

## INSTALLATION OF RESIDENTIAL LIFTS

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<http://www.house.mi.gov/hfa>

**House Bill 4162 as introduced**  
**Sponsor: Rep. Aric Nesbitt**

Analysis available at  
<http://www.legislature.mi.gov>

**House Bill 4163 as introduced**  
**Sponsor: Rep. Al Pscholka**  
**Committee: Commerce and Trade**

*(Enacted as Public Acts 34 and 35 of 2015)*

**Complete to 2-23-15**

### SUMMARY:

House Bill 4163 would amend Public Act 227 of 1967, which regulates the construction, installation, and inspections of elevators, to allow under certain circumstances a licensed residential builder that is certified by the device's manufacturer to install residential stairway chairlifts and residential platform lifts without being licensed as an elevator contractor. Currently, individuals who install, construct, repair, alter, or maintain elevators – including stairway chairlifts and platform lifts in private residences – must be licensed as elevator contractors.

House Bill 4162 would exempt the installation, construction, repair, alteration, or maintenance of a residential stairway chairlift or residential platform lift from Public Act 333 of 1976. Currently, under that act, the installation, alteration, maintenance, repair, servicing, inspecting, adjusting, or testing of an elevator regulated under Public Act 227 of 1967 must be performed by a licensed elevator journeyman. The two bills are tie-barred to each other meaning that neither bill can take effect unless both are signed into law.

#### ***House Bill 4163***

Under the bill, an individual would only be allowed to install, construct, repair, alter, or maintain a residential stairway chairlift or residential platform lift if they obtained all of the necessary permits through the local municipality and met all of the following criteria:

- Is either (1) certified by the manufacturer of the chairlift or platform lift; or (2) licensed as an elevator contractor under the act.
- Has liability insurance in the principal amount of at least \$1 million for each occurrence and at least \$2 million in the aggregate.
- In performing the work, complies with the State Construction Code and the American Society of Mechanical Engineers Standard 18.1-2008.

Under the bill, a residential stairway chairlift or residential platform lift would have to meet all of the following criteria:

- The device must have a limited vertical travel, operating speed, and platform area.
- Operation must be under continuous control of the user.
- The device cannot penetrate more than one floor.
- The device cannot have a full passenger enclosure on its platform.
- The device is not operated by means of hydraulic propulsion.
- The device is not rated to transport a load greater than 750 pounds.
- If a residential platform lift, the device does not travel more than six feet on a slope that is 90 degrees.

The bill would also exempt an individual who is altering or installing a residential stairway chairlift or residential platform lift from having to obtain a permit from the Department of Licensing and Regulatory Affairs (LARA). Currently, a person is prohibited from installing or altering an elevator unless first issued a permit by LARA.

The bill contains an enacting section, stating that it is the intent of the Legislature that the bill does not affect LARA's examination or examination requirements for licensure as a residential builder under the Occupational Code.

The term "*Residential stairway chairlift or residential platform lift*" would mean an inclined stairway chairlift or inclined and vertical platform lift in or at a private residence that is intended only for transportation of an individual whose mobility is impaired, meets the requirements of Section 14a (which sets the requirements for individuals installing a device), and that is manufactured in compliance with the American Society of Mechanical Engineers Standard 18.1-2008. The term does not include an elevator, escalator, moving walkway, material lift, dumbwaiter, personnel hoist, powered platform and equipment for exterior and interior building maintenance, amusement device, or stage or orchestra lift or any portable equipment used to lift or transport individuals or material.

#### **FISCAL IMPACT:**

House Bills 4162 and 4163, as introduced, would not have a significant fiscal impact on the Department of Licensing and Regulatory Affairs (LARA), since, according to LARA, the revenue generated by the fees imposed for installation (\$100) or alteration (\$150) permits for and the biennial inspection (\$110) and certification (\$45) of residential stairway chairlifts and platform lifts accurately reflect the actual costs incurred by LARA of issuing permits and inspecting such devices. Consequently, the reduction in permit, inspection, and certification fee revenue would approximate the reduction in LARA's administrative costs associated with these functions.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.