



Notification Number: 2008/138/F

**draft Decree laying down rules applicable to establishment managers whose staff carry out certain work on lifts, service lifts, escalators, moving walkways, lifts for people with a speed of no more than 0.15 m/s and vehicle parking installations, amending the Decree of 10 July 1913, as amended, the Decree of 30 June 1995 and the Employment Code.**

Date received : 04/04/2008

End of Standstill : 07/07/2008

## Message

Message 002

Communication from the Commission - SG(2008) D/50674

Directive 98/34/EC

Translation of the message 001

Notification: 2008/0138/F

No abre el plazo - Nezaahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 200800674.EN)

### 1. Structured Information Line

MSG 002 IND 2008 0138 F EN 07-07-2008 04-04-2008 F NOTIF 07-07-2008

### 2. Member State

F

### 3. Department Responsible

Délégué interministériel aux normes – SQUALPI – 12, rue Villiot – 75572 PARIS Cedex 12  
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### 3. Originating Department

Ministère du travail des relations sociales et de la solidarité Direction générale du travail 39,43 quai  
André-Citroën 75902 Paris Cedex 15

### 4. Notification Number

2008/138/F - I30

### 5. Title

draft Decree laying down rules applicable to establishment managers whose staff carry out certain work on lifts, service lifts, escalators, moving walkways, lifts for people with a speed of no more than 0.15 m/s and vehicle parking installations, amending the Decree of 10 July 1913, as amended, the Decree of 30 June 1995 and the Employment Code.

### 6. Products Concerned

assembly, disassembly and maintenance, lifts, service lifts, escalators, moving walkways, lifts for people with a speed of no more than 0.15 m/s and vehicle parking installations.

### 7. Notification Under Another Act

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### 8. Main Content

The text is intended to strengthen the health and safety obligations to be met by establishment managers whose staff carry out maintenance, assembly and disassembly work on lifts, service lifts, escalators, moving walkways, lifts for people with a speed of no more than 0.15 m/s and vehicle parking installations.

The text also specifies the technical requirements to be met by lifts, service lifts, escalators, moving walkways, lifts for people with a speed of no more than 0.15 m/s and vehicle parking installations, where such equipment has been commissioned prior to the entry into force of the provisions arising from the transposition of the 'Machinery' Directive (Directive 98/37/EC).

This text also states that installed lifts, service lifts, escalators, moving walkways, lifts for people with a speed of no more than 0.15 m/s and vehicle parking installations must comply with the design and construction rules applicable when they are placed on the market, and that it must be possible to maintain them under conditions whereby the health and safety of the personnel involved can be guaranteed.

Key words: service lifts, escalators, moving walkways, personal lifts with a speed of no more than 0.15 m/s, vehicle parking installations. Installation, assembly, disassembly, maintenance, equipment in service

### 9. Brief Statement of Grounds

The purpose of this draft is to enhance occupational risk prevention in the maintenance, assembly and disassembly of the equipment in question, in view of the fact that serious accidents have taken place. It is also intended to revise and update certain provisions in order to take account of other regulatory developments at European level ('Machinery' Directive 98/37/EC) or in France.

### 10. Reference Documents - Basic Texts

a) The Member State that drafted the notification provides references to the basic texts that are necessary in



order to evaluate the draft. The provision of this reference means that the basic texts should be sent to the Commission at the same time as the draft.

Decree No 95-826 of 30 June 1995 laying down specific safety provisions applicable to work carried out on lifts, service lifts, escalators, moving walkways and vehicle parking installations, amending the Decree of 10 July 1913 on an Order for the implementation of the provisions of Book II of the Employment Code;

Articles of the Decree of 10 July 1913 on lifts and service lifts

Articles R. 235-3-13 and R. 232-1-12 of the Employment Code

b) If basic texts have already been forwarded as part of another notification, the Member State shall specify the number of this notification... In the case of a previous notification that has since entered into force and for which the Member State has forwarded the final text, it shall indicate the number of this previous notification.

d) Where the Member State forwards a draft again pursuant to Article 8(1), third paragraph, because it has introduced amendments that change the scope significantly, by reducing the period initially laid down for implementation, by adding specifications or requirements or by making these specifications or requirements more stringent, it shall indicate the number of the previous notification.

e) Where there is no basic text, the Member State shall indicate this, in order to ensure that there are no unnecessary basic text requirements.

f) Where the draft seeks to limit the marketing or use of a chemical substance, preparation or product on grounds of public health or of the protection of consumers or the environment, Member States shall also forward, pursuant to Article 8(1)(4), either a summary or the references of all relevant data relating to the substance, preparation or product concerned and to known and available substitutes, where such information may be available, and communicate the anticipated effects of the measure on public health and the protection of the consumer and the environment, together with an analysis of the risk carried out as appropriate in accordance with the general principles for the risk evaluation of chemical substances as referred to in Article 10(4) of Regulation (EEC) No 793/93, in the case of an existing substance, or in Article 3(2) of Directive 67/548/EEC (as amended by Directive 92/32/EEC), in the case of a new substance.

#### **11. Invocation of the Emergency Procedure**

NO.

#### **12. Grounds for the Emergency**

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#### **13. Confidentiality**

NO

#### **14. Fiscal measures**

b) NO

#### **15. Impact assessment**

b) The impact assessment is annexed and forwarded at the same time as the draft text.

#### **16. TBT and SPS aspects**



TBT and SPS aspects (agreements drawn up within the framework of the WTO)

TBT aspect (Agreement on Technical Barriers to Trade)

NO

iii) The draft will not have a significant effect on international trade.

SPS aspect (Agreement on Sanitary and Phytosanitary Measures)

NO.

i) The draft is not a sanitary or phytosanitary measure pursuant to Annex A to the SPS Agreement.

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