

ELEVATOR SAFETY BOARD (EXCERPT)
Act 227 of 1967

408.815 Permit for installation or alteration; plans and specifications; approval; form; fee; emergency alterations; issuance by municipality; receipt of completed application; time period for issuance; report; "completed application" defined.

Sec. 15.

(1) A person shall not install or alter an elevator without first obtaining a permit from the department. The department shall only issue a permit to a person that is licensed by the director as an elevator contractor. Elevator hoistway enclosures shall meet the requirements of the standard. The licensee shall submit detailed plans and specifications of all elevator equipment and the elevator hoistway enclosure, in triplicate, to the department, and approval of those plans and specifications is required before the permit is issued. A person shall apply for a permit on a form provided by the department. The department shall not issue a permit if the appropriate fee is not paid. For emergency alterations, the permit shall be obtained within 72 hours from the time of alteration.

(2) In a municipality that maintains its own approved elevator inspection department, a person shall submit elevator installation or alteration plans and specifications to that department for its approval and, if approved, the municipality shall issue a permit for the installation or alteration of that elevator.

(3) The department shall issue an initial or renewal elevator contractor license or installation or alteration permit not later than 90 days after the applicant files a completed application. An application is considered received on the date the application is received by any agency or department of this state. If an application is considered incomplete by the department, the department shall notify the applicant in writing, or make the information electronically available, within 30 days after receipt of the incomplete application, describing the deficiency and requesting the additional information. The 90-day period is tolled from the date the applicant is notified by the department of a deficiency until the date the requested information is received by the department. The determination of the completeness of an application does not operate as an approval of the application for the license or permit and does not confer eligibility of an applicant determined otherwise ineligible for issuance of a license or permit.

(4) If the department fails to issue or deny a license or permit within the time required by subsection (3), the department shall return the license or permit fee and shall reduce the license or permit fee for the applicant's next renewal application, if any, by 15%. A failure to issue a license or permit within the time required under this section does not allow the department to otherwise delay the processing of the application, and the department shall place that application, when completed, in sequence with other completed applications received at that same time. The department shall not discriminate against an applicant in the processing of the application based on the fact that the license or permit fee was refunded or discounted under this subsection.

(5) The director of the department shall submit a report by December 1 of each year to the standing committees and appropriations subcommittees of the senate and house of representatives concerned with occupational issues. The director shall include all of the following information in the report concerning the preceding fiscal year:

(a) The number of initial and renewal applications the department received and completed within the 90-day time period described in subsection (3).

(b) The number of applications denied.

(c) The number of applicants not issued a license or permit within the 90-day time period and the amount of money returned to licensees or permittees under subsection (4).

(6) As used in this section, "completed application" means an application complete on its face and submitted with any applicable licensing or permit fees as well as any other information, records, approval, security, or similar item required by law or rule from a local unit of government, a federal agency, or a private entity but not from another department or agency of this state.

History: 1967, Act 227, Eff. Nov. 2, 1967 ;-- Am. 2004, Act 269, Imd. Eff. July 23, 2004 ;-- Am. 2015, Act 35, Eff. Aug. 19, 2015

Compiler's Notes: Enacting section 3 of Act 35 of 2015 provides: "Enacting section 3. It is the intent of the legislature that the enactment of this amendatory act does not affect the department of licensing and regulatory affairs' examination or examination requirements for licensure as a residential builder under article 24 of the occupational code, 1980 PA 299, MCL 339.2401 to 339.2412."