

## DECLARATION OF EMERGENCY

### Department of Public Safety and Corrections Office of State Fire Marshal

#### Conveyance Device Systems and Equipment (LAC 55:V.Chapter 33)

The Department of Public Safety and Corrections, Office of State Fire Marshal (OSFM), has exercised the emergency provision in accordance with R.S. 49:962 of the Administrative Procedure Act, to enact LAC 55:V.Chapter 33 as authorized by R.S. 40:1646, and R.S. 40:1664.1 et seq., relative to the authority of the State Fire Marshal to promulgate and enforce rules, relative to the regulation of Life Safety and Property Protection, in particular, Conveyance Device Systems and Equipment activity.

This Emergency Rule is necessary to prevent imminent peril to the public welfare. This Emergency Rule is necessary to better protect the public safety by allowing the OSFM to require the registration of conveyance devices and equipment and to require annual inspections of registered devices. This Emergency Rule is effective January 1, 2026, and shall remain in effect for 180 days, or until the permanent Rule is adopted, whichever occurs first.

#### Title 55

#### PUBLIC SAFETY

#### Part V. Fire Protection

#### Chapter 33. Conveyance Device Systems and Equipment

##### §3301. Purpose

A. The provisions of this chapter are to establish requirements relating to the regulation of conveyances and conveyance devices as defined in La. R.S. 40:1664.3(15) to include installing, integrating, certifying, registering, inspecting, selling, or servicing of such devices, as well as, to identify the standards and processes by which regulated activities are to be conducted. The requirements for the enforcement of these provisions are established by this chapter in the interest of protecting and preserving lives pursuant to the authority of R.S. 40:1646 and R.S. 40:1664.1 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

##### §3303. Administration; Adopted Standards

A. The Office of State Fire Marshal (OSFM), which administers the provisions of R.S. 40:1646, relating to the Inspection of Life Safety Systems and Equipment, and R.S. 40:1664.1, et seq., relating to the Life Safety and Property Protection Licensing law, is located at 8181 Independence Blvd., Baton Rouge, LA 70806.

B. When conveyance device systems or equipment are a component of any new construction, renovation, or alteration that is required to undergo plan review and approval by the OSFM subject to R.S. 40:1574, all work shall be subject to the codes, standards, and incorporated reference standards of the Louisiana State Uniform Construction Code, as adopted or amended by the Louisiana State Uniform Construction Code Council (LSUCCC), pursuant to the authority of R.S. 40:1730.28, and as enumerated in LAC 17:I.103-105.

1. The LSUCCC has adopted the International Building Code (IBC) and International Existing Building Code (IEBC), which together are controlling codes for all

work performed in accordance with Paragraph B. The currently adopted codes, editions, reference standards, and amendments may be found on the LSUCCC website at [www.lsuccc.la](http://www.lsuccc.la).

C. Conveyance device systems and equipment that are subject to repairs, maintenance or inspections required by this Chapter shall be subject to the applicable standards set forth by the American Society of Mechanical Engineers (ASME) that were in effect at the time the building was constructed or the device was installed or substantially altered.

1. Where a conveyance device system or equipment were installed or altered prior to June 30, 2026, the applicable ASME edition in effect are set forth in the following table:

Building and/or Conveyance Device Constructed, Remodeled, or Altered	Life Safety Code Edition (NFPA 101)	International Building Code Edition (IBC)	American Society of Mechanical Engineers Code A17.1 Edition (ASME)
prior to 1/1/1975	1967		1965
1/1/1975 to 12/31/1979	1973		1971
1/1/1980 to 8/31/1981	1976		1971
9/1/1981 to 8/31/1986	1981		1978
9/1/1986 to 2/18/1989	1985		1984
2/19/1989 to 5/31/1992	1988		1987
6/1/1992 to 1/4/1995	1991		1990
1/5/1995 to 5/31/1998	1994		1993
6/1/1998 to 6/30/2001	1997		1996
7/1/2001 to 12/31/2001	2000		1996
1/1/2002 to 6/30/2004	2000		1996
7/1/2004 to 9/30/2007	2003		2000
10/1/2007 to 6/30/2010	2006	2006	2004
7/1/2010 to 12/31/2013	2009	2009	2007
1/1/2014 to 6/30/2017	2012	2012	2007
7/1/2017 to 12/31/2022	2015	2015	2013
1/1/2023 to 6/30/2026	2015	2021	2019
The inclusion of the Life Safety Code (NFPA 101) and the International Building Code (IBC) edition is for reference only as each refers to the ASME, in substantial part, for conveyance device standards.			

2. Where a conveyance device system or equipment is installed or substantially altered after July 1, 2026, the determination of the applicable codes, standards, and incorporated reference standards shall be made by the Louisiana State Uniform Construction Code, as adopted or amended by the LSUCCC, pursuant to the authority of R.S. 40:1730.28, and as enumerated in LAC 17:I.103-105. All codes, standards and reference standards may be found online at [www.lsuccc.la](http://www.lsuccc.la).

D. The following publications are adopted for guidance purposes and shall not be binding on the OSFM. In all cases the edition considered shall be the most current edition at the time of the inspection, certification or related activity:

1. ASME A17.2 (2023)—Guide for Inspection of Elevators, Escalators, and Moving Walkways.

2. ASME QEI-1 (2024)—Standard for the Qualification of Elevator Inspectors.

E. Should a conflict arise between any adopted code or standard and the provisions of R.S. 40:1646 and R.S. 40:1664.1 et seq., the provisions of R.S. 40:1646 and R.S. 40:1664.1, et seq. shall apply.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1563(F), R.S. 40:1578.6(A), R.S. 40:1578.7(E), R.S. 40:1646, R.S. 40:1664.2, R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3305. Applicability of Rules**

A. These rules shall apply to all firms and persons engaged in conveyance device systems and equipment activity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3307. Exceptions, Conflicts**

A. These rules shall not apply to the following:

1. owners, firms and/or persons engaging in conveyance device systems and equipment activity in one-or two-family dwellings; and

2. any employee or representative of a manufacturer of a conveyance device or a firm that is contracted with the manufacturer who conducts the programming of the device onsite or remotely. This exception would not apply to conveyance device mechanics who are required to possess a license issued by the Office of State Fire Marshal.

B. Conveyances and equipment not subject to the rules set forth in this Chapter include, but are not limited to, the following:

1. conveyance devices, equipment or apparatus installed in buildings or structures wholly owned by the United States government;

2. material hoists within the scope of ANSI A10.5;

3. mobile scaffolds, towers and platforms within the scope of ANSI A92;

4. powered platforms and equipment for exterior and interior maintenance within the scope of ANSI A120.1;

5. conveyors and related equipment within the scope of ASME B20.1;

6. cranes, derricks, hoists, hooks, jacks, and slings within the scope of ASME B30;

7. industrial trucks within the scope of ASME B56;

8. portable equipment, except for portable escalators that are covered by ASME A17.1 and ASME A17.7;

9. tiering or piling machines used to move materials to and from storage located and operating entirely within one story;

10. equipment for feeding or positioning materials at machine tools, printing presses, or similar equipment;

11. skip or furnace hoists;

12. wharf ramps;

13. amusement devices;

14. stage and orchestra lifts;

15. lift bridges;

16. railroad car lifts and dumpers;

17. mechanized parking garage equipment;

18. line jacks, false cars, shafters, moving platforms, and similar equipment used for installing a conveyance

device by a conveyance device mechanic licensed in this state;

19. platform-type elevators installed on board marine vessels; and

20. marine elevators within the scope of ASME17.1.

21. any exceptions contained or noted within the adopted codes and standards.

C. Where a conflict exists between the requirements of the original manufacturer's instructions and recommendations and the currently adopted code and reference standards, the more rigorous criteria shall prevail.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3309. Notices by the Fire Marshal**

A. Any notice required to be given by the State Fire Marshal by any provision of R.S. 40:1664.1 et seq., or these rules shall be provided as follows:

1. personal or domiciliary service or mailed, postage prepaid, to the person's residence or firm address or agent of service as it appears in the records in the Office of State Fire Marshal (OSFM). It is the responsibility of the person or firm involved to ensure that the OSFM has a correct address for the person or firm; or

2. electronic transmission or electronic mail (email) if the electronic transmission or email is retrievable in a perceivable form and the OSFM and recipient have consented in writing to the use of such form of electronic transmission or email for purposes of notice or communication between the parties.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3311. Definitions**

A. The following words and terms, when used in these rules, shall have the following meanings, unless the context clearly indicates otherwise:

*Alteration*—any change to equipment, including its parts, components, and/or subsystems, other than maintenance, repair, or replacement. Alteration, as a part of a repair or replacement that is included with other work that is classified as an alteration pursuant to currently adopted code.

*Annual Certification*—the attestation following an inspection, conducted at yearly intervals, certifying the proper functionality of conveyance devices and equipment in accordance with all applicable engineered and/or manufacturer specifications and the testing and maintenance chapters as set forth in the applicable codes and/or standards. Pursuant to R.S. 40:1664.1, et seq., annual certifications of conveyance devices and equipment shall not be required until January 1, 2026.

*ANSI*—the American National Standards Institute.

*Apprentice*—a person who is licensed to work under the direct supervision and accompaniment of a conveyance device systems and equipment inspector and/or mechanic who is licensed with the same firm and holding a valid license to perform the same acts.

*Apprentice Endorsement*—a document issued by the State Fire Marshal that authorizes a person who is licensed to work under the direct supervision and accompaniment of a conveyance device systems and equipment inspector and/or mechanic who is licensed with the same firm and holding a valid license to perform the same acts.

