

1 DEPARTMENT OF LABOR AND INDUSTRIES

2 STATE OF WASHINGTON

3  
4 \_\_\_\_\_  
5  
6 ELEVATOR SAFETY ADVISORY COMMITTEE MEETING

7  
8 TRANSCRIPT OF PROCEEDINGS

9  
10 Tuesday, August 16, 2016  
11 \_\_\_\_\_

12  
13 BE IT REMEMBERED, that an Elevator Safety Advisory  
14 Committee Meeting was held at 9:00 a.m. on Tuesday, August  
15 16, 2016, at the Department of Labor & Industries, 12806  
Gateway Drive South, Tukwila, Washington.

16 Committee members present were: Robert McNeill, Matt  
17 Rolf, Al Sorensen, Scott Cleary, and Patrick Strafer. The  
18 Department of Labor & Industries was represented by Jack  
19 Day, Chief Elevator Inspector; and Leon Caril, Elevator  
20 Technical Specialist.

21 WHEREUPON, the following proceedings were held, to  
22 wit:

23 Reported by:  
24 H. Milton Vance, CCR, CSR  
25 (License #2219)

EXCEL COURT REPORTING  
16022-17th Avenue Court East  
Tacoma, WA 98445-3310  
(253) 536-5824

## A G E N D A

|    | August 16, 2016 - Tukwila                    | Page No. |
|----|--|----------|
| 1  |  |          |
| 2  |  |          |
| 3  | August 16, 2016 - Tukwila                    | Page No. |
| 4  |  |          |
| 5  | Introductions/Purpose                        | 3        |
| 6  | Comments Regarding May Minutes               | 4        |
| 7  | Nominate and Vote for a Vice-Chairman        | 4        |
| 8  | Chief's Report                               | 4        |
| 9  | Scorecard/Accidents                          | 5        |
| 10 | FAID: Consider Re-Evaluation                 | 6        |
| 11 | Old Business                                 | 20       |
| 12 | Maintenance/Testing                          | 20       |
| 13 | Existing Machine Room Enclosure and Access   |          |
| 14 | to the Machine Room                          | 43       |
| 15 | Type "A" Permits and Inspections             | 44       |
| 16 | New Business                                 | 47       |
| 17 | ASME A10.4 Inspections and Manpower Training | 47       |
| 18 | Factory Built Conveyances                    | 55       |
| 19 | Incorrect Installation/Code Design Reset     | 68       |
| 20 | MCP Logs; Update, Edit by Adding or          |          |
| 21 | Removing Items, Mandatory Layout             | 73       |
| 22 | Future Business                              | 74       |
| 23 |  |          |
| 24 |  |          |
| 25 |  |          |

## PROCEEDINGS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## Introductions/Purpose

MR. McNEILL: Good morning and welcome to the August Elevator Advisory Committee meeting.

My name is Rob McNeill. I'm the chairman of the Advisory Committee. I represent licensed elevator contractors.

I'll let the rest of the committee members introduce themselves, and we'll start, Al, with you.

MR. SORENSEN: Alan Sorensen, City of Seattle.

MR. DAY: Jack Day, State of Washington, the Secretary position.

MR. CLEARY: Scott Cleary, Mobility Concepts. I'm representing the industries that are exempt from licensure pursuant to 70.87.270. And I appreciate the ability to and the privilege of being able to engage again at this level. So I look forward to working through issues.

MR. STRAFER: Patrick Strafer, Business Manager, IUEC Local 19.

MR. CARIL: Leon Caril, the technical specialist, L & I.

(Introductions made around the room.)

MR. McNEILL: Great. Thank you.

## 1 Nominate and Vote for a Vice Chairman

2

3 MR. McNEILL: There is one change in the agenda. We  
4 did nominate and vote for vice chairman at the last  
5 committee meeting, so that item will not be brought  
6 forward.

7 And Phillip Scott was gracious enough to take that  
8 appointment as the Vice Chair.

9

## 10 Comments Regarding May Minutes

11

12 MR. McNEILL: So we'll move on from here to any  
13 comments regarding the May minutes? And if there are  
14 none, do I have a motion to approve them from the Advisory  
15 Committee?

16 MR. ROLF: I motion.

17 MR. McNEILL: Do I hear a second?

18 MR. CLEARY: I second.

19 MR. McNEILL: The minutes are hereby approved from  
20 the last meeting.

21

## 22 Chief's Report

23

24 MR. McNEILL: So at this point we can move into the  
25 Chief's Report. And I'll turn this over to Jack Day.

## Scorecard/Accidents

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. DAY: Did everybody get a copy of the second handout that was up-front? This is our year-end FY16 Scorecard.

I would like you to look at year-to-date FY16. It's over in the blue column on your right-hand side.

One of the things to note is if you circle "Scheduled," it's the very top, it says 5,927. That is an inaccurate number. We are having challenging with our database. It's a plus of 18,000. So the number is definitely wrong, which puts an issue with the percent completed and everything else.

So I debated whether to show this, but it was better to show the numbers than to kind of bury it in the background. So here they are.

The actuals -- the actual completed is correct as far as I know.

Any questions on the front page?

Let's turn to the second page. The second page is the accidents first quarter, second, third. And we don't have a tally on the fourth quarter. The fourth quarter has approximately 30 accidents that have not finished the review process. So there's approximately 30 more accidents that will go into FY16. They are just in the

1 stage of incomplete as far as the investigation and ...

2 Any questions regarding the accidents?

3 There was something I was interested in bringing up  
4 at this point in time. And please forgive me for not  
5 having it on the agenda. But November at the time of our  
6 next Elevator Advisory Committee meeting in November is  
7 the national elevator/escalator safety awareness month.  
8 And from time to time our interest is anybody that wants  
9 to participate with that fund or to help do some school  
10 training or other possibilities of training the public to  
11 safely ride elevators and escalators, I would like it if  
12 we could form a small committee. And if you are  
13 interested, if you could please see me really, really  
14 quickly after the stakeholder meeting. Okay?

15 But the plan is to get some material from the  
16 elevator/escalator safety foundation and to figure out  
17 where we could put some unique resources into some grade  
18 school training facilities or the elderly homes for safe  
19 riding.

20 Anything else, Jack?

21 MR. DAY: That's all I have.

22

23 FAID: Consider Re-Evaluation

24

25 MR. McNEILL: Okay. Then to the next item on here is

1 -- it was the FAID under the Chief's Report.

2 MR. DAY: Yes. FAID.

3 The Department from time to time measures how many  
4 phone calls we get and what we're about. Imagine that.

5 For the past several months we've been getting quite  
6 a few phone calls about fire alarm initiation devices. A  
7 couple of those phone calls are the heat detectors. And  
8 the heat detectors which are 110; they're not low voltage,  
9 and most of the alarm companies hire low-voltage  
10 technicians. So it becomes an issue of who can test the  
11 heat detectors. And do they need to be tested in the way  
12 that the smoke detectors are tested annually. So that  
13 becomes a question that we need to answer. And I'm going  
14 to work on that particular one.

15 But another one that comes up is can the elevator --  
16 not the elevator, but can the smoke alarm person trigger  
17 the detectors, the initiation devices, in the elevator  
18 hoistway? And there's some controversy around that. They  
19 are told many times by the mechanics and companies that  
20 they can't go in that area; they can't cross the  
21 threshold. Most of the them stand on the sill with a pipe  
22 with the doors open and the elevator down and trigger it  
23 by blowing compressed smoke up the EMT or plastic pipe and  
24 making the smoke detector trigger. And then they shut the  
25 door and let the elevator do its thing.

1           So for me and my position at this time, I wanted to  
2 explain this. Our position at this time is that the owner  
3 has the authority inside that elevator shaft, and it is  
4 supported somewhat by ASME in order to do work.

5           For an example, electrical work done in the pit for  
6 lighting. Sump pump work, drain work done in the pit for  
7 lighting. Some MRL's for the disconnects in the hoistway  
8 as far as doing maintenance on the disconnect. Then  
9 again we have a lot of smoke detectors in the elevator  
10 hoistway.

11           So our position currently -- and I'd like to discuss  
12 this a little bit with folks -- our position currently is  
13 if that person has been properly trained on the access to  
14 a confined space area, if they've been trained and know  
15 how to do it, then currently we don't see anything wrong  
16 with standing on the sill and triggering the smoke  
17 detector.

18           So I have an interest in knowing the advisory's  
19 opinion and if they would have alternate direction on  
20 that. Because I need to create a work paper for this  
21 industry.

22           MR. McNEILL: What is the crit -- what is the State's  
23 criteria for being properly trained for the confined space  
24 so we can have a clear understanding of what would be  
25 required by the State.

1 MR. DAY: As a general rule, confined space is  
2 dictated by the company that -- access into these confined  
3 spaces are dictated by the company who would send their  
4 personnel into that space. Most of the time when I am  
5 asked, I send people to the elevator industry Field  
6 Employee Safety Handbook for access because that has a  
7 fairly straightforward view of how to access that space.

8 However, I would not in any way be encouraging any  
9 person to actually get on top of the elevator. I think we  
10 should avoid that.

11 But that's where we send people. Although, we do not  
12 do any training.

13 Any other questions? concerns?

14 MR. SORENSEN: I am a little concerned with that.  
15 The code also states that to enter a hoistway you need to  
16 be a licensed elevator mechanic in the state of  
17 Washington.

18 MR. DAY: What code says that?

19 MR. SORENSEN: I'll look it up for you.

20 MR. DAY: Okay. I'd be interested in --

21 MR. SORENSEN: We've been practicing that for a long  
22 time in any case.

23 The thing is, the most dangerous thing we do as  
24 service people or inspectors is access the hoistway and  
25 accessing the car top or making sure that the elevator car

1 does not go anywhere. Part of accessing the hoistway is  
2 making sure that the car's not running prior to the time  
3 that you pick that door lock or someone riding in the car  
4 could be injured.

5 The other thing is is just making sure the stop  
6 switch is working on the top of the car. Or if you're  
7 getting in the pit, making sure the stop switch is  
8 working, and are they checking that right.

9 Those two areas are the most dangerous areas that any  
10 of us ever do. And it's the first -- it's our first  
11 action we usually take when we have to do an elevator  
12 inspection in a pit or the top of a hoistway. You get in  
13 the pit, check the safety devices before you ever enter  
14 the pit, and make sure they're working. And the same  
15 thing when we access a car top now.

16 Even so, mechanics have been doing this for years,  
17 have become complacent in doing that. And I can't say  
18 what's going to happen if you have alarm people who  
19 haven't had the years of experience and training to go  
20 along with that what they're going to do.

21 My first impression of this would be no, I don't  
22 think they belong in the hoistway. And I understand it's  
23 a -- it might be a financial hit for some having elevator  
24 mechanics who are standing by. But I think it's the only  
25 safe way that it can actually be done.

1 MR. McNEILL: Any other -- anybody else with  
2 comments?

3 I'd like to see something in writing from the State  
4 on their definition of proper training and confined spaces  
5 so it's crystal clear for other industries that may be  
6 doing testing of the equipment so we don't run into any  
7 issues down the road.

