

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

SESSION LAW 2022-56
HOUSE BILL 619

AN ACT IMPOSING SAFETY REQUIREMENTS FOR ELEVATORS IN CERTAIN
RESIDENTIAL RENTAL ACCOMMODATIONS, AND DIRECTING THE BUILDING
CODE COUNCIL TO AMEND THE STATE BUILDING CODE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 9 of Chapter 143 of the General Statutes is amended by adding a new section to read:

"§ 143-143.7. Elevator safety requirements for certain residential rental accommodations.

(a) Notwithstanding the requirements of G.S. 143-139(d), any elevator in a private residence, cottage, or similar accommodation subject to taxation under G.S. 105-164.4F shall meet the following requirements:

- (1) The gap between the hoistway face of the landing door and the hoistway face of the car door shall not exceed 4 inches.
- (2) Elevator doors or gates shall meet the following requirements:
 - a. Horizontal sliding car doors and gates shall be designed and installed to withstand a force of 75 pounds applied horizontally on an area 4 inches by 4 inches at right angles to and at any location on the car door when fully closed without permanent deformation, without exceeding a deflection of three-quarters of an inch, and without displacing the door or gate from its guides or tracks.
 - b. Folding car doors shall be designed and installed to withstand a force of 75 pounds applied horizontally using a 4-inch diameter sphere at any location within the folds of the door without permanent deformation, without exceeding a deflection of three-quarters of an inch, and without displacing the door from its guides or tracks.

(b) If any property subject to this section has an elevator that does not comply with subsection (a) of this section, the landlord shall prevent the operation of the elevator until the elevator has been brought into compliance by meeting the following requirements:

- (1) If the elevator does not comply with subdivision (1) of subsection (a) of this section, then the landlord shall install a hoistway door space guard, a full height door baffle, or a door baffle that is at least 31.75 inches in height, each of which shall be nonremovable and shall be designed and installed to withstand a force of 75 pounds applied horizontally using a 4-inch diameter sphere at any location without permanent deformation.
- (2) If the elevator door or gate does not comply with subdivision (2) of subsection (a) of this section, then the landlord shall replace it with a door or gate that complies with subdivision (2) of subsection (a) of this section.

(c) Upon installation of a door baffle, door space guard, door, or gate meeting the requirements of subsection (b) of this section, the landlord shall provide the Commissioner of Insurance with one of the following:



- (1) A statement signed by a professional elevator installer certifying installation of the door baffle, door space guard, door, or gate meeting the requirements of subsection (b) of this section.
- (2) A receipt for purchase of the door baffle, door space guard, door, or gate meeting the requirements of subsection (b) of this section, a signed statement by the landlord stating the date of installation, and photographs depicting the door baffle, door space guard, door, or gate as installed.

(d) For purposes of this section, "elevator" means a hoisting and lowering mechanism equipped with a car or platform which moves in guides, and which serves two or more floors of a building or structure.

(e) Any person who violates subsection (b) of this section by permitting the continued operation of an elevator that does not comply with subsection (a) of this section shall be guilty of a Class 2 misdemeanor."

SECTION 2. G.S. 42-42 reads as rewritten:

"§ 42-42. Landlord to provide fit premises.

(a) The landlord shall:

- (1) Comply with the current applicable building and housing codes, whether enacted before or after October 1, 1977, to the extent required by the operation of such codes; no new requirement is imposed by this subdivision (a)(1) if a structure is exempt from a current building code.

(1a) Comply with all applicable elevator safety requirements in G.S. 143-143.7.
...."

SECTION 3. G.S. 42A-31 reads as rewritten:

"§ 42A-31. Landlord to provide fit premises.

A landlord of a residential property used for a vacation rental shall:

- (1) Comply with all current applicable building and housing codes to the extent required by the operation of the codes. However, no new requirement is imposed if a structure is exempt from a current building or housing code.

(1a) Comply with all applicable elevator safety requirements in G.S. 143-143.7.
...."

SECTION 4. The North Carolina Building Code Council shall adopt rules to amend Section R321 of the North Carolina State Building Code that are consistent with 2016 ASME A17.1 sections 5.3.1.8.2 and 5.3.1.8.3 and with the provisions of subsections (a) and (b) of G.S. 143-143.7, as enacted by Section 1 of this act.

SECTION 5. Sections 1, 2, and 3 of this act become effective October 1, 2022. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of June, 2022.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 2:03 p.m. this 8th day of July, 2022