*ASCE*—the American Society of Civil Engineers.

*ASME*—the American Society of Mechanical Engineers.

*Certify*—to attest to the proper functionality, inspection, construction, installation, alteration, repair, removal, and/or operation of conveyance device systems and equipment in accordance with all applicable engineered specifications, manufacturer's specifications, and per the inspection, testing, and maintenance chapters as set forth in the applicable codes and standards.

*Contact Person*—an individual designated by a firm to act as liaison with the Office of State Fire Marshal.

*Conveyance Device Registration*—the requirement that a conveyance device owner or installing firm identify any existing or newly installed conveyance device by submitting the required information to the Office of State Fire Marshal via the portal located on the OSFM's web page, which can be accessed at [www.lasfm.org](http://www.lasfm.org).

*Conveyance Device Systems and Equipment*—those systems and equipment designed to facilitate the movement of people, objects, or material from one floor landing of a structure or location to a landing located on the same floor or different floor(s). Conveyance device systems include, but are not limited to, elevators, dumbwaiters, platform hoists, wheelchair lifts, power-driven stairways including escalators and moving walkways, and other related devices and equipment.

*Conveyance Device Systems and Equipment Activity*—the act of certifying, inspecting, installing, maintaining, repairing, removing, decommissioning, and servicing of conveyance device systems and equipment pursuant to R.S. 40:1664.1 et seq. and these rules and applicable standards.

*Conveyance Device Systems and Equipment Inspector*—a person who possesses a valid inspector's license issued by the Office of State Fire Marshal in accordance with the provisions of R.S. 40:1664.1 et seq. and these rules; is employed by a licensed conveyance device systems and equipment firm; and is entitled to conduct inspections and certifications of conveyance device systems and equipment.

*Conveyance Device Systems and Equipment Inspector Endorsement*—a document issued by the Office of State Fire Marshal that authorizes a firm or person to engage in the inspection and/or certification of conveyance device systems and equipment.

*Conveyance Device Systems and Equipment Mechanic*—a person who possesses a valid mechanic's license issued by the Office of State Fire Marshal in accordance with the provisions of R.S. 40:1664.1 et seq., these rules, and who is employed by a licensed conveyance device systems and equipment firm, an is entitled to install, erect, construct, alter, service, repair, dismantle, test, perform electrical work on, and maintain conveyance device systems and equipment.

*Conveyance Device Systems and Equipment Mechanic Endorsement*—a document issued by the Office of State Fire Marshal that authorizes a firm or person, as defined by R.S. 40:1664.3, to engage in the installation, erecting, constructing, altering, servicing, repairing, performing electrical work on, dismantling, testing, and maintaining of conveyance device systems and equipment.

*Direct Supervision: Conveyance Device Systems and Equipment Inspector or Mechanic*—either a qualifier who oversees a firm's employees or by an inspector or mechanic

oversight of an apprentice. The qualifier, inspector, mechanic, and apprentice must be licensed to the same firm. Qualifiers are considered to provide direct supervision of employees if they routinely engage in and regularly review the daily conveyance device systems and equipment activity of the firm. For an inspector or mechanic to provide direct supervision of an apprentice, both must be physically present at the same work location. They are not required to constantly be in line of sight of each other.

*Emergency Conveyance Device Mechanic License*—a license issued, usually on a short-term basis, to an individual during a declared state of emergency or a major work stoppage authorizing the holder to conduct critical, regulated services on behalf of a licensed firm.

*Existing Installation*—means any elevator, escalator, moving walkway, or other conveyance device as subject to the provisions of R.S. 40:1664.1 et seq. and these rules, in operation prior to July 1, 2019.

*Firm*—a sole proprietorship, partnership, corporation, limited liability company or any other entity.

*Five-Year Safety Test*—a full load safety test of a conveyance device conducted in 5 year intervals in accordance with the adopted codes and standards. It is referenced in ASME A17.1 as a Category 5 test. It requires testing steps listed in an annual, plus additional steps needed to complete a Category 5 test.

*Historical Character Variance*—the approval of a different solution to compliance with the intent of these rules, including consideration of the impact to the historical character of the conveyance device and/or building.

*IBC*—the International Building Code, a nationally recognized standard-making organization.

*Inspection*—a visual examination of a system, equipment or portion thereof to verify that it appears to be in operating condition and is free of physical damage in accordance with manufacturer's specifications, R.S. 40:1664.1 et seq., these rules, and any applicable adopted code.

*Installation*—the initial placement of a conveyance device system or equipment in accordance with manufacturers' installation and design manuals and specifications and any applicable adopted codes.

*Integration*—the act of utilizing accepted and approved fire protection systems and/or equipment and components in accordance with conveyance device and equipment manufacturers' specifications to develop a unified and functioning system meeting applicable codes and standards. This definition shall not be construed to allow conveyance device systems and equipment mechanics to conduct regulated fire protection-related activities without the proper endorsement(s).

*License*—the act of the Office of State Fire Marshal authorizing a firm and its employees to engage in the activities as defined by R.S. 40:1664.1 et seq. and these rules.

*License Certificate*—a document issued by the Office of State Fire Marshal to a firm or person authorizing either to engage in such activities as defined by R.S. 40:1664.1 et seq. and these rules, also informally referred to as "License."

*Limited Conveyance Device Mechanic*—an individual who is licensed through the State Fire Marshal and erects, constructs, installs, alters, services, repairs, or maintains only platform lifts, stairway chairlifts, and limited-use-

limited application, or LULA, elevators in commercial and industrial structures.

*Limited Conveyance Device Mechanic Endorsement*—an endorsement that allows the holder to erect, construct, install, alter, service, repair, or maintain only platform lifts, stairway chairlifts, and limited-use-limited application, or LULA, elevators in commercial and industrial structures.

*Maintenance*—tasks, procedures, examinations, and tests required to keep an elevator, escalator, or other conveyance in a safe condition and compliant with the code. This process includes regular cleaning, lubricating, adjusting components, and repairing or replacing worn or defective parts.

*Maintenance Control Program (MCP)*—a documented set of maintenance tasks, maintenance procedures, examinations, and tests designed to ensure that equipment is maintained in compliance with the currently adopted codes, standards, and reference standards.

*Mileage Determination*—all assessments of mileage shall be made by calculating the straight-line distance between two addresses. Calculations should be performed using a reliable third-party mapping tool (e.g., Google Maps "Measure distance" feature).

*New Installation*—any elevator, escalator, moving walkway or other conveyance device as subject to the provisions of R.S. 40:1664.1 et seq. and these rules, installed and in operation after July 1, 2019.

*New Technology Variance*—means the deferral of compliance with the current requirements of the adopted codes, standards and reference standards, but the component, system, sub-system, function or device is found to be equivalent or superior to the standards adopted in these rules.

*NFPA*—the National Fire Protection Association, a nationally recognized standards-making organization.

*Office*—the Office of State Fire Marshal.

*Operating Location*—a physical office which houses employees and business documents or records and from which the acts authorized by the license are performed. The office shall conspicuously post the facilities business hours and ensure the facility is open and accessible during the posted hours. This includes the usage of a licensed temporary structure, commonly referred to as a "job shack," located at a construction site. The use of a storage facility, virtual office, telephone answering service, retail mail drop box, or Post Office Box shall not constitute an operating location for purposes of these rules.

*Out of Service*—rendering a conveyance device inoperable in compliance with the requirements of currently adopted codes, standards, and reference standards, to include disconnecting the mainline power servicing the device. This work must be performed by an OSFM licensed conveyance device mechanic.

*Person*—a natural individual, including any owner, manager, officer, or employee of any firm.

*Pocket License*—a document issued by the Office of State Fire Marshal to an employee of a licensed firm, in pocket size and bearing a photographic image of the licensee, evidencing the OSFM's authorization of the employee to engage in the activities as defined by these rules. It is also referred to as "License."

*Principal*—a person or business entity that has a controlling interest of a firm regardless of the form of organization. It includes a person or business entity entitled

to exercise the prerogatives or indicia of ownership or control of a firm whether by direct action, assignment, or any other kind of substitution or subrogation.

*Programming*—to set characteristics, either on site or remotely, of the conveyance device system or equipment that customize or configure it according to designed parameters. The term includes but is not limited to, updating software, transferring signals being monitored or the performance of a similar activity.

*Qualifying Person*—the employee of a firm who currently meets the certification, examination, and training requirements set for each endorsement by R.S. 40:1664.1 et seq. and/or the Life Safety and Property Protection Education Board.

*Re-Inspection*—an inspection conducted by a licensed conveyance device system and equipment inspector subsequent to an initial inspection during which deficiencies were identified. The purpose of a re-inspection is to ensure corrective measures have been taken that will result in bringing the conveyance device system or equipment into compliance with R.S. 40:1664.1 et seq., manufacturer specifications, adopted codes and these rules.

*Return to Service*—the process of certifying for use a conveyance device that was previously rendered "out of service".

*Repair*—the replacement or renewal of any part of a conveyance device for the purpose of maintenance, restoration, or other that does not constitute an alteration.

*Service*—the act of routine maintenance, repair or replacement of conveyance device systems and equipment to ensure the proper functioning of the systems and equipment.