8 MR. DAY: That would be a DOSH definition, by the  
9 way.

10 MR. McNEILL: Correct.

11 MR. NORRIS: The problem with --

12 MR. DAY: Your name please.

13 MR. NORRIS: Jim Norris, Local 19.

14 The problem with not having an elevator mechanic  
15 there when you're accessing the hoistway is the car gets  
16 shut down on that intended motion. It gets shut down on  
17 hoistway access, disable and whatnot.

18 And so the elevator mechanic who's not involved in  
19 the test gets the call Monday morning, "The elevator  
20 failed a fire service test. Fix it."

21 "What did it do?"

22 "It didn't work."

23 And now you're stuck in a position of troubleshooting  
24 some unknown problem with an occupied building. How can I  
25 test fire service in an occupied building? You did it on

1 the weekend so you wouldn't interrupt your building, and  
2 now you're going to tell me to come fix it, and I don't  
3 even know what you did to make it not work. That's aside  
4 from the safety aspects.

5 MR. McNEILL: Thank you. Any other comment?

6 MR. ROSS: We get a lot of code reports that'll say  
7 no shunt trip in the hoistway needs to be tested. Is  
8 there -- is it -- are you implying that you could  
9 conceivably do that without getting on a car top and going  
10 up to test the device? Or is that just something that's  
11 left to the discretion of the company that's, you know,  
12 testing the heat detectors?

13 Because I -- at least in my experience, I don't know  
14 how you would do that, say, from, you know, outside the  
15 hoistway. For the most part, they have to go up to the  
16 heat sensing device itself, and it's required, you know,  
17 someone's on the car top, you have to bring them up,  
18 conceivably kill the power to the car while you're on the  
19 car top. It seems elaborate enough that it's going to  
20 require -- I mean, you have to be there any way to look at  
21 it. Unless there's some producer I'm unfamiliar with  
22 where they can test those devices remotely or maybe each  
23 company has its own procedure. But ...

24 MR. DAY: (Pause) I'm trying to capture your  
25 question.

1 MR. ROSS: Yeah. Well, it just seems inherently  
2 problematic to me that possibly you could do it without a  
3 mechanic because you have to get on that car top, go to  
4 the top of the hoistway to access that device. Unless  
5 what's being required by code is something different than  
6 that. And I presume that's up to whoever the testing  
7 company; their procedure would dictate that. You have to  
8 address it on our code reports --

9 MR. DAY: That's the way it is now. And they,  
10 meaning the alarm company, need some better direction from  
11 us. Because it's one of our phone calls that we get a lot  
12 of. And we need to standardize it.

13 So I appreciate everybody that's speaking.

14 MR. NIEMAN: So here in my estimation is the reality  
15 of the system.

16 Building owners are allowed to work on high pressure  
17 refrigeration. They're allowed to work on high pressure  
18 steam. They're allowed to work on 480 volt three-phase  
19 panels. They are allowed to touch every dangerous system  
20 in the building, providing that they are properly trained.

21 Why are elevators any different?

22 To assume that everybody's stupid and can't be  
23 trained property on it -- I have guys that are trained to  
24 extract people off the side of a building should they fall  
25 over the edge. Okay? What's more hazardous? Shutting

1 off a car-top switch or hanging over the side of a  
2 building pulling a 300-pound guy off the building? But  
3 for some reason this is hallowed ground and apparently  
4 only an elevator service technician is smart enough to  
5 know how to handle the situation.

6 And I don't understand that. If the question is  
7 proper training, then put a plan in place and train  
8 building owners or whoever you want that you're going to  
9 give access to the space. But don't sit here and say,  
10 well, building owners can't do this.

11 You know, I get called all the time, "I can't crawl  
12 around in a pit. I can't crawl around on an escalator. I  
13 can't do this. I" -- we own the equipment for crying out  
14 loud.

15 So sitting here telling us that we aren't capable or  
16 we're not allowed is not the answer to the problem.

17 MR. DAY: So training being the issue.

18 MR. NIEMAN: Sure.

19 MR. DAY: So who -- if you don't mind me asking you,  
20 Dave, who trains your folks on removing someone from the  
21 side of the building or getting into three-phase --

22 MR. NIEMAN: There's various safety training  
23 companies out there that teach various applications.  
24 Obviously in this case we've got --

25 MR. DAY: Do you know if there's any that do this?

1 MR. NIEMAN: No, I don't.

2 MR. DAY: Does anybody else know? Anybody else? I  
3 thought I saw some more hands.

4 Okay. Well, one of the things we're going to have to  
5 do is work this out. Almost every elevator out there has  
6 heat detectors and/or smoke detectors. And the test must  
7 happen annually. And there sometimes is not a lot of  
8 cooperation between alarm companies and elevator companies  
9 in getting this done. And sometimes it can be downright  
10 cost prohibitive to do it as well. That's not an excuse;  
11 it's just the reality of what I'm faced with.

12 And the wet code actually says a licensed elevator  
13 mechanic in the hoistway to do elevator work. You must be  
14 a licensed mechanic to perform elevator work. And it  
15 defines maintenance, da-da-da-da-da. It doesn't define  
16 and the elevator industry has not captured that the smoke  
17 alarm is their work any more than they say that the  
18 flooring is their work or the sump pump or the lighting in  
19 the pit.

20 So there's other organizations that have access to  
21 the hoistway. What we have to figure out, as this is the  
22 Elevator Safety Advisory Committee, is how this can happen  
23 safely because it must happen. It must happen.

24 So I will be working on this. And I'll be reaching  
25 out to folks here in the audience and others as we prepare

1 it -- as I prepare it.

2 Thank you. Thanks for your time.

3 MR. ROLF: To say that there's not a training program  
4 that exists doesn't mean that one can't be created.  
5 Because the same goes for "hi and go rescue" or confined  
6 space work or any of those. Those were all created at  
7 some point based on the need. So if a demand is shown for  
8 a need for low volt or building maintenance or whoever to  
9 get into hoistways, it doesn't mean that a training  
10 program can't be created for that. It's not a uncommon  
11 expectation for training programs to be created.

12 We've had training programs for ourselves and for our  
13 people specific to what we do created. So just to say  
14 that one doesn't exist doesn't mean that it can't happen.  
15 It's just somebody's got to be willing to spend the money  
16 for it is really what it comes down to.

17 MR. McNEILL: Any other comments from the committee?

18 MR. DAY: Yes, Al.

19 MR. SORENSEN: The only other thing Jack mentioned  
20 when he was talking about, he was talking about access to  
21 confined space, which is having access to hoistway and  
22 access to the pit are to me two different things from  
23 access to confined space. A confined space brings up a  
24 whole 'nother connotation of monitoring the air inside the  
25 hoistway and everything or pit before you ever go in

1 there.

2 We went through this fiasco years ago. And I don't  
3 know if it's going to come back or not. But there's a big  
4 difference between confined space and just access to a  
5 hoistway or a pit, that terminology, from what I've seen.

6 MR. DAY: There's a difference between atmosphere in  
7 a confined space. But there is no difference in the  
8 definition of confined space. Atmosphere is just one part  
9 of the equation. But an elevator hoistway is a confined  
10 space in the state of Washington. It may not be in other  
11 states, but it is one here. And it's more than just  
12 atmosphere. Please be aware, be aware of that.

13 If you need some help, DOSH has consultants who would  
14 gladly assist you in helping to find what that is and if  
15 your program needs some assistance. They do have  
16 consultants for just this purpose.

17 MR. CLEARY: Would it be helpful for everybody if we  
18 got DOSH to give us some guidelines for the next advisory  
19 or at least get it sent out on what they're thinking?  
20 Because there is some ambiguity on what's really required.  
21 Will they do that?

22 MR. DAY: Probably not.

23 They will do it as a consultation if you ask them.

24 MR. CLEARY: So if I ask them for a consultation,  
25 then I can bring forward what I got to the stakeholders or

1 no?

2 MR. DAY: You would ask them, not me.

3 MR. CLEARY: Would that be helpful? What is  
4 everybody thinking?

5 MS. BREWER: I think that's a great idea.

6 MR. McNEILL: It would be nice to have a presentation  
7 if they'd do it.

8 MR. CLEARY: I'll take that, if I can.

9 MR. LEOPARD: If you go to DOSH Web site, they have  
10 several definitions and situations of confined spaces and  
11 how they're approached, several letters of how they're  
12 being handled by DOSH and -- (inaudible)

13 MR. DAY: So what you're saying, Duane, is that  
14 there's several examples out there already?

15 MR. LEOPARD: Yeah. And it would get you to a good  
16 start on this as to what's defined as a confined space.  
17 You can call them up and ask them -- (inaudible)

18 MR. DAY: Usually a company will deal with their --  
19 use their safety officer that they have hired to work  
20 directly with a person in OSHA or DOSH to determine if  
21 their safety program including an alarm company needs some  
22 help or not.

23 MR. WHEELER: I believe that it would be a very  
24 beneficial and good use of this group's time to see if we  
25 could request a DOSH presentation on confined space at a

1 future stakeholders meeting or Elevator Advisory Committee  
2 meeting. I think it affects everybody in this room. And  
3 to have one consultation or one presentation on DOSH's  
4 thoughts on confined space regarding elevator hoistways  
5 would be very beneficial.

6 MR. McNEILL: Thank you, Scott.

7 Christine.

8 MS. BREWER: Well, I just -- I represent other  
9 industries, and we meet with DOSH a lot on different  
10 concern areas, and they'll come and present. You don't  
11 need to request a specific consultation. So -- I mean, I  
12 just feel like if it's not a good use of time here, then  
13 maybe we can have a separate discussion that folks could  
14 come if they're interested.

15 MR. McNEILL: Thank you.

16 Okay. I think -- I have one comment, and I want to  
17 thank everybody in the audience for giving us their  
18 opinions on this FAID issue.

19 I do have a concern with people that aren't in the  
20 industry opening up the hoistway and exposing themselves  
21 to a safety issue.

22 In the past it's been prevalent throughout the  
23 country. If you look at fatality statistics that owners  
24 or employees of owners that access the pits either are  
25 prone to falls down the hoistway or being struck by

1 counterweights or other items that kill them.

2 So I'm not opposed to training. I think that we just  
3 need to be very careful that if we go down that path, it's  
4 done correctly to protect owners and employees and  
5 elevator employees that also work in that hoistway and  
6 aren't aware of what has been done to the equipment by  
7 others before they get there.

8

9

#### Old Business

10

11 MR. McNEILL: Okay. We can move on to old business.  
12 And Jack, you're up first with maintenance --

13

14

#### Maintenance/Testing

15

16 MR. DAY: Maintenance and testing.

17 This is reoccurring from the previous May meeting.

18 The May meeting put a special meeting in place for June.

19 How many here was at the meeting in June, the special  
20 meeting?

21 (Various hands raised.)

