

*** DRAFT - NOT YET FILED ***

4123:1-1-01

Scope and definitions.

(A) Scope.

The purpose of this chapter of the Administrative Code is to provide reasonable safety for life, limb and health of employees.

The specific requirements of this chapter are requirements for the protection of employees of an employer who has the possession of an elevator through ownership, lease or other property right under which said employer has continuous control of and responsibility for the operation of the elevator. This chapter does not afford protection requirements for employees of elevator manufacturers, installers or inspectors while any such employee is working on premises not in the legal possession of such employee's own employer or for employees of an employer other than the type described in the preceding sentence. The requirements of this chapter apply to all elevators that fall within the term "elevator", as that term is defined in division (A) of section 4105.01 of the Revised Code, ~~except elevators installed and used exclusively within one dwelling unit.~~

Other chapters of the Administrative Code of specific safety requirements adopted by the Ohio bureau of workers' compensation may be applicable to some or all items related to some types of elevators. To the extent that any such other chapter may conflict with the requirements of this chapter, this chapter shall prevail. Where conflict does not exist, such other chapter shall be deemed to establish specific safety requirements that are supplementary to those contained in this chapter. The requirements of this chapter apply to elevators, whether installed, rebuilt or changed before or after the effective date hereof.

(B) Reserved.

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4121.12, 4121.121, 4121.13, Ohio Const. Art. II, Sec. 35
Rule Amplifies: 4121.13, 4121.47
Prior Effective Dates: 12/1/79, 4/1/99

*** DRAFT - NOT YET FILED ***

4123:1-1-02

Certificate of operation.

(A) Reserved.

(B) Reserved.

(C) ~~No~~ As required by chapter 4105. of the Revised Code and the rules promulgated thereunder, no elevator of an employer may be operated without a currently valid certificate of operation, issued by the Ohio department of commerce, divisions of industrial compliance or similar authorization issued by a municipality having jurisdiction to do so. In the absence of a currently valid certificate or authorization, an injury or death of an employee incurred by reason of an elevator of the employer shall be presumed to be due to the violation of this specific safety requirement. Such presumption may be rebutted if the employer shows that the absence of the certificate or authorization was due to factors beyond the control of the employer for one or more of the following reasons:

(1) The inspecting authority, with knowledge of the existence of the elevator, had failed to inspect it, which knowledge may be shown by

(a) Evidence of express notice having been forwarded to the appropriate authority,

(b) Evidence that a certificate or other authorization had been issued in the past for such elevator,

(c) Evidence from the files of the appropriate authority or,

(d) Other competent evidence demonstrating such knowledge by the appropriate authority;

Provided however, that no such authority shall be found to have had knowledge of the existence of an elevator after the elevator has once been taken out of service, except for maintenance or minor repairs. An elevator operated after having been so taken out of service and before it has been inspected by the appropriate authority shall be a violation of this specific safety requirement and the presumption prescribed above shall apply.

(2) The inspecting authority had inspected the elevator, approved it and the certificate of operation or other authorization had not been received by the

employer.

- (3) The inspecting authority had inspected the elevator and no deficiency noted in the inspection report contributed to the injury or death.

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	4121.12, 4121.121, 4121.131, Const. Art. II, Sec. 35
Rule Amplifies:	4121.13
Prior Effective Dates:	12/1/79, 3/15/10

*** DRAFT - NOT YET FILED ***

4123:1-1-03 **Maintenance.**

(A) Reserved.

(B) Reserved.

(C) During the period covered by the certificate of operation or other authorization (as required by rule 4121:1-1-02 of the Administrative Code) the employer shall maintain the elevator and appurtenances in the following respects:

(1) Hoistways and pits.

Hoistways and pits shall be kept clean and free of dirt and rubbish and shall not be used for storage purposes. Water shall not be allowed to accumulate in the pits.

(2) Machine rooms.

Machine room floors shall be kept clean and free from oil or grease. Articles or materials not necessary for the maintenance or operation of the elevator shall not be stored therein. Flammable liquids having a flash point (closed cup) of less than one hundred degrees Fahrenheit shall not be stored in such rooms.

(3) Escalator pit pans.

Escalator pit pans shall be kept clean of oil and refuse in order to reduce to a minimum any hazards resulting from accidental ignition.

(4) Tops of cars.

The tops of cars shall be kept clean and free from oil or grease and shall not be used for storing lubricants. Material not required for the operation of the elevator shall not be stored or carried on top of elevator cars.