*Temporary Construction Elevator or Hoist*—a device used to lift or move personnel, tools, equipment and materials to or between multiple floors or heights of a building that is under construction, renovation or demolition. The device is installed and maintained on a temporary basis and is later dismantled and removed upon completion of the construction, renovation or demolition. The lifting force of the device is provided by either a rack and pinion system for ferrying persons or a drum (or wheel) on which a wire or fiber rope or chain is wrapped for moving materials. Device types include electro-hydraulic, manual or lever-operated, base-mounted, or pendant crane.

*Temporary Use*—the use of a permanent passenger or freight conveyance device within a building that is under construction, renovation or demolition for the purpose of moving only construction personnel, tools, equipment and materials to or between multiple floors on a temporary basis until the completion of the construction, renovation or demolition.

*Work Stoppage*—includes, but is not limited to, the cessation of work or slowdown of work, or other concerted interruption of operations by employees as an intentional action and not by a declared emergency or act of God.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3313. Certificate of Licensure, License Required**

A. Each firm engaged in conveyance device systems and equipment activity shall apply for a license under the endorsements desired in accordance with these rules prior to conducting any such activity in this state. Each firm that is

approved for licensure by the Office of State Fire Marshal (OSFM) shall receive a certificate of licensure.

B. Each firm on behalf of its employees, including apprentices, engaged in conveyance device systems and equipment activity shall apply for a license under the endorsements desired in accordance with these rules prior to conducting any such activity in this state. Each person or employee, including apprentices, approved for licensure by the OSFM shall receive a pocket license as evidence of licensure.

C. Any firm and/or person described in subsection A or B of this section, which has not applied for and received valid license (certificate of licensure or pocket license), shall immediately cease conveyance device systems and equipment activity. The OSFM may take all steps necessary to enforce an order to cease and desist.

D. An apprentice may remain so long as the individual or firm desires.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3315. Firm Certificate of Licensure**

A. Required. Every firm must obtain from the Office of State Fire Marshal (OSFM) a certificate of licensure with the appropriate endorsements as provided for by R.S. 40:1664.1 et seq. and these rules, before engaging in conveyance device systems and equipment activity.

1. Each firm shall have at least one licensed individual per endorsement of license to perform the act or acts authorized by its license and endorsement(s).

2. Firms and their owners, principals, and qualifiers shall be responsible for the acts of their employees for the purpose of these rules, and may be a responsible party in an administrative action by the OSFM.

B. The following shall apply to a certificate of licensure:

1. Posting. Each certificate of licensure shall be posted conspicuously at each operating location and/or branch office premises. All firms without an operating location within this state shall be required to purchase duplicate certificate(s) of licensure to post in each vehicle which comes into this state to conduct regulated activities.

2. Changes listed below require written notification to the OSFM within 10 days of the change.

a. Change of Ownership. The change of a firm's majority ownership invalidates the current certificate of licensure and requires a new certificate of licensure. To ensure continuance of the firm license, an application for a new certificate of licensure shall be submitted to the OSFM within 10 days of the change in ownership.

b. Change of Corporate Officers or Limited Liability Company Members. Any change of corporate officers or members of a limited liability company must be reported in writing to the OSFM within 10 days. This change does not require a revised certificate of licensure.

c. Duplicates. A duplicate certificate of licensure must be obtained from the OSFM to replace a lost or destroyed certificate. Requests for duplicate certificates must be accompanied by the required fee as specified in R.S. 40:1664.1 et seq. and these rules.

d. Revisions/Changes. The change of a firm's name, location, mailing address, or operating status requires a revision and replacement of the certificate of licensure.

Where certificates of licensure require a change the holder shall surrendered the existing certificate to the OSFM within 10 days.

3. Non-Transferability. A certificate of licensure is not transferable from one firm to another.

4. Validity. A certificate of licensure is valid for the number of years issued by the OSFM. For a certificate of licensure to remain valid, the firm must pay the annual fees, any outstanding fines, penalties, or other obligations due, provide a current insurance certificates and provide a current affidavit from its qualifier(s).

a. Where the certificate of licensure expires the firm shall immediately cease conveyance device systems and equipment activity pursuant to R.S. 40:1664.4.

5. Failure to Return a Certificate of Licensure. Whenever a firm is required to return a certificate of licensure or pocket license and fails to do so within 10 days, the firm shall be subject to an administrative penalty of no more than \$250.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646 and R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3317. Application for Firm Certificate of Licensure**

A. Applications for a certificate of licensure for conveyance device systems and equipment firms shall be in writing on the forms provided by the Office of State Fire Marshal (OSFM) or online via the portal located on the OSFM's web page, when available, which can be accessed at [www.lasfm.org](http://www.lasfm.org).

B. The application for firm licensure shall:

1. be executed by the sole proprietor, by each partner of a partnership, by the authorized officer of a corporation, by members/managers of a limited liability company, or by the managing group of an association;

2. identify the type of endorsement applied for;

3. identify the physical and mailing address of the firm;

4. identify any and all names by which the firm may conduct activity regulated by R.S. 40:1664.1 et seq., and these rules;

5. identify a contact person and their contact information including phone number and email address as defined by these rules;

6. identify the qualifying person for each endorsement applied for;

7. identify any and all past violations or pending administrative or legal action(s) against the firm in any local, state, or federal jurisdiction;

8. include a separate employee application for the qualifying person along with the qualifying person's credentials as required by R.S. 40:1664.1 et seq. and the Life Safety and Property Protection Education Board and an originally signed employment affidavit;

9. include a separate employee application for each inspector, mechanic, and/or apprentice along with the required training or certification credentials as established by R.S. 40:1664.1 et seq. and the Life Safety and Property Protection Education Board. A firm must employ and license at least one inspector and/or mechanic, as applicable based on the firm's valid endorsement;

10. for out of state firms, include a list of all vehicles which shall come into this state to conduct conveyance

device systems and equipment activity regulated by R.S. 40:1664.1 et seq., and these rules. The list shall include make, model, color, year, state of registration, and license plate number.

C. The application shall also include written authorization by the applicant permitting the State Fire Marshal or his representative to enter, examine, and inspect any premise, building, room, vehicle, or establishment used by the applicant while engaged in activity to determine compliance with the provisions of R.S.40:1664.1 et seq., and these rules.

D. The application shall be accompanied by:

1. an original certificate of insurance by the issuer documenting that the firm has a minimum of \$500,000 in general liability coverage for the activities in which the firm is licensed; and

2. an original certificate of insurance by the issuer documenting that the firm has a current and valid worker's compensation insurance policy as required.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3319. Individual License**

A. Required. Each person who engages in conveyance device systems and equipment activity shall have a current and valid license issued by the Office of State Fire Marshal (OSFM).

1. Secretaries, drivers, accounting personnel, sales representatives, managers, and other administrative staff shall not be required to have a license pursuant to R.S. 40:1664.4.

2. For the purpose of license required by R.S. 40:1664.4, the firm owner or owners shall not be required to obtain a license unless they are performing conveyance device system and equipment activity.

3. An employee must be a W-2 or K-1 employee.

B. Types of Endorsements. Each license shall be identified by the endorsements, which indicate the authorized act or acts which may be performed by the licensee as follows:

1. conveyance device systems and equipment inspector.

2. conveyance device systems and equipment mechanic.

3. limited conveyance device mechanic.

4. life safety apprentice.

C. Posting. It is not necessary to post an employee license on a wall. A master list of all employees' names and license numbers must be kept at each office location and must be available for review upon request by the State Fire Marshal or his designated representative.

D. Pocket License. The pocket license is for immediate identification purposes and shall be kept on the recipient's person at all times when conducting regulated activity. The pocket license need not be visibly displayed when working in areas where the license may be damaged or lost. The license shall bear the name of the employing firm. The license must be available for inspection upon request.

E. Duplicate License. A duplicate license must be obtained from the OSFM to replace a lost or destroyed license. The license holder and his employer must submit written notification within 10 days of the loss or destruction

of a license, accompanied by the required fee as specified in these rules.

F. Revised License. The change of a licensee's employer, home address or mailing address, or employment status requires a revised license. Licenses requiring revision must be surrendered to the OSFM within 10 days after the change requiring the revision. The employer of the license holder must submit written notification of the necessary change with the surrendered license, accompanied by the required fee as specified in these rules.

G. Non-Transferable. A license is not transferable from one person to another.

H. License Reciprocity. The State Fire Marshal may waive license requirements for an applicant with a valid license from another state if that state has license requirements substantially equivalent to Louisiana's requirements and if the issuing state recognizes licenses issued by the OSFM. The State Fire Marshal may accept the qualifying standards of an applicant licensed by another state if that state has license requirements substantially equivalent to Louisiana's and if the issuing state recognizes licenses issued by the OSFM.

I. Validity. A license is valid for the number of years issued by the OSFM. For a certificate of licensure to remain valid, the individual must pay the annual fees, any outstanding fines, penalties, or other obligations due, and all continuing education requirements, as set forth by R.S. 40:1664.1 et seq. and the Life Safety and Property Protection Education Board.

- a. Where the certificate of licensure expires, the employee shall immediately cease conveyance device systems and equipment activity pursuant to R.S. 40:1664.4.

J. Transfer of Employer. When a currently licensed employee transfers to a new employer, a revised license shall be required indicating the new firm's information. The license shall be revised to show the same expiration date of the new employer. Upon receipt of the revised application by the Office of State Fire Marshal, the individual may go to work for the new employer while awaiting the processing of the license. The transferring employee shall not be authorized to engage in any work beyond that which they are currently authorized to perform.

