

REFERENCE TITLE: **elevator contractors; mechanics; certification**

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1481

Introduced by
Senators Carroll: Payne, Sundareshan; Representatives Hendrix, Travers

AN ACT

AMENDING SECTIONS 23-491, 23-491.02, 32-101 AND 32-102, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-111; AMENDING TITLE 32, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-122.04; AMENDING SECTION 32-1101, ARIZONA REVISED STATUTES; AMENDING SECTION 32-1121, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2019, CHAPTER 140, SECTION 1; AMENDING SECTION 32-1121, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2019, CHAPTER 145, SECTION 5; RELATING TO THE STATE BOARD OF TECHNICAL REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 23-491, Arizona Revised Statutes, is amended to
3 read:

4 23-491. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Authorized representative" means the elevator chief and
7 elevator inspector employed by the division.

8 2. "Certificate" means a certificate of inspection issued by the
9 division.

10 3. "Commission" means the industrial commission of Arizona.

11 4. "Conveyance":

12 (a) Means an elevator, dumbwaiter, escalator, moving walk, manlift,
13 personnel hoist, material hoist, stage lift and special purpose personnel
14 elevator. ~~excluding~~

15 (b) DOES NOT INCLUDE conveyances located at mines ~~and~~ THAT ARE
16 subject to regulation and inspection by the state mine inspector pursuant
17 to title 27, chapter 3.

18 5. "Director" means the director of the division ~~of occupational~~
19 ~~safety and health.~~

20 6. "Division" means the division of occupational safety and health
21 of the ~~industrial~~ commission.

22 7. "Dumbwaiter" means a hoisting and lowering mechanism with a car
23 of limited capacity and size that moves in guides in a substantially
24 vertical direction and that is used exclusively for carrying material.

25 8. "Elevator" means a hoisting and lowering mechanism equipped with
26 a car or platform that moves in guides in substantially vertical direction
27 and that serves two or more floors of a building or structure.

28 9. "Elevator company" means a person that is engaged in the
29 business of erecting, constructing, installing, altering, servicing,
30 repairing or maintaining conveyances.

31 10. "ELEVATOR CONTRACTOR" MEANS A PERSON THAT HAS BEEN ISSUED AN
32 ELEVATOR CONTRACTOR'S LICENSE PURSUANT TO TITLE 32, CHAPTER 10 AND THAT
33 EMPLOYS AT LEAST ONE ELEVATOR MECHANIC.

34 11. "ELEVATOR MECHANIC" MEANS A PERSON WHO IS CERTIFIED BY THE
35 STATE BOARD OF TECHNICAL REGISTRATION TO ENGAGE IN ERECTING, CONSTRUCTING,
36 INSTALLING, ALTERING, SERVICING, REPAIRING, TESTING AND MAINTAINING
37 ELEVATORS AND CONVEYANCES.

38 ~~10.~~ 12. "Escalator" means a ~~power driven~~ POWER-DRIVEN, inclined,
39 continuous stairway used for raising or lowering passengers.

40 ~~11.~~ 13. "Interested party" means the commission and its agents and
41 the owner or operator who has been issued a correction order.

42 ~~12.~~ 14. "Manlift" means a device ~~consisting~~ THAT CONSISTS of a
43 ~~power driven~~ POWER-DRIVEN endless belt moving in one direction only and
44 ~~provided with~~ steps or platforms and attached handholds ~~for the~~
45 ~~transportation of~~ AND THAT TRANSPORTS personnel from floor to floor.

1 ~~13.~~ 15. "Material hoist":

2 (a) Means a hoist for raising and lowering materials only. ~~and~~
3 ~~prohibiting the hoisting of~~

4 (b) DOES NOT INCLUDE A HOIST FOR persons.

5 ~~14.~~ 16. "Moving walk" means a type of passenger carrying device on
6 which passengers stand or walk and in which the passenger carrying surface
7 remains parallel to its direction of motion and is uninterrupted.

8 ~~15.~~ 17. "Owner" or "operator":

9 (a) Means an individual or organization including this state and
10 all political subdivisions of this state ~~who~~ THAT has title to, controls
11 or has the duty to control the operation of one or more conveyances. ~~, but~~
12 ~~shall~~

13 (b) DOES not include an individual or organization THAT IS engaged
14 in mining or metallurgical operations AND whose operation is subject to
15 regulation and inspection by the state mine inspector pursuant to title
16 27, chapter 3.

17 ~~16.~~ 18. "Personnel hoist":

18 (a) Means a mechanism ~~for use~~ THAT IS USED in connection with the
19 construction, alteration, maintenance or demolition of a building,
20 structure or other work, THAT IS used for hoisting and lowering workers
21 and materials and THAT IS equipped with a car that moves on guide members
22 during its vertical movement. ~~The term~~

23 (b) Includes a hoistway of a personnel hoist.

24 ~~17.~~ 19. "Private elevator inspector" means an individual who is
25 authorized by the commission under section 23-491.16 to conduct
26 inspections under this article.

27 ~~18.~~ 20. "Special purpose personnel elevator" means a passenger,
28 ~~hand powered~~ HAND-POWERED, counterweighted device or an ~~electric powered~~
29 ELECTRIC-POWERED device that travels vertically in guides and that serves
30 two or more landings.

31 ~~19.~~ 21. "Stage lift" means a hoisting and lowering mechanism
32 equipped with a platform that moves in guides in a substantially vertical
33 direction and that serves one or more landings.

34 Sec. 2. Section 23-491.02, Arizona Revised Statutes, is amended to
35 read:

36 23-491.02. Owners and operators: duties

37 ~~Every~~ EACH owner and operator of a conveyance shall:

38 1. Construct, furnish, maintain and provide safe and adequate
39 devices with which to safely and properly convey or move all persons and
40 material ~~utilizing~~ USING the services offered by the owner or operator of
41 such ~~device~~ DEVICES.

42 2. Comply with all standards and regulations issued pursuant to
43 this article.

1 3. Ensure that ~~a~~ THE conveyance is inspected at all of the
2 following times:

3 (a) Before placing ~~a~~ THE conveyance in operation after the initial
4 installation of the conveyance.

5 (b) After modification or alteration of ~~a~~ THE conveyance.

6 (c) After the inspection pursuant to subdivision (a) OF THIS
7 PARAGRAPH, annually or as otherwise directed by the commission.

8 4. ENSURE THAT THE CONVEYANCE IS INSTALLED, SERVICED OR REPAIRED BY
9 AN ELEVATOR CONTRACTOR OR AN ELEVATOR MECHANIC WHO IS EMPLOYED BY AN
10 ELEVATOR CONTRACTOR PURSUANT TO THE REQUIREMENTS OF THIS ARTICLE AND RULES
11 ADOPTED PURSUANT TO THIS ARTICLE.

