

**198B.540 Enforcement -- Notice of defective machinery -- Sealing of dangerous passenger elevator or fixed guideway system.**

- (1) If the department's inspector of elevators and fixed guideway systems or a general inspector of elevators or fixed guideway systems finds that a passenger elevator, fixed guideway system, or a part thereof does not afford reasonable safety, the department or the general inspector may post a notice upon the elevator or fixed guideway system prohibiting further use of the elevator or fixed guideway system until the changes or alterations set forth in the notice have been made to the satisfaction of the department or the inspector. Said notice shall contain a statement that operators or passengers are subject to injury by its continued use, a description of the alteration or other change necessary to be made in order to secure safety of operation, date of the notice, and name and signature of the department or inspector issuing the notice.
- (2) If any inspector of elevators or fixed guideway systems finds a passenger elevator or fixed guideway system to be so unsafe as can be reasonably expected to offer imminent danger of death or physical injury, that unit shall be sealed out of service, a hazard notice posted thereon, and the department shall be notified immediately as to the location and condition of the unit.
- (3) Any passenger elevator or fixed guideway system, once sealed, shall not be operated except for the purpose of effecting repairs and in the manner prescribed by the department, until all defects are corrected and the unit has been inspected and certified as safe by the department.
- (4) Sealing shall consist of rendering a passenger elevator unit or fixed guideway system inoperable by disconnecting power and/or by placing a sealing device on the operation switch and ordering additional measures to be effected by the owner, such as erection of barricades, as may be required to prevent use of or public access to the unit.
- (5) No seal, notice, or barricade placed on or around an elevator or fixed guideway system in accordance with the provisions of this chapter shall be removed, obstructed or in any way altered without the written consent of the department.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 272, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 157, sec. 13, effective July 12, 2006. -- Amended 1978 Ky. Acts ch. 123, sec. 6, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 232, sec. 9; and ch. 299, sec. 85. -- Created 1974 Ky. Acts ch. 239, sec. 18.

**Formerly codified as** KRS 336.680.