K. Age Limitations. For the purpose of licensing, no one under the age of 18 shall be eligible to apply for or receive any conveyance license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3321. Applications for Individual Licenses**

A. Applications for a license for an employee of a licensed firm shall be on forms provided by the Office of State Fire Marshal (OSFM) and accompanied by the required fee as specified in R.S. 40:1664.1 et seq. and these rules. Applications can also be completed and submitted online via the portal located on the OSFM's web page, when available, which can be accessed at [www.lasfm.org](http://www.lasfm.org), and accompanied by the required fee as specified in R.S. 40:1664.1 et seq. and these rules.

B. Applications for individual licensure shall identify:

1. the type of endorsement applied for;
2. the individual's home address;
3. the licensed firm's physical and mailing address, if different;

4. any and all names under which the individual may have conducted conveyance device systems and equipment activity regulated by R.S. 40:1664.1 et seq., and these rules, if not the same as on the application;

5. the social security number; and

6. any and all past violations or pending administrative or legal action(s) against the applicant in any local, state, or federal jurisdiction.

C. A firm submitting an application for an employee seeking licensure for any conveyance device system and equipment endorsement shall submit documentation that demonstrates the employee meets all certification, continuing education, training, and testing requirements established by the Life Safety Property Protection Education Board pursuant to R.S. 40:1664.11.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3323. Alteration of License Certificates.**

A. Any alteration of a license certificate renders it invalid and such alteration shall be the basis for administrative action in accordance with penalties set forth in R.S. 40:1664.1 et seq., and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3325. Qualifying Persons**

A. A firm must employ at least one qualifying person for each endorsement it has applied for. No conveyance device system or equipment shall be certified, inspected, installed, integrated, maintained, serviced, or the plans thereof submitted, if required, to the Office of State Fire Marshal (OSFM) for review if the firm does not employ a qualifying person as provided herein.

B. The qualifying person shall be a paid employee working a minimum of 32 hours per week and shall receive a W-2 or K-1 tax form from the firm. The qualifier shall only qualify one firm for which he is employed. An individual may not qualify multiple firms at the same time. However, a firm may employ multiple qualifiers. A contract employee cannot be used to fulfill this requirement except as provided by Subsection G below.

C. The qualifying person shall be primarily and actively engaged in direct supervision of the daily conveyance device activity of the firm's employees and for those systems or equipment for which the firm holds endorsements. If a firm holds multiple endorsements, then multiple qualifiers may be utilized to meet this requirement. Upon request by the State Fire Marshal or his representative(s), a qualifier shall provide documentation attesting to his or her supervision of any certification, integration, inspection, installation, maintenance or service performed by the firm he or she qualifies.

D. A qualifier must physically reside within 200 miles of the operating location.

E. A qualifier must meet the minimum examination, certification, and training requirements as established by R.S. 40:1664.1 et seq. and the Life Safety and Property Protection Education Board. The OSFM shall send notice to licensed firms of all changes to qualifier credentials made by the Life Safety and Property Protection Education Board.

F. At any time a firm finds itself without a qualifying person, such firm shall be able to continue certifying,

inspecting, maintaining and/or servicing existing contractual obligations only for that endorsement and shall not engage in any new work until a qualifying person has been employed as provided herein. A firm may not submit plans to the OSFM when it finds itself without a qualifying person.

G. The OSFM shall be notified in writing within 10 working days any time a qualifying person's employment is terminated for any reason.

H. A firm which loses its qualifying person and has timely notified the OSFM shall have 90 days to hire another qualifying person. If after the loss of such an employee, a replacement cannot be found within the 90 days, the firm may make a request to the OSFM to temporarily hire a qualifying person on a contractual basis. Good cause must be shown why another employee cannot be permanently hired. Approval by the OSFM to hire a qualifying person on a contractual basis will be given in six-month month increments and shall not exceed one year. Not later than 30 days prior to the expiration of any initial six-month period, the firm may request an additional six-month period to employ a qualifying person on a contractual basis if good cause is shown why the firm cannot hire an employee to fulfill this requirement.

I. Failure to notify the OSFM in writing within 10 working days of the loss of a qualifying person will cause forfeiture of any extension of time to hire another qualifying person.

J. A qualifying person must obtain an individual employee license as required by these rules. Licensure of the qualifier shall include a signed and notarized affidavit indicating the employment relationship and duties of the qualifier. If a firm desires to use multiple qualifiers for submitting plans and supervising the conveyance device activity of the firm, then it must register and license the additional qualifiers with the OSFM.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3327. Emergency Conveyance Device Mechanic License**

A. An emergency conveyance device mechanic license may be issued by the Office of State Fire Marshal (OSFM) when an emergency exists in the state due to a natural disaster, as declared by the President of the United States or the Louisiana Governor, or a major work stoppage, and the requesting licensed conveyance device mechanic firm submits an attestation to the OSFM certifying each of the following:

1. There is a shortage of conveyance device mechanics available to address and manage the demand caused by the emergency or work stoppage, to include the number of available persons and the number of existing positions needing to be filled; and

2. The shortage of licensed conveyance device mechanics in the state jeopardizes the safety of the public.

B. The State Fire Marshal shall make a determination, based on all information available and on the attestation of the requesting firm, whether to approve the request for emergency licensure. If the request is approved, the requesting firm shall submit to the State Fire Marshal a separate attestation certifying that each individual for which an emergency license is sought, meets the following qualifications:

1. the individual has worked as a conveyance device mechanic for not less than two years and 3000 hours, within the last three years, with or without immediate or direct supervision; and

2. the individual has received a National Association of Elevator Contractors Associate Elevator Technician (AET), or

3. Level 1 certification or equivalent.

C. If the individual is approved for emergency licensure, he or she shall receive a license certificate, a copy of which shall be kept on his or her person or in his or her service vehicle. The emergency license shall be valid for a period of 60 days from the date of issuance and shall entitle the licensee to the rights and privileges of a licensed conveyance device mechanic.

D. An emergency license is not transferable from one firm to another firm. Upon written request, an emergency license may be extended, but shall not exceed one year from the date of initial issuance, unless mitigating circumstances regarding the emergency declaration or work stoppage exist and are recognized by the State Fire Marshal in writing and an extension of the emergency license is determined to be necessary.

E. All attestations shall be submitted in the form of a notarized affidavit in accordance with the provisions of R.S. 40:1664.9(M)(4).

F. Initial and renewal fees for emergency licenses shall be in accordance with the provisions of R.S. 40:1664.9(M)(5).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3329. Temporary Conveyance Device Mechanic License**

A. A temporary conveyance device mechanic license may be issued by the Office of State Fire Marshal (OSFM) upon receipt of either the following:

1. an attestation from the requesting licensed conveyance device mechanic firm that, despite its best efforts, there is an insufficient number of licensed conveyance device mechanics needed to perform conveyance device mechanic activities; or

2. an imminent increase in conveyance device mechanic activities exist, with a detailed description of the increase in activities.

B. The State Fire Marshal shall make a determination, based on all information available and on the attestation of the requesting firm, whether to approve the request for temporary licensure. If the request is approved, the requesting firm shall submit to the State Fire Marshal a separate attestation certifying that each individual for which a temporary license is sought meets the following qualifications:

1. the individual has worked as a conveyance device mechanic for not less than two years and 3000 hours, within the last three years, with or without out immediate or direct supervision; and

2. the individual has received a National Association of Elevator Contractors Associate Elevator Technician (AET), or

3. Level 1 certification or equivalent.

C. If the individual is approved for temporary licensure, he or she shall receive a license certificate and pocket

identification card. The temporary license shall be valid for a period of 180 days from the date of issuance and shall entitle the licensee to the rights and privileges of a licensed conveyance device mechanic.

D. Temporary licenses may be approved by the OSFM for renewal. The requesting licensed conveyance device mechanic firm shall provide an attestation to the OSFM certifying that, despite its best efforts, there continues to be an insufficient number of licensed conveyance device mechanics needed to perform conveyance device mechanic activities or an imminent increase in conveyance device mechanic activities. The information provided should be described in extensive detail. The OSFM may refuse to renew a temporary license for a person who qualifies for regular licensure.

E. A temporary license is not transferable from one firm to another firm. It is valid only for the work performed for the licensed conveyance device mechanic firm that made the request and was approved by the State Fire Marshal.

F. All attestations shall be submitted in the form of a notarized affidavit in accordance with the provisions of R.S. 40:1664.9(L)(2).

G. Initial and renewal fees for temporary licenses shall be in accordance with the provisions of R.S. 40:1664.9(L)(6).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52: **§3331. Fees—General Information**

A. Every fee required in accordance with the provisions of R.S. 40:1664.1 et seq., and these rules, shall be paid by firm check or certified funds/check made payable to the "Office of State Fire Marshal" (OSFM). Cash or personal checks cannot be accepted.

B. Fees shall be paid:

1. at, or mailed to, the OSFM, Attention Licensing Section, at 8181 Independence Blvd., Baton Rouge, Louisiana 70806; or

2. online by visiting the OSFM at [www.lasfm.org](http://www.lasfm.org).

C. A renewal application accompanied by the required renewal fee and deposited with the United States Postal Service is deemed to be timely filed, regardless of actual date of delivery, when its envelope bears a legible postmark date which is on or before the expiration date of the license being renewed.

D. Late fees are required for renewal of all expired licenses as outlined in R.S. 40:1664.1 et seq.

E. Licenses which have been expired for more than 60 days will be suspended and applicants must apply and pay for a new license in accordance with R.S. 40:1664.9 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52: **§3333. Fees—Specific Information**

A. All fees associated with both individual and firm licensure, to include, endorsements, late fees, changes, renewals, revisions, transfers, and duplicates shall be in accordance with R.S. 40:1664.9.

