

OFFICE MEMORANDUM



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DATE: May 22, 2009

TO: All contractors

FROM: Bill Reinke / Elevator Safety Section
Construction Codes and Licensing Division

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SUBJECT: Manlifts in grain elevators and feed mills

Minnesota Session Laws, 2009, Chapter 76, impacts manlifts in grain elevators and feed mills and was passed during this year's legislative session. The new law became effective May 13, 2009. The effect of the law is to exempt manlifts that are restricted to use by employees and authorized persons who are trained in their use and are located or installed in grain elevators and feed mills from Minnesota Statutes, Sections 326B.163 through 326b.191 and Minnesota Rules Chapter 1307 until July 1, 2010. This exemption does not apply to elevators located in other buildings, such as office buildings that are owned by the mills.

Minnesota Session Laws, 2009, Chapter 76 can be accessed at <https://www.revisor.leg.state.mn.us/laws/?id=76&doctype=Chapter&year=2009&type=0>.

The original intent of this exemption was to exempt manlifts in grain elevators and feed mills from the annual maintenance inspections and the \$100 operating fee. However this language exempts manlifts in grain elevators and feed mills from the elevator code new installation requirements also, it did not exempt them from the electrical code requirements where applicable.

During the effective period of this law, electrical permits for the installation of manlifts and related equipment (see definitions in 5205.0570) located in grain elevators and feed mills are required. Permits can be obtained through the Electrical Inspection Section. Inspections will be for the electrical work performed only and do not include any inspections that may be required by ASME A17.1. Forms and other information can be accessed at <http://www.electricity.state.mn.us/CCLD/ElectricalContractorForms.asp>.

Additional inspections as required by Minn. R. Part 5205.0560 will be performed by Minnesota Occupational Safety and Health (OSHA) inspectors. Minnesota Rules Chapter 5205 can be accessed at <https://www.revisor.leg.state.mn.us/rules/?id=5205>.

Permits that were in place prior to May 13, 2009 are still applicable to the requirements in effect at the time of permit approval.

A contractor may request an inspection other than the electrical inspection for the manlift as defined in Minn. R. Part 5205.0570 from the Elevator Safety Section. Fees for these inspections remain the same and are listed in Minnesota Rule 1307.0032. However, the \$100 annual operating permit fee of Minn. Statute 326b.184 and annual maintenance inspections and tests are not required until July 1, 2010.

Deficiencies found on a permit issued after May 13, 2009 that are related to the requirements of Minnesota Rules Chapter 1307 will be noted as advisory items only, and will become part of the record for the installation.

This provision of Session Law 76 only applies to manlifts located in grain elevators and feed mills and does not apply to elevator equipment in other buildings owned by the mills such as attached office buildings.