

Rulemaking Fact Sheet

(5 MRSA §8057-A)

AGENCY: 02-041, Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation

NAME, ADDRESS, PHONE NUMBER, EMAIL OF AGENCY CONTACT PERSON: Anne Head, OPOR Director, 35 State House Station, Augusta, ME 04333-0035, anne.l.head@maine.gov, 207-624-8511, TTY users call Maine Relay 711.

CHAPTER NUMBER AND RULE TITLE:

Chapter 10 Establishment of License Fees (Amend)

TYPE OF RULE (*check one*): Routine Technical Major Substantive

STATUTORY AUTHORITY: 32 M.R.S. §§ 15224, 15225-A; 10 M.R.S. § 8003(2-A)(D)

DATE, TIME AND PLACE OF PUBLIC HEARING: N/A. Pursuant to 5 M.R.S. § 8052(1) and § 8053(3)(B), a hearing may be requested by five (5) interested persons by submitting a request in writing to contact person for this filing.

COMMENT DEADLINE: Friday, September 6, 2024, at 5:00 p.m. (EST) Comments may be submitted in writing to OPOR Director Anne Head, at 35 State House Station, Augusta, ME 04333-0035, anne.l.head@maine.gov

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: The rule implements LD 2214, enacted by the 131st Legislature as P.L. 2023, c. 643. LD 2214 directed that the fee rule be amended to the extent necessary to cover ongoing costs of two additional Elevator Inspector positions, to allow for a future reclassification or reorganization of all Elevator Inspector positions, to take into account reimbursement for required travel and expenses associated with elevator inspections, and to consolidate fees charged by the program.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? ___YES ___NO [§8056(1)(B)]

ANALYSIS AND EXPECTED OPERATION OF THE RULE: It is expected that the fees that are increased by the rule will cover the costs for additional staff for the Elevator and Tramway Safety Program, which are needed to keep up with the increased demand for plan review and inspections due to housing development in Maine. Moreover, the amended rule will consolidate fees charged for certain types of reviews and inspections and sets all fees at a flat, rather than a variable rate.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon) Expertise of the Chief Elevator Inspector and the Director of the Administrative Services Division within the Department of Professional and Financial Regulation

ESTIMATED FISCAL IMPACT OF THE RULE: It is expected that the rule will increase the costs to the regulated community for plan review and initial inspection of passenger/freight elevators, temporary use elevator inspections, and other regulated equipment. It is anticipated that the rule will provide greater certainty as to the total fees charged for review and inspections of elevators and other regulated equipment. Currently, some fees depend on factors such as the valuation of an installation or “travel expenses” without

setting an amount. The amended rule consolidates fees in the current rule and sets all fees at a flat rather than a variable rate.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:
[see §8057-A(2)(A)]

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED
AND HOW THEY WILL BE AFFECTED: [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

Note: If necessary, additional pages may be used.