12 Sec. 3. Heading changes

13 A. The chapter heading of title 32, chapter 1, Arizona Revised
14 Statutes, is changed from "ARCHITECTS, ENGINEERS, GEOLOGISTS, HOME
15 INSPECTORS, LANDSCAPE ARCHITECTS AND SURVEYORS" to "TECHNICAL
16 PROFESSIONS".

17 B. The article heading of title 32, chapter 1, article 1, Arizona
18 Revised Statutes, is changed from "BOARD OF TECHNICAL REGISTRATION" to
19 "STATE BOARD OF TECHNICAL REGISTRATION".

20 Sec. 4. Section 32-101, Arizona Revised Statutes, is amended to
21 read:

22 32-101. Purpose; definitions

23 A. The purpose of this chapter is to provide for the safety, health
24 and welfare of the public through ~~the promulgation~~ ADOPTING and
25 ~~enforcement of~~ ENFORCING standards of qualification for those individuals
26 who are registered or certified and seeking registration or certification
27 pursuant to this chapter.

28 B. In this chapter, unless the context otherwise requires:

29 1. "Advertising" includes business cards, signs or letterhead
30 provided by a person to the public.

31 2. "Alarm" or "alarm system":

32 (a) Means any mechanical or electrical device that is designed to
33 emit an audible alarm or transmit a signal or message if activated and
34 that is used to detect an unauthorized entry into a building or other
35 facility or alert other persons of the occurrence of a medical emergency
36 or the commission of an unlawful act against a person or in a building or
37 other facility.

38 (b) Includes:

39 (i) A silent, panic, holdup, robbery, duress, burglary, medical
40 alert or proprietor alarm that requires emergency personnel to respond.

41 (ii) A low-voltage electric fence.

42 (c) Does not include a telephone call diverter or a system that is
43 designed to report environmental and other occurrences and that is not
44 designed or used to alert or cause other persons to alert public safety
45 personnel.

1 3. "Alarm agent":

2 (a) Means a person, whether an employee, an independent contractor
3 or otherwise, who acts on behalf of an alarm business and who tests,
4 maintains, services, repairs, sells, rents, leases or installs alarm
5 systems.

6 (b) Does not include ~~any action by~~ a person ~~that~~ WHO:

7 (i) ~~is performed~~ PERFORMS ANY ACTION in connection with an alarm
8 system located on the person's own property or the property of the
9 person's employer.

10 (ii) Is acting on behalf of an alarm business AND whose work duties
11 do not include visiting the location where an alarm system installation
12 occurs.

13 4. "Alarm business":

14 (a) Means any person who, either alone or through a third party,
15 engages in the business of either of the following:

16 (i) Providing alarm monitoring services.

17 (ii) Selling, leasing, renting, maintaining, repairing or
18 installing a nonproprietor alarm system or service.

19 (b) Does not include any of the following:

20 (i) A person or company that purchases, rents or uses an alarm that
21 is affixed to a motor vehicle.

22 (ii) A person who owns or conducts a business of selling, leasing,
23 renting, installing, maintaining or monitoring an alarm that is affixed to
24 a motor vehicle.

25 (iii) A person who installs a nonmonitored proprietor alarm for a
26 business that the person owns, is employed by or manages.

27 (iv) The installation or monitoring of fire alarm systems.

28 (v) An alarm system that is operated by a city or town.

29 5. "Alarm subscriber" means any person who:

30 (a) Leases, rents or purchases any monitored alarm system or
31 service from an alarm business.

32 (b) Leases or rents an alarm system.

33 (c) Contracts with an alarm business for alarm monitoring,
34 installation, repair or maintenance services.

35 6. "Architect" means a person who, by reason of knowledge of the
36 mathematical and physical sciences and the principles of architecture and
37 architectural engineering acquired by professional education and practical
38 experience, is qualified to engage in the practice of architecture and is
39 registered as an architect pursuant to this chapter.

40 7. "Architectural practice" means any professional service or
41 creative work requiring architectural education, training and experience,
42 and the application of the mathematical and physical sciences and the
43 principles of architecture and architectural engineering to such
44 professional services or creative work as consultation, evaluation, design
45 and review of construction for conformance with contract documents and

1 design, in connection with any building, planning or site development.
2 A person is deemed to practice or offer to practice architecture who in
3 any manner represents that the person is an architect or is able to
4 perform any architectural service or other services recognized by
5 educational authorities as architecture.

6 8. "Board" means the state board of technical registration.

7 9. "Controlling person":

8 (a) Means a person who is designated by an alarm business.

9 (b) Does not include an alarm agent.

10 10. "CONVEYANCE" HAS THE SAME MEANING PRESCRIBED IN SECTION 23-491.

11 11. "ELEVATOR" HAS THE SAME MEANING PRESCRIBED IN SECTION 23-491.

12 12. "ELEVATOR CONTRACTOR" MEANS A PERSON THAT HAS BEEN ISSUED AN
13 ELEVATOR CONTRACTOR'S LICENSE PURSUANT TO CHAPTER 10 OF THIS TITLE AND
14 THAT EMPLOYS AT LEAST ONE ELEVATOR MECHANIC.

15 13. "ELEVATOR MECHANIC" MEANS A PERSON WHO IS CERTIFIED BY THE
16 BOARD PURSUANT TO SECTION 32-122.04 TO ENGAGE IN ERECTING, CONSTRUCTING,
17 INSTALLING, ALTERING, SERVICING, REPAIRING, TESTING AND MAINTAINING
18 ELEVATORS AND CONVEYANCES.

19 ~~10.~~ 14. "Engineer" means a person who by reason of engineering
20 education, training and experience may apply engineering principles and
21 interpret engineering data.

22 ~~11.~~ 15. "Engineering practice" means any professional service or
23 creative work requiring engineering education, training and experience in
24 applying engineering principles and interpreting engineering data to
25 engineering activities that clearly impact the health, safety and welfare
26 of the public and the engineering design of buildings, structures,
27 products, machines, processes and systems to the extent that the
28 engineering education, training and experience requirements prescribed by
29 sections 32-122 and 32-122.01 are necessary to protect the health, safety
30 and welfare of the public. The services or creative work may include
31 providing planning services, studies, designs, design coordination,
32 drawings, specifications and other technical submissions, surveying as
33 prescribed in paragraph ~~22~~ 26, subdivisions (d) and (e) of this
34 subsection, and reviewing construction or other design products for the
35 purposes of monitoring compliance with drawings and specifications related
36 to engineered works. A person employed on a full-time basis as an
37 engineer by an employer engaged in the business of developing, mining and
38 treating ores and other minerals ~~shall~~ IS not ~~be~~ deemed to be practicing
39 engineering for the purposes of this chapter if the person engages in the
40 practice of engineering exclusively for and as an employee of such
41 employer and does not represent that the person is available and is not
42 represented as being available to perform any engineering services for
43 persons other than the person's employer. A person is deemed to practice
44 engineering if the person does any of the following:

1 (a) Practices any discipline of the profession of engineering or
2 holds out to the public that the person is able and authorized to practice
3 any discipline of engineering.

