



**Written Testimony on House Bill 2826**  
**House Committee on Commerce, Labor, and Economic Development**  
**Mark Engholm, State Fire Marshal**  
**March 19, 2024**

During the 2022 legislative session, House Bill 2005 was signed by Governor Kelly establishing the Kansas Elevator Safety Act and assigning administration and enforcement of the program to the Office of the State Fire Marshal (OSFM). The program is responsible for ensuring the safety of public passenger elevators, escalators, and chair lifts throughout Kansas, with the exception of Sedgwick County / Wichita who have chosen to maintain their existing local elevator safety program.

Unlike the other safety and prevention programs conducted by the OSFM, inspections of public elevators, escalators, and chair lifts are conducted by qualified and OSFM licensed private companies and their employees. These companies conduct elevator safety inspections, make elevator repairs, modify existing elevators, and install new elevators while reporting their activities to the OSFM. Our office is then responsible for following up on any violations to ensure that the proper repairs are made to ensure the safety of these devices. To administer this program, the OSFM has hired a Qualified Elevator Inspector (QEI) and an Administrative Assistant. The OSFM has requested that the legislature allow the agency to add a Professional Engineer to our staff who will be responsible for overseeing an "Industrial Safety Division" in our office that will encompass our elevator and boiler safety programs.

Under the Elevator Safety Act, an elevator, escalator, or chair lift is required to meet the safety standards that were in place on the date that it was installed. Building operators in Kansas are only required to update their elevators to current safety code if they significantly modify or replace their elevator.

As of today, our office has issued the following number of licenses to entities which inspect, maintain, and install elevators in Kansas.

Licensed contractors	31
Licensed Inspectors (QEI)	21
Licensed Mechanics	259

Since the Elevator Safety Program's inception, the OSFM has received and issued the following:

Installation / Modification permits	291
Elevators registered *	4166
Escalators registered	65
Platform lifts registered	216

(\* There are an estimated 10,000 elevators in the State of Kansas)

Since the Elevator Safety Program's inception, OSFM has received the following information from licensed contractors and issued the following number of certificates of operation:

Operation certificates issued	3610
Deficient installations remaining	967

To date, the OSFM has not assessed any penalties against any facility owners for violation of the Elevator Safety Act. The only penalty that has been assessed by OSFM was levied against one of the licensed contractors for failing to obtain a permit before construction or modification of a passenger elevator.



While this program has only been in place for less than a year, the results of the inspections that have been completed are telling from a public safety perspective. In 49% of the initial safety inspections, elevators are found to be deficient and require remedial safety measures. In most cases, these safety violations are remedied / repaired and an operating certificate is issued by OSFM.

Our office looks forward to working with the legislature to fine tune the Elevator Safety Act to ensure that it fairly and properly balances the safety risks of those using public elevators against the potential impact this act has on building owners.