# ILLINOIS LOCAL ELEVATOR SAFETY PROGRAM AGREEMENT

This Illinois Local Elevator Safety Program Agreement ("Agreement") is made between the Office of the State Fire Marshal ("OSFM") and the municipality or county ("Local Administrator") as hereinafter identified.

This Agreement constitutes a contract between the OSFM and Local Administrator which permits the Local Administrator to operate a Local Elevator Safety Program ("Program") in conformity with the Elevator Safety and Regulation Act (225 ILCS 312) (the "Act"), including Section 140(a) of the Act, and the Administrative Rules ("Rules") adopted at 41 Ill. Adm. Code 1000. In that regard, the Local Administrator agrees to the following:

1. This Agreement will become effective on the date it is accepted by the OSFM and shall remain valid for a period of four (4) calendar years thereafter. Prior to the expiration of this Agreement, the Local Administrator shall reapply for approval of its Program by submitting to the OSFM the information detailed in Section 2, below, using the Local Elevator Safety Program Information Form ("Form").

2. The Local Administrator shall submit to the OSFM, along with this Agreement executed by an officer of the Local Administrator, the following information using the Form. The Local Administrator shall also notify the OSFM in writing of any changes to items in subsections "a" and "b" thereafter during the term of this Agreement:
    a. The name and contact information of the Local Administrator's designated Program manager. It is the responsibility of the Local Administrator to promptly notify the OSFM of any changes to the Program manager's name and contact information.
    b. The name and contact information of any third-party inspection company or companies under contract with the Local Administrator, or the name and license number of the inspector(s) employed by the Local Administrator to perform such inspections. It is the responsibility of the Local Administrator to promptly notify the OSFM of any changes to the name and contact information of any inspection company or companies under contract with the Local Administrator. It is the responsibility of the Local Administrator to promptly notify the OSFM of any change in the name and license number of inspector(s) employed by the Local Administrator.
    c. The number and type of conveyances covered by the Program.
    d. The standards and regulations for the Program.

3. The Local Administrator, by signing this Agreement, attests to the OSFM that it will enforce safety standards, codes and regulations at least as stringent as those provided for in the Act and adopted in the current version of the Rules(See: 41 Ill. Adm. Code 1000.60). The Local

Administrator also agrees to amend and enforce its Program, as required by Section 6(j) of this Agreement, to reflect subsequent amendments to the safety standards, codes and regulations as provided for in the Act and adopted by the Rules.

4. Should the Local Administrator desire to adopt more stringent standards than any of the standards set by the Act and the Rules, the Local Administrator must submit to the OSFM, for review, the proposed standards that the Local Administrator desires to adopt. OSFM shall review the proposed standards and respond to the Local Administrator within a reasonable timeframe.

5. With respect to ASME A17.3-2005, Safety Code for Existing Elevators and Escalators, upgrades required by Section 35(h) of the Act must have been completed no later than January 1, 2015. By signing this Agreement, the Local Administrator acknowledges this obligation. If any affected conveyances are out of compliance, the Local Administrator will enforce this obligation.

6. By signing this Agreement, the Local Administrator agrees to operate its Program in compliance and conformance with the Act and Rules. Under the Program, the Local Administrator shall:
    a. Issue conveyance construction and alteration permits and certificates of operation.
    b. Consider requests to extend the time frame for construction or alteration permits. Such requests shall be granted for an additional twelve (12) months if the request is received by the Local Administrator prior to expiration of the existing permit. Extension requests received by the Local Administrator after the expiration of the existing permit shall be denied, requiring a new application that must be accompanied by payment of the current fee charged by the Local Administrator.
    c. Provide for inspection of elevators, including temporary operation inspections in accordance with ASME A17.1, Section 5.10.
    d. Grant exceptions and variances from the literal requirements of applicable State codes, standards and regulations in cases in which such variances would not jeopardize the public safety and welfare. The OSFM shall be notified immediately by mail of any exception or variance granted. The OSFM may object to such exception or variance within seven (7) business days of receipt of the notice. Should the OSFM and Local Administrator not reach agreement on the exception or variance, the matter shall be directed to the Board to hear and decide. The Board shall decide upon the appeal within thirty (30) days after the Board meeting at which the appeal is heard of the variance's approval or denial.
    e. Enforce the applicable provisions of the Act, and levy fines in accordance with the Municipal Code [65 ILCS 5] or Counties Code [55 ILCS 5].
    f. Maintain for inspection by the OSFM copies of the following documentation and information, all of which shall be maintained for at least a 2-year period:
        i. All permit applications;
        ii. All permits issued by the Local Administrator;