22 MR. DAY: Myself -- let's see. One, two, three,  
23 four, five, six, seven, eight, nine. Nine people. Nine  
24 people are here today who was at that meeting.

25 That meeting was in regards to the number of

1 conveyances that are in this state that require annual and  
2 five-year safety tests. And the number of safety tests  
3 that are actually being done is somewhat of a dramatic  
4 difference. And the interest here at this meeting was, is  
5 there other alternatives or other ideas that the  
6 Department or the industry can use to promote and pursue  
7 maintenance and safety tests in the state of Washington,  
8 set aside a \$500-per-month fine.

9 As everybody knows in the audience, the direction  
10 that we were headed was to give an owner a \$500-per-month  
11 civil penalty for the safety test not being performed.

12 And the avenue right now is, is there a better way,  
13 is there a different way, or is there something else that  
14 we can or could do to promote safety test and maintenance,  
15 specifically at this time maintenance?

16 Dave Nieman, we heard quite a bit from Dave at that  
17 meeting. We heard a little bit from others. I was hoping  
18 that there may be in the next five or ten minutes some  
19 further discussion from the audience or actually the  
20 members of what can be done besides a \$500-per-month civil  
21 penalty to promote maintenance and safety tests in the  
22 state.

23 We've been giving a lot of thought to it. So I'm  
24 hoping that others have as well since the last meeting  
25 that we had.

1 MR. McNEILL: Any comments?

2 MR. DAY: Anyone?

3 MR. WILLIAMS: I just had a question. Do you have  
4 records of how often those fines are actually given out?

5 MR. DAY: We haven't given any out of records -- we  
6 haven't done it.

7 MR. WILLIAMS: Okay.

8 MR. CLEARY: Now, we're talking category 1, category  
9 5 testing, correct?

10 MR. DAY: Uh-huh.

11 MR. CLEARY: And that's mandatory in the WAC.

12 MR. DAY: Uh-huh.

13 MR. CLEARY: That's been laid out and hasn't changed  
14 for how many years?

15 MR. DAY: 1963.

16 MR. CLEARY: So we found ourselves in a situation to  
17 where we're blaming building owners for something that has  
18 been known by service providers or whoever's doing the  
19 maintenance and the testing for years. Correct?

20 MR. DAY: Yeah, the overall argument or debate I have  
21 with owners is it's just not being done. Either they  
22 weren't aware that it wasn't under their contract, so it's  
23 an add. Or their frustration is they've been pursuing a  
24 company for quite a while to get it done. That's not  
25 every owner. That is the ones that will call and talk to

1 me.

2 MR. CLEARY: But putting contractual obligations  
3 aside, the requirement to do testing hasn't changed for  
4 years, right?

5 MR. DAY: Correct.

6 MR. CLEARY: That's not anything new that the State  
7 has brought on as requirements for category testing,  
8 correct?

9 MR. DAY: Correct.

10 MR. CLEARY: So I just -- I'm having a hard time  
11 understanding why we're having this problem this far down  
12 the line with professional companies and building owners.  
13 Has the advisory not given enough information out to  
14 building owners or -- because category testing and being  
15 late on something like that, I don't think it's my  
16 responsibility or obligation to talk about what's in  
17 contracts. We just got to make sure that we educate and  
18 make sure they understand that, you know, this is  
19 something that's got to be done and talking about do we  
20 get fines or not get fines is just an outcome of something  
21 that systemically is not being taken care of.

22 So we got to figure out how do we fix it  
23 systemically. And finding just an ancillary thing out  
24 there, that's just -- it's the whip. We got to figure out  
25 how we get everybody together and understand that this

1 isn't anything new and this is something that needs to be  
2 done because it's a safety test.

3 So I apologize. I've been gone for two years. But I  
4 don't quite understand why we're still talking about it.  
5 But that's just me.

6 MR. McNEILL: Jack, when you looked at the data that  
7 you received for the quarterly testing, based on the  
8 result prior to that, do we see an improvement?

9 MR. DAY: There's been an improvement, and the  
10 improvement was specifically in -- and one of the things  
11 we asked for was the safety test under contract.

12 So not knowing there was a significant amount of  
13 safety -- elevators out there not under contract to do  
14 safety test for whatever reason.

15 MR. McNEILL: I see.

16 MR. DAY: So it's -- seeing an improvement with those  
17 that are under a contract, yes. 100 percent across the  
18 board, no. But if we didn't see at least 80, we'd already  
19 been talking to somebody, a 80 percent improvement.

20 But the other side of this is, wow, there's a lot of  
21 elevators that are not under contract to do a safety test.

22 Owners, we wonder why that is happening. Elevator  
23 companies, we also wonder why. There's so many like that.

24 MR. OURY: We're continuously promoting maintenance  
25 and maintenance control plans to owners. And it's

1 interesting. A lot of them that want to make sure they're  
2 up-to-date with everything don't have any issues with it.  
3 But we get a lot of push-back or people ignoring us  
4 because often through the inspection process -- the annual  
5 inspection process, nobody mentions it to them. Nobody  
6 tells them they have to have a maintenance control plan.  
7 Nobody tells them what that's involved in.

8 And we often check records of conveyances and find  
9 that they've never been written up and they aren't being  
10 written up. So I don't know how -- I don't know what  
11 better way there is to communicate to owners what is  
12 required through WAC other than inspections.

13 When we go out and promote it, we often feel like  
14 we're the bad guys, that they check in with L & I and find  
15 out they don't really need to do that, or their inspector  
16 doesn't give them that information. So there appears to  
17 be miscommunication -- I don't know -- lack of interest in  
18 making sure that they are told what they need really from  
19 the State's point of view.

20 And that's our experience.

21 MR. DAY: Thank you. I appreciate that, Bob. I've  
22 noticed a bit of that myself. But that can't be the  
23 ultimate response either. Because it isn't the State's  
24 responsibility to ensure.

25 MR. McNEILL: If you would like to speak, go ahead.

1 MS. CHAIN: I just wanted to say that --

2 MR. McNEILL: Your name please.

3 MS. CHAIN: Lee Chain with HK Elevator Consulting.

4 I got a call from a client yesterday. They want to  
5 know when their five-year tests are due. They've been  
6 calling their elevator company, and they cannot get them  
7 to respond.

8 So they ask me, "How can we find out?"

9 So I guided them to the Web site where they can put  
10 in the conveyance number and at least find out when the  
11 elevator was installed, count by five and get close.

12 But -- I mean, right there they're showing interest  
13 in getting the test done. But they can't seem to make any  
14 progress.

15 MR. CLEARY: There should be a tag on the controller,  
16 a category 1 tag and a category 5 tag when it was last  
17 done.

18 MS. CHAIN: Yeah. That's good for people who are  
19 familiar with machine room. But if you're talking like an  
20 apartment building where you have a manager that's, you  
21 know, not --

22 MR. CLEARY: It should be in the records too. Those  
23 are paper records.

24 MS. CHAIN: Should be. But it wasn't. Because she  
25 did look there.

1 MR. McNEILL: Any other comments?

2 MR. DAY: I saw a few more hands go up.

3 MR. McNEILL: I'm sorry. There's a lot of people  
4 here, and some people I'm not seeing your hands.

5 MR. NIEMAN: You have a situation --

6 MR. McNEILL: Name please.

7 MR. DAY: This is Dave Nieman.

8 MR. NIEMAN: Oh, I'm sorry. Dave Nieman with Kemper  
9 Development. I tend to be the verbose one in the group.

10 You have a situation that's much like house flipping  
11 in the market right now where you have building owners  
12 that have no intention of hanging onto a building for a  
13 long length of time. They're riding a wave. Their intent  
14 is to drive the cost down as much as they can drive it  
15 down. And one of the things they do to do that is they  
16 omit five-year testing from their contract because it  
17 requires quite a lot of labor, it's rather expensive, and  
18 things tend to go south when you do a five-year  
19 inspection, then you get a lot of things breaking and  
20 falling apart and other things.

21 We did a drop test on one of our buildings, and we  
22 blew all the dampers in the pit, and the ceiling fell out  
23 a gap. So things happen, right? If you're not in it for  
24 the long haul, you want to avoid as much of that as  
25 possible. And so they kick the can.

1 I'm fortunate enough to work for a company that has  
2 no intention of selling. They've been in the business for  
3 70-plus years and they continue to grow. And we do our  
4 best to maintain the equipment the way that we're supposed  
5 to.

6 But there is an industry problem. And that problem  
7 is the building flippers for lack of a better term.

8 In my mind, the State has done their job in that  
9 they've provided the code that says you got to do annual  
10 testing and you've got to do five-year testing. The  
11 professionals in the group are the ones that are going to  
12 have to uphold whatever the code is. Because Building  
13 Owner A isn't going to be there three years from now when  
14 the five-year tests are due or whenever they're due. And  
15 as a group, whether it be the building owners or it be the  
16 elevator companies, there's nobody in this room that  
17 doesn't understand that those tests have to take place.  
18 Now, there's nobody with any of the big companies that  
19 doesn't understand that those tests have to take place.

20 So in my mind I don't understand why it isn't the  
21 code that they have to be in the contract. And believe  
22 me, as far as legislation goes, I'm the last guy that  
23 wants another piece of legislation to deal with. But the  
24 fact of the matter is if there's not a means of holding  
25 people accountable, they're not going to be accountable.

1 I say people. Let's just say companies overall.

2 It would appear to me that if there's a code that  
3 says, you know, one-year and five-year testing will be a  
4 part of your contract with your provider, then that at  
5 least does away with the excuse that "Well, we didn't know  
6 any better." Because every contractor out there is going  
7 to have to make it a part of their -- you know, every  
8 provider's going to have to make it part of their  
9 contract.

10 And everybody knows as well as I do, the other side  
11 of the equation is that everybody's trying to come in at  
12 low bid. Right? So a contractor that's working on  
13 equipment isn't necessarily going to put one-year or  
14 five-year testing in there if they think they can hold it  
15 out, drive the price down and get the contract, and then  
16 hopefully sell them on the five year when the time comes.

17 You got to level the playing field. And the only way  
18 I know how to do that is to come up with a statute that  
19 says, "This has to be -- this is mandatory to be in your  
20 contract." And that way everybody's on a level field.  
21 Nobody can skirt it. The building owner can't skirt it,  
22 can't kick the can down the street. The provider can't  
23 skirt it and not make it part of the bid.

24 MR. McNEILL: Yes, sir.

25 MR. OURY: I got a couple of responses from personal

1 experience.

2           Number one, it's not just building flippers. It's a  
3 lot of building owners, a lot of small businesses and some  
4 large businesses who really aren't going to do what the  
5 code requires unless they are forced to do what the code  
6 requires, especially when the industry seems to approach  
7 it in different ways. And your mentioning the low-bid  
8 thing is certainly one way that our industry does tend to  
9 -- or at least there are some players that tend to  
10 approach it from that direction.

11           But with regard to code, the code requires it.  
12 Aren't the inspectors there to make sure the code is  
13 upheld? Isn't that what inspecting on an annual basis is  
14 really all about, to make sure that the equipment is being  
15 maintained properly, to be checking the MCP's to make sure  
16 they're being logged appropriately, and to be making sure  
17 that the necessary maintenance tests are being done and  
18 safety tests are being done?

