

DEPARTMENT OF LABOR AND INDUSTRIES

STATE OF WASHINGTON

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TRANSCRIPT OF PROCEEDINGS

of

ELEVATOR SAFETY ADVISORY COMMITTEE MEETING

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Date and Location

November 18, 2014	L&I Tukwila Training Room
Tuesday, 9:00 a.m.	12806 Gateway Drive
	Tukwila, Washington

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BE IT REMEMBERED, that an Elevator Safety Advisory Committee Meeting was held on the date and location as set forth above. Those committee members present were: Keith Becker, David Gault, Robert McNeill, Skip Buntin, and Swen Larson, sitting in for Charlie Val. The Department of Labor and Industries was represented by Becky Ernstes, Elevator Technical Specialist; and Jack Day, Chief Elevator Inspector.

WHEREUPON the following proceedings were held, to wit:

Reported by:  
Cheryl A. Smith, CCR, CVR  
(License #3017)

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## PROCEEDINGS

## Introductions/Purpose

1  
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5 MR. BECKER: I'd like to welcome everybody to the  
6 Elevator Safety Advisory Committee meeting on  
7 November 18th. There are a few changes we've got going on  
8 right now. Scott Cleary has stepped down from the  
9 Committee, and so as subchairman, I'll see if I can muddle  
10 my way through some meetings until I get used to it or we  
11 make a change.

12 My name is Keith Becker. I'm with Pacific Northwest  
13 Farmers Co-op on the east side of the state out of Colfax.  
14 I represent the owner-employed mechanics exempt from  
15 licensing. And we'll go down through the Committee, take  
16 care of introductions. Start with David.

17 MR. GAULT: David Gault from the Fairmont Olympic,  
18 representing the owners -- building owners.

19 MR. DAY: Jack Day, chief elevator inspector,  
20 representing the secretary position.

21 MR. BUNTIN: Skip Buntin, chief elevator inspector  
22 for the City of Seattle, representing the AHJ.

23 MR. McNEILL: Rob McNeill, Kone Elevator,  
24 representing licensed elevator contractors.

25 MR. LARSON: Swen Larson. I represent licensed

1 elevator constructors mechanics.

2 MR. BECKER: There will probably be a sign-up sheet  
3 going around at some point in time.

4 MR. DAY: Who has the sign-up sheet?

5 MS. ERNSTES: It's on the back table.

6 MR. DAY: We're going to pass it around, make sure  
7 everybody gets it.

8 MR. BECKER: Inside the first page on the minutes, it  
9 describes the purpose of the Committee. And the Committee  
10 is here to advise the Department on adoption of  
11 regulations that apply to conveyances. I'm not going to  
12 read the whole thing. There hasn't been any changes, but  
13 we do try to follow the format laid out.

14 I guess first thing we need to get through is on the  
15 minutes, do we have any issues with the minutes? Can we  
16 pass the minutes as published?

17 MR. GAULT: So moved.

18 MR. McNEILL: I'll second it.

19 MR. BECKER: It's been moved and seconded. All in  
20 favor, signify by "aye."

21 THE COMMITTEE: Aye.

22 MR. BECKER: Approved.

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## Chief's Report

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MR. BECKER: First item, chief's report.

MR. DAY: Is everybody's in color? Turn to the page that looks like this. It's been a little while since I explained this. What you'll see when you're looking at this is last year's data totaled under FY14, it's in dark blue on the left-hand side of the page. On the right-hand side of the page is thus far for FY15, and broken down by a roll-up, which is statewide, which is in the green. And then you'll see Unit 1 and Unit 2. Unit 1 is King County and north. Unit 2 is the rest of the State minus Spokane and Seattle.

Basically, it shows us as overall, 46 percent. And this is annual inspected completed on time. We're striving to get a target of 65 percent, and so far we're at 40 percent on time. That means they're done within 60 days of them being due. You can break that down by looking at Unit 1 and Unit 2 and determine where we're at.

