

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

FILED SENATE
Apr 3, 2023
S.B. 527
PRINCIPAL CLERK

S

D

SENATE BILL DRS15234-NK-59A

Short Title: Safety Requirements for Elevators.

(Public)

Sponsors: Senators Moffitt, Johnson, and Hanig (Primary Sponsors).

Referred to:

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, 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 car door or gate or to the folding car door, there shall
31 be no permanent deformation of the door or gate and the door or gate
32 shall not be displaced from its guides or tracks.

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

34 a. ~~Horizontal sliding car doors and gates shall be designed and installed~~
35 ~~to withstand a force of 75 pounds applied horizontally on an area 4~~
36 ~~inches by 4 inches at right angles to and at any location on the car door~~



1 when fully closed without permanent deformation, without exceeding
2 a deflection of three quarters of an inch, and without displacing the
3 door or gate from its guides or tracks.

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

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

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

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

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

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

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

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

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

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

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

48 **SECTION 2.(c)** Implementation. – Notwithstanding any provision of the Code or
49 law to the contrary, for the purposes of the elevators and platform lifts requirements under Section
50 R321 of the 2018 North Carolina Residential Code, the Council and Code enforcement officials

1 shall follow rules consistent with 2016 ASME A17.1 sections 5.3.1.8.2 and 5.3.1.8.3, except
2 where those sections are superseded by G.S. 143-143.7, as amended by this act.

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

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

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

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