19           I think we already have that. If the inspectors need  
20 to be educated more, maybe that needs to be done. Or  
21 maybe we don't have enough inspectors; I don't know. But  
22 I think we have everything in place to do what needs to be  
23 done.

24           And I agree with you, Jack, that it's not the  
25 responsibility of the State to make -- to do the work for

1 the building owners. It's also not the industry; the  
2 building owners are the ones that have to follow the code.  
3 And it's our job to try and educate them as best we can.  
4 It's also the job of the inspector to educate them on what  
5 needs to be done and making sure that it's being written  
6 up appropriately.

7 Am I missing something?

8 MR. McNEILL: Scott.

9 MR. DAY: A little bit, But go ahead.

10 MR. CLEARY: To me, I think where the slippery slope  
11 is -- and I don't disagree with a lot of it. I think a  
12 lot of it's already in statute.

13 Are you implying then that we really need to have the  
14 State say that you must have a contract, long term?  
15 Because basically if you're saying it's got to be embedded  
16 in the contract, a lot of the category 1 or category 5's  
17 are a stand-alone, that you don't maybe have a long-term  
18 contract with that company, but you're still hired to come  
19 in and do that category testing.

20 So to say it must be embedded in the maintenance  
21 contract I think for a lot of the smaller companies or  
22 smaller businesses, to me it seems somewhat problematic.

23 So I think we -- I think what Bob was saying,  
24 there's a law already in the statute. How do we en --  
25 it's not being enforced.

1 MR. OURY: Correct.

2 MR. CLEARY: Is that what you're saying?

3 MR. OURY: Correct.

4 MR. CLEARY: Is there any more feedback on that?

5 MS. CRAWFORD: So we're asking people to pull an  
6 annual permit for their commercial pieces of equipment.

7 Am I correct?

8 MR. DAY: Say that again? I'm sorry, Amy.

9 MS. CRAWFORD: They pull an annual permit.

10 So they -- when I -- for example, when I go to get my  
11 tabs for my car, I'm warned if I need to have an emissions  
12 test that year or not. So would they not get a notice in  
13 their annual permit that it's time to -- or please check?  
14 Just a notice to say, "Please check" -- as an education,  
15 please check to make sure that these things are done and a  
16 checklist for a building owner.

17 MR. DAY: There is a checklist. It's the maintenance  
18 control program log.

19 MS. CRAWFORD: But that goes to the elevator  
20 mechanics, not necessarily to the building owners. Am I  
21 correct?

22 UNIDENTIFIED: Owned by the building --

23 MS. CRAWFORD: It's owned by the building owner.

24 MR. DAY: So let's get -- before we get too far away  
25 from it, one of the things Bob had said is is it's the

1 responsibility of the elevator inspector. It isn't. The  
2 statute spells it out clearly. It's the responsibility of  
3 the owner to have proper maintenance, examination,  
4 inspection, and at least annually a safety test. It  
5 spells it out. Nowhere --

6 UNIDENTIFIED: I agree with that.

7 MR. DAY: -- nowhere will you find that it's the  
8 responsibility of Labor and Industry.

9 But it is our job to ensure that it takes place. How  
10 we've been providing that service for the last fifty-some-  
11 odd years is trying to do annual inspections with  
12 everybody. That has been the method that's been engaged  
13 for 50 years.

14 At this point when the economy is busy, the other  
15 statement you made, Do we have enough inspectors? No.  
16 No, of course not.

17 It still doesn't negate the fact that it's supposed  
18 to be done and who's legally responsible is the owner.

19 UNIDENTIFIED: Agreed.

20 MR. WHEELER: You know, there's a lot of different  
21 things going on here. And I think that it's kind of hard  
22 to tell with our most recent scorecard with the numbers  
23 being possibly wrong here it sounds like. But I think  
24 that there is a clear lack of ability to get to an annual  
25 inspection from the State side every year, you know,

1 whether that's manpower really, and the economy building,  
2 adding more elevators faster than we're adding inspectors  
3 in a lot of cases. So that is part of a bigger issue.

4 But I think you touched on it here a second ago is  
5 that every elevator is required to have an annual  
6 operating permit. And if the State really wants to  
7 enforce and make sure that a test is being done annually,  
8 why wouldn't the owner be obligated to provide  
9 documentation to the State at the time of operating permit  
10 that that test was completed?

11 And that ties in to whether it was contractually  
12 required or whether it was -- I get very worried when  
13 government of any type starts to regulate what is or isn't  
14 covered in a contract. I don't believe personally that  
15 that's the responsibility of this Department or any  
16 agency.

17 But it is I think a responsibility to set out certain  
18 requirements that an elevator owner needs to provide or --  
19 and then they go out and seek the services to get that if  
20 they're not qualified to do it, right?

21 So to me, that is an option to ensure that the test  
22 gets done. And then when it's on a fifth-year cycle, that  
23 fifth-year category 5 test, evidence of that test should  
24 be required at the time of permit renewal. Just like your  
25 license tab, you have to bring in evidence that you took

1 your emission test to get your license tabs renewed. So  
2 a very similar concept.

3 MR. CLEARY: Though, we are an advisory, we don't set  
4 policy up here. I do think one of our main focus should  
5 be on education.

6 And I think what I'm hearing back is that I think  
7 there's a lot of opportunities here to take the statutes  
8 that we already have in place and on the advisory to get  
9 out -- to reach out to building owners, to service  
10 providers and owners and that stuff on really what the  
11 obligation is. I think that kind of training is really,  
12 really important.

13 I think tying or having some sort of checklist tied  
14 into the operating permits is a great idea.

15 I agree with Jack that it's not the inspector's  
16 responsibility. But that's the reason why the WAC says we  
17 must dangle tags or have tags all over our equipment is so  
18 we know when the next category 5 is done, correct?

19 So there's got to be some mechanism to making sure  
20 that everybody knows what's coming up so -- you're right,  
21 the budget in a five year versus a one year, you've got --  
22 it's capital, right? So that's got to be figured out.

23 But I think we need to educate and make sure that  
24 everybody knows what the obligation is. I don't think  
25 adding things in the contract is necessarily what I want

1 either. But I think it's really important that we reach  
2 out and have some sort of little triggers that say,  
3 Remember that your category 5 is due this year; make sure  
4 you have it.

5 But then, again, on operating permits, a lot of the  
6 capacity are zero. So there's -- even that needs to be  
7 worked on on that kind of stuff. But I think it's  
8 critical that we do education.

9 MR. DAY: Thanks, Scott. Thank you very much.  
10 That's a big coup if we could accomplish it.

11 MR. CLEARY: Well, I think that's something that's  
12 important that the advisory does.

13 MR. DAY: Yes.

14 The permits, I've heard that spoke a few times today.  
15 The permits are issued based upon the invoice. So the  
16 invoice is let -- and as long as it's paid, let people get  
17 a permit. The permits themselves are not tied to whether  
18 you pass, did maintenance or anything.

19 MR. CLEARY: Could they be?

20 MR. DAY: We would need to more than likely edit this  
21 a little bit with the statute in order to make that  
22 happen.

23 So that will be something that's underlined that  
24 we're going to have to tackle and bring back to the  
25 advisory next November -- this November.

1 MR. McNEILL: Yeah, if there aren't any other  
2 redundant comments.

3 MR. JACKSON: I think -- these are all valid points.  
4 I think there's already, as these gentlemen alluded  
5 earlier, there is already a program in place to check that  
6 these are being done. And you do have fines to -- when  
7 those procedures are not being done.

8 I think what's not being here addressed, though, is  
9 that there's a long lead time, for example. To that, we  
10 know L & I has stepped up their fining and is  
11 theoretically going to step up fining it even further.  
12 But I have to get that into a contract and enforce that  
13 contract. And when that contract doesn't work out, then I  
14 need to change vendors or something to that effect. So,  
15 you know, you can fine me more. And if I have it rock  
16 solid in the contract, I try to pass those fines onto the  
17 vendor. "Hey, you know, it's in your contract." But it's  
18 taking time to get to that point.

19 So I just think it's more of a lead-time issue to get  
20 to that point. And by going from, you know, \$500 -- going  
21 to \$500-a-month fines is going to be almost too quick, you  
22 know. It's not going to help me. We've already changed  
23 our contract. But it's -- doing it now when we're getting  
24 a new vendor, it doesn't really help me solve a problem.  
25 You have my attention. I -- we rewrote our contract.

1 We've strengthened it. But now there's -- but it's taken  
2 time to get to that point, and I think it might be moving  
3 faster than we can in a sense.

4 MR. DAY: Thank you.

5 Those are challenges that Luke has talked about. And  
6 what we see as a general rule with 11,000 owners or  
7 property managers and 25 percent of them changing per  
8 year. It's very difficult to stay on top of that 25  
9 percent.

10 And something else that's been brought up. Are you  
11 ready?

12 MR. McNEILL: Go ahead.

13 MR. DAY: Something else that's been brought up is by  
14 building owners and by, Scott, you as well, explaining the  
15 scope.

16 I found it pretty interesting. If you know what the  
17 scope is when you're building a building, then you know  
18 what your expectation is. But if you don't know, 25  
19 percent new owners per year, if you don't know what the  
20 scope is, then how are you going to know when you sign a  
21 contract with someone you're going to get the building  
22 that you wanted?

23 Now, there's been some debate. And the debate is on  
24 the item that's in future business if you turn the page.  
25 But I don't think enough debate has happened yet. Maybe

1 the word "contracts" isn't proper here. Because no, the  
2 State doesn't want at this point to be involved in  
3 contracts in or out. But the State routinely, routinely  
4 is involved with what is in the contract, and as  
5 specifically the State daily inspectors routinely are  
6 involved with what isn't in the contract. "I didn't know.  
7 I've only owned this building 'blank period of time.' How  
8 am I supposed to know I was supposed to have five-year  
9 safety tests?"

10 I won't go any deeper to the conversations that  
11 happened about this, but you can imagine what they are.  
12 Because the law says you're supposed to. So do we  
13 relegate -- do we relegate the importance of this to make  
14 sure that every owner understands statute and law?

15 UNIDENTIFIED: All the time. At least in the  
16 conversations I'm having with the inspectors and with you  
17 and everybody else, I'm getting a full understanding of,  
18 you know, what we're required to do by the WAC.

19 MR. DAY: So if the owners -- if we don't have a  
20 place that spells out this is what's supposed to be in an  
21 agreement, if we don't spell it out -- we spell out -- for  
22 example, we spell out in WAC the examination things.

23 UNIDENTIFIED: Correct. But no, there is no -- if  
24 you're asking is there any definition by the State or  
25 anybody else as to what the language in the contract is

1 supposed to say, no, there is not.

2 MR. DAY: So the statute says "proper maintenance."  
3 That's what it says. And we leave it up to folks to  
4 define for themselves and what they can afford I guess as  
5 proper maintenance, whether it be short proper maintenance  
6 or not.