I would like to also state that recently, we've hired quite a few inspectors, and they're under a training program currently so we are looking forward to that number rising. However, at this point, we're not sure how much this upcoming building boom is going to impact the annual inspection numbers. We do expect them to impact to some

1 degree.

2 We turn the page. The first page is the accident per  
3 count written in a grid, and then the following page is a  
4 graph. As I'm taking a look at the graph, that graph is  
5 getting very difficult to assimilate the information from  
6 one year to another, so next time we're going to work on  
7 that graph. We'll make it a little bit easier to read.

8 But we'll focus our attention towards the last four  
9 numbers of 2014. And the first column we're going to look  
10 at is elevators, no fault. There have been 3 the first  
11 quarter, 3 the second quarter, 2 the third quarter and 0  
12 on the fourth quarter. In that same period of time,  
13 elevators at fault there have been three -- excuse me --  
14 four the first quarter, one the second quarter, and one  
15 the third quarter and zero the fourth quarter.

16 One of the things that keeps us fairly busy is  
17 escalators. Escalators in this same period of time, first  
18 quarter, 16; second quarter, 16; third quarter, 14; and  
19 fourth quarter, 1. Same period of time for at-fault.  
20 First quarter, 4. Corki? Where are you at? Can we get  
21 some updated numbers here? Because I know there's been  
22 more than this at-fault for escalators. They're just not  
23 probably captured on this report yet. So in this same  
24 period of time, there are more than one at fault. We'll  
25 get some updated numbers and post it.

1 Any questions on the scorecard or the accidents --  
2 accident report? Please stay tuned for an updated --

3 MS. BREWER: So is it updated for quarters two and  
4 three that you think are wrong? Or which ones do you  
5 think need to be?

6 MR. DAY: I don't know. We'll find that out when we  
7 get the report for this last year. More than likely, the  
8 most (inaudible) two weeks of the quarters.

9 MR. LARSON: Jack, for point of clarification, we're  
10 only partway into the fourth quarter, right?

11 MR. DAY: Yes.

12 MR. LARSON: Okay. So we've got two more months in  
13 the fourth quarter?

14 MR. DAY: No. We're in the -- we're actually in the  
15 -- this should be based on fiscal year; is that correct?

16 MR. WHEELER: I was going to point out, I think your  
17 quarters -- do your quarters on the scorecard and the  
18 accident match the date time frames?

19 MR. DAY: They're supposed to, yes.

20 MR. WHEELER: So we'd only be second quarter.

21 MR. DAY: We're in second quarter.

22 MR. WHEELER: So we wouldn't have any data for three  
23 and four.

24 MR. DAY: Of 2014.

25 MS. STAMEY: We're at fiscal year 2015.

1 MR. DAY: Yeah. We're in 2015. It started July 1st.

2 MR. WHEELER: So we should have --

3 MR. DAY: So we're missing -- the first quarter of  
4 2015 is not here, and we're halfway into this -- a little  
5 better than halfway into the second quarter. So we'll get  
6 you an updated report.

7 MR. WHEELER: Thank you. That's all.

8 MR. BECKER: On 8.11 maintenance and examination,  
9 Jack and Skip.

10 MR. DAY: Skip, do you want to speak first in regards  
11 to this, the examination?

12 MR. BUNTIN: Yeah. Of late, we've run across quite a  
13 few conveyances that have Category 05 tests due that are,  
14 in some cases, two years overdue. Starting in January, if  
15 we come across that, we're going to have 30 days, and we  
16 may end up shutting cars off. So just a heads-up. And  
17 there have been quite a few of those we've run across of  
18 late, so just a heads-up. You're going to want to let  
19 your customers know. Because I know a lot of the excuses  
20 we get, well, the customers, you know, haven't let us come  
21 in to do it and that kind of thing. Well, they're going  
22 to experience some shutdowns due to that. You want to  
23 maybe go back through your conveyances and see what's due  
24 and what's not and get them caught up.

25 Quite a few of the annual tests are long overdue as

1 well. So we've been pretty easy on that of late, this  
2 last year, giving you guys the opportunity to get your  
3 items caught up with the State as I know you guys are  
4 getting fined for that. So -- but come January, we're  
5 going to lay the hammer down, so be prepared.

