

Tennessee Elevator Law, Rules and Regulations

TITLE 68

SAFETY AND HEALTH

CHAPTER 121

ELEVATORS, DUMBWAITERS, ESCALATORS, AND AERIAL TRAMWAYS

68-121-101. Definitions.

68-121-102. Elevator safety board created — Members — Terms — Expenses.

68-121-103. Duties and powers of board — Rules and regulations.

68-121-104. Powers and duties of department of commerce and insurance.

68-121-105. Registration of elevators, dumbwaiters and escalators.

68-121-106. Schedule for inspecting and testing of elevators, dumbwaiters and escalators — Report of inspections — Failure to file report.

68-121-107. Operating permits.

68-121-108. Installations, relocations or alterations — Submission of plans — Fees.

68-121-109. Maintenance in safe operating condition.

68-121-110. Licensing inspectors — Qualifications — Examinations — Fee — Revocation of license.

68-121-111. Municipal laws or ordinances unaffected.

68-121-112. Appeals.

68-121-113. [Repealed.]

68-121-114. Violations to be prosecuted.

68-121-115. Penalties for violations of chapter or permit fee requirements.

68-121-101. Definitions.

As used in this chapter, unless the context otherwise requires:

(1) "Aerial passenger tramways" means recreational transportation of passengers on devices which are usually referred to by the following names:

(A) Reversible Aerial Tramways. That class of aerial passenger tramways and lifts wherein the passengers are transported in carriers and are not in contact with the ground or snow surface, and in which the carriers reciprocate between terminals;

(i) Single-Reversible Tramways. That type of reversible aerial tramway which has a single carrier, or single group of carriers, which moves back and forth between terminals on a single path of travel and is sometimes called "to-and-fro" aerial tramway; and

(ii) Double-Reversible Tramways. That type of reversible aerial tramway which has two (2) carriers, or two (2) groups of carriers, which oscillate back and forth between terminals on two (2) paths of travel and is sometimes called "jig-back" tramway;

(B) Aerial Lifts and Ski Mobiles. That class of aerial passenger tramways and lifts wherein the passengers are transported in carriers and are not in contact with the ground or snow surface and in which the carriers circulate around a closed system and are activated by a wire rope or chain. The carriers usually make U-turns in the terminals and move along generally parallel and opposing paths of travel. The carriers may be open or enclosed cabins, cars, or platforms. The carriers may be fixed or detachable;

(i) Gondola Lifts. That type of lift where the passengers are transported in open or enclosed cabins. The passengers embark and disembark while the carriers are stationary or moving slowly under a controlled arrangement;

(ii) Chair Lifts. That type of lift where the passengers are transported in chairs, either open or partially enclosed;

(iii) Ski Mobiles. That type of lift where the passengers are transported in open or enclosed cars which ride on a rigid structural system and are propelled by a wire rope or chain; and

(iv) Similar Equipment. Lifts which utilize carrier configurations not specified in subdivision (1)(B)(i), (ii) or (iii), but do not require that the passenger remain in contact with the ground or snow surface;

(C) Surface Lifts. That class of conveyance where the passengers are propelled by means of a circulating overhead wire rope while remaining in contact with the ground or snow surface. Transportation is limited to one (1) direction. Connection between the passengers and the wire rope is by means of a device attached to and circulating with the haul rope known as a "towing outfit";

(i) T-bar Lifts. That type of lift where the device between the haul rope and passengers forms the shape of an inverted "T," propelling passengers located on both sides of the stem of the "T;"

(ii) J-bar Lifts. That type of lift where the device between the haul rope and passenger is in the general form of a "J," propelling a single passenger located on the one (1) side of the stem of the "J;"