7 So I find it interesting that we're being asked not  
8 to discuss what goes into a contract when we're here  
9 supposed to be assured that all the building owners and  
10 property managers have proper maintenance, examinations,  
11 and at least annual safety test. Yet there's push-back  
12 when we're to define what that is. Why is there  
13 push-back?

14 MR. McNEILL: Jack, I'm going to keep this fairly  
15 short so we can at least get the old business done.

16 But I'd like to ask a question and make a comment as  
17 a representative of the licensed elevator contracts.

18 The first question is, and I think this is pretty  
19 enlightening from what Dave mentioned and you mentioned,  
20 would it be possible on the State's Web site to have a  
21 section that says, "These are the items that are required  
22 to be completed each year"? So it would be as simple as  
23 8.6 Maintenance, 8.11 Inspection. And by the way, an  
24 annual test is required each year for this type of  
25 equipment and a five-year test is required for this type

1 of equipment. So it's crystal clear to anyone getting to  
2 the State Web site what is required by the state of  
3 Washington to maintain and keep a permit for their units.

4 Does that make --

5 MR. DAY: Uh-huh. I think that's a beginning, but it  
6 isn't the end. But it is a beginning.

7 MR. CLEARY: Is there any way you can tie into the  
8 operating permits that they get a flyer? You talk about  
9 new building owners not having a clue. I don't know if  
10 they want to have a clue. But a lot of times they really  
11 don't, and they want to do the right thing. There's got  
12 to be something that triggers saying, "This is your  
13 responsibility. When you obtain this, this is your things  
14 that you're responsible to do. How you do that is your  
15 responsibility, but you must meet these minimum  
16 standards." Okay? And that way, no one can say, "I  
17 didn't know anything about it." And so how they enter  
18 into contracts is going to be their responsibility.

19 But you're right, the WAC had already talked about  
20 what needs to be done each year. That's already -- it's  
21 already published. I think education is the big thing.  
22 And something that ties to our operating permits I think  
23 would be very helpful. It could be a simple flyer that  
24 goes out in the packet when they get their operating  
25 permit "These are the requirements."

1 MR. McNEILL: So Scott, are you willing to --

2 MR. CLEARY: Yes.

3 MR. McNEILL: -- head this up at our next meeting?

4 MR. CLEARY: Yeah.

5 MR. DAY: Is there anybody else that's interested in  
6 helping this little production, this production of this is  
7 what's required?

8 (Various hands being raised.)

9 MR. McNEILL: If you are, please get ahold of Scott  
10 after the meeting, and we'll hook you up.

11 MR. DAY: I'm particularly interested in elevator  
12 companies that -- I don't want to overstep our bounds  
13 here, you know. But I do need to make sure that when an  
14 elevator -- when a owner is saying, "The reason my  
15 emergency light doesn't work is because batteries aren't  
16 covered under my contract for the emergency lighting. And  
17 it's going to take me four to six months before the  
18 elevator comes back -- elevator mechanic comes back for  
19 their normal routine visit to replace the battery in their  
20 emergency light pack."

21 These are things I deal with regularly.

22 So I'm interested in what should be on that --

23 MR. CLEARY: Sure.

24 MR. DAY: -- from an elevator company's perspective.

25 MR. McNEILL: We'll get some elevator companies on

1 there.

2 Let's -- I hate to cut it short. We've made this  
3 meeting much more collaborative than they usually are.  
4 And I think it's a healthy thing rather than just being  
5 directive and spouting out information. So we'll try to  
6 get a happy medium here.

7 We've got to move to the next old business item just  
8 so we can get through old business today. We only have an  
9 hour left.

10

11 Existing Machine Room Enclosure And Access  
12 to the Machine Room

13

14 MR. McNEILL: The next item is existing machine room  
15 enclosure and access to the machine room.

16 MR. DAY: Me?

17 MR. McNEILL: That's you.

18 MR. DAY: What I wanted to do was ask Scott Cleary if  
19 he could take this on. Because it just needs to be  
20 finished. It was his predecessor who put this together.  
21 But I need somebody to contact an architect -- we need to  
22 get a building owner thoughts of this, and a contractor,  
23 and a architect -- thoughts of this process. How much do  
24 they expect it to cost and that kind of thing.

25 So Scott, is that -- can I ask you to finish this?

1 It's almost done.

2 MR. CLEARY: And you're referring back to Keith  
3 Becker and the subcommittees under that. Yeah, I'll do  
4 it.

5 MR. DAY: Thank you.

6 That's all I have on that.

7

8 Type "A" Permits and Inspections

9

10 MR. McNEILL: Okay. The next item was Type "A"  
11 permits and inspections.

12 We've had over ten meetings. Outstanding  
13 collaboration and investment of time by both building  
14 owners, elevator contractors, inspectors. You probably  
15 are wondering where this has gone in the last month. And  
16 it's been in Todd Baker's capable hands to look at rule  
17 and statute.

18 So I'm going to let Todd speak briefly on what's been  
19 occurring, and then we'll talk about the next steps.

20 MR. BAKER: Sure. So we've taken the rough draft  
21 work from the committee and tried to craft it into some  
22 draft language, both statutory changes and then rule  
23 changes. And the idea there is in statute in the law to  
24 actually establish this concept of a Class "A" permit that  
25 would allow certain minor alterations and residential

1 incline chair lifts to be performed without the need for  
2 inspection, that they would be inspected on a random  
3 basis, and that there would be an eligibility requirement  
4 for who would be eligible to purchase this type of permit.  
5 In keeping the statute -- not much more than that, and  
6 then to refer to the rule, the WAC for the details on  
7 those things.

8         So we have draft stuff that's with Rob and Jack right  
9 now for review. And then we'll convene the committee to  
10 kind of dig into the specifics and work through details.

11         But the spirit of that is to try to get the statutory  
12 change moving through the process. And that is in  
13 September we would be submitting that to the Governor's  
14 office for consideration for the following January  
15 legislative session. And my assumption is that during the  
16 legislative session, the legislators would be asking about  
17 -- so the statutory change is kind of high level, there's  
18 been a lot of details, so could also at the same time be  
19 sharing with all of you and the legislators. "Here's the  
20 details in rule that we're proposing." So there would be  
21 a lot of awareness of what to expect, how it would work.

22         If it was successful to the legislature, then  
23 sometime in late spring or actually it would be July 1st  
24 for the law to take effect. July 1st. So 90 days after  
25 session depending on how they do it. And then we'd engage

1 in the rulemaking process which can take two months if  
2 it's an expedited process and take more like six months to  
3 go through the whole stakeholdering process so that we  
4 have this in place say by the end of, you know, 2017.

5 So I think the group we want to convene again in the  
6 next couple weeks and work through those details and start  
7 sharing the language more broadly and go from there.

8 Is there more you wanted to know about that?

9 MR. McNEILL: No. That's excellent.

10 So we'll let everyone know that's been working on the  
11 committee when the next meeting will be. Most likely  
12 it'll be the first week of September we'll be looking for  
13 space, and we'll get a space in Olympia most likely again  
14 and then get that done.

15 And the intent of that meeting is to review the whole  
16 package with all the stakeholders that have been involved  
17 and spent all their hard effort and time and make sure  
18 that what we're submitting is what the subcommittee really  
19 wanted to provide and produce. So you'll get an e-mail  
20 shortly on time and place.

21 One other clarification. We've been talking about  
22 Type "A" permits and Class "B" permits. They're all the  
23 same. And as we look at this, I think the -- I believe  
24 the State's trying to mirror what has been done in other  
25 industries, and they're using some different nomenclature

1 than Type "A." So we'll go with the nomenclature that is  
2 clear and easy to associate with for the legislators for  
3 what already exists. If they're familiar with it, it's not  
4 going to be something completely foreign to them. We can  
5 discuss that more in the next meeting -- next and last  
6 meeting of the subcommittee.

7 So it's a long road. But there's a light at the end  
8 of the tunnel. And I think that it's great to see some  
9 progress on that.

10 MR. CLEARY: I'd like to thank everybody that's  
11 participated. Because I started this back in I think  
12 2008. So it's been a long time coming. So I'd really  
13 like to see it get wrapped up and get implemented. And  
14 everybody that spent the time, I'm really appreciative of  
15 it.

16 MR. McNEILL: Thank you.

17

18 New Business

19

20 MR. McNEILL: We'll go to new business. And Matt,  
21 you had the first item under new business.

22

23 ASME A10.4 Inspections and Manpower Training

24

25 MR. ROLF: Yeah.

1           Jack and I talked a little bit before the meeting  
2 started. It's less about elevator inspectors and the  
3 Department, more about techs and maintenance personnel or  
4 temporary construction hoists, manlifts.

5           This is a good opportunity to include the union in  
6 this. We are seeing or the industry is seeing a lack of  
7 available personnel to be able to do inspections,  
8 maintenance on temporary elevators.

9           I have -- the note here is three weeks for  
10 inspectors. I have heard that after a installation or a  
11 jump of a temporary hoist. I've heard that a couple of  
12 times actually, not just once.

13           We see it as the -- every time we do it like we're  
14 jumping our hoists now I think tomorrow, and it's the like  
15 eighth time that they've done it. But for the next four  
16 months they're not going to jump anymore. And they're  
17 going to need a maintenance inspection done essentially  
18 every four weeks because they're running the elevator 72  
19 hours a week. And there's two elevators in the building.  
20 And I know we're not the only contractor in town in the  
21 same time frame. So it's availability of techs from --  
22 because it requires a tech or a maintenance person to  
23 access the top of the car, to be able to grease it, to  
24 inspect it. And is that a necessity is really what that  
25 comes down to.

1           Some cars have been modified for greasing within the  
2 cars. So it doesn't require a tech to do the greasing.  
3 But some of the cars -- many of the cars have not been  
4 modified specific to Alimaks for greasing inside, so it  
5 requires a tech to get on top. There's a lot -- I know I  
6 just said a lot of things. But there's a lot of --

7           This is really my issue as a general contractor is  
8 temporary hoistways versus permanent installations.

9           Does anybody have any ...

10          MR. CLEARY: So what are you proposing or what are  
11 your ideas on this?

12          MR. ROLF: It's -- I'm not necessarily proposing  
13 anything. But one -- I guess I would like to have more  
14 availability for maintenance personnel that isn't  
15 necessarily an elevator tech.

16          MR. CLEARY: So this is an issue that we can't kick  
17 the can down the road on because it's something that's an  
18 urgent need that may go away in the future or whatever,  
19 but it's something that we need to address.

20          MR. ROLF: Uh-huh. Tie in with the fact that there's  
21 what, 55 tower cranes in Seattle. There are not nearly as  
22 many temporary hoistways, but there are a lot to the point  
23 that more and more companies -- rental leasing companies  
24 are purchasing them to install them.

