



2021 ASSEMBLY BILL 443

July 12, 2021 - Introduced by Representatives L. MYERS, VRUWINK, BALDEH, CABRERA, SINICKI, HESSELBEIN, SUBECK, SNODGRASS and DRAKE, cosponsored by Senator L. TAYLOR. Referred to Committee on Housing and Real Estate.

- 1 **AN ACT** *to create* 101.987 of the statutes; **relating to:** maximum allowable
2 clearance distances between doors in residential dumbwaiters and elevators.

Analysis by the Legislative Reference Bureau

This bill requires that the owner of an individual residential dwelling unit that is served by a dumbwaiter or elevator must ensure that the dumbwaiter or elevator meets all of the following requirements:

1. The clearance between the hoistway face of a landing door or gate for the dumbwaiter or elevator and the hoistway edge of the landing sill does not exceed three-quarters of an inch.

2. The distance between the hoistway face of a landing door or gate for the dumbwaiter or elevator and the farthest point of the car door or gate does not exceed three inches.

The bill provides that, for a dumbwaiter or elevator installed before the effective date of the bill, an owner may comply with the maximum clearance and distance requirements by measuring from a space guard that is attached to the hoistway face of a landing door or gate if the space guard is designed and installed according to specifications established by the Department of Safety and Professional Services.

The bill also provides that, for a dumbwaiter or elevator installed before the effective date of the bill, an owner may install a light curtain on each landing that meets certain minimum safety requirements. If the owner installs light curtains, the maximum clearance and distance requirements are increased to three inches and five inches, respectively.

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The bill requires DSPS to develop a pamphlet that describes the maximum clearance and distance requirements created in the bill and the dangers associated with dumbwaiters and elevators that do not comply with those requirements, and the bill requires persons that provide certain services to owners of residential dumbwaiters and elevators to provide each owner with a copy of the pamphlet at the time a service is provided.

Finally, the bill prohibits a person that is licensed as an elevator contractor or elevator mechanic from altering, maintaining, repairing, or servicing a dumbwaiter or elevator that does not comply with the maximum clearance and distance requirements created in the bill unless the alteration, maintenance, repair, or service brings the dumbwaiter or elevator into compliance.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 101.987 of the statutes is created to read:

2 **101.987 Residential elevators; landing door clearance distances. (1)**

3 Except as provided under subs. (2) and (3), the owner of an individual residential
4 dwelling unit that is served by a dumbwaiter or elevator shall ensure that the
5 dumbwaiter or elevator meets all of the following requirements:

6 (a) The clearance between the hoistway face of a landing door or gate for the
7 dumbwaiter or elevator and the hoistway edge of the landing sill does not exceed
8 three-quarters of an inch.

9 (b) The distance between the hoistway face of a landing door or gate for the
10 dumbwaiter or elevator and the farthest point of the car door or gate does not exceed
11 3 inches.

12 **(2)** If an individual residential dwelling unit is served by a dumbwaiter or
13 elevator that was installed before the effective date of this subsection [LRB inserts
14 date], the owner of the dwelling unit may comply with the maximum clearance and
15 distance requirements under sub. (1) by measuring from a space guard that is

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1 attached to the hoistway face of a landing door or gate for the dumbwaiter or elevator
2 if the space guard is designed and installed according to specifications established
3 by the department.

4 (3) If an individual residential dwelling unit is served by a dumbwaiter or
5 elevator that was installed before the effective date of this subsection ... [LRB inserts
6 date], the owner of the dwelling unit may, instead of complying with the
7 requirements under sub. (1), ensure that the dumbwaiter or elevator meets all of the
8 following requirements:

9 (a) On each landing, a light curtain is installed between the landing door or gate
10 for the dumbwaiter or elevator and the car door or gate.

11 (b) Each light curtain described under par. (a) detects the passing of a 3-inch
12 sphere between the hoistway face of the landing door or gate and the car door or gate
13 and, when the light beam is interrupted, prevents the dumbwaiter or elevator from
14 moving.

15 (c) The clearance between the hoistway face of a landing door or gate for the
16 dumbwaiter or elevator and the hoistway edge of the landing sill does not exceed 3
17 inches.

18 (d) The distance between the hoistway face of a landing door or gate for the
19 dumbwaiter or elevator and the farthest point of the car door or gate does not exceed
20 5 inches.

21 (4) (a) The department shall develop a pamphlet for owners of residential
22 dwelling units that are served by dumbwaiters and elevators that describes the
23 maximum clearance and distance requirements under this section and the dangers
24 associated with dumbwaiters and elevators that do not comply with those
25 requirements.

