

1307.0090 EXISTING INSTALLATIONS.

Subpart 1. [Repealed, 31 SR 935]

Subp. 2. **Conditions for continued operation.** All existing installations of equipment governed by ASME A17.1/CSA B44-2016, ASME A17.3-2015, and ASME A90.1-2015 may be continued in service as long as they are properly maintained and are, in the opinion of the authority having jurisdiction, installed and maintained in a safe condition. The authority having jurisdiction shall order the installation of the following basic safety devices: automatic noncontact door reopening devices; top of car, under car lights, and pit lights, with ground fault interrupter outlets; pit ladder; emergency door unlocking device; and emergency lock box complying with part 1307.0067, subpart 9. All hand-powered elevators and hand-powered dumbwaiters shall be equipped with a broken rope safety device. Elevator machine room lighting shall meet the requirements of ASME A17.1/CSA B44-2016 2.7.9.1 to provide 19 footcandles of illumination at the floor level. The installation of these safety devices does not require compliance with ASME A17.1/CSA B44-2016.

Subp. 3. **Damaged installations.** Any installation, whether new or existing, which becomes damaged, defective, or worn, by fire, water, or other causes including ordinary wear to the extent that, in the opinion of the authority having jurisdiction it is dangerous to life, limb, or adjoining property, such installations shall be repaired or rebuilt in conformity with the applicable ASME code and its associated state amendments.

Subp. 4. **Unsafe conditions.** When an inspection reveals an unsafe condition, the inspector must immediately file with the owner and the authority having jurisdiction a full and true report of the inspection and the unsafe condition. The authority having jurisdiction shall shut down any piece of equipment covered by this chapter, that, in the opinion of the authority having jurisdiction, is dangerous to life, limb, or adjoining property, and the equipment shall not be put back into operation until the unsafe condition has been corrected and approved by the authority having jurisdiction. When an unsafe condition is determined by the authority having jurisdiction, the inspector shall place a notice, in a conspicuous location, on the elevator, escalator, or moving walk that the conveyance is unsafe. The owner shall ensure that the notice of unsafe condition is legibly maintained where placed by the authority having jurisdiction. The authority having jurisdiction shall issue an order in writing to the owner requiring the repairs or alterations to be made to the conveyance in compliance with the applicable ASME code and its associated state amendments. A posted notice of unsafe conditions shall be removed only by the authority having jurisdiction when satisfied that the required repairs or alterations have been completed.

Subp. 5. [Repealed, 31 SR 935]

Subp. 6. **Other requirements.** Existing installations covered by subpart 2 shall conform to the requirements of: ASME A17.1/CSA B44-2016 Part 1, and 5.10, 8.1, 8.6, 8.7, 8.8, 8.9, 8.10, and 8.11 as amended by this and other sections of this chapter. Alterations shall conform to the requirements of ASME A17.1/CSA B44-2016, Part 8.7, or ASME A17.3-2015, whichever is more restrictive.

Subp. 7. **Compliance schedule.** The authority having jurisdiction shall notify the owner of an existing elevator of the applicable ASME code and its associated state amendments (1) at the

time of adoption or (2) following inspection of an elevator not in compliance with the applicable ASME code and its associated state amendments. The following applies to elevators or related devices upon the owner receiving notification:

A. Where noncompliance with the applicable ASME code and its associated state amendments creates an imminent danger to persons or property, correction must be initiated immediately and the unit may not be placed into service until the correction is made or approval is granted by the authority having jurisdiction.

B. Where noncompliance with the applicable ASME code and its associated state amendments does not create an imminent danger, the owner or manager of the property shall submit for review and approval a time schedule for compliance with the authority having jurisdiction within 60 calendar days of receipt of notification by the authority having jurisdiction.

Any compliance schedule submitted for an existing elevator shall result in compliance with the code requirements within five years of submission of the compliance schedule. The authority having jurisdiction, acting under Minnesota Statutes, section 326B.175, is authorized to take an elevator that is not in compliance with the code requirements within five years of submission of the compliance schedule out of service.

Subp. 8. Removal of existing elevators, dumbwaiters, escalators and moving walks.

A. **Traction elevator.** Prior to a new installation, elevator personnel shall remove all elevator-related equipment, that will not be reused on the new installation. If removal of the equipment is part of building demolition or the hoistway is not reused for elevator equipment, elevator personnel shall remove the equipment from service by safely landing the elevator and counterweights at the lowest landing.

B. **Hydraulic elevator.** Prior to a new installation, elevator personnel must remove all elevator-related equipment that will not be reused on the new installation. If a hydraulic elevator is to be removed for building demolition, elevator personnel must remove all hydraulic oil in accordance with rules of the Minnesota Pollution Control Agency. A company licensed to seal wells and borings in accordance with the Minnesota Department of Health, parts 4725.3850 and 4725.3875, must seal the boring into the earth and provide proof of the sealing to the authority having jurisdiction.

C. **Dumbwaiters.** Prior to new installation, elevator personnel shall remove all dumbwaiter-related equipment that will not be reused on the new installation. If removal of the equipment is part of building demolition or the hoistway is not reused for dumbwaiter equipment, elevator personnel shall remove the equipment from service by safely landing the dumbwaiter and counterweights at the lowest landing.

D. **Escalators and moving walks.** Prior to a new installation, elevator personnel shall remove all escalator or moving walk-related equipment that will not be reused on the new installation. If removal of the equipment is part of building demolition, elevator personnel shall remove the unit from service by safely removing power and permanently securing the steps and drive chains to prevent unintentional motion of the escalator or moving walk.

E. **Dormant elevator, dormant dumbwaiter, or dormant escalator.** A dormant elevator, dormant dumbwaiter, or dormant escalator shall be placed out of service in accordance with ASME A17.1/CSA B44-2016 8.11.1.4.

F. **Temporarily dormant elevator, temporarily dormant dumbwaiter, or temporarily dormant escalator.** A temporarily dormant elevator, temporarily dormant dumbwaiter, or temporarily dormant escalator shall have its power disconnected by removing fuses, where applicable, and placing a seal on the mainline disconnect switch in the "OFF" position. The car shall be parked and the hoistway doors left in the closed and latched position. A wire seal and notification shall be installed on the mainline disconnect switch by an authority having jurisdiction. This installation shall not be used until it has been put in safe running order and is in condition for use. Annual inspections shall continue for the duration of the temporarily dormant status by an authority having jurisdiction. The temporarily dormant status shall be reviewed on an annual basis, and shall not exceed a three-year period. The inspector shall file a report with the supervising authority having jurisdiction describing the current conditions. The wire seal and notification shall not be removed for any purpose without permission from the authority having jurisdiction. When the elevator, dumbwaiter, or escalator has exceeded the three-year temporarily dormant status, the unit shall be placed out of service according to ASME A17.1/CSA B44-2016 8.11.1.4.

Statutory Authority: *MS s 16B.59 to 16B.75; 326B.02; 326B.101 to 326B.194; 326B.106; 326B.187*

History: *15 SR 70; 23 SR 2051; 31 SR 935; L 2007 c 140 art 4 s 61; art 13 s 4; L 2008 c 337 s 64; 39 SR 91; 45 SR 301*

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