4 (b) Represents to the public that the person is a professional
5 engineer by a verbal claim, sign, advertisement, letterhead or card or in
6 any other manner.

7 (c) Uses a title that implies that the person is a professional
8 engineer.

9 ~~12.~~ 16. "Engineer-in-training" means a candidate for registration
10 as a professional engineer who both:

11 (a) Is a graduate in an approved engineering curriculum of four
12 years or more of a school approved by the board or has four years or more
13 of education or experience, or both, in engineering work that meets
14 standards specified by the board in its rules.

15 (b) Has passed the engineer-in-training examination.

16 ~~13.~~ 17. "Firm" means any individual or partnership, corporation or
17 other type of association, including the association of a nonregistrant
18 and a registrant who offers to the public professional services regulated
19 by the board.

20 ~~14.~~ 18. "Geological practice" means any professional service or
21 work requiring geological education, training and experience, and the
22 application of special knowledge of the earth sciences to such
23 professional services as consultation, evaluation of mining properties,
24 petroleum properties and groundwater resources, professional supervision
25 of exploration for mineral natural resources including metallic and
26 nonmetallic ores, petroleum and groundwater, and the geological phases of
27 engineering investigations.

28 ~~15.~~ 19. "Geologist" means a person, who is not required to be a
29 professional engineer, who by reason of special knowledge of the earth
30 sciences and the principles and methods of search for and appraisal of
31 mineral or other natural resources acquired by professional education and
32 practical experience is qualified to practice geology as attested by
33 registration as a professional geologist. A person who is employed on a
34 full-time basis as a geologist by an employer engaged in the business of
35 developing, mining or treating ores and other minerals is not deemed to be
36 engaged in geological practice for the purposes of this chapter if the
37 person engages in geological practice exclusively for and as an employee
38 of such employer and does not represent that the person is available and
39 is not represented as being available to perform any geological services
40 for persons other than the person's employer.

41 ~~16.~~ 20. "Geologist-in-training" means a candidate for registration
42 as a professional geologist who both:

43 (a) Is a graduate of a school approved by the board or has four
44 years or more of education or experience, or both, in geological work that
45 meets standards specified by the board in its rules.

- 1 (b) Has passed the geologist-in-training examination.
- 2 ~~17.~~ 21. "Home inspection" means a visual analysis for the purposes
- 3 of providing a professional opinion of the building, any reasonably
- 4 accessible installed components and the operation of the building's
- 5 systems, including the controls normally operated by the owner, for the
- 6 following components of a residential building of four units or less:
- 7 (a) Heating system.
- 8 (b) Cooling system.
- 9 (c) Plumbing system.
- 10 (d) Electrical system.
- 11 (e) Structural components.
- 12 (f) Foundation.
- 13 (g) Roof covering.
- 14 (h) Exterior and interior components.
- 15 (i) Site aspects as they affect the building.
- 16 (j) Pursuant to rules adopted by the board, swimming pool and spa.
- 17 ~~18.~~ 22. "Home inspection report" means a written report that is
- 18 prepared for compensation, that is issued after a home inspection and that
- 19 clearly describes and identifies the inspected systems, structures and
- 20 components of a completed dwelling and any visible major defects found to
- 21 be in need of immediate major repair and any recommendations for
- 22 additional evaluation by appropriate persons.
- 23 ~~19.~~ 23. "Home inspector" means an individual who is certified
- 24 pursuant to this chapter as a home inspector and who engages in the
- 25 business of performing home inspections and writing home inspection
- 26 reports.
- 27 ~~20.~~ 24. "Landscape architect" means a person who, by reason of
- 28 professional education or practical experience, or both, is qualified to
- 29 engage in the practice of landscape architecture as attested by
- 30 registration as a landscape architect.
- 31 ~~21.~~ 25. "Landscape architectural practice":
- 32 (a) Means performing professional services such as consultations,
- 33 investigation, reconnaissance, research, planning, design or responsible
- 34 supervision in connection with the development of land and incidental
- 35 water areas where, and to the extent that, the dominant purpose of such
- 36 services is the preservation, enhancement or determination of proper land
- 37 uses, natural land features, ground cover and planting, naturalistic and
- 38 aesthetic values, the settings of and approaches to buildings, structures,
- 39 facilities or other improvements, natural drainage and the consideration
- 40 and the determination of inherent problems of the land relating to
- 41 erosion, wear and tear, light or other hazards.
- 42 (b) Includes locating and arranging such tangible objects and
- 43 features as are incidental and necessary to the purposes outlined in this
- 44 paragraph.

1 (c) Does not include making cadastral surveys or final land plats
2 for official recording or approval, nor mandatorily include planning for
3 governmental subdivisions.

4 ~~22.~~ 26. "Land surveying practice" means performing one or more of
5 the following professional services:

6 (a) Measuring land to determine the position of any monument or
7 reference point that marks a property line, boundary or corner for the
8 purpose of determining the area or description of the land.

9 (b) Locating, relocating, establishing, reestablishing, setting,
10 resetting or replacing ~~of~~ corner monuments or reference points that
11 identify land boundaries, rights-of-way or easements.

12 (c) Platting or plotting of lands for the purpose of subdividing.

13 (d) Measuring by angles, distances and elevations natural or
14 artificial features in the air, on the surface and immediate subsurface of
15 the earth, within underground workings and on the surface or within bodies
16 of water for the purpose of determining or establishing their location,
17 size, shape, topography, grades, contours or water surface and depths, and
18 ~~the~~ preparing and perpetuating field note records and maps depicting these
19 features.

20 (e) Setting, resetting or replacing points to guide the location of
21 new construction.

22 ~~23.~~ 27. "Land surveyor" means a person who by reason of knowledge
23 of the mathematical and physical sciences, principles of land surveying
24 and evidence gathering acquired by professional education or practical
25 experience, or both, is qualified to practice land surveying as attested
26 by registration as a land surveyor. A person employed on a full-time
27 basis as a land surveyor by an employer engaged in the business of
28 developing, mining or treating ores or other minerals is not deemed to be
29 engaged in land surveying practice for purposes of this chapter if the
30 person engages in land surveying practice exclusively for and as an
31 employee of such employer and does not represent that the person is
32 available and is not represented as being available to perform any land
33 surveying services for persons other than the person's employer.

34 ~~24.~~ 28. "Land surveyor-in-training" means a candidate for
35 registration as a professional land surveyor who both:

36 (a) Is a graduate of a school and curriculum approved by the board
37 or has four years or more of education or experience, or both, in land
38 surveying work that meets standards specified by the board in its rules.