B. Conveyance Device Inspections Fee. A conveyance device inspector shall pay the conveyance device inspections fee in exchange for a certificate of operation provided by the Office of State Fire Marshal which will then be attributed to the conveyance device that has passed inspection.



1. No fee is owed to the OSFM where a device fails an inspection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

**§3335. Initial Individual Licensure; Continuing Education**

A. Initial Licensure. Applicants for initial individual licenses are required to meet the initial licensure requirements as established pursuant to R.S. 40:1664.7 and the Life Safety and Property Protection Education Board.

B. Continuing Education. Individuals who wish to renew their licenses are required to meet the continuing education requirements as established by the Life Safety and Property Protection Education Board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

**§3337. Registration of Conveyance Device Systems**

A. Registration Required. Pursuant to R.S. 40:1664.1 et seq. the owner of a conveyance device system, shall register the system with the Office of State Fire Marshal (OSFM).

1. A conveyance device firm that installs a conveyance device; shall register the conveyance device with the OSFM within 30 days of its installation.

B. Registration Process. Registration information shall be submitted online through the OSFM's conveyance registration portal via [www.lasfm.org](http://www.lasfm.org). The information required to register includes:

1. address of the structure in which the conveyance device system is located;
2. name of the owner;
3. name of installation firm (if known), maintenance firm, or owner managed;
4. address of the owner;
5. contact information for both owner and installation firm (if known), maintenance firm;
6. OSFM installation firm license number (if known); and
7. conveyance device identifying information, to include, but not limited to, manufacturer; type, serial number; capacity; speed; location; date of installation; and the date of last passing annual inspection.

C. Certificate of Registration. Upon receipt of the registration submittal, the OSFM shall review the registration and, if all necessary information is present and correct, the Office shall provide the owner or installing firm with a registration certificate.

1. The registration certificate shall be maintained by the owner or his designee on site or in a manner that is readily available for review by the OSFM.

D. Registration Decal. Each Conveyance device registered under subsection C shall also have affixed a permanent decal to the controller of the individual car.

1. This decal is a onetime installation and only requires replacement if damaged or the device is replaced.

2. Where the registered conveyance device is an existing unit, the registration decal shall be affixed by the inspector performing the first inspection pursuant to this chapter.

3. Where the registered conveyance device is a new installation, the registration decal shall be affixed by inspector performing the final inspection.

4. The registration decal shall be a minimum of 2 3/4 inches by 2 3/4 inches and a maximum 5 inches by 5 inches. The tag shall be white in color and have a self-adhesive backing. The following information and wording shall be required to be preprinted on the front side of the decal:

a. "DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL" (all capital letters, in bold type);

b. "CONVEYANCE DEVICE REGISTRATION" (all capital letters, in bold type);

c. device number

d. inspection date;

e. firm's name;

f. firm's license number;

g. inspector's name;

h. inspector's license number;

i. inspector's signature;

j. applicable code and edition the system was inspected under;

k. plan review or exemption number (if existing); and

l. serial and/or model number of conveyance device.

5. All decals shall have a signature line for the inspector to sign the decal upon completion of the work. No preprinted signatures are permitted. Initials are not permitted. Other information to be completed on the decal may be either handwritten or preprinted. Apprentices are not permitted to sign decals.

E. The OSFM may assess an administrative penalty of no more than \$250.00 per day per device against a building owner or installing firm who fails to register a conveyance device system, properly attach, or maintain the certificate of registration as required as required by R.S. 40:1664.1 et seq. and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

**§3339. Inspections**

A. Inspection Required. The State Fire Marshal, or his designated representative, is authorized to cause the inspection, certification, and testing of all life safety systems and equipment in the state, whether in public or private buildings, upon receipt of a complaint, during installation, or after installation to determine compliance with applicable codes, standards, and manufacturer specifications.

1. The provisions of this section shall not apply to the owner of a building with two stories occupied by a single tenant wherein employees of the tenant are regularly inside of the building. The building described in this Paragraph shall not be construed to include a one- or two-family dwelling as defined in R.S. 40:1573.

B. Licensed Inspectors. All inspections must be performed by an inspector licensed by the Office of State Fire Marshal (OSFM).

C. Annual Inspections. The owner of any building containing a life safety system and equipment, or the owner's designated representative, shall cause at a minimum an annual inspection and certification to be made of the life safety system and equipment in that building to assure compliance with applicable safety standards and to determine whether structural changes in the building or in the contents of the building mandate alteration of a system.

1. Inspection Cycle. Annual inspections shall be completed as follows:

a. Where a conveyance device passed an annual or new installation inspection within the 2025 calendar year the first annual inspection under this chapter shall be completed within the same calendar month of 2026.

b. Where a conveyance device becomes registered and has not passed an annual or new installation inspection within the 2025 calendar year, an annual inspection shall be performed within 120 days. The calendar month in which the device's annual inspection occurs will set the applicable month for the subsequent year's annual inspection.

c. Where a conveyance device is subject to an alteration the device must pass an alteration inspection before being placed in operation, with said inspection resetting the applicable month for the subsequent year's annual inspection.

D. Five-Year Safety Test. Effective July 1, 2028 the owner of a building described in this section shall cause, at a minimum, a full-load safety test of the conveyance device in five-year intervals to assure compliance with applicable safety standards and to determine whether structural changes in the building or in the contents of the building mandate alteration of the conveyance device.

1. Inspection Cycle. Five-Year Safety Test Annual inspections shall be completed as follows:

a. Where a conveyance device has been in service prior to July 1, 2023, and passed an annual inspection within the 2027 calendar year the initial five-year safety test under this chapter shall be completed within the same calendar month of 2028.

b. Where a conveyance device has not been in service since July 1, 2023, the first five-year safety test under this chapter shall be completed in lieu of the fifth annual inspection and every fifth year thereafter.

E. Submission of Inspection Results Finding the Conveyance Device Safe for Normal Operation. Only annual inspection reports determining the conveyance device is safe for normal operation shall be submitted. All submissions shall be made via the inspector performing the inspection and submitted online through the OSFM's conveyance inspection portal via [www.lasfm.org](http://www.lasfm.org). The information required to submit an inspection includes:

1. address of the structure in which the conveyance device system is located;
2. device OSFM registration number;
3. conveyance inspector OSFM license number;
4. date of current annual inspection;
5. contact information for both owner and installation firm (if known), maintenance firm;
6. OSFM installation firm license number (if known); and
7. conveyance device, type, capacity, location; date of installation; date of last passing annual inspection and any additional information the State Fire Marshal may require.

F. Certificate of Operation. Upon receipt of the inspection the OSFM shall review the inspection submittal, and if all necessary information is present and correct, the OSFM shall provide the owner or certifying inspector with a certificate of operation.

1. The certificate shall be displayed conspicuously in the elevator car.

G. The State Fire Marshal may assess an administrative penalty of no more than \$250 per day per device against a

building owner who fails to have their conveyance device system inspected annually or to display a current certificate of operation as required by R.S. 40:1464.1 et seq. and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1646; Acts 2025 No. 297, R.S. 40:1574, R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

#### **§3341. Alternative Systems, Methods, or Devices**

A. An equivalency approval must be obtained from the Office of State Fire Marshal (OSFM) wherever a conveyance device installation or alteration is planned that intends to use alternative systems, methods, or devices. The equivalency review process is managed by the OSFM Plan Review section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1574, R.S. 40:1664.1.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

#### **§3343. Report of Occurrence, Accident, Injury or Death**

A. A fire chief or designee and owner, under provisions of R.S. 40:1664.1 et seq. and these rules, shall within 24 hours, notify the Office of State Fire Marshal (OSFM) of each and every occurrence that may have been the result of a conveyance device system or equipment malfunction or failure when:

1. The occurrence results in human death or injury requiring medical treatment by a physician, paramedic, or emergency medical technician (EMT), other than first aid. First aid means the one-time treatment or observation of scratches, cuts not requiring stitches, minor burns, splinters or contusions or a diagnostic procedure, including examination and x-rays, which does not ordinarily require medical treatment even though provided by a physician or other licensed personnel; or

2. The occurrence results in damage to the device indicating a possible substantial defect in design, mechanics, installation, structure or equipment, affecting the future safe operation of the system or device. No reporting is required in the case of normal wear and tear.

B. The OSFM, after notification and determination that an occurrence involving death or injury, as described herein, has occurred, shall, without delay, conduct an investigation of the occurrence.

C. No person, following an occurrence as specified in Subsection A, shall operate, attempt to operate, use or move or attempt to move such conveyance device or equipment, or part thereof, without the approval of the State Fire Marshal, unless to prevent injury to any person or persons.

D. No person, following an occurrence as specified in Subsection A, shall remove or attempt to remove from the premises any damaged or undamaged part of such conveyance device system or equipment, or repair, or attempt to repair any damaged part necessary to a complete and thorough investigation.