6 MR. GAULT: Skip, if I could ask because I'm not  
7 familiar. Category 05 are your load tests?

8 MR. BUNTIN: Five-year.

9 MR. GAULT: Five-year load test?

10 MR. BUNTIN: Five-year load, yeah.

11 MR. GAULT: So if -- because a lot of the hotels, not  
12 so much the office buildings, have occupancy issues when  
13 you do it. Is it --

14 MR. BUNTIN: That's of no concern to me.

15 MR. GAULT: No concern?

16 MR. BUNTIN: No. Not when a test is a year overdue  
17 and you've had a year to complete it.

18 MR. GAULT: So if you're going to allow the -- I  
19 mean, is there going to be any allowance -- so we have to  
20 do it early if it's going to impact our summer months when  
21 we're 100 percent full?

22 MR. BUNTIN: If that's -- yeah.

23 MR. GAULT: You're not going to allow us to go to the  
24 next December in the same year --

25 MR. BUNTIN: No.

1 MR. GAULT: -- to do it at five and a half years?

2 MR. BUNTIN: No. Will not.

3 MR. DAY: So along the same token, this year, for the  
4 last 12 months, the inspectors, when they see a missed  
5 examination or a missed safety test specifically in the  
6 case that Skip is talking about, the safety test, we've  
7 been writing the owners that you're "blank" amount of  
8 months past your safety test. In the future and starting  
9 on January 1st, however many months you're past the safety  
10 test will be a \$500 civil penalty.

11 MR. GAULT: For each month?

12 MR. DAY: For each month past 13 that you're past the  
13 safety test will be \$500 per month.

14 I want to point something out to everybody. In 1963  
15 the RCW was created. The RCW says that it shall be done  
16 at least within 12 months. It says by the law, at least  
17 within 12 months. You were never supposed to do it beyond  
18 the 12-month period, and it's shameful that everybody's  
19 gotten used to that because it's not supposed to happen.

20 I've been asked what do other states do. Well, some  
21 states, if you're not done, if it isn't done, you do not  
22 get your annual certificate and you're not allowed to run.  
23 That's what some states do. Now, not all.

24 So in this state, it's an honor system. And we do  
25 expect it to be done, and it was always supposed to be

1 done. If December doesn't work, I always advise the  
2 owners to choose the month or the day that it does work.  
3 It's supposed to be a repeatable cycle. So if April's the  
4 day or if April's the month, then it's supposed to be  
5 April for all time. That's what it's intended to be and  
6 that's what it's supposed to be.

7 And, again, the law says at least every 12 months.  
8 The five-year test is just an extension of that of 60  
9 months. It's the similar test, but the test done with  
10 weights instead of no load. That's where we're headed.  
11 And just like Skip, there's a tremendous amount not being  
12 done. We have a tremendous amount of corrections here.

13 And I bring up the 8.11 because 8.11 is on here. And  
14 what we are seeing is these 8.11 tasks not being done.  
15 And the detriment to these not being done isn't just that  
16 they become 90-day reports, but these are things that must  
17 be fixed in order to pass the five-year or annual safety  
18 test. And what we see and the reason I brought this up to  
19 Skip is what we see is the 8.11 tasks are not being done,  
20 and, therefore, the Category 01 and 05 safety tests cannot  
21 be finished because the crew that was sent there were sent  
22 there to do a safety test and not to bring the equipment  
23 back up into compliance. And so over and over and over  
24 again, what we typically see is even though the crew was  
25 there, the safety test still failed, and it failed because

1 the examination tasks and fixing the examination tasks  
2 have not been performed.

3 So the whole intent is to tie this stuff together so  
4 that the safety test does pass. But for a safety test to  
5 pass, if the maintenance and examination hasn't taken  
6 place, then they won't. And this is what we're hearing  
7 from the elevator mechanics out in the field performing  
8 these tests is, "I didn't get sent here to fix 'blank' and  
9 'blank.'" And so those things aren't being taken care of.  
10 And with today's logs that are in place, everybody is very  
11 obvious. It's very obvious.

