



STATEMENT OF BASIS AND PURPOSE FOR AMENDMENTS TO  
THE DIVISION OF OIL AND PUBLIC SAFETY  
CONVEYANCE REGULATIONS, 7 CCR 1101-8  
DECEMBER 13, 2016

**BASIS:** The Elevator and Escalator Certification Act, Title 9 Article 5.5 CRS, states that in order to ensure minimum safety standards throughout Colorado, the regulation of conveyances is a matter of statewide concern. The amendments to these rules are being promulgated under the Division's authority pursuant to Title 9 Article 5.5 §116 of the Colorado Revised Statutes.

**PURPOSE:** These amendments will update, revise or clarify previous Division of Oil and Public Safety (OPS) Regulations based on stakeholder input and to address State Auditor recommendations. The revisions identify and clarify procedures and requirements for the design, construction, operation, inspection, testing, maintenance, alteration and repair of conveyances, such as elevators, platform lifts, dumbwaiters, escalators, moving walks and automated people movers.

The amendments address the following articles of the regulations:

- Article 1 General Provisions - In addition to changes to definitions for clarification, language was added to the Statement of Basis and Purpose to clarify to conveyance owners that they should communicate with local jurisdictions regarding more stringent requirements that may be in place. Personnel Hoists (construction hoists) were exempted from regulation based on input from stakeholders and industry code indicating that these devices are not accessible to the general public.
- Article 2 Administration - Language was added for clarification in the Periodic Inspections and Certificates of Operation sections. To address State Auditor recommendations, language was added requiring the non-witnessed periodic test be conducted in proximity to the periodic inspection in order for the inspector to verify testing. Changes were made to the Maintenance Control Program section, primarily for formatting, although a few textual changes were also made for clarification.
- Article 3 Authority Having Jurisdiction - State Auditor recommendations were addressed in addition to clarifying language regarding Authorities Having Jurisdiction.
- Article 4 Licensing - In addition to language updates for clarification, requirements were added regarding continuing education approved by the Division that will replace the Division-issued exam for inspectors renewing their licenses.

Pursuant to §24-4-103(4)(b), C.R.S., the Director finds that: (1) there is a demonstrated need for the rules; (2) the proper statutory authority exists for this regulation; (3) to the extent practicable, the rules are clearly stated so that their meaning will be understood by any party required to comply with the regulation; (4) the rules do not conflict with other provisions of law; and (5) the duplicating or overlapping of the regulation is explained by the agency adopting the rules.

  
Mahesh Albuquerque  
Director, Division of Oil and Public Safety

12/13/16  
Date