39 (b) Has passed the land surveyor-in-training examination.

40 ~~25.~~ 29. "Low-voltage electric fence" means a fence that meets all
41 of the following requirements:

42 (a) Has an electric fence energizer that is powered by a commercial
43 storage battery with a rated voltage of not more than twelve volts and
44 that produces an electric charge on contact with the fence.

45 (b) Is completely enclosed by a nonelectric fence or wall.

1 (c) Is continuously monitored.

2 (d) Is attached to ancillary components or equipment such as closed
3 circuit television systems, access controls, battery recharging devices
4 and video cameras.

5 (e) Does not exceed ten feet in height or two feet higher than the
6 nonelectric fence or wall described in subdivision (b) of this paragraph,
7 whichever is higher.

8 (f) Has identification warning signs attached at intervals of not
9 more than sixty feet.

10 (g) Is not installed in an area zoned exclusively for single family
11 or multifamily residential use.

12 (h) Does not enclose property that is used for residential
13 purposes.

14 ~~26.~~ 30. "Monitored alarm" means a device that is designed to
15 detect an entry on any premises and that if activated generates a
16 notification signal.

17 ~~27.~~ 31. "Person" means any individual, firm, partnership,
18 corporation, association or other organization.

19 ~~28.~~ 32. "Principal" means an individual who is an officer of the
20 corporation or is designated by a firm as having full authority and
21 responsible charge of the services offered by the firm.

22 ~~29.~~ 33. "Professional engineer" means a person who, by reason of
23 special knowledge of the mathematical and physical sciences and the
24 principles and methods of engineering analysis and design acquired by
25 professional education and practical experience, is qualified to practice
26 engineering and is registered as a professional engineer pursuant to this
27 chapter.

28 ~~30.~~ 34. "Proprietor alarm" means any alarm or alarm system that is
29 owned by an alarm subscriber who has not contracted with an alarm
30 business.

31 ~~31.~~ 35. "Registrant" means a person who is registered or certified
32 by the board.

33 ~~32.~~ 36. "Registration" means a registration or certification that
34 is issued by the board.

35 Sec. 5. Section 32-102, Arizona Revised Statutes, is amended to
36 read:

37 32-102. State board of technical registration; members;
38 vacancies; terms

39 A. The state board of technical registration is established
40 consisting of members who are appointed by the governor as follows:

41 1. ~~One architect~~ TWO ARCHITECTS.

42 2. ~~One~~ TWO professional ~~engineer~~ ENGINEERS.

43 3. ~~Six~~ THREE public members, at least one of whom has a legal,
44 construction or design product background.

45 4. One landscape architect.

- 1 5. One geologist.
- 2 6. One land surveyor.
- 3 7. ONE ELEVATOR MECHANIC.
- 4 8. ONE HOME INSPECTOR.
- 5 9. ONE ALARM BUSINESS CONTROLLING PERSON.
- 6 B. On the expiration of any of the terms, a successor who is
- 7 qualified pursuant to subsection A of this section shall be appointed for
- 8 a full term of three years. The governor may remove a member of the board
- 9 for misconduct, incapacity or neglect of duty. Appointment to fill a
- 10 vacancy caused other than by expiration of term shall be for the unexpired
- 11 portion of the term.
- 12 C. A member may not serve more than two consecutive terms.
- 13 Sec. 6. Title 32, chapter 1, article 1, Arizona Revised Statutes,
- 14 is amended by adding section 32-111, to read:
- 15 32-111. Elevator mechanics safety and standards committee;
- 16 members; duties; rules; compensation
- 17 A. THE ELEVATOR MECHANICS SAFETY AND STANDARDS COMMITTEE OF THE
- 18 STATE BOARD OF TECHNICAL REGISTRATION IS ESTABLISHED AND CONSISTS OF:
- 19 1. ONE QUALIFIED ELEVATOR INSPECTOR WHO HOLDS A CURRENT QUALIFIED
- 20 ELEVATOR INSPECTOR CREDENTIAL ISSUED BY AN ACCREDITATION ENTITY RECOGNIZED
- 21 UNDER THE AMERICAN SOCIETY OF MECHANICAL ENGINEERS QEI-1 STANDARD AND WHO
- 22 IS APPOINTED BY THE BOARD FOR A THREE-YEAR TERM.
- 23 2. ONE REPRESENTATIVE OF AN ELEVATOR EQUIPMENT MANUFACTURER TRADE
- 24 ORGANIZATION WHO IS APPOINTED BY THE BOARD FOR A THREE-YEAR TERM. THE
- 25 BOARD SHALL SELECT THIS MEMBER FROM A LIST OF NAMES SUBMITTED TO THE BOARD
- 26 BY AT LEAST ONE ELEVATOR SERVICE COMPANY OR STATEWIDE ELEVATOR INDUSTRY
- 27 ASSOCIATION ORGANIZATION.
- 28 3. ONE REPRESENTATIVE OF AN ELEVATOR SERVICE COMPANY WHO IS
- 29 APPOINTED BY THE BOARD FOR A THREE-YEAR TERM. THE BOARD SHALL SELECT THIS
- 30 MEMBER FROM A LIST OF NAMES SUBMITTED TO THE BOARD BY AT LEAST ONE
- 31 ELEVATOR SERVICE COMPANY OR STATEWIDE ELEVATOR INDUSTRY ASSOCIATION.
- 32 4. ONE CERTIFIED ELEVATOR MECHANIC WHO IS APPOINTED BY THE BOARD TO
- 33 SERVE A THREE-YEAR TERM, WHO HOLDS AN ACTIVE CERTIFICATION AND WHO HAS AT
- 34 LEAST FIVE YEARS OF EXPERIENCE AS AN ELEVATOR MECHANIC.
- 35 5. TWO MEMBERS OF THE BOARD WHO ARE APPOINTED BY THE CHAIRPERSON OF
- 36 THE BOARD AND WHO SERVE STAGGERED THREE-YEAR TERMS.
- 37 6. ONE FIRE SAFETY PROFESSIONAL.
- 38 B. THE COMMITTEE IS RESPONSIBLE FOR DRAFTING RULES AND PROVIDING
- 39 RECOMMENDATIONS TO THE BOARD THAT DEFINE THE CONDUCT OF ELEVATOR MECHANICS
- 40 AND SUCH OTHER RULES AND STANDARDS RELATED TO THE ELEVATOR MECHANIC
- 41 PROFESSION.
- 42 C. THE COMMITTEE MAY PARTICIPATE IN:
- 43 1. THE INVESTIGATION AND REVIEW OF ELEVATOR MECHANIC COMPLAINTS AS
- 44 PROVIDED BY THE BOARD.