12 So right now it's just a matter of a month and a  
13 half, basically. But there's some work that needs to be  
14 done, and a lot of people have had a long time to get that  
15 work done, and it's unfortunate that it's not taken place.  
16 And the very unfortunate part is that it's playing on the  
17 safety of the rider, the safety of the public, the worker  
18 and the building. And this is a serious business that  
19 we're in.

20 And that's what I needed to say about maintenance and  
21 examination and as they tie into safety tests.

22 MR. BECKER: Skip, is this a Seattle problem? Is  
23 this is a statewide problem? Where are we at with this?

24 MR. DAY: It's a statewide problem.

25 MR. BECKER: Statewide.

1 MR. DAY: Yeah. As Skip and I were discussing this  
2 about three weeks ago, it was the seriousness of the  
3 situation, and for he and I, all the different excuses  
4 that we've heard in regards to it. And it has to stop.  
5 Safety tests have to be done. And saying the safety tests  
6 aren't passing, the main reason they're not -- if they're  
7 being performed, the main reason they're not passing is  
8 because they're not being maintained. Now, we don't get  
9 involved with the owner in regards to did the owner buy a  
10 maintenance contract or not, okay?

11 MR. WHEELER: Jack, for clarity in the minutes, are  
12 you saying that the \$500 fine per month after 30 days will  
13 apply to both Category 01 and Category 05?

14 MR. DAY: Safety tests.

15 MR. WHEELER: Safety tests.

16 MR. DAY: Period.

17 MR. WHEELER: Thank you.

18 UNIDENTIFIED SPEAKER: Not 8.11.

19 MR. DAY: Not 8.11. Safety tests. 8.11 will still  
20 roll as the 90-day. But it's really important for  
21 everybody to realize and understand 8.11 and 8.6. There's  
22 specific frequencies set in there. And if we are writing  
23 it down, it's already not being done.

24 And I was also asked what other states do in regards  
25 to that. Other states, you don't get your annual

1 operating certificate. There are a few states if you have  
2 any corrections whatsoever, you don't get it at all. They  
3 expect it to be done and be up to date. And this is what  
4 is expected here as well. So it's for safety tests,  
5 period.

6 MR. McNEILL: Jack, in previous meetings we discussed  
7 this, and I just want to make sure for the licensed  
8 contractors that we're all clear. When we discussed this  
9 before in respect to the date of the test, it was the date  
10 that it was installed, correct, for the annual and the  
11 five-year when they would be due? So when your inspectors  
12 are inspecting and the test, let's say, is due in December  
13 and they're inspecting in October, we're not going to get  
14 written up for that not being done if we are current.

15 MR. DAY: I'm sorry. Say that again. I'm sorry.

16 MR. McNEILL: My understanding from previous meetings  
17 was the five-year test is due on the anniversary date of  
18 the installation of the unit as well as the annual  
19 testing. That's where we set the stake in the ground.

20 MR. DAY: If it's within five years old, that would  
21 be true. But going through -- going through where things  
22 are at is basically based upon last performed unless we're  
23 talking about something that's five years or less in age.  
24 So it's based upon the last performed, and that's where it  
25 is.

1           When we get on something specific like when it was  
2 installed, this is the rupture valve, this is the seismic  
3 valve. The seismic valve is definitely based upon the  
4 date installed. That gives us our five-year spread for  
5 performing or having those performed instead of having all  
6 the rupture valves, seismic valves due in this last year.  
7 That specifically was a five-year increment. Those dates  
8 are found on our Web site.

9           And when the inspector has written it up, he's using  
10 a paragraph code -- he or she -- that sends people to our  
11 Web site to read. It was installed between this and this  
12 date, and then we give the years.

