

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 619  
Committee Substitute Favorable 6/24/21  
Senate Commerce and Insurance Committee Substitute Adopted 6/14/22

Short Title: Weston's Law.

(Public)

Sponsors:

Referred to:

April 21, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT AMENDING THE ELEVATOR SAFETY ACT OF NORTH CAROLINA  
3 RELATING TO ELEVATOR DEVICES AND EQUIPMENT USED IN A PRIVATE  
4 RESIDENCE, COTTAGE, OR SIMILAR ACCOMMODATION SUBJECT TO  
5 TAXATION UNDER G.S. 105-164.4F.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 95-110.2 reads as rewritten:

8 "**§ 95-110.2. Scope.**

9 (a) This Article shall govern the design, construction, installation, plans review, testing,  
10 inspection, certification, operation, use, maintenance, alteration, relocation and investigation of  
11 accidents ~~involving~~involving any of the following:

12 (1) Elevators, dumbwaiters, escalators, and moving ~~walks~~walks.

13 (2) Personnel ~~hoists~~hoists.

14 (3) Inclined stairway chair ~~lifts~~lifts.

15 (4) Inclined and vertical wheelchair ~~lifts~~lifts.

16 (5) ~~Manlifts; and~~Manlifts.

17 (6) Special equipment.

18 (b) This Article shall not apply to ~~devices~~any of the following:

19 (1) Devices and equipment located and operated in a single family ~~residence, to~~  
20 ~~conveyors~~residence. For the purposes of this subdivision, the term "single  
21 family residence" does not include a private residence, cottage, or similar  
22 accommodation subject to taxation under G.S. 105-164.4F.

23 (2) Conveyors and related equipment within the scope of the American National  
24 Standard Safety Standard for Conveyors and Related Equipment  
25 (ANSI/ASME B20.1) constructed, installed and used exclusively for the  
26 movement of materials, or to mining equipment specifically covered by the  
27 Federal Mine Safety and Health Act or the Mine Safety and Health Act of  
28 North Carolina or the rules and regulations adopted pursuant thereto."

29 **SECTION 2.** G.S. 95-110.8 reads as rewritten:

30 "**§ 95-110.8. Operation of unsafe device or equipment.**

31 (a) No person shall operate, permit to be operated or use any device or equipment subject  
32 to the provisions of this Article if such person knows or reasonably should know that such  
33 operation or use will expose the public to an unsafe condition which is likely to result in personal  
34 injury or property damage.



1       (b)    The following requirements shall apply to any elevator in a private residence, cottage,  
2 or similar accommodation subject to taxation under G.S. 105-164.4F:

3           (1)   The gap between the hoistway face of the landing door and the hoistway face  
4 of the car door shall not exceed 4 inches.

5           (2)   Elevator doors or gates shall meet the following requirements:

6           a.    Horizontal sliding car doors and gates shall be designed and installed  
7 to withstand a force of 75 pounds applied horizontally on an area 4  
8 inches by 4 inches at right angles to and at any location on the car door  
9 when fully closed without permanent deformation, without exceeding  
10 a deflection of three-quarters of an inch, and without displacing the  
11 door or gate from its guides or tracks.

12          b.    Folding car doors shall be designed and installed to withstand a force  
13 of 75 pounds applied horizontally using a 4-inch diameter sphere at  
14 any location within the folds of the door without permanent  
15 deformation, without exceeding a deflection of three-quarters of an  
16 inch, and without displacing the door from its guides or tracks.

17          (3)   If an elevator does not comply with the requirements of subdivision (1) or (2)  
18 of this subsection, then to protect the public safety the property owner shall  
19 disconnect the power supply to the elevator to prevent it from being operated  
20 until the owner has complied with all of the following requirements:

21          a.    If the elevator does not comply with subdivision (1) of this subsection,  
22 then the property owner shall install a hoistway door space guard, a  
23 full height door baffle, or a door baffle that is at least 31.75 inches in  
24 height, each of which shall be nonremovable and shall be designed and  
25 installed to withstand a force of 75 pounds applied horizontally using  
26 a 4-inch diameter sphere at any location without permanent  
27 deformation.

28          b.    If the elevator door or gate does not comply with subdivision (2) of  
29 this subsection, then the property owner shall replace it with a door or  
30 gate that complies with subdivision (2) of this subsection.

31          c.    The property owner shall provide the Commissioner with  
32 documentation in one of the following forms verifying compliance  
33 with this subdivision, which documentation shall be maintained by the  
34 Elevator and Amusement Device Division:

35           1.    A statement signed by a professional elevator installer  
36 certifying installation of a door baffle, door space guard, door,  
37 or gate meeting the requirements of this subdivision.

38           2.    A receipt for purchase of the item or items installed in  
39 compliance with the requirements of this subdivision, together  
40 with photographs deemed sufficient by the Commissioner to  
41 verify compliance."

42       **SECTION 3.** The North Carolina Building Code Council shall adopt rules to amend  
43 Section R321 of the North Carolina State Building Code that are consistent with 2016 ASME  
44 A17.1 sections 5.3.1.8.2 and 5.3.1.8.3 and substantively identical to the provisions of  
45 G.S. 95-110.8(b), as enacted by Section 2 of this act.

46       **SECTION 4.** This act becomes effective October 1, 2022.