of refuge in a building. OPOR respectfully defers to building designers and safety experts to determine if installations are necessary.



If smoke curtains are installed, then OPOR staff will inspect its effect on the elevator to ensure proper egress.

Thank you for the opportunity to share our testimony and I would be happy to answer any questions now or at the work session.