13           MR. McNEILL: From an elevator contractor  
14 perspective, the concern that I have is the amount of --  
15 now that you have more inspectors, we've had this huge  
16 rush of inspections. As an example, my company had 135  
17 inspections two weeks ago in one week and 103 the week  
18 before. So we're going to have these huge bubbles of when  
19 future annuals are due, and it's going to be very  
20 difficult for us to manage, whereas if we're looking at  
21 the install date, it's still more manageable. We know  
22 what we have. And it's going to be a difficult situation  
23 for the company to complete all of those inspections if we  
24 have -- just based on that, if we keep that run rate up,  
25 I'm going to have over 500 tests due in a month. There

1 aren't enough elevator mechanics in the state to get that  
2 done.

3 MR. DAY: There are over 17,000 conveyances within  
4 the State of Washington not counting Spokane and Seattle.  
5 Not counting those two. One of the points I want to make  
6 is the whole intention for this whole process is that  
7 those things are supposed to be done not as the inspector  
8 writes them up. These things are supposed to be done, by  
9 the law, on their anniversary date of when they're last  
10 performed. If you're waiting for the inspector to show up  
11 to write a correction to tell you you need to do  
12 maintenance, to tell you you need to do an exam, to tell  
13 you you need to do your safety test, this is a mistake.  
14 Each company should know when the safety test -- and they  
15 already do know when their maintenance and examinations  
16 take place, but they should know when their safety test is  
17 supposed to happen.

18 And you're correct. There will be more inspectors.  
19 And if you look at the annual rate of 56 percent on time  
20 currently, we do expect that to go up.

21 MR. McNEILL: I just want to clarify. My intent  
22 wasn't that we weren't doing the inspections as annual or  
23 the five-year, but regardless, we're going to get this  
24 huge bubble of inspection reports that we have to clear in  
25 a month. So if I have 500 reports to clear in a month

1 regardless of if there's one item or five items, it's  
2 going to be a challenge for all of the licensed elevator  
3 contractors.

4 MR. DAY: Do you have a solution?

5 MR. McNEILL: I don't, other than looking back at --  
6 I think that's something we're going to work with the  
7 State on. If we see some big bubbles, we may need to  
8 figure out how we can do that work sooner in the future so  
9 we can level it out with your Department or Skip's. And  
10 we'll have that data based on the inspections that we  
11 received.

12 MR. SPAFFORD: Jack, didn't you say earlier that you  
13 had worked with the companies of setting a month -- or  
14 customer of setting a month for when things could be due?  
15 Couldn't that be arranged with, say, what Rob's  
16 requesting?

17 MR. DAY: What we would expect is that the elevator  
18 company worked with their owner to make a correct due date  
19 and stick with it. This has happened over and over and  
20 over in the past. The problem, frankly, has become  
21 sticking with it. That's where the problem has come up.  
22 That's great to move it to February, but still not have  
23 done it the next December, you know, what good did moving  
24 it do? If it was always done in February because that's  
25 your slow time, that's no issue. And that's something

1 that's submitted in writing and we publish it. We'll put  
2 it in writing. It will be there for everybody and granted  
3 for a few months ahead. You can always do it early.

4 MR. GAULT: The law says you have to do it within  
5 five years. It doesn't say at five years, correct?

6 MR. DAY: It says at least every 12 months.

7 MR. GAULT: I'm talking about the five-year.

8 MR. DAY: The five-year is a continuation of a  
9 one-year. It's just done with weights. So it's a similar  
10 test, similar items are tested. It's just the fifth year,  
11 if you have a traction elevator or a hydraulic with a  
12 seismic valve, it's done with weights. So it's the same  
13 -- on the same cycle.

14 MR. GAULT: But, I mean, if you did it at four years,  
15 you're still in compliance is what I'm getting at.

16 MR. DAY: Yes. If you do it early, that's not an  
17 issue.

18 MR. GAULT: That's what I'm getting at. Because you  
19 said unless you do it at the fifth year, just making sure  
20 that the words in the statute says "within five years."  
21 So if you're doing it shorter than that --

22 MR. DAY: It says "at least every year" is what it  
23 says.

24 MR. GAULT: Okay.

25 MR. DAY: So if it's done within that year, it's not

1 an issue.