- (iii) Platter Lifts. That type of lift where the device between the haul rope and passenger is a single stem with a platter (or disc) attached to the lower end of the stem, propelling the passenger astride the stem of the platter (or disc); and
- (iv) Similar Equipment. Lifts which utilize towing device configurations not specified in subdivision (1)(C)(i), (ii) or (iii), but require that passengers remain in contact with the ground or snow surface, and conform to the general description of this subsection; and
- (D) Tows. That class of conveyance where the passengers grasp the circulating haul rope, a handle attached to the circulating haul rope, or attach a gripping device to the circulating haul rope and are propelled by the circulating haul rope. The passengers remain in contact with the ground or snow surface. The upward-traveling haul rope remains adjacent to the uphill track of the passengers and at an elevation which permits them to maintain their grasp on the haul rope, handle, or gripping device throughout that portion of the tow length that is designed to be traveled;
- (i) Fiber Rope Tow. A tow having a fiber (natural or synthetic) haul rope; and
- (ii) Wire Rope Tow. A tow having a metallic haul rope;
- (2) "Alteration" means any change or addition to the equipment other than ordinary repairs or replacement;
- (3) "Board" means the elevator safety board created in § 68-121-102;
- (4) "Commissioner" means the commissioner of labor and workforce development;
- (5) "Complete elevator, dumbwaiter or escalator" means any elevator, dumbwaiter or escalator for which the plans and specifications and the application for the construction permit required by § 68-121-108 are filed on or after the effective date of the application of the rules and regulations adopted by the board as provided in § 68-121-103(a)(2). All other elevators, dumbwaiters and escalators shall be deemed to be existing installations;
- (6) "Department" means the department of labor and workforce development;
- (7) "Dormant elevator, dumbwaiter or escalator" means an elevator or dumbwaiter whose cables have been removed, whose car and counterweight rest at the bottom of the shaftway, and whose shaftway doors are permanently boarded up or barricaded on the inside, or an escalator whose main power feed lines have been disconnected;
- (8) "Dumbwaiter" means a hoisting and lowering mechanism equipped with a car which moves in guides in a substantially vertical direction, the floor area of which does not exceed nine square feet (9 sq. ft.), whose total compartment height does not exceed four feet (4'), the capacity of which does not exceed five hundred pounds (500 lbs.), and which is used exclusively for carrying freight. "Dumbwaiter" does not include a dormant dumbwaiter;
- (9) "Elevator" means a hoisting and lowering mechanism equipped with a car or platform which moves in guides in a substantially vertical direction and which serves two (2) or more floors of a building. "Elevator" also includes stairway inclined lifts and platform lifts for transportation of handicapped persons;

(10) "Escalator" means a moving inclined continuous stairway or runway used for raising or lowering passengers;

(11) "Freight elevator" means an elevator used primarily for carrying freight and on which only the operator and the persons necessary for loading and unloading are permitted to ride; and

(12) "Passenger elevator" means an elevator that is used to carry persons other than the operator and persons necessary for loading and unloading.

[Acts 1951, ch. 235, § 1 (Williams, § 5379.9); Acts 1957, ch. 255, § 1; 1974, ch. 418, § 1; 1978, ch. 805, § 1; T.C.A. (orig. ed.), § 53-2601; Acts 1984, ch. 900, §§ 1, 2; 1989, ch. 11, §§ 1, 2; T.C.A., § 68-19-101; Acts 1999, ch. 520, § 46.]

68-121-102. Elevator safety board created — Members — Terms — Expenses .

(a) There is hereby created the elevator safety board, consisting of five (5) members appointed by the governor. The first appointments are as follows: one (1) for a term of one (1) year, one (1) for a term of two (2) years, one (1) for a term of three (3) years, and one (1) for a term of four (4) years. At the expiration of the respective terms of each, a successor, identifiable with the same interests respectively as hereinafter provided, shall be appointed for a term of four (4) years. Upon the death, resignation or incapacity of any member, the governor shall fill the vacancy for the remainder of the unexpired term occurring, with a representative of the same interests as those of the member's predecessor. Of the five (5) appointed members, one (1) shall be a representative of the owners and lessees of elevators within this state; one (1) shall be a representative of the manufacturers of elevators used within this state; one (1) shall be a representative of an insurance company authorized to insure the operation of elevators in this state; and two (2) shall be representatives of the public at large. In making appointments to the board, the governor shall strive to ensure that at least one (1) person serving on the board is sixty (60) years of age or older and that at least one (1) person serving on the board is a member of a racial minority.