E. No conveyance device involved in an occurrence as specified in Subsection A shall be operated until it has been inspected and approved for use by a licensed inspector and the OSFM.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3345. Certification Tags, Service Tags, Partial Impairment Tags, Major Impairment Tags**

A. Pursuant to R.S. 40:1646(B), the owner of any building containing conveyance device systems and equipment, or the owner's designated representative, shall cause at a minimum an annual inspection and certification to the conveyance device system and equipment. The Office of State Fire Marshal (OSFM) requires that all conveyance device systems within the state, subject to regulation in accordance with R.S. 40:1664.1 et seq., shall be tagged by conveyance device inspectors or mechanics when the status of any conveyance device's life safety systems, components, and/or functions changes. The tagging system is a color coded four tier system with each corresponding tag denoting a different device status as follows:

1. **Certification Tags (Green Tags).** A certification tag shall be attached on all new and existing systems or equipment that have been found to be in operational condition per the inspection, testing and maintenance chapters of the applicable codes and standards.

2. **Service Tags (Blue Tags).** A service tag shall be attached on all systems or equipment found to be in an operational condition after maintenance or service per maintenance chapters of the applicable codes and standards.

3. **Partial Impairment Tags (Yellow Tags).** A partial impairment tag shall be placed on all equipment or systems in which there is a deficiency, but where the equipment or system is still functional.

4. **Major Impairment Tags (Red Tags).** A major impairment tag shall be placed on conveyance device systems and/or equipment upon discovery that the system or equipment is impaired to the point that life safety is at risk or that the system will be prevented from functioning as intended. A major impairment tags shall also be placed on any equipment or system where life safety is in imminent danger.

B. **Written Notifications.** Whenever required, as noticed below, the OSFM shall be notified via [www.lasfm.org](http://www.lasfm.org). Notifications, shall contain the following information:

1. name, address, and telephone number of the conveyance device;

2. name, address, telephone number, and OSFM license number of the firm noting the impairment;

3. name and license number of the mechanic or inspector who performed the service, maintenance, or inspection;

4. system information:

- a. type of system,
- b. manufacturer, and
- c. model number;

5. the applicable codes and standards, to include edition year, the firm used for the service, maintenance, or inspection;

6. reason for the impairment (Note: a copy of the inspection or service report shall be included); and

7. date and time the system or equipment was red tagged.

#### **C. Miscellaneous Provisions**

1. All tags must be card stock, plastic, vinyl, Tyvek or metal in order to maintain the running record for the system. One-sided or self-adhesive service tags are not permitted.

2. All tags shall be 5 1/4 inches in height and 2 5/8 inches in width.

3. Firms shall have their tags printed and shall complete an acknowledgment of firm tagging compliance form stating that the firm will comply with the tagging requirements in accordance with these rules.

4. Where additional space is needed to note the impairments, multiple tags shall be used noting 1 of 2, 2 of 2, etc.

5. An apprentice cannot certify any conveyance device system or equipment or place any service tags on any device or equipment.

6. Notification of conveyance device systems and equipment service or maintenance where no deficiencies are found need not be sent to the OSFM unless specifically requested.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 40:1664.2.

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3347. Certification Tags**

#### **A. Certification Tags (Green Tags)**

1. All firms engaged in conveyance device systems and equipment activity shall have a certification tag which shall be completed and attached to a conveyance device system or equipment, after it has been certified, inspected, installed, or integrated indicating all work that has been done.

2. Certification tags shall be green in color.

3. The certification tag shall be attached to or at the controlling mechanism of each device located in the control room of the structure.

4. The certification tag shall be attached in such a way as to not hamper the actuation and operation of the equipment or system.

5. A certification tag shall be attached on all new and existing systems or equipment that have been found to be in operational condition per the inspection, testing and maintenance chapters of the applicable codes and standards.

6. Certification tags must contain all of the information listed below. Information shall be preprinted on the tag unless noted otherwise.

a. **DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL** (all capital letters in bold face type);

b. firm's name, physical address and telephone number;

c. firm's OSFM license number;

d. mechanic's or inspectors' name and OSFM license number to be printed on tag either at the time of service or preprinted;

e. mechanic's or inspector's signature to be signed at time of service (no preprinted signatures nor initials are permitted; apprentices are not permitted to sign tags);

f. day, month and year in which the certification was performed (must be punched through certification tag at designated marks for day, month and year; designated marks for day, month and year shall only be punched once per tag);

g. OSFM device registration number;

h. type of work performed. Only "Installation" or "Certification", shall be noted on the tag for the type of work performed (must be punched through the certification tag);

i. "Installation" shall be punched on the tag when the conveyance device system or equipment is initially placed into use or after an alteration to the system has been

made. Punching "Installation" indicates the initial certification of the system or equipment has been completed.

ii. "Certification" shall be punched on the tag when the conveyance device system or equipment has passed an annual or five year inspection.

i. specifics as to the type of work performed shall be noted on the rear of tag, (i.e. new installation, annual certification, etc.);

j. serial or other permanent identifying number of conveyance device system's control panel, if present; and

k. owner of system and address of owner (to be noted on rear of tag).

7. Other information may be permitted on the tag after a review and approval by the state fire marshal. A request for additional information shall be made to the OSFM in writing with a sample tag indicating the requested additions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3349. Service Tags**

#### **A. Service Tags (Blue Tags)**

1. All firms engaged in conveyance device systems and equipment activity shall have a service tag which shall be completed and attached to the system or equipment after it has been maintained or repaired indicating all work that was performed.

2. Service tags shall be blue in color.

3. The service tag shall be attached to the mechanism(s) located in the conveyance device control room of the structure and attached in such a way as to not hamper the actuation or operation of the equipment or system.

4. A service tag shall be attached on all systems or equipment found to be in operational condition after maintenance or service per maintenance chapters of the applicable codes and standards.

5. Service tags must contain all of the information listed below. Information shall be preprinted on the tag unless noted otherwise.

a. "DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL" (all capital letters in bold face type);

b. firm's name, physical address and telephone number;

c. firm's OSFM license number;

d. mechanic's or inspector's name and OSFM license number to be printed on tag either at the time of service or preprinted;

e. mechanic or inspector's signature to be signed at time of service. (No preprinted signatures nor initials are permitted; apprentices are not permitted to sign tags);

f. day, month, and year in which service was performed which must be punched through the service tag at designated marks for day, month and year. (Designated marks for day, month and year shall only be punched once per tag);

g. OSFM device registration number;

h. type of work performed. Only "Service" shall be noted on tag for type of work performed;

i. "Service" tags shall be used when the conveyance device system or equipment is maintained or repaired to ensure proper operation between annual inspections;

j. specifics as to the type of work performed shall be noted on the rear of the tag:

i. serial number of conveyance device, if present.

ii. owner of system and address of owner (to be noted on rear of tag).

6. Other information may be permitted on the tag after a review and approval by the State Fire Marshal. A request for additional information shall be made to the OSFM in writing with a sample tag indicating the requested additions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3351. Partial Impairment Tags**

#### **A. Partial Impairment Tags (Yellow Tags)**

1. Required Use. All firms engaged in conveyance device systems and equipment activity shall have a partial impairment tag, to be yellow in color, which is to be used when minor deficiencies are found on the equipment or system. The use of partial impairment tags is in addition to the requirement of having a service tag and impairment tag.

2. Purpose and Use. A partial impairment tag shall be placed on all equipment or systems in which there is a deficiency, but where the equipment or system is still functional. This would include situations where routine service is needed, but has not been approved by the owner of the equipment or system. The partial impairment tag identifies an issue that should be addressed in a timely manner by the conveyance device owner. Required maintenance or repairs should be made within 60 days.

a. Only a licensed conveyance mechanic may place a partial impairment tag on a conveyance device.

b. The placement of a partial impairment tag does not require notice to the OSFM.

c. Where the impairment is not corrected after 60 days the certified firm shall be required to notify, in writing, the OSFM Inspection Section. The mailing or submission of the impairment notice is sufficient.

3. Removal Authority. A partial impairment tag may be removed by a licensed conveyance mechanic of a certified firm.

4. Removal Process. The licensed mechanic who has completed the repairs shall place a blue service tag on the device describing what was repaired, on the device.

a. Where the partial impairment is corrected within 60 days no notice to the OSFM is required

b. Where the partial impairment is not corrected after 60 days the certified firm shall be required to notify the OSFM Inspection Section. The mailing or submission of the impairment notice is sufficient.

5. Partial Impairment Tag Requirements. Partial impairment tags must contain all of the information listed below:

a. "DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL" (all capital letters in bold face type);

b. firm's name, physical address and telephone number;

c. firm's OSFM license number;

d. OSFM device registration number;

e. mechanic or inspector's name and OSFM license number to be printed on tag either at the time of service or preprinted;

f. mechanic or inspector's signature to be signed at time of inspection (no preprinted signatures nor initials are permitted; apprentices are not permitted to sign tags;

g. day, month and year in which the impairment was found (to be punched through the impairment tag at designated marks for day, month and year; designated marks for day, month and year shall only be punched once per tag); and

h. business owner or tenant and physical address of where the system is located (to be noted on rear of tag).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3353. Major Impairment Tags**

#### **A. Major Impairment Tags (Red Tags)**

1. Required Use. All firms engaged in conveyance device system and equipment activity shall have an impairment tag, to be red in color, which is to be used when major deficiencies are found on these systems or equipment.

2. Purpose. A major impairment tag shall be placed on conveyance device systems and/or equipment upon discovery that the system or equipment is impaired to the point that life safety is at risk or that the system will be prevented from functioning as intended. A major impairment tags shall also be placed on any equipment or system where life safety is in imminent danger.

a. A major impairment tag shall have the same effect as a cease and desist order issued by the OSFM.

3. Tag Placement. A major impairment tag may be placed by licensed mechanics and inspectors of a certified firm, inspectors and deputies of the OSFM, and certified members of fire prevention bureaus.

a. Notice shall be made to the building owner of the red tag condition found.

b. Notice shall be made to the OSFM by the licensed firm as soon as is practically possible but shall not exceed two business days after the system or equipment is red tagged.