2 MR. GAULT: Okay.

3 MR. DAY: It's when it's outside that year, that  
4 12-month period of time.

5 MR. BECKER: One of the issues I see right now is if  
6 we are out of compliance at a huge level, and as Rob  
7 mentioned, we are where we are, and we've got to get --  
8 we've got to get in compliance. But if you've got an  
9 overwhelming number of conveyances that have to be brought  
10 back into compliance or taken care of, I mean, reality is  
11 it's going to be tough to do, you know, for the State to  
12 see progress -- a huge amount of progress. They've got no  
13 problem with this. This is a serious issue and they need  
14 to be -- but reality is there's a good chance they're not  
15 all going to be able to be brought up at day one. Is the  
16 State going to look at that as progress or just say --

17 MR. DAY: That's a reality, but I'm not going to be  
18 doing all our inspections on day one either, so they'll be  
19 spread out over the year.

20 MR. BECKER: So there should be an acceptable amount  
21 of time.

22 MS. ERNSTES: Well, what we did is we gave people  
23 this year a grace to not give them penalties. So they  
24 definitely knew that they were coming. So they've had all  
25 year to catch up, knowing that starting January, we're

1 going to be giving fines. So they've had this year to try  
2 and catch up. That's the way we view it because we were  
3 lenient on -- we passed the law in January that we could  
4 give these fines, and we have not. So we figured people  
5 would catch up to avoid the fines next year. They would  
6 catch up this year.

7 MR. BECKER: And, obviously, if it's a point of  
8 discussion, it's not happening to the level we need it to  
9 happen. I guess that's -- but also, we've got to get in  
10 compliance, and it's -- so if we've got 100 or 200  
11 conveyances that have to be by one company, it's just  
12 going to go into the fine state and that's the way it's  
13 going to be. Is that what we're saying?

14 MR. DAY: Well, is there a different solution to  
15 getting them done? Kind of the point here is, and as  
16 Becky made this, this was known -- this has been a known  
17 issue for a number of years, so known that we had to  
18 actually make a law with a civil penalty in regards to it.  
19 This is not like this is new today. This has been brewing  
20 for a number of years.

21 So what's going to make the change if the State  
22 doesn't impose a civil penalty? What will change it?  
23 What will make this happen? What will make owners  
24 purchase the safety test, and what will make the elevator  
25 company actually do it once purchased and have it done on

1 time? What will do that outside what our experience has  
2 been, the civil penalty?

3 UNIDENTIFIED SPEAKER: So to clarify, are you going  
4 to assess a \$500 civil penalty as well? Okay.

5 MR. BUNTIN: No. We're going to shut elevators off.

6 UNIDENTIFIED SPEAKER: And are you going to shut off  
7 elevators as well or just issue a civil penalty?

8 MR. DAY: It may come to shutting an elevator off or  
9 an escalator.

10 MR. BUNTIN: I can tell you in the State of Ohio, if  
11 an inspector walks onto the job and the five-year's  
12 overdue, it gets red-tagged immediately. That's in the  
13 State of Ohio. We give 30 days. We're being nice.

14 MR. DAY: And we've been giving 90.

15 MS. FILLIPS: Is it totally beyond consideration to  
16 bring in inspectors from other states and do some training  
17 on these particular issues so that there wouldn't be a  
18 backlog?

19 MR. DAY: Probably, yeah. It would be beyond.

20 MS. ERNSTES: But you said the word "inspectors."  
21 This is not the job of the inspector. It's the job of the  
22 elevator mechanics.

23 MS. FILLIPS: Are the inspections being performed  
24 late because of the elevator mechanic or because they  
25 can't get on the schedule?

1 MS. ERNSTES: Well, there are two different issues  
2 you're talking about. We're late in doing inspections,  
3 but they're late in doing tests. So when we do get there,  
4 we write them up to perform their test and indicate  
5 whether it's late or not. And like Jack said, we've hired  
6 at least six or seven new inspectors that we're training,  
7 so our numbers will start going up as these people get  
8 trained and are on their own. So at this point, it's not  
9 that we don't have enough inspectors. We don't have  
10 enough trained inspectors. But even when we do get there,  
11 then we're still writing a lot of write-ups.