1 E. WHEN RENEWING AN ELEVATOR MECHANIC CERTIFICATION, THE BOARD
2 SHALL REQUIRE EACH CERTIFIED ELEVATOR MECHANIC TO HAVE AT LEAST EIGHT
3 HOURS OF ANNUAL TECHNICAL SAFETY UPDATES APPROVED BY THE BOARD.

4 Sec. 8. Section 32-1101, Arizona Revised Statutes, is amended to
5 read:

6 32-1101. Definitions

7 A. In this chapter, unless the context otherwise requires:

8 1. "Advertisement":

9 (a) Means any written or oral publication, dissemination,
10 solicitation or circulation that is intended to directly or indirectly
11 induce any person to enter into an agreement for contracting services with
12 a contractor. ~~, including~~

13 (b) INCLUDES business cards and telephone directory display
14 advertisements.

15 2. "Commercial contractor" is synonymous with the terms "commercial
16 builder", "industrial builder" and "public works builder" and means any
17 person, firm, partnership, corporation, association or other organization,
18 or a combination of any of them, that, for compensation, undertakes to or
19 offers to undertake to, purports to have the capacity to undertake to,
20 submits a bid or responds to a request for qualification or a request for
21 proposals for construction services to, does himself or by or through
22 others, or directly or indirectly supervises others, except within
23 residential property lines, to:

24 (a) Construct, alter, repair, add to, subtract from, improve, move,
25 wreck or demolish any building, highway, road, railroad, excavation or
26 other structure, project, development or improvement, or to do any part
27 thereof, including the erection of scaffolding or any other structure or
28 work in connection with the construction.

29 (b) Connect such a structure or improvements to utility service
30 lines and metering devices and the sewer line.

31 (c) Provide mechanical or structural service for any such structure
32 or improvements.

33 3. "Contractor":

34 (a) Is synonymous with the term "builder" and means any person,
35 firm, partnership, corporation, association or other organization, or a
36 combination of any of them, that, for compensation, undertakes to or
37 offers to undertake to, purports to have the capacity to undertake to,
38 submits a bid or responds to a request for qualification or a request for
39 proposals for construction services to, does himself or by or through
40 others, or directly or indirectly supervises others to:

41 (i) Construct, alter, repair, add to, subtract from, improve, move,
42 wreck or demolish any building, highway, road, railroad, excavation or
43 other structure, project, development or improvement, or to do any part
44 thereof, including the erection of scaffolding or any other structure or
45 work in connection with the construction.

1 (ii) Connect such a structure or improvements to utility service
2 lines and metering devices and the sewer line.

3 (iii) Provide mechanical or structural service for any such
4 structure or improvements.

5 (b) Includes subcontractors, specialty contractors, floor covering
6 contractors, hardscape contractors and consultants who represent that they
7 are able to supervise or manage a construction project for the property
8 owner's benefit, including hiring and firing specialty contractors,
9 scheduling work on the project and selecting and purchasing construction
10 material.

11 4. "CONVEYANCE" HAS THE SAME MEANING PRESCRIBED IN SECTION 23-491.

12 ~~4.~~ 5. "Dual licensed contractor" is synonymous with the term
13 "commercial and residential builder" and means any person, firm,
14 partnership, corporation, association or other organization, or a
15 combination of any of them, that for compensation undertakes to or offers
16 to undertake to, purports to have the capacity to undertake to, submits a
17 bid or responds to a request for qualification or a request for proposals
18 for construction services to, does himself or by or through others, or
19 directly or indirectly supervises others under a single license on
20 commercial or residential property to:

21 (a) Construct, alter, repair, add to, subtract from, improve, move,
22 wreck or demolish any building, excavation or other structure or
23 improvement, including any appurtenances, or to do any part thereof.

24 (b) Connect such a structure or improvements to utility service
25 lines and metering devices and the sewer line.

26 (c) Provide mechanical or structural service for any such structure
27 or improvements.

28 6. "ELEVATOR" HAS THE SAME MEANING PRESCRIBED IN SECTION 23-491.

29 7. "ELEVATOR CONTRACTOR" MEANS A PERSON THAT HAS BEEN ISSUED AN
30 ELEVATOR CONTRACTOR'S LICENSE PURSUANT TO THIS CHAPTER AND THAT EMPLOYS AT
31 LEAST ONE ELEVATOR MECHANIC.

32 8. "ELEVATOR MECHANIC" MEANS A PERSON WHO IS CERTIFIED PURSUANT TO
33 SECTION 32-122.04 AND RULES ADOPTED BY THE STATE BOARD OF TECHNICAL
34 REGISTRATION TO ENGAGE IN ERECTING, CONSTRUCTING, INSTALLING, ALTERING,
35 SERVICING, REPAIRING, TESTING AND MAINTAINING ELEVATORS AND CONVEYANCES.

36 ~~5.~~ 9. "License" means an authorization for the person who is
37 listed on the electronic, paper or other records maintained by the
38 registrar to act in the capacity of a contractor.

39 ~~6.~~ 10. "Named on a license" means ~~required to be~~ identified AS
40 REQUIRED pursuant to section 32-1122, subsection B.

41 ~~7.~~ 11. "Person" means a corporation, company, partnership, firm,
42 association, trust, society or natural person.

43 ~~8.~~ 12. "Qualifying party" means a person who is responsible for a
44 licensee's actions and conduct performed under the license and who either:

45 (a) Has an ownership interest in the license.

1 (b) Is regularly employed by the licensee.

2 ~~9.~~ 13. "Registrar" means the registrar of contractors.

3 ~~10.~~ 14. "Residential contractor":

4 (a) Is synonymous with the term "residential builder" and means any
5 person, firm, partnership, corporation, association or other organization,
6 or a combination of any of them, that for compensation undertakes to or
7 offers to undertake to, purports to have the capacity to undertake to,
8 submits a bid or responds to a request for qualification or a request for
9 proposals for construction services to, or does himself or by or through
10 others, within residential property lines:

11 (i) Construct, alter, repair, add to, subtract from, improve, move,
12 wreck or demolish any residential structure, such as houses, townhouses,
13 condominiums or cooperative units and any appurtenances on or within
14 residential property lines.

15 (ii) Connect such a residential structure to utility service lines,
16 metering devices or sewer lines.

17 (iii) Provide mechanical or structural service for any such
18 residential structure.

19 (b) Does not include an owner making improvements to the owner's
20 property pursuant to section 32-1121, subsection A, paragraph 5.

21 B. Only contractors as defined in this section are licensed and
22 regulated by this chapter.

23 Sec. 9. Section 32-1121, Arizona Revised Statutes, as amended by
24 Laws 2019, chapter 140, section 1, is amended to read:

25 32-1121. Persons not required to be licensed; penalties;
26 applicability

27 A. This chapter does not apply to:

28 1. An authorized representative of the United States government,
29 this state or any county, incorporated city or town, reclamation district,
30 irrigation district or other municipality or political subdivision of this
31 state.