4. Removal Authority. A major impairment tag may only be removed by a licensed conveyance mechanic of a certified firm, deputies of the OSFM, and certified members of fire prevention bureaus.

#### **5. Removal Process.**

a. The removal of a major impairment tag that was placed by a licensed mechanic or inspector requires that:

i. a licensed mechanic has completed the repairs and placed a blue service tag on the device describing what was repaired, and

ii. that, where required by applicable building and industry codes and standards, that a licensed inspector conducts a passing inspection and places a certifications tag on the device, and

iii. that any additional inspections required by OSFM have been completed, and

iv. notification to OSFM is made in accordance with this Section.

b. Major impairment tags placed by the OSFM may only be removed by inspectors or deputies of the OSFM.

5. Major Impairment Tag Requirements. Major impairment tags must contain all of the information listed below:

a. DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL" (all capital letters in bold face type);

b. firm's name, physical address and telephone number;

c. firm's OSFM license number;

d. OSFM device registration number;

e. mechanic or inspector's name and OSFM license number to be printed on the tag either at the time of service or preprinted;

f. mechanic or inspector's signature to be signed at time of inspection; no preprinted signatures or initials are permitted; apprentices are not permitted to sign tags;

g. day, month and year in which the inspection was performed (to be punched through the service tag at designated marks for day, month and year; designated marks for day, month and year shall only be punched once per tag);

h. type of impairment found (to be hand-written on rear of tag). If additional space is needed to note the impairments, then multiple tags shall be used noting 1 of 2, 2 of 2, etc.; and

i. business owner or tenant and physical address of where the system is located to be noted on rear of tag.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3355. Fair and Ethical Business Practices**

A. Conveyance device systems and equipment firms and employees shall conduct all business practices in compliance with all applicable laws.

B. Conveyance device systems and equipment firms and employees shall impartially analyze safety problems of their customers and recommend the best possible solution for the protection of the customer.

C. Conveyance device systems and equipment firms and employees shall refrain from associating with or allowing the use of their name (personal or professional) by any enterprise which in any way permits misrepresentation.

D. Conveyance device systems and equipment firms and employees shall not misrepresent the features afforded by any system or equipment nor make unwarranted claims about the merits of any system or equipment or service they offer. Examples include, but are not limited to the following:

1. selling a used product as new.

2. claiming the customer's existing equipment is out of date or substandard when, in fact, it is in proper operating condition.

E. Conveyance device systems and equipment firms and employees shall avoid using any improper or questionable means of soliciting business.

F. Conveyance device systems and equipment firms and employees shall not use a name in advertising which is similar enough to a competitor's name to cause confusion among consumers.

G. Business records must be maintained for a minimum of five years.

H. In no instance shall an inspection of any installation, repair, maintenance, or service be performed by an inspector who works for the firm that performed the installation, repair, maintenance, or service of a conveyance device or equipment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3357. Prohibited Acts and Equipment**

A. The following acts are prohibited and shall be considered grounds for administrative action to be taken against firms, persons and/or employees committing such:

1. charging a customer for work that was not performed;
2. misrepresenting oneself and/or one's firm to a customer, prospective customer, the State Fire Marshal or his designated representative, or other public official;
3. impersonating the State Fire Marshal, his designated representative or any other public official;
4. intimidating or coercing a customer;
5. performing conveyance device system and equipment activity contrary to applicable codes, standards, and/or manufacturer's specifications;
6. falsifying an application or any document submitted to obtain a license or other documentation requested by or submitted to the OSFM via mail, electronic mail, in person or online;
7. falsifying tags, labels, stenciling, service reports, invoices, system reports, and/or other documents;
8. working an apprentice, or as an apprentice, without direct supervision by a licensed inspector and/or mechanic licensed to perform the work being done and licensed to the same firm;
9. working an employee or as an employee without the appropriate endorsement of license;
10. working without the appropriate endorsement of firm license;
11. working with an expired firm license;
12. failing to notify the OSFM of any changes that affect licensure;
13. operating a conveyance device without it being registered and holding a certificate of operation for the conveyance device;
14. contracting to a firm or person who is not properly licensed through the OSFM to perform acts regulated by the provisions of R.S. 40:1664.1 et seq., or these rules;
15. failing to adhere to the tagging and/or notification procedures of the OSFM;
16. failing to possess the equipment, tools, applicable codes, standards or manufacturer's service manuals to properly conduct conveyance device systems and equipment activity on the systems and equipment for which a firm is licensed;
17. failing to adhere to all applicable laws and rules governing conveyance device systems and/or equipment as promulgated by the OSFM;
18. engaging in false, misleading or deceptive acts or practices;
19. aiding and abetting an unlicensed person or firm in conducting conveyance device systems and equipment activity on a system or equipment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.12.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3359. Enforcement and Compliance**

A. The Office of State Fire Marshal (OSFM) may conduct enforcement actions and compliance actions as

deemed necessary to include the use audits, inspections, and investigations.

B. Audit. The OSFM may conduct audits of the inspection and maintenance programs, or any component thereof, implemented by conveyance owners, managers, licensed firms, or performed by licensed conveyance mechanics and inspectors.

1. The purpose of an audit is to evaluate whether the provisions of this chapter are being followed and shall ensure that the program effectively provides for the continued safety of regulated conveyances. This includes an evaluation of all actions covered by this chapter, to include the performance and documentation of:

- a. annual and five year load tests;
- b. accompanying maintenance records, work orders, and repair documentation;
- c. maintenance schedules and adherence to prescribed timelines;
- d. qualification of mechanics and inspectors performing work on the conveyance;
- e. manufacturer's manuals, guidelines and material required to be on-site or available; and
- f. any records that support compliance.

2. Review. The OSFM shall have the right to:

- a. review all records and reports, either electronically or in hard copy, at the place where such records are kept;
- b. conduct on-site visits to verify that the condition of the conveyance equipment to assure it is accurately reflected in the inspection and maintenance records.

C. Inspections. The OSFM, or designated representative(s), shall make, or cause to be made, from time to time, inspections of a firm's physical locations, vehicles or job sites to verify required certificates, employee lists, employee licenses, business records and insurances, equipment, tools, applicable codes, standards and manufacturer's manuals and work/service performed, and as circumstances dictate, to determine that licensed conveyance device systems and equipment firms and their employees are engaging in activity in accordance with the requirements of R.S. 40:1646 and 40:1664.1 et seq., and these rules.

D. Investigations. The OSFM shall investigate all complaints of alleged violations of R.S. 40:1574 et seq., 40:1646, 40:1664.1 et seq., and these rules. Complaints of alleged violations shall be made in writing to the Office of State Fire Marshal. The office shall make available a complaint procedure to be used as needed, which includes, but not limited to, the use of paper forms or via online submission, if available, which can be accessed at [www.lasfm.org](http://www.lasfm.org). Penalties shall be administered to those firms and/or employees found to have violated these laws and/or rules. Proposed administrative penalty letters (also known as Notice of Violation letters) or citations shall act as official notification of alleged violations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3361. Administrative Actions**

A. The Office of State Fire Marshal (OSFM) may suspend, revoke, or refuse the issuance or renewal of a license, and/or impose administrative penalties, if, after notice and the exhaustion of any administrative appeal rights, as provided for by the Administrative Procedures Act,

it is found that a person, entity, licensed firm, or licensee, or an applicant for licensure failed to comply with the provisions of R.S. 40:1664.1 et seq., or these rules, to include any failure to pay outstanding fines, penalties, or other obligations due. The OSFM may consider violations in other states as grounds for refusing the issuance or renewal of a license.

1. Offenses. The following categories shall denote classification of offenses for persons, firms and employees for determining the penalty to be imposed.

a. Minor:

i. failing to notify the OSFM of any changes that affect licensure;

ii. failing to adhere to the tagging and/or notification policies, procedures, and regulations of the OSFM;

iii. working with an expired (31-45 days) individual or firm license;

iv. failing to properly display a firm license certificate or not having an individual license on the holder's person.

b. Serious:

i. failing to notify the OSFM within 24 hours of each and every occurrence of a reportable accident, injury or death involving a conveyance device system or equipment; misrepresenting oneself and/or one's firm to a customer, prospective customer or to employees of the State Fire Marshal, his designated representative or other public official;

ii. conducting conveyance device systems and equipment activity contrary to applicable codes, standards, and/or manufacturer's specifications without specific written permission from the OSFM;

iii. working an apprentice, or as an apprentice, without direct supervision by a conveyance device system and equipment inspector and/or mechanic licensed to perform the work being done and licensed to the same firm;

iv. working an employee or as an employee without the appropriate endorsement of license;

v. working without the appropriate endorsement of firm license;

vi. working with an expired (46-60 days) individual or firm license;

vii. contracting to a firm or person who is not properly licensed through the OSFM to perform acts regulated by the provisions of R.S. 1664.1 et seq., or these rules;

viii. failing to possess the equipment, tools, applicable codes, standards or manufacturer's installation and service manuals to properly conduct conveyance device systems and equipment activity of the systems and equipment for which a firm is licensed;

ix. committing five or more minor offenses within a three-year period;

x. aiding and abetting a person or firm in conducting conveyance device systems and equipment activity of conveyance device systems and equipment contrary to code;

xi. other violations not expressly enumerated herein shall be considered a Serious offense.

c. Major:

i. charging a customer for work that was not performed;

ii. impersonating the state fire marshal, his designated representative or any other public official;

iii. intimidating or coercing a customer;

iv. operating, using or moving or attempting to move a conveyance device or equipment, or part thereof, without the approval of the OSFM after a reportable accident, injury or death, unless the action is to prevent further injury to any person or persons;

v. falsifying an application or any other document submitted to obtain a license or other documentation requested by or submitted to the OSFM via mail, electronic mail, in person or online;

vi. falsifying tags, labels, inspection/service reports, invoices and/or other documents;

vii. working without any or with a suspended firm license;

viii. working an employee or as an employee with a suspended license;

ix. aiding and abetting an unlicensed person or firm in conducting conveyance device systems and equipment activity of a system;

x. committing three or more serious offenses within a three-year period;

xi. engaging in false, misleading or deceptive acts or practices;

xii. other violations not expressly enumerated herein shall be considered a Major offense.