(5) Additional requirement for hydraulic elevators.

Valves and cylinders shall be kept properly packed and the packing maintained to prevent leaks.

(6) Illumination.

Illuminating switches, fixtures and lights in the machine room, hoistway, pit, elevator car, landing sills and step treads shall be kept in operational condition at all times.

(7) Emergency communication.

Emergency signals and communication equipment shall be kept in operational condition at all times.

(8) Machine room doors.

Door closing and locking devices on the machine room or rooms shall be kept in operational condition at all times.

(9) Escalator steps, railings and handrails.

Bent or broken teeth on escalator steps and landing combs and broken or substantially damaged handrails shall be repaired or replaced promptly.

R.C. 119.032 review dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4121.12, 4121.121, 4121.13, Ohio Const. Art. II, Sec. 35
Rule Amplifies: 4121.13
Prior Effective Dates: 12/1/79, 3/15/10

*** DRAFT - NOT YET FILED ***

4123:1-1-04

Operating characteristics of the elevator.

(A) Reserved.

(B) Reserved.

(C) Between inspections by or on behalf of the authorized public agency, the employer shall promptly correct any operational deficiency that becomes evident in any one of the following controls, gates, devices or interlocks:

- (1) The automatic controls that prevent the car from leaving the landing until the car and hoistway doors are closed;
- (2) The semi-automatic gates that open and close at the hoistway landings;
- (3) The reopening device activating automatic car and hoistway doors that prevent injury to an employee whose body or limb is interposed between the closing doors or door and jamb;
- (4) The hoistway door interlocks that operate to remain closed at all times when the car is away from the landing and that operate to prevent the hoistway doors from being opened from outside the hoistway while the car is away from the landing;
- (5) The leveling device that levels the car at the landing;
- (6) The devices that prevent movement of the car in either direction while it is standing at the landing;
- (7) The rubber beading or molding (astragal) on biparting doors.

R.C. 119.032 review dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4121.12, 4121.121, 4121.131, Const. Art. II, Sec. 35
Rule Amplifies: 4121.13
Prior Effective Dates: 12/1/79

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4123:1-1-05

Operation of the elevator.

(A) Reserved.

(B) Reserved.

(C) No elevator shall be subjected to loads at any time in excess of its rated load as specified on the capacity plate, except where the elevator is designed and installed to carry one-piece loads greater than the rated load. Such one-piece loads may be carried in such elevator pursuant to the design specifications, but the design weight shown on the applicable capacity plate shall not be exceeded.

(D) Loads shall not be carried on top of or beneath the elevator car nor shall loads be carried that protrude over or below the car.

(E) No operator shall be required to remain on the elevator car while freight is being loaded on it.

(F) Freight elevators shall not be used to carry passengers, except employees in the pursuit of their duties and having the permission of the employer.

R.C. 119.032 review dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	4121.12, 4121.121, 4121.13, Const. Art. II, Sec. 35
Rule Amplifies:	4121.13
Prior Effective Dates:	12/1/79

EXISTING
Appendix
4123:1-1-05

Appendix I
TABLE OF STANDARD MATERIALS AND DIMENSIONS

Material	Clearance from moving part at all points	Largest mesh at opening allowable	Minimum gauge (U.S. Standard) or thickness	Minimum height of guard from floor or platform level
	Inches	Inches		Feet
Woven wire.....	Under 2.....	3/8.....	No. 16.....	7
	2-4.....	1/2.....	No. 16.....	7
	Under 4.....	1/2.....	No. 16.....	7
Expanded metal.....	4-15.....	2.....	No. 12.....	7
	Under 4.....	1/2.....	No. 18.....	7
Perforated metal.....	4-15.....	2.....	No. 13.....	7
	Under 4.....	1/2.....	No. 20.....	7
Sheet metal.....	4-15.....	2.....	No. 14.....	7
	Under 4.....		No. 22.....	7
Wood or metal strip crossed.....	4-15.....	2.....	No. 22.....	7
	Under 4.....	3/8.....	Wood 3/4 Metal No. 16...	7
Wood or metal strip not crossed.....	4-15.....	2.....	Wood 3/4 Metal No. 16...	7
	Under 4.....	1/2.....	Wood 3/4 Metal No. 16...	7
Standard guard railing**....	4-15.....	1 width.....	Wood 3/4 Metal No. 16...	7
	Minimum 15.....			
	Maximum 20.....			