

12-814. INSPECTION DISCLOSES UNSAFE CONDITIONS.

(A) CITATION AND PENALTIES AUTHORIZED.

WHEN AN INSPECTION DISCLOSES THAT AN ELEVATOR UNIT IS IN UNSAFE CONDITION SO THAT ITS CONTINUED OPERATION WILL VIOLATE THE SAFETY CODE, OR ANY OTHER REGULATION ADOPTED BY THE COMMISSIONER UNDER PART II OF THIS SUBTITLE, A CITATION MAY BE ISSUED AND PENALTIES MAY BE ASSESSED IN ACCORDANCE WITH §§ 5-212 AND 5-213 OF THE LABOR AND EMPLOYMENT ARTICLE.

(B) SUBSTANTIAL PROBABILITY OF DEATH OR SERIOUS BODILY INJURY.

IF AFTER INSPECTION OR TESTING OF AN ELEVATOR UNIT THE COMMISSIONER DETERMINES THAT THE ELEVATOR UNIT IS IN VIOLATION OF THE SAFETY CODE OR ANY OTHER REGULATION ADOPTED BY THE COMMISSIONER UNDER PART II OF THIS SUBTITLE, AND THAT THERE IS A SUBSTANTIAL PROBABILITY THAT DEATH OR SERIOUS PHYSICAL HARM COULD RESULT FROM ITS CONTINUED USE, ACTION SHALL BE TAKEN IN ACCORDANCE WITH § 5-210 OF THE LABOR AND EMPLOYMENT ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 49B(f) and (h).

In subsections (a) and (b) of this section, the reference to "the Safety Code or any other regulation adopted by the Commissioner under Part II of this subtitle" is substituted for the former references to "any rule, regulation, standard or Code promulgated and issued under this section" and "any standard or safety code promulgated under this subtitle" for accuracy and specificity.

In subsection (a) of this section, the defined term "elevator unit" is substituted for the former reference to an "elevator" because inspections cover elevator units, not only elevators, under this subtitle.

Defined terms: "Commissioner" § 12-801

"Elevator unit" § 12-801

"Safety Code" § 12-801

12-815. WARNING SIGNS IN CASE OF FIRE.

(A) IN GENERAL.

EACH PASSENGER ELEVATOR IN A PERMANENT INSTALLATION USED BY THE PUBLIC SHALL HAVE A SIGN THAT READS "WARNING - ELEVATORS SHALL NOT BE USED IN EVENT OF FIRE - USE MARKED EXIT STAIRWAYS".

(B) LOCATION OF SIGN --- IN GENERAL.

THE SIGN DESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL BE POSTED:

- (1) AT THE ENTRANCE TO THE ELEVATOR SHAFT ON EACH FLOOR; AND
- (2) DIRECTLY ABOVE THE CALL BUTTON.