(b) All reimbursement for travel expenses shall be in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

[Acts 1951, ch. 235, § 2 (Williams, § 5379.10); Acts 1976, ch. 806, § 1(36); T.C.A. (orig. ed.), § 53-2602; Acts 1984, ch. 900, §§ 3, 4; 1988, ch. 1013, § 64; T.C.A., § 68-19-102.]

68-121-103. Duties and powers of board — Rules and regulations.

(a) It is the duty of the board to license elevator inspectors as hereinafter provided, and the board has the power and it is its duty to consult with engineering authorities and organizations studying and developing safety codes, including the American Standards Association, and to determine what rules and regulations governing the qualifications, training and duties of elevator operators and the operation, maintenance, construction, alteration and installation of elevators, dumbwaiters and escalators, and the inspection of new and existing installations are adequate, reasonable and necessary to provide for the safety of life, limb and property, and to protect the public welfare and upon such determination shall make, amend or repeal from time to time rules and regulations as follows:

- (1) Rules and regulations for the maintenance and operation of all elevators, dumbwaiters and escalators;
- (2) Rules and regulations for the construction of new elevators, dumbwaiters and escalators;
- (3) Rules and regulations for the alteration of existing elevators, dumbwaiters and escalators;
- (4) Rules and regulations prescribing minimum safety requirements for all existing elevators, dumbwaiters and escalators; and
- (5) Rules and regulations prescribing the fees for construction permits, operating permits, acceptance inspections, initial inspections and periodic inspections for new and existing elevators, dumbwaiters and escalators.

(b) The elevator safety board is also vested with the duty, power, authority and responsibility to regulate aerial passenger tramways in the same manner as provided in this chapter for elevators, dumbwaiters and escalators.

[Acts 1951, ch. 235, § 2; 1953, ch. 229, § 1 (Williams, § 5379.10); Acts 1957, ch. 255, § 2; 1974, ch. 418, § 2; 1978, ch. 805, § 2; 1982, ch. 562, § 4; T.C.A. (orig. ed.), § 53-2603; Acts 1985, ch. 362, § 1; T.C.A., § 68-19-103.]

68-121-104. Powers and duties of department of commerce and insurance.

Except where otherwise provided, the department has the power, and it is its duty, to enforce the provisions of this chapter and the rules and regulations promulgated by the board.

[Acts 1951, ch. 235, § 3 (Williams, § 5379.11); T.C.A. (orig. ed.), § 53-2604; Acts 1984, ch. 900, § 5; T.C.A., § 68-19-104.]

68-121-105. Registration of elevators, dumbwaiters and escalators.

Within sixty (60) days after the date of adoption by the board of rules and regulations under § 68-121-103, the owner or lessee of every existing elevator, dumbwaiter and escalator shall register with the department each such elevator, dumbwaiter or escalator owned or operated by such owner or lessee, giving type, contract load and speed, name of manufacturer, its location and the purpose for which it is used and such other information as the department may require. Such registration shall be made on a form to be furnished by the department on request. Elevators, dumbwaiters and escalators whose erection is begun subsequent to the date of adoption, but prior to the effective date of the rules and regulations adopted under § 68-121-103, shall be registered with the department within not more than seven (7) days after they are completed and placed in service.

[Acts 1951, ch. 235, § 4 (Williams, § 5379.12); T.C.A. (orig. ed.), § 53-2605; Acts 1984, ch. 900, § 6; T.C.A., § 68-19-105.]

68-121-106. Schedule for inspecting and testing of elevators, dumbwaiters and escalators — Report of inspections — Failure to file report..