32 2. Trustees of an express trust that is not formed for the purpose
33 of conducting business as a contractor or officers of a court, if they are
34 acting within the terms of their trust or office.

35 3. Public utilities operating under regulation of the corporation
36 commission or construction, repair or operation incidental to discovering
37 or producing petroleum or gas, or drilling, testing, abandoning or
38 otherwise operating a petroleum or gas well, if performed by an owner or
39 lessee.

40 4. Any materialman, manufacturer or retailer that furnishes
41 finished products, materials or articles of merchandise and that does not
42 install or attach such items or installs or attaches such items if the
43 total value of the sales contract or transaction involving such items and
44 the cost of the installation or attachment of such items to a structure
45 does not exceed \$1,000, including labor, materials and all other items,

1 but excluding any electrical fixture or appliance that was designed by the
2 manufacturer, that is unaltered, unchanged or unmodified by any person,
3 that can be plugged into a common household electrical outlet using a
4 two-pronged or three-pronged electrical connector or that has internal
5 batteries that do not exceed twelve volts in a single, series or parallel
6 configuration and that does not use any other form of energy, including
7 natural gas, propane or other petroleum or gaseous fuel, to operate or is
8 attached by a nail, screw or other fastening device to the frame or
9 foundation of any residential structure. The materialman, manufacturer or
10 retailer shall inform the purchaser that the installation may also be
11 performed by a licensed contractor whose name and address the purchaser
12 may request.

13 5. Owners of property who improve such property or who build or
14 improve structures or appurtenances on such property and who do the work
15 themselves, with their own employees or with duly licensed contractors, if
16 the structure, group of structures or appurtenances, including the
17 improvements thereto, are intended for occupancy solely by the owner and
18 are not intended for occupancy by members of the public as the owner's
19 employees or business visitors and the structures or appurtenances are not
20 intended for sale or for rent. In all actions brought under this chapter,
21 except an action against an owner-occupant as defined in section 33-1002,
22 proof of the sale or rent or the offering for sale or rent of any such
23 structure by the owner-builder within one year after completion or
24 issuance of a certificate of occupancy is prima facie evidence that such a
25 project was undertaken for the purpose of sale or rent. For the purposes
26 of this paragraph, "sale" or "rent" includes any arrangement by which the
27 owner receives compensation in money, provisions, chattels or labor from
28 the occupancy or the transfer of the property or the structures on the
29 property.

30 6. Owners of property who are acting as developers and who build
31 structures or appurtenances to structures on their property for the
32 purpose of sale or rent and who contract for such a project with a general
33 contractor licensed pursuant to this chapter and owners of property who
34 are acting as developers, who improve structures or appurtenances to
35 structures on their property for the purpose of sale or rent and who
36 contract for such a project with a general contractor or specialty
37 contractors licensed pursuant to this chapter. To qualify for the
38 exemption under this paragraph, the licensed contractors' names and
39 license numbers shall be included in all sales documents.

40 7. Architects or engineers who are engaging in their professional
41 practice as defined in chapter 1 of this title and who hire or offer to
42 hire the services of a contractor for preconstruction activities relating
43 to investigation and discovery, including:

44 (a) Subsurface utility location and designation services.

45 (b) Potholing.

1 (c) Drilling for any of the following:

2 (i) Soil samples.

3 (ii) Rock samples.

4 (iii) Pavement samples.

5 (d) Locating existing features of a building or structure,
6 including existing electrical, mechanical, plumbing and structural
7 members.

8 8. A person licensed, certified or registered pursuant to title 3,
9 chapter 20 or a person working under the direct supervision of a person
10 certified or qualified pursuant to title 3, chapter 20 to the extent the
11 person is engaged in pest management.

12 9. The sale or installation of finished products, materials or
13 articles of merchandise that are not fabricated into and do not become a
14 permanent fixed part of the structure. This exemption does not apply if a
15 local building permit is required, if the total price of the finished
16 product, material or article of merchandise, including labor but excluding
17 any electrical fixture or appliance that was designed by the manufacturer,
18 that is unaltered, unchanged or unmodified by any person, that can be
19 plugged into a common household electrical outlet using a two-pronged or
20 three-pronged electrical connector or that has internal batteries that do
21 not exceed twelve volts in a single, series or parallel configuration and
22 that does not use any other form of energy, including natural gas, propane
23 or other petroleum or gaseous fuel, to operate or is attached by a nail,
24 screw or other fastening device to the frame or foundation of any
25 residential structure, is more than \$1,000 or if the removal of the
26 finished product, material or article of merchandise causes material
27 damage to the structure or renders the structure unfit for its intended
28 use.

29 10. Employees of the owners of condominiums, townhouses, cooperative
30 units or apartment complexes of four units or less or the owners'
31 management agent or employees of the management agent repairing or
32 maintaining structures owned by them.

33 11. Any person who engages in the activities regulated by this
34 chapter, as an employee of an exempt property owner or as an employee with
35 wages as the person's sole compensation.

36 12. A surety company or companies that are authorized to transact
37 business in this state and that undertake to complete a contract on which
38 they issued a performance or completion bond if all construction work is
39 performed by duly licensed contractors.

40 13. Insurance companies that are authorized to transact business in
41 this state and that undertake to perform repairs resulting from casualty
42 losses pursuant to the provisions of a policy if all construction work is
43 performed by duly licensed contractors.

44 14. Any person other than a licensed contractor engaging in any work
45 or operation on one undertaking or project by one or more contracts, for

1 which the aggregate contract price, including labor, materials and all
2 other items, but excluding any electrical fixture or appliance that was
3 designed by the manufacturer, that is unaltered, unchanged or unmodified
4 by any person, that can be plugged into a common household electrical
5 outlet using a two-pronged or three-pronged electrical connector or that
6 has internal batteries that do not exceed twelve volts in a single, series
7 or parallel configuration and that does not use any other form of energy,
8 including natural gas, propane or other petroleum or gaseous fuel, to
9 operate or is attached by a nail, screw or other fastening device to the
10 frame or foundation of any residential structure, is less than \$1,000.
11 The work or operations that are exempt under this paragraph shall be of a
12 casual or minor nature. This exemption does not apply:

13 (a) In any case in which the performance of the work requires a
14 local building permit.

