

198B.4033 Suspension, revocation, or nonrenewal of license -- Grounds -- Hearing -- Appeal.

- (1) Subject to a hearing conducted in accordance with KRS Chapter 13B, the commissioner may suspend, revoke, or refuse to renew the license of an elevator contractor or elevator mechanic for any of the following actions by the licensee:
 - (a) Use of false evidence or misrepresentation in an application for an elevator contractor's or elevator mechanic's license;
 - (b) Attempting to transfer authority granted to the licensed contractor or mechanic to another individual;
 - (c) Incompetency or negligence relating to elevator service, installation, repair, or maintenance as determined by the commissioner;
 - (d) Conviction of a felony after July 1, 2011;
 - (e) Fraudulent or dishonest practices while engaging in the business of elevator service, installation, repair, or maintenance;
 - (f) Aiding or abetting any person attempting to evade the provisions of KRS 198B.400 to 198B.540; or
 - (g) Violating any provision of KRS 198B.400 to 198B.540 or the administrative regulations promulgated under KRS 198B.400 to 198B.540.
- (2) Subject to a hearing in accordance with KRS Chapter 13B, the commissioner shall revoke the license of an elevator contractor or elevator mechanic who continues to work as if holding a valid license during a suspension imposed by the commissioner.
- (3) Any licensee who is aggrieved by a final order of the commissioner, resulting in the suspension, refusal to renew, or revocation of his or her license may appeal to the Circuit Court of the county of the licensee's place of business in accordance with KRS Chapter 13B.
- (4) Any reason for licensee discipline under subsection (1) of this section may also serve as the reason to deny an initial application for licensure as an elevator contractor or elevator mechanic.

Effective: July 1, 2011

History: Created 2010 Ky. Acts ch. 116, sec. 16, effective July 1, 2011.

Legislative Research Commission Note (7/1/2011). References to the "executive director" of housing, buildings and construction in this section, as created by 2010 Ky. Acts ch. 116, sec. 16, have been changed in codification to the "commissioner" of housing, buildings and construction to reflect the reorganization of certain parts of the Executive Branch, as set forth in Executive Order 2009-535 and confirmed by the General Assembly in 2010 Ky. Acts ch. 24. These changes were made by the Reviser of Statutes pursuant to 2010 Ky. Acts ch. 24, sec. 1938.