12 MR. BECKER: As a mechanic comes on-site to do a  
13 safety inspection and it fails due to maintenance issues,  
14 what's going on at that point in time? I mean, what is  
15 there? They're walking away. They don't have to notify  
16 the owner at that point in time that -- I mean, is that  
17 happening or we're not even getting to that point?  
18 Mechanics are not even getting on-site?

19 MR. DAY: Yes. Both. I'd say to a lesser degree,  
20 the mechanics are getting on-site to do the safety test  
21 and can't complete it because of maintenance issues. But  
22 probably far more, they're not.

23 MR. BECKER: But a failed safety test should shut  
24 down the conveyance.

25 MR. DAY: It should, yes. It should.

1 UNIDENTIFIED SPEAKER: I don't know if I can make a  
2 motion, but in an effort to keep the meeting moving along,  
3 maybe we can end conversation of this. I think it's  
4 pretty clear.

5 MR. BECKER: I don't know that we need a motion on  
6 this.

7 MR. DAY: No. We don't need a motion.

8 MR. BECKER: I just want to make sure that everybody  
9 was clear on this. It seems to be a fairly big issue.  
10 We'll go ahead and move on to old business.

11 MR. DAY: Before we move, it seems to be a point of  
12 interest, so if somebody has an idea that will actually  
13 get it done, I'll be all ears after the meeting.

14

15 Old Business

16

17 MR. BECKER: Old business. The first item is  
18 existing machine room enclosure access to machine room,  
19 Keith Becker.

20 In our handouts, there is an Elevator Advisory  
21 analysis form regarding this issue. At the last meeting,  
22 it was not complete. We didn't have everything published  
23 and in the handout.

24 At this point in time, it's all here. I don't know  
25 if people have had an opportunity to look at it, if

1 there's any discussions on this. It was originally  
2 brought up in the grain industry. We had a lot of access  
3 to machine space machine room issues and not a lot of  
4 direction on what we should do to handle those issues.

5 So we tried to develop wording that would be suitable  
6 for all existing elevators, which would include the grain  
7 industry and anything else that's out there. I'm hoping  
8 that the wording -- you know, what happened in this  
9 process is as you look at the proposed language, we ended  
10 up with about three pages, maybe a little over. And  
11 there's a lot of direction there that deals with what we  
12 felt was every aspect came out of this wording came out of  
13 the ASME 17.1.

14 At this point in time, I'm hoping that we can take  
15 this to the code adoption subcommittee and have it  
16 reviewed and see if it's -- you know, if it could be  
17 addressed, if it could be shortened, if there's anything  
18 there that doesn't fit, if it needs to just -- we're  
19 proposing this for all elevators. If that's not going to  
20 be suitable and we need to limit this down just to the  
21 grain elevator on Item No. 7, what's in here right now is  
22 there is wording for belt manlifts and proposed language  
23 in 296-96-11045. And so it would fit in there. It would  
24 fit in for electric manlifts in 13167. It would fit into  
25 hand-powered manlifts in 14000. There's no language

1 whatsoever in the hand-powered manlifts. So there would  
2 be a proposed new WAC added. Electric manlifts or  
3 electric elevators, we're looking at 23121 adding this  
4 language.

5 Now, I'm hoping that we can take this to the code  
6 adoption. This would be a subject for them to look at,  
7 help us through, see if it actually is something that  
8 electric elevators want to have in there or if the  
9 language is suitable for -- that exists right now for  
10 those conveyances. Right now the grain industry, which  
11 would be the belt manlifts, the electric manlifts and the  
12 hand-powered manlifts, are the issue. Special purpose,  
13 which is anything newer than '87, I believe, there's  
14 language that gives direction on that.