25          MR. McNEILL: So you're proposing --

1 MR. ROLF: Should a elevator tech be necessary to  
2 access the top of the car for inspection and basic --  
3 (inaudible)

4 MR. CLEARY: For us to be able to advise, we have to  
5 understand, you know, basically what -- we have to  
6 understand -- we know what the issue is, but we have to  
7 understand what are some of the remedies. So that would  
8 be helpful to get some substance --

9 MR. ROLF: Just like back to Kemper Development's  
10 training, someone was trained but wasn't trained to the  
11 level of being a tech. We see that there could be a  
12 potential for someone to be able to do those basic  
13 inspections. If it needs to be done by a tech every six  
14 months, that's fine. But when you're having to grease  
15 everything and do all your inspections as quickly as every  
16 four weeks, there's not enough bodies to do it all.

17 MR. DAY: You want me to attempt to break this down a  
18 little bit?

19 MR. ROLF: Thank you.

20 MR. DAY: So when licensing came about, there was a  
21 category derived out of that, and that category was for  
22 temporary construction hoist special for those elevators.  
23 Those folks fall into that category.

24 Again, a similar problem has been discussed. And  
25 myself and others at L & I have met in the past -- in the

1 distant past now -- with groups of stakeholders from this  
2 industry. And what is similar in nature is keeping  
3 personnel when the boom is over so you have personnel when  
4 the boom is back. And how do you keep qualified personnel  
5 trained to the level outlined in our current education  
6 policy for that category. So if we were to refer to the  
7 education policy and a, Matt, a group together going,  
8 Okay, is there a level for basic lubrication that can be  
9 accomplished? Because today the WAC does not give any  
10 room for this. It says you will be a licensed mechanic  
11 under this category to perform this.

12 And again, going back to the history is maintaining  
13 those people through the downturn in the economy. And  
14 when it turns around and comes back, historically those  
15 people have moved on to other things.

16 So Matt, is it of interest to review the education  
17 policy for this and get something more streamlined?

18 MR. ROLF: Yeah. That's -- that would be my hope is  
19 that we could have someone that could do the basics that  
20 isn't trained to the level of a tech. I don't know what  
21 the time frame is to become a tech, but ...

22 MR. CLEARY: This is something that, Jack, we could  
23 also look at under the 70.87.270. These are not used by  
24 the public. Those people have the exemptions from  
25 licensure to do basic maintenance things. So that may be

1 something -- I know you'd probably have to change the  
2 statute but that could be mirrored along that same kind of  
3 thing that's done for that category.

4 MR. ROLF: That would be amazing.

5 MR. DAY: It still requires training.

6 MR. ROLF: No. For sure. No, definitely. Don't --  
7 I'm a safety guy by trade, so I'm all for training.  
8 Everything that you read requires training in some  
9 fashion. So I'm not opposed to that; don't get me wrong.

10 But for us to hire a bunch of techs or for some bar  
11 owner or Apex or someone to hire a whole bunch of techs  
12 and then, like you said, the industry slows a little bit,  
13 now we don't have as many manlifts getting leased out, now  
14 we don't have a need, so now we lay them off. So then it  
15 booms again, and they're gone.

16 MR. CLEARY: Look up -- pull up the 70.87.270 and  
17 read through that and see what you think.

18 MR. DAY: Yes. At this point, I'm a little concerned  
19 about that. Because we don't really see that -- I mean,  
20 we do see that constructors, laborers, other trades are  
21 public at this time. They're not employees of the person  
22 that owns the lift. See what I mean?

23 MR. CLEARY: There's -- (inaudible). But there's --  
24 I think that's a good model based on the industry that  
25 it's being used by.

1           MR. DAY: I would like that, Matt, if you could get  
2 together with the people from that industry, the elevator  
3 companies themselves and the owners, and start having a  
4 dialogue about what to do as far as training goes.  
5 Because it boils back to training. Can they get that  
6 training from someplace else? Maybe. I don't know.

7           MR. ROLF: Yeah. Because the two options are time --  
8 time with the equipment or going through the  
9 apprenticeship. Well, to get -- it's hard to get time  
10 with the equipment without going through the  
11 apprenticeship. It's difficult to. So currently the  
12 apprenticeship really is the only feasible option for even  
13 just for somebody to go grease the wheels and inspect the  
14 bushings or ...

15          MR. DAY: Well, it could be that that category needs  
16 to diversify and more things are capsulated and other  
17 types of mechanic work are surrounding not just that one  
18 category so it's not just these two types of mechanics;  
19 it's a larger group of people. So maybe that training can  
20 be accomplished. But that needs to be broken down and  
21 talked about.

22          MR. CLEARY: And I think it's time to look back at  
23 the categories too. Maybe that's something that if  
24 there's interest to relook at categories and what's within  
25 those categories. Nine is quite a lot. Maybe we need to

1 come back and do some combining and redo -- move the  
2 parameters on that. So if people are interested in that.

3 We had one what, in 2008/2009 that was pretty  
4 productive. Maybe we need to rethink about that. And  
5 that's the time to work on some of these things. I mean,  
6 time changes and needs change. So maybe that's something  
7 to look at too if there's an interest.

8 MR. ROLF: I think this kind of ties to building  
9 owners and maintenance or access to the top of cars  
10 because that was brought up earlier in building owners  
11 accessing top of cars for maintenance work or for -- not  
12 necessarily maintenance to the car, but maintenance to the  
13 hoistway. It's obviously going to come down to training.  
14 But it's who is required to -- what level of person is  
15 needed to do that work, whether they're a tech or a  
16 whatever.

17 MR. McNEILL: So Matt, between now and the next  
18 meeting, would you be -- would you help us and get with  
19 the industry --

20 MR. ROLF: Yeah.

21 MR. McNEILL: -- suppliers and the State and kind of  
22 get the idea from the industry suppliers what they believe  
23 is relevant for training, and then get with the State as  
24 well as the union to see how that meshes together and what  
25 works for everybody. That would be outstanding. Great.

1 And we'll help you.

2 MR. ROLF: I appreciate that, yeah.

3

4 Factory Built Conveyances

5

6 MR. McNEILL: So the next new business is factory-  
7 built conveyances. And Jack Day and Al Sorensen are  
8 discussing this.

9 MR. DAY: I'll start.

10 So the first thing we looked at or I looked at was  
11 the criteria. And the installation of is required to be  
12 done by a licensed elevator mechanic, the installation of  
13 a conveyance.

14 What we got here is a elevator that's for all intents  
15 and purposes built. It's put together. It arrives on a  
16 flatbed truck. It's stood up and put into place in a  
17 hoistway, for example. If it's more than a story or two  
18 stories, then it could be an assembly bolted together to  
19 go high up.

20 So one of the things I was looking at, and I brought  
21 this up last advisory meeting, is is the assembly in a  
22 factory the same thing as the installation out in the  
23 field? The installation is what the RCW and WAC rule, it  
24 does talk about the installation being done. We have many  
25 types of conveyance. So the rationale leading down this

1 path is the rationale we have many types of conveyances  
2 out there that are put together either part and parcel or  
3 almost wholly in a factory. Not all, but we do have many  
4 that come put together like that.

5 So does the RCW and does the WAC support the  
6 manufacturing of, and I don't believe it does. So there  
7 comes the problem. It says the installation of.

8 And I want an opinion on should that be expanded on  
9 or not in statute -- not statute but in rule.

10 What this would mean more than likely is our already  
11 limited manpower having to go to factories where this is  
12 built and oversee that process. That's really not  
13 feasible. Not in our world, it's not.

14 How elevator companies typically handle this is an  
15 accredited organization says, "Yay. Build this like this.  
16 And we'll come in routinely and periodically and see that  
17 you still are." UL is one of those types of places that  
18 do just that thing. Because you don't put the door  
19 together; it comes already put together. Now you put some  
20 substance on it, some sundries on it, but it comes made  
21 somewhere else.

22 However, it's not in place for an entire elevator.  
23 That accredited cycle is not in place. And I don't know  
24 that ASME has even thought about that yet. This is  
25 probably too new.

1           But we're getting some that are coming to the state  
2 of Washington.

3           The other thing that I wanted to be discussed is what  
4 did we find wrong when they arrived here.

5           Now, I'm going to speak to what our Factory Assembled  
6 Structures found wrong with the elevator hoistway. And  
7 things were covered with drywall so that you couldn't  
8 tell. So drywall had to be taken off so that you could  
9 see if it was welded correctly. And forgive me, I don't  
10 know if it was or was not actually welded correctly, but I  
11 do know there were a few items that had to be corrected.

12           So there were some problems there with the attachment  
13 and welding that had to be fixed out in the field. And  
14 part of the elevator -- or shaftway had to be torn apart  
15 in order to determine that.

16           From this point, I'll take that information -- please  
17 take that information and Al can speak to the rest.

18           MR. SORENSEN: The three structures showed up on a  
19 truck and they had -- they were tipped up into place.  
20 They had not been at the time inspected by the State back  
21 at the manufacturer's plant like they're required to be.  
22 That's I think where a lot of the wallboard issue happened  
23 and the structural tests and inspections for welds and  
24 that type of a thing was causing the problem.

25           The other thing was we started to issue -- the permit

1 was in our office, but we hadn't issued it yet at the time  
2 they tipped them up. They just hadn't been processed  
3 through the system at that time.

4 So the minute we found they were tipped up out there,  
5 we put a immediate halt to the job. And we wanted to see  
6 all of the structural drawings and diagrams and how the  
7 machinery, everything was welded, how it was welded to the  
8 building structure, how the punk units were set.

9 The punk unit came bolted to the floor and everything  
10 and braced just horizontally. You tip it up, and you got  
11 a machine room on the top. If you haven't seen a  
12 hydraulic machine room on the top with everything, they're  
13 ready to go. The only thing that was -- the pit channel  
14 was in there. The only thing that was out of place was  
15 the two twin post jacks weren't in place; they were tied  
16 in loosely. And there was no oil in the system. The  
17 controller was mounted on the walls. The disconnect was  
18 mounted in the machine room.

19 The biggest problem we couldn't see, like Jack was  
20 saying, we couldn't see into some of the weld areas. So  
21 when our inspector did go out there, we had them cut open  
22 around the whole weld bracket -- weld -- rail bracket and  
23 joist through the wallboard to see if they were properly  
24 welded to the structure. So that was done.

25 There was some wiring that wasn't code compatible to

1 anybody's idea for the door locks. They were using a  
2 couple hundred foot of flex in there, which we stopped  
3 right off the bat.

4 I sent three guys, very experienced inspectors out  
5 one day, and they wrote about six pages of items on there  
6 that had to be done.

7 A lot of this had to do with the fact that it was  
8 specific to our AHJ items or state-specific items in the  
9 WAC, things that weren't quite done to the code.

10 Now, this is no different probably than an elevator  
11 system built by Thyssen or Otis or anybody else. They  
12 typically build the controllers and much of the operating  
13 characteristics of the system that comply with the  
14 requirements of the local AHJ. They have different ones  
15 for everybody around the country now.

16 The equipment they use here is all off the shelf.  
17 Pump units off the shelf. Controllers, things that --  
18 rail-and-cap systems. They all had the right tags on them  
19 and the ANSI approval codes on them. So it was hard to  
20 find any fault with that.