All new, altered and existing elevators, dumbwaiters and escalators, except dormant elevators, dumbwaiters and escalators, shall be tested and inspected in accordance with the following schedule:

(1) Initial Inspection Test of New or Altered Installations. Every new or altered elevator, dumbwaiter and escalator shall be inspected and tested in conformity with the applicable rules and regulations adopted by the board before the operating permit, required by § 68-121-107, is issued. Such inspections and tests shall be made under the supervision of an elevator inspector licensed and employed by the state.

For each acceptance inspection and report made pursuant to this subdivision:

(A) The installer of an elevator, dumbwaiter or escalator shall pay directly to the department or its authorized representative an inspection fee not to exceed fifty dollars (\$50.00);

(B) The installer of an aerial passenger tramway shall pay directly to the department or its authorized representative an inspection fee not to exceed one hundred dollars (\$100);

(2) Initial Inspection of Existing Elevators, Dumbwaiters and Escalators. The owner or lessee of every existing passenger elevator or escalator shall cause it to be inspected within three (3) months, and the owner or lessee of every existing freight elevator or dumbwaiter shall cause it to be inspected within six (6) months after the effective date of the rules and regulations adopted by the board under § 68-121-103, except that the commissioner may, at the commissioner's discretion, extend the time specified herein for making such inspections;

(3) Periodic Inspections. The owner or lessee shall cause an inspection of every passenger elevator, dumbwaiter, escalator and freight elevator to be made periodically every sixth calendar month, following the month in which the initial inspection required by subdivision (1) or (2) has been made; provided, that any such inspection of either a passenger elevator, dumbwaiter, escalator or freight elevator may be made within the first fifteen (15) days of the month following the calendar month during which such inspection is due. The inspections required by subdivisions (2) and (3) shall be made only by elevator inspectors who have been licensed in accordance with the provisions of § 68-121-110;

(4) Required Inspections. The inspections required by subdivisions (1)-(3) are "required inspections;"

(5) Report of Inspections. A report of every required inspection shall be filed with the department by the inspector making such inspection on a form approved by the department within twenty (20) days after the inspection or test has been completed. For the inspections required by subdivisions (1)-(3), the report shall include all information required by the department to determine whether the elevator, dumbwaiter or escalator is in a safe operating condition and whether the owner or lessee of the elevator or escalator has complied with those rules and regulations adopted by the board under § 68-121-103 which are applicable.

For the inspection required by subdivision (1), the report shall indicate whether the elevator, dumbwaiter or escalator has been installed in accordance with the permit issued by the department, and meets the requirements of the applicable rules and regulations adopted by the board under § 68-121-103;

(6) Failure to File "Report of Inspection" with Department. In the event that the report required by subdivision (5) is not filed with the department within twenty (20) days after the final date when such elevator or escalator should have been inspected, as required by subdivisions (2) and (3), the commissioner shall designate a licensed inspector in the employ of the state to make such inspection and to report to the department. For each such inspection and report made at the direction of the commissioner, the owner or lessee of such elevator or escalator shall pay to the

department an inspection fee of a minimum of five dollars (\$5.00) with a maximum of fifty dollars (\$50.00), such fees to be charged as adopted by the board under § 68-121-103(a)(5). Such fee shall be paid directly to the department, shall not be paid to the inspector, and shall be the only fee for which such owner or lessee shall be liable under this chapter for the inspections required by subdivisions (2) and (3); and

(7) Additional Inspections. In addition to such "required inspections," the commissioner may designate a licensed inspector in the employ of the state to make such additional inspections as may be required to enforce the provisions of this chapter and the rules and regulations adopted by the board under § 68-121-103.

[Acts 1951, ch. 235, § 5; 1953, ch. 229, § 2 (Williams, § 5379.13); 1957, ch. 255, § 3; 1976, ch. 410, § 1; 1977, ch. 61, § 1; 1982, ch. 562, §§ 1, 2; T.C.A. (orig. ed.), § 53-2606; Acts 1983, ch. 315, § 1; 1984, ch. 900, § 7; 1985, ch. 362, § 2; T.C.A., § 68-19-106.]

68-121-107. Operating permits.