iii. All exceptions or variances requested, granted or denied;
iv. All inspection reports for conveyances subject to the Program; and
v. Proper records demonstrating the number of certificates of operation issued by the Local Administrator.

g. Ensure that all inspections are performed by personnel properly licensed by the State, including that each required inspection is conducted by a licensed elevator inspector.
h. Receive and process requests for investigation into alleged violations of the Act or alleged dangerous conditions, in accordance with Section 105 of the Act. The Local Administrator is required to assess and investigate as provided in sections (a) and (b) of Section 105 of the Act.
i. When a Local Administrator becomes aware of or is informed that a malfunction of a conveyance caused an injury, the OSFM must be notified promptly by the Local Administrator in writing or electronically.
j. Amend its Program within ninety (90) days of receipt of notice from the OSFM informing them of changes to any form, document, the standards and/or rules that affect the Program.
k. Notify the OSFM at least ninety (90) days in advance of the date the Local Administrator elects to discontinue its Program.
l. Require all conveyances in its jurisdiction to register and pay the associated fee to the OSFM and put out-of-service and report to the OSFM the names of the owners of those conveyances that fail to register within thirty (30) days of determination that the conveyance is not registered.
m. To make itself, records, and data available, upon reasonable notice, to meet with the OSFM or its representatives, to ensure compliance with the Act and Rules.

7. In accordance with the Act and Rules, with the exception of the registration fees, the fees and procedures for applications, permits, inspection and enforcement under the Local Administrator's Program shall remain the jurisdiction of the Local Administrator as described in 41 Ill. Adm. Code 1000.40(c).

8. OSFM may review the Program of any Local Administrator and inspect any records related to the conveyances under the Program to ensure compliance. OSFM will provide the Local Administrator reasonable advance notice of the review. The Local Administrator is responsible for providing records and data requested within the timeframe requested by OSFM.

9. Should the OSFM determine that the Program does not meet the requirements of the Act or the Rules or this Agreement, the OSFM shall notify the Local Administrator of the corrective actions needed to bring the Program into compliance. Should the Local Administrator fail to make the corrections, the OSFM may, after allowing time for corrective action, and after a hearing under Section 1000.160 of the Administrative Rules (41 Ill. Adm. Code 1000.160), withdraw approval of the Program.

10. A copy of the Administrative Rules (41 Ill. Adm. Code 1000) is available at: https://ilga.gov/agencies/JCAR/Sections?PartID=04101000&TitleDescription=TITLE%2041:%20%20FIRE%20PROTECTION.

11. The Illinois Local Elevator Safety Program Agreement Signature Page follows on the next page of this document.

12. Attach to this Agreement a completed Local Elevator Safety Program Information Form.

# ILLINOIS LOCAL ELEVATOR SAFETY PROGRAM AGREEMENT SIGNATURE PAGE

## LOCAL ADMINISTRATOR

_____
**Name of Local Administrator (Municipality or County):**

_____ _____ / _____ / _____
**Signature of Local Administrator's Officer:** **Date Signed:**

_____
**Printed Name of Officer:**

_____
**Title of Officer:**

**Officer's Contact Information:**

_____ _____
**Email Address:** **Street Address:**

_____ _____
**Phone Number:** **City, State, Zip:**

## OFFICE OF THE STATE FIRE MARSHAL

**Agreement Accepted for OSFM by:**

_____ _____ / _____ / _____
**Michele Pankow, State Fire Marshal** **Date Signed/Accepted:**
1035 Stevenson Drive
Springfield, IL 62703
(217) 785-0969