15 (b) In any case in which the work or construction is only a part of
16 a larger or major operation, whether undertaken by the same or a different
17 contractor, or in which a division of the operation is made in contracts
18 of amounts less than \$1,000, excluding any electrical fixture or appliance
19 that was designed by the manufacturer, that is unaltered, unchanged or
20 unmodified by any person, that can be plugged into a common household
21 electrical outlet using a two-pronged or three-pronged electrical
22 connector or that has internal batteries that do not exceed twelve volts
23 in a single, series or parallel configuration and that does not use any
24 other form of energy, including natural gas, propane or other petroleum or
25 gaseous fuel, to operate or is attached by a nail, screw or other
26 fastening device to the frame or foundation of any residential structure,
27 for the purpose of evasion of this chapter or otherwise.

28 (c) To a person who uses any form of advertising to the public in
29 which the person's unlicensed status is not disclosed by including the
30 words "not a licensed contractor" in the advertisement.

31 15. A person who is licensed, certified or registered pursuant to
32 title 41, chapter 37, article 4 and who is not otherwise required to be
33 licensed under this chapter or an employee of such person.

34 16. A person who functions as a gardener by performing lawn, garden,
35 shrub and tree maintenance.

36 17. Alarm agents as defined in section 32-101.

37 18. Cable television, satellite television and telecommunications
38 providers, including data and related services of cable television,
39 satellite television and telecommunications providers including
40 contractors and subcontractors of cable television, satellite television
41 and telecommunications providers if the work of the contractors and
42 subcontractors is limited to installing low-voltage cable, telephone
43 services, internet services and data service. ~~Installation~~ **INSTALLING**
44 does not include digging, trenching, grading, horizontal boring,

1 compacting or filling earthen or other material before the service drop of
2 the commercial or residential structure.

3 B. A person who is licensed to perform work in a particular trade
4 pursuant to this chapter is not required to obtain and maintain a separate
5 license for mechanical or structural service work the person performs
6 within the scope of that trade.

7 C. Any person who does not have an exemption from licensure
8 pursuant to subsection A, paragraph 14, subdivision (c) of this section is
9 subject to prosecution for a violation of section 44-1522. The attorney
10 general may investigate the act or practice and take appropriate action
11 pursuant to title 44, chapter 10, article 7.

12 D. The exemptions from licensure pursuant to subsection A,
13 paragraphs 4, 9 and 14 of this section do not apply to ~~either~~ ANY of the
14 following:

15 1. All fire safety and mechanical, electrical and plumbing work
16 that is done in connection with fire safety installation and fire safety
17 maintenance and repair. For the purposes of this paragraph, "fire safety
18 installation" means hardwired or interconnected smoke alarms and fire
19 sprinklers and does not include an individual device that is attached by a
20 nail, screw or other fastening device to the frame or foundation of any
21 residential unit. For the purposes of this paragraph, fire safety
22 maintenance and repair does not include routine work that is conducted by
23 an employee of an apartment or condominium complex and that is incidental
24 to the fire safety equipment.

25 2. All work done, including installing, maintaining and repairing
26 devices, appliances or equipment, that involves connecting to any supply
27 of natural gas, propane or other petroleum or gaseous fuel. This
28 paragraph does not impact the effect of section 36-1624.01.

29 3. ALL WORK BY AN ELEVATOR CONTRACTOR OR ELEVATOR MECHANIC,
30 INCLUDING THE INSTALLATION, SERVICE, TESTING AND REPAIR OF ELEVATORS AND
31 ELEVATOR EQUIPMENT. THE INSTALLATION, SERVICE, TESTING AND REPAIR OF
32 ELEVATORS AND ELEVATOR EQUIPMENT DOES NOT INCLUDE ROUTINE WORK THAT IS
33 CONDUCTED BY AN EMPLOYEE OF AN ELEVATOR CONTRACTOR AND THAT DOES NOT
34 INVOLVE THE ACTUAL PHYSICAL INSTALLATION, MAINTENANCE, TESTING OR REPAIR
35 OF ELEVATORS OR ELEVATOR EQUIPMENT.

36 Sec. 10. Section 32-1121, Arizona Revised Statutes, as amended by
37 Laws 2019, chapter 145, section 5, is amended to read:

38 32-1121. Persons not required to be licensed; penalties;
39 applicability

40 A. This chapter does not apply to:

41 1. An authorized representative of the United States government,
42 this state or any county, incorporated city or town, reclamation district,
43 irrigation district or other municipality or political subdivision of this
44 state.

1 2. Officers of a court or trustees of an express trust that is not
2 formed for the purpose of conducting business as a contractor, if they are
3 acting within the terms of their office or trust.

4 3. Public utilities operating under regulation of the corporation
5 commission or construction, repair or operation incidental to discovering
6 or producing petroleum or gas, or the drilling, testing, abandoning or
7 other operation of a petroleum or gas well, if performed by an owner or
8 lessee.

9 4. Except as provided in subsection D of this section, any
10 materialman, manufacturer or retailer who informs the purchaser that the
11 installation may also be performed by a licensed contractor whose name and
12 address the purchaser may request, ~~and~~ who furnishes finished products,
13 materials or articles of merchandise and who EITHER:

14 (a) Does not install or attach such items.

15 (b) Installs or attaches such items if the total value of the sales
16 contract or transaction involving such items and the cost of the
17 installation or attachment of such items to a structure does not exceed
18 \$1,000, including labor, materials and all other items, but excluding any
19 electrical fixture or appliance that meets all of the following:

20 (i) Was designed by the manufacturer.

21 (ii) Is unaltered, unchanged or unmodified by any person.

22 (iii) Can be plugged into a common electrical outlet.

23 5. Owners of property who improve such property or who build or
24 improve structures or appurtenances on such property and who do the work
25 themselves, with their own employees or with duly licensed contractors, if
26 the structure, group of structures or appurtenances, including the
27 improvements thereto, are intended for occupancy solely by the owner and
28 are not intended for occupancy by members of the public as the owner's
29 employees or business visitors and the structures or appurtenances are not
30 intended for sale or for rent. In all actions brought under this chapter,
31 except an action against an owner-occupant as defined in section 33-1002,
32 proof of the sale or rent or the offering for sale or rent of any such
33 structure by the owner-builder within one year after completion or
34 issuance of a certificate of occupancy is prima facie evidence that such
35 project was undertaken for the purpose of sale or rent. For the purposes
36 of this paragraph, "sale" or "rent" includes any arrangement by which the
37 owner receives compensation in money, provisions, chattels or labor from
38 the occupancy or the transfer of the property or the structures on the
39 property.

40 6. Owners of property who are acting as developers and who build
41 structures or appurtenances to structures on their property for the
42 purpose of sale or rent and who contract for such a project with a general
43 contractor licensed pursuant to this chapter and owners of property who
44 are acting as developers, who improve structures or appurtenances to
45 structures on their property for the purpose of sale or rent and who

1 contract for such a project with a general contractor or specialty
2 contractors licensed pursuant to this chapter. To qualify for the
3 exemption under this paragraph, the licensed contractors' names and
4 license numbers must be included in all sales documents.