(a) It is unlawful to operate any elevator, dumbwaiter, or escalator without a valid operating permit issued in accordance with this section. If an inspection report indicates compliance with this chapter, the commissioner shall issue an operating permit to the owner or lessee of such elevator, dumbwaiter, or escalator; provided, that no permits shall be issued if the fees required by § 68-121-106 have not been paid. The operating permit shall be issued for the period covered by the inspection required by § 68-121-106(1) and (2), shall state the contract load and speed for such elevator, dumbwaiter or escalator, and shall be posted conspicuously in the car or cage or in the platform of the elevator and on or near the dumbwaiter or escalator. It shall be extended by endorsement of the commissioner or the commissioner's duly appointed agent after each periodic inspection required by § 68-121-106(3).

(b) If the inspection report, required by § 68-121-106, indicates failure of compliance with such applicable rules and regulations approved by the board under § 68-121-103, the commissioner shall give notice to the owner or lessee or the person or persons of changes necessary for compliance with such rules and regulations. After such changes have been made, the commissioner shall issue an operating permit. The fee to be charged for the operating permit issued under the provisions of this chapter shall be adopted by the board pursuant to § 68-121-103(a)(5), and shall be in an amount sufficient to defray the cost of administering this chapter. Such fee shall not exceed a maximum of fifty dollars (\$50.00).

(c) If the inspection report, required by § 68-121-106, indicates that an elevator or escalator is in an unsafe condition, so that its continued operation may be dangerous to the public safety, then the commissioner may, at the commissioner's discretion, require the owner or lessee to discontinue the use of such elevator or escalator until it has been made safe and in conformity with the rules and regulations of the board. If the commissioner has reason to believe that any owner or lessee to whom an operating permit has been issued is not complying with the applicable rules and regulations adopted by the board under § 68-121-103, the commissioner shall so notify such owner or lessee and shall give notice of a date for a hearing thereon to such owner or lessee. If, after such hearing, the commissioner shall find that such owner or lessee is not complying with such rules and regulations, the commissioner shall revoke such permit.

(d) No operating permit shall be required for elevators or escalators, which are located in a highly restricted area owned and operated by the United States government. No state permit is to be issued for elevators located in municipalities where elevator inspection ordinances are in force in accordance with the provisions of § 68-121-111, it being the responsibility of such

municipalities to make the inspections and collect permit fees within their respective jurisdictions.

[Acts 1951, ch. 235, § 6; 1953, ch. 229, § 3 (Williams, § 5379.14); 1957, ch. 255, § 4; T.C.A. (orig. ed.), § 53-2607; Acts 1983, ch. 315, § 2; 1985, ch. 354, § 23; 1985, ch. 362, § 3; 1989, ch. 11, § 3; T.C.A., § 68-19-107.]

68-121-108. Installations, relocations or alterations — Submission of plans — Fees.

(a) Plans and Specifications: On and after the effective date of the rules and regulations adopted by the board under § 68-121-103, detailed plans and specifications of each elevator, dumbwaiter or escalator to be thereafter installed, relocated or altered shall be submitted to the department or its authorized representative, together with an application for a construction permit or form to be furnished or approved by the department or its authorized representative. Repairs or replacements normally necessary for maintenance may be made on existing installations with parts equivalent in material, strength and design to those replaced and no plans or specifications or application need be filed for such repairs or replacements.

(b) Construction Permits: (1) A construction permit shall be issued by the department or its authorized representatives for every new elevator, dumbwaiter or escalator installation or alteration before the installation thereof is started. The department or its authorized representative shall issue such permit if the plans and specifications required under subsection (a) indicate compliance with the applicable rules and regulations adopted by the board under § 68-121-103. If such plans and specifications indicate failure to comply with the applicable rules and regulations adopted by the board under § 68-121-103, the department or its authorized representative shall give notice to the person filing the application of changes necessary for compliance with such applicable rules and regulations.

(2) After such changes have been made, the department or its authorized representative shall issue a construction permit. No permit shall be required for the repairs or replacements normally necessary for maintenance.