21 We did look very careful at the installation of every  
22 component -- (inaudible -- everything.

23 Like I say, three guys went over there. And the poor  
24 elevator mechanics out there had a little bit of work to  
25 do. But they got that done quickly.

1           One of the big things for us was the shunt-trip  
2 devices which they weren't used to dealing with for  
3 hydraulic elevators, so they had to put shunt-trip  
4 breakers in the machine room and figure out a way to route  
5 the sprinkler piping and everything from downstairs up to  
6 the roof or the pipes could freeze. But we got all that  
7 straightened out.

8           So the building was willing to work with us on that  
9 and the manufacturer of the units were willing to work  
10 with us on that. And they did go out of their way to do  
11 everything we asked to bring it code compliant for both  
12 the State and the authority having jurisdiction.

13           Jack brought up a good point that although the  
14 structure may be inspected by the State in the locations  
15 being manufactured, I'm not sure there's any approved  
16 elevator inspection agency looking out over this.

17           They had one licensed elevator mechanic working I  
18 think out at that plant and came by once in a while to  
19 look at things when they were putting it together to see  
20 if he thought it was right. So -- this was back in  
21 Arizona?

22           UNIDENTIFIED: Illinois.

23           MR. SORENSEN: Illinois.

24           MR. DAY: Mount Vernon, Illinois. The name of the  
25 company's Phoenix.

1           MR. CLEARY: Does the city engage in a stringent  
2 vetting of new products? Because I know when we bring  
3 stuff into the state that's done through L & I, there's a  
4 pretty intense vetting process, the whole package. Was  
5 that done on this or ...

6           MR. SORENSEN: We look at some of the things that  
7 L & I does. We ask for the same new product  
8 certification. Because there's a lot of things out there  
9 that are a little bit questionable.

10           It would have helped to have that with this if we  
11 would have known it was coming. I didn't know it was  
12 coming until it showed up almost. It's a little hard to  
13 do anything with it until you get to that point.

14           But I think where the manufacturer is -- and I'm sure  
15 they're probably talking about manufacturing these in  
16 China and shipping them over here all assembled. But  
17 wherever it's being manufactured at, there has to be some  
18 special process for the elevator-related code issues. And  
19 they also have to take into consideration the codes of the  
20 local and state jurisdictions that they're sending these  
21 to.

22           MR. CLEARY: So you would be -- basically -- I don't  
23 see it being outside the state. I think before it comes  
24 in the state it needs to be vetted --

25           MR. SORENSEN: Correct.

1 MR. CLEARY: -- well before it is permitted, correct?  
2 I mean, that's, Jack, that's what we have to do with  
3 vetting new products to you is making sure that before you  
4 get a permit that all the engineering's gone through,  
5 everything gets done. Then when it comes in the state on  
6 the first install we get screwed by it.

7 MR. SORENSEN: It should be done at the point of  
8 manufacture, yes.

9 MR. CLEARY: No. Because every --

10 MR. DAY: Well, I think it should be done there as  
11 well.

12 MR. CLEARY: Well -- but here's the thing on this.  
13 When I worked with our vendors on is that there's 50  
14 states, and every state is different. So they always --  
15 you know, just because Washington state has different  
16 municipal codes or state codes, they're not designing it  
17 specifically for that, but they may have to modify things  
18 for it to be allowed in the state.

19 So I think it needs -- whoever's going to be bringing  
20 that into the state has an obligation to get everything  
21 through the AHJ to make sure it meets all the local codes  
22 as well as federal codes.

23 MR. SORENSEN: Well, that's what happens now. The  
24 elevator companies when they order equipment, they order  
25 it to the either the state code or they'll order it to the

1 Seattle AHJ codes that we enforce that the state might not  
2 or the State has things that they do that we don't look  
3 necessarily.

4 So yes, it's up to the elevator company who's  
5 importing these things wherever they're coming from to  
6 make sure that they have contact with the equipment  
7 manufacturer as to what codes are required and what items  
8 are required here in the state of Washington and the City  
9 of Seattle.

10 MR. McNEILL: Before we go to discussion, so what I'm  
11 hearing is the position of the inspection agencies is it's  
12 incumbent on the elevator contractor to have this  
13 inspected and to notify you before they come in? Is that  
14 what I'm hearing?

15 MR. DAY: So far our only ability right now is to  
16 have it be reviewed and vetted by us. We can't send  
17 anybody to Illinois or -- it's not feasible for us to do.  
18 So we have to vet it the same way. But I don't see a way  
19 to say that it's in any way, shape or form not legal to do  
20 in this state.

21 MR. CLEARY: Is it under 70.270 for new product, new  
22 design? That's still going to hold true for that bringing  
23 in new technology?

24 MR. DAY: We allow that under WAC portions, not  
25 whole, portions of the elevator test.

1 MR. CLEARY: So what we're hearing is it's the  
2 responsibility of whoever's bringing it in to get it  
3 vetted through either the State.

4 And I assume it's the same for Spokane, for the City  
5 of Seattle.

6 MR. DAY: Yeah, the last thing we want to see is it  
7 show up on the street and somebody knocking on our door,  
8 "Will you approve the permit?"

9 It's going to take a long time just FYI if you do  
10 that.

11 MR. McNEILL: Any comment from -- go ahead.

12 MR. NORRIS: Labor & Industries did tell that  
13 contractor six months prior at a meeting -- I saw it in  
14 the meeting minutes -- that these elevators are not normal  
15 and they're going to need some extra attention. And  
16 nothing -- you know, the contractor didn't do anything.

17 MR. DAY: And they did not pay attention to that if  
18 I --

19 MR. NORRIS: They were told. I saw it in the meeting  
20 minutes.

21 MR. DAY: Fortunately that was Labor and Industries.  
22 The fact that this is that was the Factory Assembled  
23 Structure program, which typically do factory assembled  
24 structures and trading that information to the AHJ for  
25 elevators didn't happen, and it was a surprise. And we

1 don't want there to be any more surprises with this stuff.

2 MR. McNEILL: Any other comments? Go ahead.

3 MR. LEOPARD: I think we're not looking at so much as  
4 the equipment, the method as to which they're installed.  
5 Because whoever's installing in these things are all GAL,  
6 after-market doors. The doors -- (inaudible). They're  
7 all approved parts and pieces that are just assembled  
8 someplace else. So it's not like it's new technology or  
9 anything else; it's just a new method of putting it  
10 together.

11 I had the fine opportunity of installing a six stop  
12 two piece 72-foot tower.

13 We work closely with the manufacturer to ensure that  
14 everything is built to Washington code, City of Spokane  
15 code, -- (inaudible) -- the pit-stop switch is at 36 and  
16 48 inches required. Everything is built to code and ready  
17 to go when these things arrive and was put in.

18 The mechanic on site -- now, this is the portion I'm  
19 kind of concerned about. The final installation of these,  
20 I think there does need to be a mechanic on site to do the  
21 final wiring, the hook ups and the final inspection before  
22 the state or city or whatever jurisdiction comes in to do  
23 the final inspection on these.

24 MR. CLEARY: Duane, one thing that we realize -- I  
25 think the State's attack has always been, just because

1 components are listed doesn't make it a listed unit. So  
2 we've always had to make sure that even though  
3 everything's listed but as a component, it needs to be  
4 listed together. And that's always been the thing that  
5 we've always had to do through the vetting process is make  
6 sure that the system itself is compliance, not just the  
7 component. So just because the components are all listed  
8 doesn't make it a compliant piece of equipment. That's my  
9 understanding.

10 MR. LEOPARD: It is -- whether you install them in  
11 the field in a hoistway or at the factory, they're still  
12 the same components that make up the set of doors. See  
13 what I'm saying?

14 The same machine that goes in the overhead in the  
15 machine room list is the same as if it's going to be  
16 installed on site or in the factory.

17 MR. McNEILL: Any other comments?

18 MR. DAY: No. Other than I know there's some coming  
19 to Washington state. And I wish I knew who was going to  
20 be the elevator contractor because we really need to make  
21 sure the information is passed among to us well before the  
22 truck's sitting in the parking lot waiting for the crane  
23 to pick it up. So that way we can look at it and review  
24 it.

25 We have no intention of not allowing it unless we

1 find something wrong through the vetting process, and then  
2 they must fix it. So that's the other side.

3 The installation versus the manufacturing is  
4 different, and I do expect that once it's here and being  
5 put in place, all the work is done by a licensed elevator  
6 mechanic working for a licensed elevator company. That's  
7 what we expect.

8 MR. McNEILL: Thank you.

9 MR. SORENSEN: One thing I did do -- first, I had a  
10 long talk with the elevator company about this and their  
11 representatives.

12 The other thing was that when they did set these up  
13 here, there's always a couple people around from the  
14 manufacturer's company who shipping these out. And after  
15 our first inspection with the State inspectors looking at  
16 wallboard and everything out there, they were ready to be  
17 jumping in the hoistway and start doing work. And I put a  
18 kibosh on that right away. I said, "Now they're here in  
19 the state of Washington. You have to play by the state of  
20 Washington rules. And that means that everything you do,  
21 it has to be done by folks -- by licensed elevator  
22 contractors in the state of Washington."

23 So we didn't just let them in there and have cart  
24 blanche with changing things in the machine room or wiring  
25 or anything. That had to be done by the elevator

1 contractor or under supervision by the elevator contractor  
2 because we wanted to make sure this was done properly.

3 MR. McNEILL: Thank you.

4

5 Incorrect Installation/Code Design Re-set

6

7 MR. McNEILL: All right. Well, we'll move on to the  
8 next item on the agenda, which is incorrect installation/  
9 code design reset.

10 Mr. Day.

11 MR. DAY: Thank you.

12 If we turn to the third page. It has page number 4  
13 marked at the bottom. Up at the top it says "Incorrect  
14 installation/code design re-set."

15 One of the things I brought up last meeting is I have  
16 an interest -- although, one of the problems is the RCW  
17 says these things shall be corrected within 90 days of  
18 written notification. Okay? So RCW says this. But what  
19 we're finding and what the issue here is we find that the  
20 car lighting which is supposed to be ten candle foot per  
21 year, blah, blah is five. It's five, and that's how it  
22 was put in. It wasn't put in to handle or to be able to  
23 do ten foot -- foot candle.

24 And so what I started was a process. I have not  
25 finished it as you can see. I have not officially begun

1 this work. But what I want to do is see if there a) last  
2 time was there interest, and there was.

3 Now to start a process. Okay, we find something like  
4 this. There is an alternative. Hang a trouble light up  
5 there to get your ten instead of five. But to put -- but  
6 to table this correction until such a time as a major  
7 alteration occurs. And then this is drawn into it.

8 So I think there's interest to do this from my last  
9 meeting. Folks were interested in this. But one of the  
10 concerns was that we didn't give extra time if it was a  
11 serious safety concern, there was no short-term or medium  
12 remedy while waiting for the full alteration to take place  
13 some years down the road.

