



HOUSE BILL 619: Weston's Law.

2021-2022 General Assembly

Committee:		Date:	July 15, 2022
Introduced by:		Prepared by:	Bill Patterson Staff Attorney
Analysis of:	S.L. 2022-56		

OVERVIEW: *S.L. 2022-56 imposes new safety requirements for elevators in private residences, cottages, and similar accommodations that are rented for 15 days or more in any calendar year, and directs the Building Code Council to adopt amendments to the North Carolina Building Code consistent with these requirements.*

The elevator safety requirements become effective October 1, 2022. The Building Code Council directive became effective June 30, 2022.

CURRENT LAW:

The Elevator Safety Act, Article 14A of the General Statutes does not apply to elevators in single family residences.

Section R321 of the North Carolina Building Code requires elevators in one- and two-family dwellings to comply with elevator safety standards established in 2013 by the American Society of Mechanical Engineers to reduce a child entrapment hazard between the hoistway door and the elevator door. The 2013 ASME standards permitted a maximum gap of five inches between the hoistway door of the landing and the hoistway door of the elevator car door. These standards contained no requirement relating to the rigidity of elevator doors or gates.

BILL ANALYSIS: **Section 1** of Session Law 2022-56 requires elevators in private residences, cottages, or similar accommodations that are rented for at least 15 days in a calendar year to meet the following requirements:

- The gap between the hoistway face of the landing door and the hoistway face of the elevator car door cannot exceed four inches.
- Elevator doors and gates must be rigid enough to withstand a force of 75 pounds applied horizontally without permanent deformation and without either causing a deflection in the door greater than three-quarters of an inch or displacing the door or gate from its tracks.

If an elevator does not comply with these requirements, the landlord must prevent its operation until it has been brought into compliance.

If there is a gap exceeding four inches between the hoistway faces of the landing door and the car door, the landlord must install a nonremovable hoistway door space guard, full height door baffle, or door baffle that is at least 31.75 inches in height in order to bring it into compliance. The option chosen must be designed and installed to withstand a force of 75 pounds applied horizontally using a four-inch diameter sphere at any location without permanent deformation.

If the elevator door or gate does not meet the rigidity requirements, the landlord must replace it with a door or gate that does meet these requirements.

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The landlord must provide the Commissioner of Insurance with documentation of any actions taken to bring an elevator into compliance with these requirements. Any landlord who permits the continued operation of a noncompliant elevator is guilty of a Class 2 misdemeanor,

Sections 2 and 3 of the act amend statutes governing residential and vacation rental agreements to require landlords to comply with all applicable elevator safety requirements imposed by Section 1 of the act.

Section 4 of the act directs the North Carolina Building Code Council to amend Section R321 of the North Carolina State Building Code to be consistent with Section 1 of the act and with the 2016 version of ASME A17.1, which revised the 2013 version to reduce the maximum permitted gap between the hoistway faces of the car door and the landing door from five inches to four inches and adopted rigidity requirements for elevator car doors and gates.

BACKGROUND INFORMATION: The act is named after Weston Androw, a 7-year-old Ohio boy who tragically died in July 2021 after becoming trapped between the inner and outer doors of a rented beach home elevator while visiting the Outer Banks with his family.

EFFECTIVE DATE: Sections 1, 2, and 3 of the act become effective October 1, 2022. Section 4 of the act became effective June 30, 2022.