

OVERVIEW

THE AUDITOR
STATE OF HAWAII

Sunset Evaluation Update: Elevator Mechanics

Summary

We evaluated the regulation of elevator mechanics under Chapter 448H, Hawaii Revised Statutes, and conclude that the public interest is best served by continuance of the chapter.

This evaluation and repeal of the chapter had been scheduled under the Sunset Law. Subsequently, Act 279 of 1994 removed the repeal date and with it the evaluation requirement. Nevertheless, since the work had already been done, we are issuing the report to help decisionmakers in assessing the regulatory program.

Elevator mechanics assemble, install, repair, maintain, and replace elevators, escalators, and similar equipment. Elevator mechanics must have knowledge of electronics, electricity, hydraulics, carpentry, and other construction skills. Elevator work generally falls into three categories—construction, repair, and maintenance.

A seven-member Elevator Mechanics Licensing Board regulates the occupation. The board is administratively attached to the Department of Commerce and Consumer Affairs, whose Professional and Vocational Licensing Division provides administrative services to the board.

In our 1983 and 1985 sunset evaluations of elevator mechanics, we found sufficient other safeguards for public safety to make the elevator mechanics regulatory program unnecessary. The 1983 Legislature amended Chapter 448H to increase the board's activity, but our 1985 sunset found that the board's greater activity had little substance, making the board unnecessary.

Since our sunset evaluation in 1985, technological innovations have increased the complexities of elevators, requiring additional training for elevator mechanics. Today, elevator mechanics must have knowledge of computer programming and diagnostics to service effectively new and remodeled elevators that have computer microprocessors for increased efficiency.

Evidence is available that the practice of this occupation has the potential to cause harm. The Department of Labor and Industrial Relations' (DLIR) Boiler and Elevator Inspection Bureau inspects all elevators and escalators. For the past three years, the bureau has issued citations for an average of over 13,000 violations of safety standards each year.

We found that the Elevator Mechanics Licensing Board is unnecessary. In general, occupational licensing boards have two functions. One is to determine whether applicants are sufficiently qualified and competent to practice. The second is to ensure that practitioners adhere to standards.

In Hawaii, these two functions are carried out by agencies other than the Elevator Mechanics Licensing Board. Determining an applicant's qualifications for licensure is primarily performed by DCCA. Most of the board's functions now consist of ratifying decisions already made by others. The board's other responsibilities are minor and require little discretion. Adherence to safety standards is the responsibility of DLIR's Boiler and Elevator Inspection Bureau.

We also found that elevator mechanics who are late in renewing their licenses are not assessed a penalty. In most of the other regulated professions, licensees who renew late must pay additional fees.

Recommendations and Response

The board agrees with our recommendation to continue the regulation of elevator mechanics under Chapter 448H, Hawaii Revised Statutes. The board also agrees with our recommendation that a suitable fee for late renewals of the elevator mechanic license be established and that the renewal application form be amended accordingly.

The board, however, strongly opposes our recommendation to terminate the Elevator Mechanics Licensing Board and transfer its functions to the director of the Department of Commerce and Consumer Affairs. The board feels that its expertise and knowledge have maintained the high standards established in the industry that make it appear that the board has limited participation and activity. The board says that it is involved in evaluating the qualification standards and ensuring that the examination continues to be valid and reliable. We believe that the board plays a limited role in with respect to both of the functions above.

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