

FIRST REGULAR SESSION

HOUSE BILL NO. 760

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CAMPBELL.

Read 1st time February 13, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1532L.021

AN ACT

To repeal section 701.359, RSMo 2000, relating to elevator codes, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 701.359, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 701.359, to read as follows:

701.359. **1. Except as provided in subsection 2 of this section,** a political subdivision which has, on August 28, 1994, adopted the ANSI elevator codes specified in 701.353 and maintains, and continues to maintain at all times, after enactment of sections 701.350 to 701.380, a duly constituted department, bureau, or division for the purposes of enforcing these codes, is exempt from the provisions of 701.353, except insofar as the statute requires state certification of inspection or inspections by certified inspectors. Adoption of any code by a political subdivision or the establishment of any code pursuant to sections 701.350 to 701.380 does not preempt common law or statutory liability.

2. A city with a population of more than three hundred fifty thousand inhabitants that is located in more than one county which has adopted and which keeps in force the American Society of Mechanical Engineers Safety Code for Elevators and Escalators ANSI/ASME A17.1 and A17.3, with or without amendments, and maintains, and continues to maintain at all times, after enactment of sections 701.350 to 701.380, a duly constituted department, bureau, or division for the purposes of enforcing its elevator codes, is exempt from the provisions of sections 701.350 to 701.380, except insofar as the statute requires inspections by certified inspectors. Adoption of any code by such city or the establishment of any code pursuant to sections 701.350 to 701.380 does not preempt common law or statutory liability.