

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 619
Committee Substitute Favorable 6/24/21
Senate Commerce and Insurance Committee Substitute Adopted 6/14/22
Fourth Edition Engrossed 6/21/22

Short Title: Weston's Law.

(Public)

Sponsors:

Referred to:

April 21, 2021

1 A BILL TO BE ENTITLED
2 AN ACT IMPOSING SAFETY REQUIREMENTS FOR ELEVATORS IN CERTAIN
3 RESIDENTIAL RENTAL ACCOMMODATIONS, AND DIRECTING THE BUILDING
4 CODE COUNCIL TO AMEND THE STATE BUILDING CODE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 9 of Chapter 143 of the General Statutes is amended by adding
7 a new section to read:

8 **"§ 143-143.7. Elevator safety requirements for certain residential rental accommodations.**

9 (a) Notwithstanding the requirements of G.S. 143-139(d), any elevator in a private
10 residence, cottage, or similar accommodation subject to taxation under G.S. 105-164.4F shall
11 meet the following requirements:

12 (1) The gap between the hoistway face of the landing door and the hoistway face
13 of the car door shall not exceed 4 inches.

14 (2) Elevator doors or gates shall meet the following requirements:

15 a. Horizontal sliding car doors and gates shall be designed and installed
16 to withstand a force of 75 pounds applied horizontally on an area 4
17 inches by 4 inches at right angles to and at any location on the car door
18 when fully closed without permanent deformation, without exceeding
19 a deflection of three-quarters of an inch, and without displacing the
20 door or gate from its guides or tracks.

21 b. Folding car doors shall be designed and installed to withstand a force
22 of 75 pounds applied horizontally using a 4-inch diameter sphere at
23 any location within the folds of the door without permanent
24 deformation, without exceeding a deflection of three-quarters of an
25 inch, and without displacing the door from its guides or tracks.

26 (b) If any property subject to this section has an elevator that does not comply with
27 subsection (a) of this section, the landlord shall prevent the operation of the elevator until the
28 elevator has been brought into compliance by meeting the following requirements:

29 (1) If the elevator does not comply with subdivision (1) of subsection (a) of this
30 section, then the landlord shall install a hoistway door space guard, a full
31 height door baffle, or a door baffle that is at least 31.75 inches in height, each
32 of which shall be nonremovable and shall be designed and installed to
33 withstand a force of 75 pounds applied horizontally using a 4-inch diameter
34 sphere at any location without permanent deformation.



(2) If the elevator door or gate does not comply with subdivision (2) of subsection (a) of this section, then the landlord shall replace it with a door or gate that complies with subdivision (2) of subsection (a) of this section.

(c) Upon installation of a door baffle, door space guard, door, or gate meeting the requirements of subsection (b) of this section, the landlord shall provide the Commissioner of Insurance with one of the following:

(1) A statement signed by a professional elevator installer certifying installation of the door baffle, door space guard, door, or gate meeting the requirements of subsection (b) of this section.

(2) A receipt for purchase of the door baffle, door space guard, door, or gate meeting the requirements of subsection (b) of this section, a signed statement by the landlord stating the date of installation, and photographs depicting the door baffle, door space guard, door, or gate as installed.

(d) For purposes of this section, "elevator" means a hoisting and lowering mechanism equipped with a car or platform which moves in guides, and which serves two or more floors of a building or structure.

(e) Any person who violates subsection (b) of this section by permitting the continued operation of an elevator that does not comply with subsection (a) of this section shall be guilty of a Class 2 misdemeanor."

SECTION 2. G.S. 42-42 reads as rewritten:

"§ 42-42. **Landlord to provide fit premises.**

(a) The landlord shall:

(1) Comply with the current applicable building and housing codes, whether enacted before or after October 1, 1977, to the extent required by the operation of such codes; no new requirement is imposed by this subdivision (a)(1) if a structure is exempt from a current building code.

(1a) Comply with all applicable elevator safety requirements in G.S. 143-143.7.

...."

SECTION 3. G.S. 42A-31 reads as rewritten:

"§ 42A-31. **Landlord to provide fit premises.**

A landlord of a residential property used for a vacation rental shall:

(1) Comply with all current applicable building and housing codes to the extent required by the operation of the codes. However, no new requirement is imposed if a structure is exempt from a current building or housing code.

(1a) Comply with all applicable elevator safety requirements in G.S. 143-143.7.

...."

SECTION 4. The North Carolina Building Code Council shall adopt rules to amend Section R321 of the North Carolina State Building Code that are consistent with 2016 ASME A17.1 sections 5.3.1.8.2 and 5.3.1.8.3 and with the provisions of subsections (a) and (b) of G.S. 143-143.7, as enacted by Section 1 of this act.

SECTION 5. Sections 1, 2, and 3 of this act become effective October 1, 2022. The remainder of this act is effective when it becomes law.