

2023 Kansas Statutes

44-1819. Rules and regulations; exceptions or variances by state fire marshal therefrom. (a) On or before January 1, 2023, the state fire marshal shall adopt rules and regulations necessary to implement and enforce the provisions of this act. Rules and regulations adopted by the state fire marshal shall be based on and follow generally accepted national engineering standards, formula and practices that shall at a minimum include adoption of current American national standards known as the American society of mechanical engineers (ASME) safety code for elevators and escalators and the safety standards for wind turbine tower elevators.

(b) Such rules and regulations shall include rules and regulations:

- (1) For the operation, maintenance, servicing, construction, alteration and installation of elevators;
- (2) requirements and qualifications for the licensure of elevator contractors, mechanics and inspectors, including initial and renewal application requirements, examination requirements and continuing education requirements;
- (3) requirements and qualifications for the issuance of emergency and temporary licenses;
- (4) requirements for issuance of permits and certificates of operation, including initial and renewal application requirements;
- (5) requirements for registration of elevators; and
- (6) standards for granting exceptions and variances from rules and regulations adopted pursuant to this act and municipal ordinances.

(b)* The state fire marshal shall establish a schedule for fees for licenses, permits, certificates of operation, inspections and variance requests. The fees shall reasonably reflect the state fire marshal's actual costs and expenses to operate and to conduct those duties and obligations as described in this act.

(c)* The state fire marshal shall have the authority to grant or deny requests for exceptions and variances from the requirements of rules and regulations adopted pursuant to this act or from municipal ordinances in cases where the state fire marshal finds such exception or variance would not jeopardize the public safety and welfare and that the request meets the applicable standards adopted by the state fire marshal for granting such an exception or variance.

History: L. 2022, ch. 60, § 20; July 1.

Revisor's Note:

* Subsections (b) and (c) should have been designated as subsections (c) and (d) respectively.