(c) Fees: (1) A fee shall be paid to the department or its authorized representative for the issuing of construction permits required under subsection (b) for each new or altered elevator, dumbwaiter or escalator. Such fee shall not exceed a maximum of one hundred fifty dollars (\$150) annually. Such fees shall be charged as adopted by the board under § 68-121-103(a)(5) and shall be in an amount sufficient to defray the cost of administering this chapter. The division of boiler and elevator inspection shall give receipts for all fees and sums received and shall transmit the same upon receipt to the state treasurer, who shall maintain a separate account of the same, and the same shall constitute expendable receipts of the department in addition to the appropriations otherwise available.

(2) A fee shall be paid to the department or its authorized representative for the issuing of construction permits required by subsection (b) for each new or altered aerial passenger tramway. Such fee shall not exceed a maximum of one hundred fifty dollars (\$150) annually. Such fees to be charged as adopted by the board under § 68-121-103(a)(5) and shall be in an amount sufficient to defray the cost of administering this chapter. The division of boiler and elevator inspection shall give receipts for all fees and sums received and shall transmit the same upon receipt to the state treasurer, who shall maintain a separate account of the same, and the same shall constitute expendable receipts of the department in addition to the appropriations otherwise available.

(3) A fee shall be paid to the department or its authorized representative for the "acceptance inspection" and for each unscheduled follow-up inspection following the construction or alteration of an elevator, dumbwaiter, escalator or aerial passenger tramway. Such fees shall be charged as adopted by the board under § 68-121-103(a)(5) and shall be in an amount sufficient to defray the cost of administering this chapter. Such fee shall not exceed a maximum of one hundred fifty dollars (\$150) annually. The division of boiler and elevator inspection shall give receipts for all fees and sums received and shall transmit the same upon receipt to the state treasurer, who shall maintain a separate account of the same, and the same shall constitute expendable receipts of the department in addition to the appropriations otherwise available.

[Acts 1953, ch. 229, § 3 (Williams, § 5379.14); 1957, ch. 255, § 5; 1974, ch. 418, §§ 3, 5; 1982, ch. 562, § 3; T.C.A. (orig. ed.), § 53-2608; Acts 1985, ch. 362, § 4; 1989, ch. 11, §§ 4-6; T.C.A., § 68-19-108; Acts 2000, ch. 707, § 1.]

68-121-109. Maintenance in safe operating condition.

(a) Every elevator, dumbwaiter and escalator shall be maintained by the owner or lessee in a safe operating condition and so that it conforms to the rules and requirements of the board as adopted under § 68-121-103.

(b) Every aerial passenger tramway shall be maintained by the owner or lessee in a safe operating condition and so that it conforms to the rules and requirements of the board as adopted under the provisions of §§ 68-121-101, 68-121-103, 68-121-108, and this section.

[Acts 1951, ch. 235, § 7 (Williams, § 5379.15); 1974, ch. 418, § 4; T.C.A. (orig. ed.), §§ 53-2609, 68-19-109.]

68-121-110. Licensing inspectors — Qualifications — Examinations — Fee — Revocation of license.

(a) No person shall be licensed as an elevator inspector to inspect elevators, escalators or new or altered dumbwaiters unless such person is an employee of the state authorized to inspect elevators, escalators and dumbwaiters or an employee authorized to inspect elevators, escalators and dumbwaiters for any insurance company insuring such elevators, escalators and dumbwaiters in this state; provided, that such person has satisfied the board that such person has had experience in inspecting elevators, escalators and dumbwaiters, has satisfactorily passed a written examination given by the board testing such person's knowledge of this chapter and the rules and regulations adopted by the board under § 68-121-103; provided, however, that the board may license a person as an elevator inspector without such examination if such person holds a license as an inspector of elevators for a state or city that has a standard of examination substantially equal to that provided for in this section. A written application for such examination and license shall be made upon a form to be supplied by the board upon request, and shall be accompanied by a statement of the applicant's experience, together with an examination fee of five dollars (\$5.00). Such examination shall be given not more than six (6) months from the date the applicant makes such application. If the applicant has the experience and successfully passes the examinations herein specified, the applicant shall, upon payment to the board of a license fee of five dollars (\$5.00), be entitled to a license as an elevator inspector as a matter of right, and such license shall be renewable annually at a fee of two dollars (\$2.00). There shall be no limit to the number of times an applicant may seek a license as herein provided, except that a rejected applicant may not make a new application within six (6) months from the date on which the applicant is notified that the applicant has failed to qualify. A fee of five dollars (\$5.00) shall be paid to the board for each subsequent examination.