2. Penalties. The following fine schedule shall be used to assess fines to persons, firms, and/or employees who violate the laws and rules governing the conveyance device systems and equipment industries. Penalties will be imposed to persons, firms and/or employees based on the classification of offense. Each classification of offense will have a minimum and maximum fine shown and any other administrative penalty that may be imposed.

a. Firms and/or Persons

i. Minor—\$50 fine to \$250 fine and/or official warnings may be imposed.

ii. Serious—\$250 fine to \$1,000 fine and/or suspensions of up to 90 days may be imposed.

iii. Major—\$1,000 fine to \$5,000 fine and/or suspensions from 91 to 365 days may be imposed and/or revocation of license may be imposed.

b. Employees and/or Persons

i. Minor—\$10 fine to \$50 fine and/or official warnings may be imposed.

ii. Serious—\$50 fine to \$500 fine and/or suspensions of up to 90 days may be imposed.

iii. Major—\$500 to \$5,000 fine and/or suspensions from 91 to 365 days may be imposed and/or revocation of license may be imposed.

c. The State Fire Marshal may deviate from this fine schedule where circumstances and/or evidence warrant a more stringent or more lenient penalty.

d. In lieu of fine payments, the State Fire Marshal may require remedial or additional training be obtained by those found in violation.

e. Those offenses not enumerated in this list shall receive penalties for violations of similar nature.

f. The OSFM may also pursue injunctive relief for any of the above enumerated offenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3363. Equipment and Facilities**

A. Each licensed firm location shall be required to possess the equipment, tools, applicable codes, standards and manufacturers' and service manuals where said documents are reasonably available for existing elevators installed before the effective date of these regulations, necessary to properly conduct conveyance device systems and equipment activity on the systems or equipment for which it is licensed. Required codes, standards and manuals may be either in print or in an electronic format.

B. The State Fire Marshal or his representative may inspect a firm's physical location(s) or vehicle(s) to ensure the proper equipment, tools, applicable codes, standards, manufacturers' installation and service manuals are reasonably available and business records and insurances are possessed by the firm.

C. Business records shall include, but not be limited to unredacted invoices, work orders, service reports, payroll records, federal and state tax information for employees, occupational licenses, income tax filings, property tax notifications and filings, utility records, certificates of insurance for general liability and workers' compensation coverage and workers' compensation reports and/or filings.

D. The State Fire Marshal or his representative may require that a firm or its employee(s) demonstrate a proficiency to use the necessary equipment to properly conduct conveyance device systems and equipment activity on conveyance device systems and equipment. Proficiency shall be deemed to be achieved if the system or equipment complies with the applicable code or standard and/or manufacturer's specifications.

E. For those firms or their employee(s) which do not possess the proper equipment, tools and manuals or who fail to demonstrate the ability to properly perform the required work, then an order of correction shall be made to the firm or its employee to obtain the required equipment, tools, applicable codes, standards or manuals or to obtain additional training within a 30-day period. Another inspection shall be conducted by the State Fire Marshal or his representative to verify compliance with the order of correction. Good cause must be shown if proficiency is not shown or the required equipment, tools, applicable codes, standards or manuals are not obtained by the time of the second inspection. Additional time may be granted for good cause. If good cause is not shown, then administrative action may be pursued.

F. OSFM may specifically enumerate additional required equipment or business records at a later date should it be deemed necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3365. Federal Facilities and Indian Tribal Reservations**

A. Firms and their employees must be licensed to conduct conveyance device systems and equipment activity on federal facilities within the boundaries of Louisiana.

B. No license is required on United States military bases except where the building is licensed by the state of Louisiana (i.e. hospitals, day cares etc.).

C. No license is required to conduct conveyance device systems and equipment activity on Indian tribal reservations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

### **§3367. Miscellaneous Provisions**

A. Marking of Vehicles. All vehicles owned or operated by firms or their employees when used while conducting regulated activities, as defined by R.S. 40:1664.1 et seq., and these rules shall have the firm name and firm license number permanently inscribed, painted, stenciled or affixed by magnetic means on such vehicles. Such lettering shall be a minimum of 2 1/2 inches in height and not less than 1/4 inch in width. Letters and numbers shall be on a contrasting background, located on both the driver and passenger sides of the vehicle, and be conspicuously seen from the outside of the vehicle.

#### **B. Restrictions**

1. License holders are not agents or representatives of the state of Louisiana, the Department of Public Safety or the Office of State Fire Marshal (OSFM) and shall make no such claims or inference.

2. A license does not authorize anyone to enforce these rules or to enter any building without the owner's permission or to conduct conveyance device systems and equipment activity without the owner's permission.

3. License holders shall not allow the use of their licenses by other firms, persons or employees.

4. A license holder shall not perform any conveyance device systems and equipment activity unless employed by and within the course and scope of that employment with a firm regulated by the provisions of R.S. 40:1664.1 et seq.

5. A person shall not perform any act for which a license is required unless he is:

- a. first licensed to perform such acts; and
- b. employed by a firm licensed to perform those acts; and
- c. performing those acts for the licensed firm by which he is employed.

6. An apprentice, as defined in these rules, shall not perform any conveyance device systems and equipment activity regulated by R.S. 40:1664.1 et seq., unless employed by a licensed firm and is supervised by a license holder authorized to perform such act or acts. Both the apprentice and licensee shall be employed by the same licensed firm.

7. Nothing in these rules shall prevent an appropriately licensed firm or person from conducting conveyance device systems and equipment activity of any manufacturer's equipment and/or systems.

C. Multiple Names. A firm which uses multiple names must apply for a separate license certificate if each named firm has a separate state or federal tax number. All "doing business as" names shall be registered with the OSFM at the time of application. Only one trade or "Doing Business As" name shall be permitted per each licensed firm.

D. Advertising. All advertising, including but not limited to telephone advertising, bids, quotes, letterhead and business cards shall indicate a firm's license number.

E. Service invoices and inspection reports shall all contain the following information.

1. service firm invoice;
  - a. OSFM conveyance device registration number for the system being serviced;



- b. equipment service performed and all parts replaced;
- c. date work was performed;
- d. name and license number of the firm performing the service;
- e. name and license number of mechanic or inspector performing the service;
- 2. inspection firm invoice;
  - a. OSFM conveyance device registration number for the system being serviced;
  - b. inspection performed;
  - c. date work was performed;
  - d. name and license number of firm performing the inspection;
  - e. name and license number of inspector performing the inspection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:  
**§3369. Conveyance Devices Out of Service; Return to Service**

A. Out of Service. All conveyance devices to include elevators, dumbwaiters, escalators and accessibility lifts that are requested to be placed “out of service” shall comply with the following process:

1. The owner or the owner’s representative, shall notify the Office of State Fire Marshal’s (OSFM) – Plan Review section at least 30 days in advance of a conveyance device being placed “out of service”. Notifications to the OSFM Plan Review section shall be submitted with plans in accordance with R.S. 40:1574. Unless it is determined the device is required by code, the process may continue.

2. The process of rendering the device “out of service” must be completed by OSFM licensed mechanics; within 3 business days of the device being rendered “out of service”, the owner, or the owner’s representative, shall request that the OSFM conduct an onsite review to verify that the conveyance device has been appropriately placed out of service.

3. Upon the determination by the OSFM that the conveyance device has been properly placed “out of service” the conveyance device shall be considered dormant and not subject to annual inspection by the OSFM.

B. Return to Service. All conveyance devices to include elevators, dumbwaiters, escalators and accessibility lifts that are to be “returned to service” shall comply with the following process:

1. When a conveyance device is being “returned to service” as part of new construction, renovation, or an alteration, the project shall be required to undergo plan review and approval by the OSFM subject to R.S. 40:1574, all work shall be subject to the codes, standards, and incorporated reference standards of the Louisiana State Uniform Construction Code, as adopted or amended by the Louisiana State Uniform Construction Code Council (LSUCCC), pursuant to the authority of R.S. 40:1730.28, and as enumerated in LAC 17:I.103-105.

2. Where an out of service conveyance device is “returned to service”, the unit shall be subject to an acceptance test and inspection performed by OSFM licensed mechanics and inspectors.

3. The inspection shall be submitted to the OSFM through conveyance device inspection portal prior to the unit

being placed back into service. The inspection shall be considered an annual inspection pursuant to these regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

**§3371. Severability**

A. If any provision of these rules or how they are applied to any firm, person, employee or circumstance is found to be legally invalid or unenforceable for any reason, the other part will stand and be applied as intended.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1664.2.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 52:

Bryan J. Adams  
Principal Assistant

2512#066