14 I left this here. Is there a) still interest for  
15 something along those lines, for example, from the  
16 community? Really, the building owner community as well;  
17 I wanted to hear from them. And if so, I'd like to put  
18 something together in the next three months to bring back  
19 here if there's still interest in this.

20 You folks understand what I was referring to? You  
21 need a different example?

22 MR. McNEILL: I take it as a yes that they do  
23 understand.

24 UNIDENTIFIED: Was this in-car lighting or car top or  
25 -- (inaudible)

1 MR. DAY: Yes.

2 UNIDENTIFIED: In car?

3 MR. DAY: Yes.

4 UNIDENTIFIED: Or everything?

5 MR. DAY: Yes.

6 As long as there may be an alternative. So in-car  
7 lighting, that would have to be worked out.

8 What is an equivalent alternative to do in the short  
9 term?

10 MR. NIEMAN: So typically in our industry --

11 MR. DAY: This is not new construction.

12 MR. NIEMAN: Right.

13 MR. DAY: This is during an annual inspection, an  
14 inspector finds out that "blank" wasn't put in right. It  
15 wasn't put in per the code at the time of installation,  
16 finds that out.

17 Sorry, Dave.

18 MR. NIEMAN: Well, as we all know, the code changes  
19 over time. And when buildings were built in the '50s,  
20 '60s, '70s, '80s, they complied to a certain code that was  
21 built back during that time. You see this with ADA  
22 issues. You see it with all kinds of issues. And in most  
23 cases, the remedy if it's rather expensive, it's put off  
24 until such time as there's a major renovation done to the  
25 system, and at that time your system has to become

1 compliant.

2 MR. DAY: Right.

3 MR. NIEMAN: It's true with fire and life safety,  
4 ADA, all of those systems.

5 MR. DAY: Yes.

6 MR. NIEMAN: So we're in a situation now where we're  
7 writing up code violations that weren't necessarily code  
8 violations at the time the building was built. I don't  
9 know if that's true or not.

10 MR. DAY: No.

11 MR. NIEMAN: But it obviously passed initial muster,  
12 and it's been in operation for 30 years, and it passed  
13 muster for 30 years.

14 Now, we got a situation in our buildings where I  
15 currently am writing checks for \$30,000 to upgrade the  
16 lighting on top of my cars so that they meet the code that  
17 they're supposed to meet.

18 There's a lot of building owners out there and  
19 smaller businesses that don't have the deep pockets and  
20 the luxury of being able to write those checks. So it  
21 becomes a question of what is fair under the situation.  
22 If it's new construction, that's one thing. If it's been  
23 in service for 30 years and it either wasn't inspected  
24 properly at the time of construction or it hasn't been  
25 inspected property over the last 30 years, to suddenly

1 take a \$30,000 hit when it's not in budget is problematic,  
2 to say the least. At the very least, I would think you'd  
3 want to come up with a way to allow people to budget for  
4 the stuff rather than say "You've got 90 days to comply."

5 Well, we just completed our budgets and we're, you  
6 know, we're nine months away from a new budget cycle. So  
7 it automatically means that I got to find \$30,000 that  
8 isn't in the budget.

9 MR. DAY: So you're in support of such an alternative  
10 method?

11 MR. NIEMAN: Yes.

12 MR. DAY: Okay.

13 MR. NIEMAN: That's a long answer to a short  
14 question. I understand.

15 MR. McNEILL: So I know we discussed this one last  
16 time. If it appears there's interest, then we need a  
17 subcommittee. I'll take this one when the Class "B"  
18 permit is complete so we can get something going.

19 And I did mention last time that I wanted to see some  
20 type of risk assessment tool for the State to have from  
21 whoever is asking for this extension. So the State and  
22 the owner and the elevator company clearly understand any  
23 short- or long-term risk by making the change from  
24 existing code.

25 So I'll take this one, and I'll work through the

1 Department and have something posted on-line when we'll  
2 get started.

3 But I want to make sure that we're looking out after  
4 the safety of the mechanics that are working in the  
5 hoistway as well as the general public and the inspectors  
6 before we do that.

7

8 MCP Logs; Update, Edit by Adding or Removing Items,  
9 Mandatory Layout

10

11 MR. McNEILL: Okay, the next item in new business was  
12 MCP logs, if there was an interest in updating or editing,  
13 removing items, standardizing them.

14 Dave Nieman has agreed to chair that committee. That  
15 committee will start in September. And we'll post dates  
16 of when the first meeting will occur. And by that time  
17 we'll have an executive summary that the state requires so  
18 everybody on the subcommittee or anybody interested will  
19 understand what the intent of the committee is, what the  
20 items that they want to look at, and how to approach  
21 recommendations and moving forward on the topic.

22 Any -- I'm open right now. I'm sure Dave's open.

23 Dave, do you want to say anything about it or ...

24 MR. NIEMAN: Yeah. Just basically I'd like to put,  
25 you know, a list together of what is working and what's

1 not working, with the idea that obviously we're not going  
2 to solve every problem. But if we know what the problems  
3 are as we enter into looking for solutions, we got a  
4 better chance of hitting the target than if we just don't  
5 think about it too much.

6 So if you in your own minds can think of what it is  
7 you like, what it is you don't like, kind of compile a  
8 list, and hopefully at our first meeting we can get all  
9 that information together and collate it so that we have a  
10 game plan going forward.

11 MR. McNEILL: Anybody have any comments?

12 MR. CARIL: I don't mind chairing that committee with  
13 Dave Nieman.

14 And I think we should get information out to other  
15 building owners as well. That's a good point he made to  
16 their concerns as well and bring that information as part  
17 of this process.

18 MR. McNEILL: Thank you.

19

20 Future Business

21

22 MR. McNEILL: We have about five minutes left, seven  
23 minutes left in this session. We'll go over some of the  
24 future business -- potential future business items.

25 Jack, I know the first one was yours on maintenance.

1 Do you want to put a little summary on what you want to do  
2 on that?

3 MR. DAY: That -- I basically covered that in the  
4 Chief's report at the beginning.

5 MR. McNEILL: Okay. The next item is --

6 MR. DAY: Just needs to -- we need to talk about it  
7 and discuss it and what's the avenue. Giving more fines?  
8 Is that the avenue? Is that going to work?

9 MR. McNEILL: On the contracts, that may be a good  
10 item to discuss during the stakeholder meeting today if we  
11 have time. I'm sure there will be some passionate  
12 discussion on that from different groups.

13 FAID, we already discussed that today.

14 Residential maintenance licensing.

15 MR. DAY: That's -- Scott, you brought that or --  
16 Scott or Bill. Somebody brought that to us a year ago or  
17 so.

18 What it was was -- I forget who it was now. Two  
19 things. We got a category 2 and we got a category 6. And  
20 one of the things was combining those. That was one of  
21 the subjects.

22 The other one was a discussion about should  
23 maintenance be regulated under licensing for residential  
24 conveyances. And if so, what kind. That's what that was  
25 about.

1 MR. McNEILL: Okay.

2 So a lot of these future items we've already moved up  
3 into new business or existing. So that's good. Including  
4 the A10 which we discussed with Matt.

5 The two items that are left here, the LULA apps and  
6 the comb plate impact, what's the feeling of the  
7 committee? Where do you want to move with these? Do we  
8 want to get these into new business next meeting?

9 MR. DAY: We can.

10 LULA becomes the issue of where is it allowed and  
11 where isn't it allowed. And right now it's spelled out  
12 existing churches, historical buildings where a 2,500  
13 pound car won't fit. And should that be expanded? If it  
14 should be expanded, to what?

15 And what we would like is somebody to take on this  
16 challenge of where and when can a LULA be installed and  
17 how.

18 MR. CLEARY: I'll step up to that.

19 MR. DAY: You want to do this?

20 MR. CLEARY: Yes.

21 MR. McNEILL: You can't have all of these committees  
22 or you won't have a job.

23 MR. CLEARY: That's why I'm back. I want some  
24 great --

25 MR. DAY: I do -- from last time, I think Marius Pop

1 -- is he here?

2 UNIDENTIFIED: No.

3 MR. DAY: He wanted to be part of this, just FYI.

4 So we'll move that to new business for November.

5 MR. McNEILL: Sure. And we'll get ahold of Marius  
6 and see if he and Scott can work on that and bring us some  
7 information.

8 How about comb impact devices?

9 MR. DAY: Well, what does the advisory think in  
10 regards to this comb impact device? Do you know what it  
11 is? Okay. No -- there's some no.

12 Is there someone out in the audience that can explain  
13 it that has direct hands-on experience with it?

14 MR. McNEILL: Well, I'll start. On older escalators,  
15 the code didn't require comb impact devices. So there are  
16 a lot of old units that don't have a device that stops the  
17 unit when something enters the comb to trigger a micro  
18 switch. So newer devices do have an impact device switch.

19 And the question was, do we have a -- that had come  
20 up previously is, do we want to pursue at a state level  
21 some language to require these devices on older units to  
22 increase the level of protection for the riding public and  
23 to people that work or inspect them -- work on them or  
24 inspect them.

25 So I'm all for it. I think that based on the number

1 of accidents to little children around the escalators on  
2 combs that this is a significant issue. And if we can  
3 save one future president's hand or foot, we're better  
4 off.

5 So I'm all for moving this up and getting this one  
6 going.

7 Yes, sir.

8 MR. HENDERSON: Is there some other jurisdictions  
9 that have already set -- or some track records from other  
10 jurisdictions that are already addressing those issues?

11 MR. DAY: To answer your question, yes. New York.  
12 New York City to be more precise has some years ago  
13 required this of all their escalators.

14 So there are companies out there that do make and  
15 manufacture and provide this device for most all, not all,  
16 but most all escalators that have been made in the past.  
17 So it's not uncommon.

18 MR. HENDERSON: So it's not -- we're not something  
19 unique to Washington state what we're trying to do here;  
20 this was brought up in the past by other jurisdictions  
21 seen as a safety issue by other jurisdictions as well.

22 MR. DAY: Not only that. It's also been part of the  
23 discussion at the ASME committee meetings for existing  
24 elevators and escalators. That's A17.3.

25 So it is being discussed there as well for future

1 input into --

2 The state of Washington doesn't adopt A17.3 by code,  
3 but it does adopt parts and portions of it.

4 MR. McNEILL: So back to the question, to the  
5 committee, is this something we want to pursue? I'd like  
6 to. Anybody else?

7 (Various heads nodding affirmatively.)

8 Okay, we'll do that.

9 Well, we've come to the end of another meeting. They  
10 seem to go quicker than we like always. So we will  
11 adjourn at this time after I get a motion for adjournment,  
12 and we will reconvene at 11:15 to the stakeholder meeting.

13 MR. CLEARY: I motion.

14 MR. STRAFER: Second.

15 MR. McNEILL: The meeting's adjourned at 11:00 sharp.

16 (Whereupon, at 11:00 a.m.,  
17 proceedings adjourned.)

18

19

20

21

22

23

24

25