(b) If the board has reason to believe that a licensed inspector is no longer qualified to hold such licensed inspector's license, it shall give such inspector reasonable notice of the time and place of a hearing at which the board shall inquire into the inspector's fitness and competency to act as an elevator inspector. If the board finds that such inspector is no longer qualified to act as an elevator inspector, it shall revoke such inspector's license forthwith, and such inspector shall not thereafter make any inspection required under this chapter.

[Acts 1951, ch. 235, § 8; 1953, ch. 229, § 4 (Williams, § 5379.16); 1957, ch. 255, § 6; T.C.A. (orig. ed.), §§ 53-2610, 68-19-110.]

68-121-111. Municipal laws or ordinances unaffected.

The provisions of this chapter shall not have the effect of replacing any municipal law or ordinance in municipalities having regulations controlling the design, construction, location, installation, inspection and operation of elevators, dumbwaiters or escalators where such local laws, ordinances or regulations are in substantial conformity with the commonly accepted standards of safety concerning the design, construction, location, installation, inspection and operation of elevators, dumbwaiters or escalators and in substantial conformity with the published standards of the American Standard Safety Code for Elevators, Dumbwaiters and Escalators, and nothing in this chapter shall be construed as preventing the local officials or boards of such municipalities from the exclusive right to regulate or enforce all such local laws, ordinances or regulations now in force or hereafter enacted as may comply with the standards above defined, and no provision of this chapter shall be construed as permitting the erection of elevators, dumbwaiters or escalators without first obtaining a building or like permit from the proper municipal authorities in compliance with local laws and ordinances provided therefor.

[Acts 1951, ch. 235, § 8a (Williams, § 5379.17); T.C.A. (orig. ed.), §§ 53-2611, 68-19-111.]

68-121-112. Appeals.

(a) Any person aggrieved by an order or act of the commissioner or department under this chapter may, within fifteen (15) days after notice thereof, appeal from such order or act to the board.

(b) The board shall hear the appeal in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

[Acts 1951, ch. 235, § 9 (Williams, § 5379.18); T.C.A. (orig. ed.), § 53-2612; Acts 1985, ch. 362, § 5; T.C.A., § 68-19-112.]

68-121-113. [Reserved.]

68-121-114. Violations to be prosecuted.

Prosecutions for violations of the provisions of this chapter shall be instituted by the commissioner, and shall be in the form of summary proceedings before a court of competent jurisdiction. Upon conviction, after a hearing, the penalties hereinafter provided for shall be imposed and shall be final, subject to appeal to a court of proper jurisdiction in the manner prescribed by law.

[Acts 1951, ch. 235, § 11 (Williams, § 5379.20); T.C.A. (orig. ed.), §§ 53-2614, 68-19-114.]

68-121-115. Penalties for violations of chapter or permit fee requirements.

(a) Any person, firm or corporation who violates any of the provisions of this chapter or the rules and regulations adopted by the board, or who fails or neglects to pay the fees as required herein, commits a Class C misdemeanor.

(b) The fee for any inspection or operating permit under this chapter shall be increased fifty percent (50%) if such fee is not paid within sixty (60) days from the date of the invoice for such inspection or permit.

[Acts 1951, ch. 235, § 12 (Williams, § 5379.21); 1957, ch. 255, § 7; T.C.A., (orig. ed.), § 53-2615; Acts 1985, ch. 362, § 7; 1989, ch. 591, § 113; T.C.A., § 68-19-115.]