

(a) "J-bar lift" means that type of surface lift where the device between the haul rope and the user is in the general form of the letter "J", moving a single user located on the one side of the stem of the "J".

(b) "Platter lift" means that type of surface lift where the device between the haul rope and the user is a single stem with a platter or disk attached to the lower end of the stem, moving the user astride the stem of the platter or disk.

(c) "T-bar lift" means that type of surface lift where the device between the haul rope and the users forms the shape of an inverted letter "T", moving users located on the sides of the stem of the "T".

(18) "System" means a mode of conveyance for moving people. Types of systems are:

- (a) Aerial tramways;
- (b) Aerial lifts;
- (c) Surface lifts; and
- (d) Rope tows.

(19) "Track cable" means a fixed cable or rope which supports a moving load.

(20) "Track cable saddle" means a component designed to directly support a track cable.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

SUBCHAPTER II ADMINISTRATION & ENFORCEMENT

ILHR 33.02 Application. The requirements in this subchapter shall apply to all aerial tramways, aerial lifts, surface lifts and rope tows.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

ILHR 33.03 Department review. (1) **PLANS AND SPECIFICATIONS.** Before the construction, erection or relocation of or addition to an aerial tramway, aerial lift, surface lift or rope tow may commence, plans and specifications for the proposed system shall be submitted to the department for review and plan approval shall be obtained from the department.

Note: See Appendix for further explanatory material.

(a) At least 3 copies of the system's plans which are clear, legible and permanent copies and one copy of specifications shall be submitted to the department.

Note: Original drawings are not considered a substitute for permanent prints.

(b) Plans shall include the following applicable information:

1. Name of the owner and the location of the system;
2. Name and address of the system's designer;

3. Site plan and profile map showing location of towers, power units, counterweights and pits;

4. Clearances of towers, system path and counterweights; and

5. Details of tower construction mountings, foundations and supports, sheave assemblies and carriages.

(c) The specifications shall be coordinated with the plans and describe the quality of the materials.

(d) All plans submitted for review shall be accompanied by sufficient data and information for the department to judge if the design of the system, the capacity of the equipment, and the performance of the system will meet the provisions of this chapter.

(2) **PLAN APPROVAL.** (a) If, upon review, the department determines that the plans and the specifications for the proposed system substantially conform to the provisions of this chapter, a conditional approval, in writing, shall be granted. All non-code-complying conditions stated in the conditional approval shall be corrected before or during construction or erection. A conditional approval issued by the department is not to be construed as an assumption of any responsibility for the design or construction of the system.

(b) If the department determines that the plans or the specifications for the proposed system do not substantially conform to the provisions of this chapter, the application for conditional approval shall be denied in writing.

(3) **EVIDENCE OF PLAN APPROVAL.** (a) At least one set of plans of the system bearing the department's stamp of conditional approval and a copy of the specifications for a new system shall be kept at the installation site. The plans shall be open to inspection by an authorized representative of the department.

(b) At least one set of approved plans of the new system shall be retained at the installation area for at least 3 years after the system's installation. The plans shall be open to inspection by an authorized representative of the department.

(4) **REVOCATION OF APPROVAL.** The department may revoke any approval, issued under the provisions of this chapter, for any false statements or misrepresentation of facts on which the approval was based.

(5) **PLAN REVIEW PROCESSING TIME.** The department shall review and make a determination on an application for plan review within 15 business days of receiving the required information and fees.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; cr. (5), Register, April, 1985, No. 352, eff. 5-1-85.

ILHR 33.04 Notification of alterations. No alteration of an aerial tramway, aerial lift, surface lift or rope tow which affects the design, structural strength or operation of a system or which replaces any piece of major equipment of a system may be initiated until written notification has been sent to the department indicating the proposed alterations or modifications to be undertaken.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

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ILHR 33.05 Petition for variance. (1) **PROCEDURE.** The department may consider and may grant a variance to an administrative rule upon receipt of a fee and a completed petition for variance form from the owner, provided an equivalency is established in the petition for variance which meets the intent of the rule being petitioned. The department may impose specific conditions in a petition for variance to promote the protection of the health, safety or welfare of the employes or the public. Violation of those conditions under which the petition is granted shall constitute a violation of this chapter.

Note #1: A copy of a petition for variance (form SB-8) is available from the Division of Safety and Buildings, P.O. Box 7969, Madison, Wisconsin 53707.

