

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 619

AMENDMENT NO. A1  
(to be filled in by  
Principal Clerk)

H619-ATG-64 [v.11]

Page 1 of 3

Amends Title [YES]  
Third Edition

Date \_\_\_\_\_, 2022

Senator Johnson

1 moves to amend the bill on page 1, lines 2-5, by rewriting the lines to read:

2  
3 "AN ACT IMPOSING SAFETY REQUIREMENTS FOR ELEVATORS IN CERTAIN  
4 RESIDENTIAL RENTAL ACCOMMODATIONS, AND DIRECTING THE BUILDING  
5 CODE COUNCIL TO AMEND THE STATE BUILDING CODE.";

6  
7 and on page 1, line 7, through page 2, line 46, by rewriting the lines to read:

8  
9 "SECTION 1. Article 9 of Chapter 143 of the General Statutes is amended by adding  
10 a new section to read:

11 "**§ 143-143.7. Elevator safety requirements for certain residential rental accommodations.**

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

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

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

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

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

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



\* H 6 1 9 - A T G - 6 4 - V - 1 1 \*

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- 1           (1)    If the elevator does not comply with subdivision (1) of subsection (a) of this  
2                    section, then the landlord shall install a hoistway door space guard, a full  
3                    height door baffle, or a door baffle that is at least 31.75 inches in height, each  
4                    of which shall be nonremovable and shall be designed and installed to  
5                    withstand a force of 75 pounds applied horizontally using a 4-inch diameter  
6                    sphere at any location without permanent deformation.  
7           (2)    If the elevator door or gate does not comply with subdivision (2) of subsection  
8                    (a) of this section, then the landlord shall replace it with a door or gate that  
9                    complies with subdivision (2) of subsection (a) of this section.  
10       (c)    Upon installation of a door baffle, door space guard, door, or gate meeting the  
11                requirements of subsection (b) of this section, the landlord shall provide the Commissioner of  
12                Insurance with one of the following:  
13                (1)    A statement signed by a professional elevator installer certifying installation  
14                    of the door baffle, door space guard, door, or gate meeting the requirements  
15                    of subsection (b) of this section.  
16                (2)    A receipt for purchase of the door baffle, door space guard, door, or gate  
17                    meeting the requirements of subsection (b) of this section, a signed statement  
18                    by the landlord stating the date of installation, and photographs depicting the  
19                    door baffle, door space guard, door, or gate as installed.  
20       (d)    For purposes of this section, "elevator" means a hoisting and lowering mechanism  
21                equipped with a car or platform which moves in guides, and which serves two or more floors of  
22                a building or structure.  
23       (e)    Any person who violates subsection (b) of this section by permitting the continued  
24                operation of an elevator that does not comply with subsection (a) of this section shall be guilty  
25                of a Class 2 misdemeanor."

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

27       **"§ 42-42. Landlord to provide fit premises.**

28       (a)    The landlord shall:

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

33                (1a)   Comply with all applicable elevator safety requirements in G.S. 143-143.7.

34                ...."

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

36       **"§ 42A-31. Landlord to provide fit premises.**

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

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

41                (1a)   Comply with all applicable elevator safety requirements in G.S. 143-143.7.

42                ...."

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

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

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

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and vote information, is available in the  
Senate Principal Clerk's Office**