

Proposed Rule  
of  
Tennessee Department of Labor and Workforce Development  
Division of Boiler and Elevator Inspection  
Elevator Safety Board

Chapter 0800-3-12  
Stairway Inclined and Vertical Wheelchair Lifts for Disabled Persons

Presented herein is a proposed amendment of the Department of Labor and Workforce Development, Division of Boiler and Elevator Inspection, Elevator Safety Board, submitted pursuant to T.C.A. § 4-5-202 in lieu of a rulemaking hearing. It is the intent of the Department of Labor and Workforce Development to promulgate this amendment without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendment is published. Such petition to be effective must be filed in the Legal Division of the Department of Labor and Workforce Development, Andrew Johnson Tower, 2nd Floor, 710 James Robertson Parkway, Nashville, Tennessee 37243, and in the Administrative Procedures Division of the Department of State, William R. Snodgrass Tennessee Tower, 8th Floor, 312 8th Avenue North, Nashville, Tennessee, 37243-0310, and must be signed by twenty-five (25) persons who will be affected by the amendment or submitted by a municipality which will be affected by the amendment, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of the proposed amendment, contact Gary W. Cookston, Director, Division of Boiler and Elevator Inspection, Tennessee Department of Labor and Workforce Development, Andrew Johnson Tower, 3rd Floor, 710 James Robertson Parkway, Nashville, Tennessee 37243-0663, telephone: (615) 532-1929.

The text of the proposed amendment is as follows:

Amendment

Chapter 0800-3-12 Stairway Inclined and Vertical Wheelchair Lifts for Disabled Persons is amended by deleting that language entirely and substituting the following language, so that as amended the chapter and rule shall read:

Chapter 0800-3-12  
Safety Standard for Platform Lifts and Stairway Chairlifts

0800-3-12-.01 Safety Standards.

- (1) All new stairway inclined lifts and platform lifts for transportation of persons with handicaps as defined in Tennessee Code Annotated Section 68-121-101 shall comply with the Safety Standard for Platform Lifts and Stairway Chairlifts dated September 12, 2003, ASME A18.1-2003, effective September 12, 2004, prepared and published by The American Society of Mechanical Engineers, Three Park Avenue, New York, New York, 10016-5990, Telephone (212) 591-7722, [www.asme.org](http://www.asme.org), except as modified in subparagraphs (a), (b), (c), (d), and (e).
  - (a) Paragraph 2.1.3 Runway Enclosure Not Provided is deleted in its entirety.
  - (b) Paragraph 2.10.1 Operation shall read as follows: Operation of the lift from the landings and from the platform shall be key-operated control switches in all schools except postsecondary educational institutions and in all churches at all stations, and shall be by means of the continuous-pressure type and the key shall

be removable in the off position only. Controls shall be 48 inches (1 220 millimeters) maximum and 15 inches (380 millimeters) minimum above the platform floor or facility floor or ground level.

- (c) Section 5 Private Residence Vertical Platform Lifts is deleted in its entirety.
- (d) Section 6 Private Residence Inclined Platform Lifts is deleted in its entirety.
- (e) Section 7 Private Residence Inclined Stairway Chairlifts is deleted in its entirety.

Authority: T.C.A. § 68-121-103.

The proposed rules set out herein were properly filed in the Department of State on the 9th day of December, 2005, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 28th day of April, 2006.