

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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HOUSE BILL 608

Short Title: Safety Requirements for Elevators. (Public)

Sponsors: Representative Goodwin.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Local Government - Land Use, Planning and Development, if favorable, Rules, Calendar, and Operations of the House

April 17, 2023

1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE ELEVATOR SAFETY REQUIREMENTS FOR CERTAIN  
3 RESIDENTIAL RENTAL ACCOMMODATIONS AND TO AMEND THE NORTH  
4 CAROLINA STATE BUILDING CODE ACCORDINGLY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 143-143.7 reads as rewritten:

7 "**§ 143-143.7. Elevator safety requirements for certain residential rental accommodations.**

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

11 (1) The gap between the hoistway face of the landing ~~door~~ door, the door space  
12 guard, or the door baffle and the hoistway face of the car door ~~shall not exceed~~  
13 4 inches as well as the door of the car or gate itself must meet the following  
14 requirements:

15 a. Horizontal sliding car doors and gates shall be designed and installed  
16 such that the total of the gap between the hoistway face of the landing  
17 door, the door space guard, or the door baffle and the hoistway face of  
18 the car door or gate, after the car door or gate has been subject to a  
19 force of 75 pounds applied horizontally on an area four inches by four  
20 inches at right angles to and at any location on the car door when fully  
21 closed, shall be no more than four and three-quarters inches.

22 b. Folding car doors shall be designed and installed such that the total of  
23 the gap between the hoistway face of landing door, the door space  
24 guard, or the door baffle and the hoistway face of the car door, after  
25 the car door has been subject to a force of 75 pounds applied  
26 horizontally using a four-inch diameter sphere at any location within  
27 the folds of the door when fully closed, shall be no more than four and  
28 three-quarters inches.

29 c. When the same 75-pound force is applied in the same manner(s) to the  
30 horizontal sliding care door or gate or to the folding car door, there  
31 shall be no permanent deformation of the door or gate and the door or  
32 gate shall not be displaced from its guides or tracks.

33 (2) ~~Elevator doors or gates shall meet the following requirements:~~



1                   a.     ~~Horizontal sliding car doors and gates shall be designed and installed~~  
2                   ~~to withstand a force of 75 pounds applied horizontally on an area 4~~  
3                   ~~inches by 4 inches at right angles to and at any location on the car door~~  
4                   ~~when fully closed without permanent deformation, without exceeding~~  
5                   ~~a deflection of three quarters of an inch, and without displacing the~~  
6                   ~~door or gate from its guides or tracks.~~

7                   b.     ~~Folding car doors shall be designed and installed to withstand a force~~  
8                   ~~of 75 pounds applied horizontally using a 4 inch diameter sphere at~~  
9                   ~~any location within the folds of the door without permanent~~  
10                  ~~deformation, without exceeding a deflection of three quarters of an~~  
11                  ~~inch, and without displacing the door from its guides or tracks.~~

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

15               (1)     If the elevator does not comply with sub-subdivision a. or b. of subdivision  
16               (1) of subsection (a) of this section, then the landlord shall install a hoistway  
17               door space guard, a full height door baffle, or a door baffle that is at least 31.75  
18               inches in height, each of which shall be nonremovable and shall be designed  
19               and installed to withstand a force of 75 pounds applied horizontally using a  
20               ~~4 inch~~ four-inch diameter sphere at any ~~location without permanent~~  
21               ~~deformation~~ location, until the maximum gap is in compliance with  
22               sub-subdivision a. or b. of subdivision (1) of subsection (a) of this section.

23               (2)     If the elevator door or gate does not comply with sub-subdivision c. of  
24               subdivision ~~(2)~~ (1) of subsection (a) of this section, then the landlord shall  
25               replace it with a door or gate that complies with sub-subdivision c. of  
26               subdivision ~~(2)~~ (1) of subsection (a) of this section.

27               (c)     Upon installation of a door baffle, door space guard, door, or gate meeting the  
28               requirements of subdivision (1) or (2) of subsection (b) of this section, the landlord shall provide  
29               the Commissioner of Insurance with one of the following:

30               (1)     A statement signed by a professional elevator installer certifying installation  
31               of the door baffle, door space guard, door, or gate meeting the requirements  
32               of subsection (b) of this section.

33               (2)     A receipt for purchase of the door baffle, door space guard, door, or gate  
34               meeting the requirements of subsection (b) of this section, a signed statement  
35               by the landlord stating the date of installation, and photographs depicting the  
36               door baffle, door space guard, door, or gate as installed.

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

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

43               **SECTION 2.(a)** Definitions. – As used in this section, "Council" means the North  
44               Carolina Building Code Council, and "Code" means the current North Carolina Building Code  
45               collection, and amendments to the Code, as adopted by the Council.

46               **SECTION 2.(b)** Code Amendment. – Until the effective date of the Code  
47               amendments that the Council is required to adopt pursuant to this section, the Council and Code  
48               enforcement officials enforcing the Code shall follow the provisions of subsection (c) of this  
49               section as it relates to elevators and platform lifts under Section R321 of the 2018 North Carolina  
50               Residential Code.

1           **SECTION 2.(c)** Implementation. – Notwithstanding any provision of the Code or  
2 law to the contrary, for the purposes of the elevators and platform lifts requirements under Section  
3 R321 of the 2018 North Carolina Residential Code, the Council and Code enforcement officials  
4 shall follow rules consistent with 2016 ASME A17.1 sections 5.3.1.8.2 and 5.3.1.8.3, except  
5 where those sections are superseded by G.S. 143-143.7, as amended by this act.

6           **SECTION 2.(d)** Additional Rulemaking Authority. – The Council shall adopt a rule  
7 to amend Section R321 of the 2018 North Carolina Residential Code consistent with subsection  
8 (c) of this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Council pursuant  
9 to this subsection shall be substantively identical to the provisions of subsection (c) of this  
10 section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter  
11 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as  
12 provided in G.S. 150B-21.3(b1), as though 10 or more written objections had been received as  
13 provided in G.S. 150B-21.3(b2).

14           **SECTION 2.(e)** Effective Date. – This section is effective when it becomes law.

15           **SECTION 2.(f)** Sunset. – This section expires on the date that rules adopted pursuant  
16 to subsection (d) of this section become effective.

17           **SECTION 3.** Section 1 of this act becomes effective October 1, 2023. Except as  
18 otherwise provided, this act is effective when it becomes law.