

815 KAR 4:027. Reporting incidents involving personal injury or death.

RELATES TO: KRS 198B.400(1), (11), 198B.490

STATUTORY AUTHORITY: KRS 198B.490

NECESSITY, FUNCTION, AND CONFORMITY: KRS 198B.490(1) requires the Department of Housing, Buildings and Construction to promulgate administrative regulations to establish standards for the safety of elevators and fixed guideway systems. This administrative regulation establishes the reporting requirements for personal injury or death involving elevators or fixed guideway systems.

Section 1. Definitions.

- (1) "Elevator" is defined by KRS 198B.400(1).
- (2) "Fixed guideway system" is defined by KRS 198B.400(11).
- (3) "Personal injury" means hurt or damage to a person's body, such as a cut or broken bone, as distinguished from injury to property or reputation.

Section 2. Elevators and Fixed Guideway System Incidents Reporting Requirements.

- (1) If personal injury or death occurs from the use, attempted use, or maintenance of an elevator or fixed guideway system, the owner or owner's designee shall:
 - (a) Immediately notify the department of the incident;
 - (b) Allow the authorized elevator inspector to inspect any and all parts of the elevator or fixed guideway system; and
 - (c) Prevent removal of any of the parts of the elevator or fixed guideway system until the investigating elevator inspector grants permission for removal.
 - (2) Use of the elevator or fixed guideway system shall be immediately discontinued following the occurrence of a personal injury or death incurred from use, attempted use, or maintenance of an elevator or fixed guideway system.
 - (a) The elevator or fixed guideway system shall not be used until the investigating elevator inspector examines the elevator or fixed guideway system and grants approval for use.
 - (b) Within twenty-four (24) hours of the incident being reported, the investigating elevator inspector shall investigate and examine the elevator or fixed guideway system.
- (39 Ky.R. 1970; 2174; eff. 5-31-2013.)