Note #2: Section 101.02 (6), Stats., outlines the procedure for submitting petitions to the department and the department procedures for hearing petitions.

(2) **PETITION PROCESSING TIME.** Except for priority petitions, the department shall review and make a determination on a petition for variance within 30 business days of receipt of all calculations, documents and fees required to complete the review. The department shall process priority petitions within 10 business days.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; renum. to be (1) and cr. (2), Register, April, 1985, No. 352, eff. 5-1-85.

ILHR 33.06 Department inspections. (1) **NEW INSTALLATIONS.** Every new system and addition to or relocation of an existing system shall be inspected by an authorized representative of the department to ascertain whether or not the construction or installation conforms to the conditionally approved plans, the conditional approval letter and the provisions of this chapter.

(a) Notice shall be given to the department at least 10 days prior to the time the system is ready for inspection.

(b) The department shall complete its inspection within 14 days after the system is ready for inspection or may issue a temporary permit to operate until such an inspection is completed and installation is approved or disapproved.

(2) **PERIODIC INSPECTIONS.** All aerial tramways, aerial lifts, surface lifts and rope tows, including existing systems erected or constructed prior to the effective date of this chapter, shall be subject to inspection at least once every 12 months by an authorized representative of the department. The purpose of the department inspection shall be to ascertain whether or not the systems conform to the provisions of this chapter and, where applicable in the case of existing systems, to the appropriate provisions of ch. Ind 46 as it existed prior to the effective date of this chapter.

Note: Prior to the adoption of ch. ILHR 33, administrative rules for aerial tramways, aerial lifts, surface lifts and rope tows were specified in ch. Ind 46, Wis. Adm. Code.

(3) **LOAD TESTS.** (a) Prior to public use, a load test, to be witnessed by the department, shall be conducted for every new installation of, relocation of or addition to an aerial tramway or an aerial lift.

(b) A load test shall include:

1. Thorough operating tests under full loading and any partial loading that may provide the most adverse operating conditions;

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2. Test loads per carrier of at least 110% of the design live load; for the purposes of design, passenger weight shall be considered to be at least 170 pounds;

3. Passing a loaded carrier with twice the design live load around the bull wheel at full speed where loaded carriers can pass around a terminal;

4. Checking the functioning of all push-button stops, automatic stops, limit switches, selected deropement switches and communication devices;

5. Checking acceleration and deceleration rates under all loadings;

6. Proving the adequacy of all brakes and backstops under the most adverse loading; and

7. At least 6 hours of continuous operation with empty carriers to check for overheating of moving parts, excessive vibration or excessive deflection of mechanical or structural components and excessive free movement of the tensioning systems.

(4) **ADDITIONAL DATA.** When requested, additional data pertaining to the design, construction, materials or equipment of a system shall be submitted to the department for approval or to substantiate compliance with the provisions of this chapter.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

ILHR 33.07 Owner's responsibility. No owner may construct or alter any system or portion of a system, or permit any system to be constructed or altered except in compliance with the provisions of this chapter. Compliance with the provisions of this chapter does not relieve the owner from compliance with other rules.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

ILHR 33.08 Fees. Fees for plan examinations, inspections and certificates of operation shall be computed and submitted to the department as specified in ch. Ind 69.

Note: See appendix for further explanatory material.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

ILHR 33.09 Penalties. Penalties for violations of this chapter shall be assessed pursuant to s. 101.02 (12) and (13) (a), Stats.

Note #1: Section 101.02 (13) (a), Stats., indicates penalties will be assessed against any employer, employe, owner or other person who fails or refuses to perform any duty lawfully enjoined, within the time prescribed by the department, for which no penalty has been specifically provided, or who fails, neglects or refuses to comply with any lawful order made by the department, or any judgment or decree made by any court in connection with ss. 101.01 to 101.25. For each such violation, failure or refusal, such employer, employe, owner or other person must forfeit and pay into the state treasury a sum not less than \$10 nor more than \$100 for each such offense.

Note #2: Section 101.02 (12), Stats., indicates that every day during which any person, persons, corporation or any officer, agent or employe thereof, fails to observe and comply with an order of the department will constitute a separate and distinct violation of such order.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

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SUBCHAPTER III GENERAL REQUIREMENTS

ILHR 33.10 Application. The requirements in this subchapter shall apply to all aerial tramways, aerial lifts, surface lifts and rope tows.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

ILHR 33.11 Design passenger weight. For the purpose of design, a passenger of a system shall be considered as having a weight of not less than 170 pounds.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.