5 7. Architects or engineers who are engaging in their professional
6 practice as defined in chapter 1 of this title and who hire or offer to
7 hire the services of a contractor for preconstruction activities relating
8 to investigation and discovery, including:

9 (a) Subsurface utility location and designation services.

10 (b) Potholing.

11 (c) Drilling for any of the following:

12 (i) Soil samples.

13 (ii) Rock samples.

14 (iii) Pavement samples.

15 (d) Locating existing features of a building or structure,
16 including existing electrical, mechanical, plumbing and structural
17 members.

18 8. A person licensed, certified or registered pursuant to title 3,
19 chapter 20 or a person working under the direct supervision of a person
20 certified or qualified pursuant to title 3, chapter 20 to the extent the
21 person is engaged in pest management.

22 9. Except as provided in subsection D of this section, the sale or
23 installation of finished products, materials or articles of merchandise
24 that are not fabricated into and do not become a permanent fixed part of
25 the structure. This exemption does not apply if a local building permit
26 is required, if the removal of the finished product, material or article
27 of merchandise causes damage to the structure or renders the structure
28 unfit for its intended use or if the total price of the finished product,
29 material or article of merchandise is more than \$1,000, including labor
30 but excluding any electrical fixture or appliance that meets all of the
31 following:

32 (a) Was designed by the manufacturer.

33 (b) Is unaltered, unchanged or unmodified by any person.

34 (c) Can be plugged into a common electrical outlet.

35 10. Employees of the owners of condominiums, townhouses,
36 cooperative units or apartment complexes of four units or less or the
37 owners' management agent or employees of the management agent repairing or
38 maintaining structures owned by them.

39 11. Any person who engages in the activities regulated by this
40 chapter, as an employee of an exempt property owner or as an employee with
41 wages as the person's sole compensation.

42 12. A surety company or companies that are authorized to transact
43 business in this state and that undertake to complete a contract on which
44 they issued a performance or completion bond, if construction work is
45 performed by duly licensed contractors.

1 13. Insurance companies that are authorized to transact business in
2 this state and that undertake to perform repairs resulting from casualty
3 losses pursuant to the provisions of a policy, if construction work is
4 performed by duly licensed contractors.

5 14. Except as provided in subsection D of this section, any person
6 other than a licensed contractor engaging in any work or operation on one
7 undertaking or project by one or more contracts, for which the aggregate
8 contract price is less than \$1,000, including labor, materials and all
9 other items, but excluding any electrical fixture or appliance that was
10 designed by the manufacturer, that is unaltered, unchanged or unmodified
11 by any person and that can be plugged into a common electrical
12 outlet. The work or operations that are exempt under this paragraph must
13 be of a casual or minor nature. This exemption does not apply:

14 (a) In any case in which the performance of the work requires a
15 local building permit.

16 (b) In any case in which the work or construction is only a part of
17 a larger or major operation, whether undertaken by the same or a different
18 contractor, or in which a division of the operation is made in contracts
19 of amounts less than \$1,000, excluding any electrical fixture or appliance
20 that was designed by the manufacturer, that is unaltered, unchanged or
21 unmodified by any person and that can be plugged into a common electrical
22 outlet.

23 (c) To a person who utilizes any form of advertising to the public
24 in which the person's unlicensed status is not disclosed by including the
25 words "not a licensed contractor" in the advertisement.

26 15. A person who is licensed, certified or registered pursuant to
27 title 41, chapter 37, article 4 and who is not otherwise required to be
28 licensed under this chapter or an employee of such person.

29 16. A person who functions as a gardener by performing lawn, garden,
30 shrub and tree maintenance.

31 17. Alarm agents as defined in section 32-101.

32 B. A person who is licensed to perform work in a particular trade
33 pursuant to this chapter is not required to obtain and maintain a separate
34 license for mechanical or structural service work performed within the
35 scope of such trade by such person.

36 C. Any person who does not have an exemption from licensure
37 pursuant to subsection A, paragraph 14, subdivision (c) of this section is
38 subject to prosecution for a violation of section 44-1522. The attorney
39 general may investigate the act or practice and take appropriate action
40 pursuant to title 44, chapter 10, article 7.

41 D. The exemptions from licensure pursuant to subsection A,
42 paragraphs 4, 9 and 14 of this section do not apply to ~~either~~ ANY of the
43 following:

44 1. All fire safety and mechanical, electrical and plumbing work
45 that is done in connection with fire safety installation and fire safety

1 maintenance and repair. For the purposes of this paragraph, "fire safety
2 installation" means hardwired or interconnected smoke alarms and fire
3 sprinklers and does not include an individual device that is attached by a
4 nail, screw or other fastening device to the frame or foundation of any
5 residential unit. For the purposes of this paragraph, fire safety
6 maintenance and repair does not include routine work that is conducted by
7 an employee of an apartment or condominium complex and that is incidental
8 to the fire safety equipment.

9 2. All work that is done, including the installation, maintenance
10 and repair of devices, appliances or equipment, that involves the
11 connecting to any supply of natural gas, propane or other petroleum or
12 gaseous fuel. Nothing in this paragraph impacts the effect of section
13 36-1624.01.

14 3. ALL WORK BY AN ELEVATOR CONTRACTOR OR ELEVATOR MECHANIC,
15 INCLUDING THE INSTALLATION, SERVICE, TESTING AND REPAIR OF ELEVATORS AND
16 ELEVATOR EQUIPMENT. THE INSTALLATION, SERVICE, TESTING AND REPAIR OF
17 ELEVATORS AND ELEVATOR EQUIPMENT DOES NOT INCLUDE ROUTINE WORK THAT IS
18 CONDUCTED BY AN EMPLOYEE OF AN ELEVATOR CONTRACTOR AND THAT DOES NOT
19 INVOLVE THE ACTUAL PHYSICAL INSTALLATION, MAINTENANCE, TESTING OR REPAIR
20 OF ELEVATORS OR ELEVATOR EQUIPMENT.

21 E. A joint venture or other combination of persons, firms,
22 partnerships, corporations, associations or other organizations is not
23 required to obtain a separate contractor's license in its own name if all
24 of the following apply:

25 1. At least one member of the joint venture or combination holds a
26 contractor's license in good standing with the registrar.

27 2. Each member of the joint venture or combination that acts as a
28 contractor holds a license in good standing with the registrar.

29 3. Each licensed member of the joint venture or combination only
30 performs work within the scope of that member's contractor's license or
31 licenses.

32 Sec. 11. Retention of members

33 Notwithstanding section 32-102, Arizona Revised Statutes, as amended
34 by this act, all persons serving as members of the state board of
35 technical registration on the effective date of this act may continue to
36 serve until the expiration of their normal terms. All subsequent
37 appointments shall be as prescribed by statute.