15 So that's where we're at with this. And like I say,  
16 I'm hoping that the next step is we could move forward.

17 MR. DAY: So, Keith, a question. When we're  
18 addressing this per a passenger elevator/freight elevator  
19 situation, is this intended to be used, anything installed  
20 prior to 1963? The reason I'm asking that is in 1963,  
21 there's A17.1 code for machine room access. And prior to  
22 that, there is no criteria for machine room access in WAC  
23 Part D, there is no piece of it for existing machine rooms  
24 that are older than 1963. So would that be the focus?

25 MR. BECKER: That would be the focus. That would be

1 part of the focus. Anything that doesn't have clear  
2 direction. And right now, there are conveyances out there  
3 that don't -- you know, and we're not looking at bringing  
4 -- at taking out or changing an access that exists that is  
5 structurally sound, though there is -- there are  
6 situations where the access right now is not safe. It  
7 needs to be changed, and there needs to be direction as to  
8 what to do with that access and how to change it. And so  
9 if it has to be changed, then we're looking at following  
10 the wording. We're looking at going to noncombustible  
11 access.

12 If the wood ladders that are there in some of these  
13 older sites are functioning and are safe and are  
14 structurally sound, there's no need to make a change. But  
15 if repairs can be made like for like, again, we're not  
16 looking at any issues. If the structure is just not  
17 structurally sound, has to be replaced, then there's going  
18 to be criteria for what it needs to be brought up to. And  
19 that's what the goal is. Even in some of the A17.1, we  
20 weren't finding clear direction on what needs to be there.

21 MR. DAY: The cost.

22 MS. ERNSTES: So the intent is this is a minimum  
23 standard for all existing elevators?

24 MR. BECKER: That is the intention, yes. I've tried  
25 to get out to the industry in different ways to discuss

1 this and find -- and I haven't been able to do it. In  
2 going through the subcommittee, the code compliance  
3 subcommittee meeting the other day, it looks like a great  
4 avenue because we have all of the industry there to have  
5 discussion on these points. And so it looks like a good  
6 source of discussion to find out what direction this could  
7 go next. And like I say, at this point, it's hard to get  
8 everybody engaged in these issues and even to find access  
9 to everybody. That's why I'm hoping at this point we  
10 could take it that direction, see if we could get some  
11 more help with it to finish it up.

12 MR. DAY: I think for me, I want to figure out how  
13 much on average this is going to cost. That's something I  
14 would like to know. I wouldn't expect that a building  
15 would have all of these issues.

16 MR. BECKER: No. I wouldn't either.

17 MR. DAY: It would be pieces and portions of it.  
18 Find that out.

19 MR. BECKER: But if you have to replace a stairway,  
20 then there's direction in what that stairway needs to be.  
21 If the ladder is access and it has to be replaced, there's  
22 direction for replacing the ladder. If you're talking  
23 about taking out a wood ladder, replacing it with a metal  
24 ladder, you're looking at less than \$1,000. If you've got  
25 to hire a mechanic to come in and change that ladder, the

1 materials in that ladder, you're looking at \$250, you  
2 know. And then your mechanic, whatever that cost is.  
3 You're not looking at a huge cost.

4 If the stairway is wooden and the members are broken,  
5 what's the direction? What's the direction on what it  
6 needs to be brought up to? That's what we're looking at.  
7 If the platform is insufficient, the side rails are  
8 broken, the toe guards don't exist, what's the criteria  
9 for replacement? Can repairs be made?

10 MR. WHEELER: Was this language that is proposed  
11 pulled from an ASME code pertaining to grain elevators or  
12 is this -- this is from A17.1.

13 MR. BECKER: Electric elevators.

14 MR. WHEELER: Electric elevators. Okay.

15 MR. BECKER: And this is construction.

16 MS. ERNSTES: You need to make a note what we're  
17 referring to. Like if we're referring to the ASME A17.1  
18 2010 code, we need to note that. Because four years from  
19 now, these numbers may change in the future editions of  
20 the code. They may not, but they might. So when we refer  
21 to numbers, we need to make sure we have a reference year  
22 that those numbers come from.

23 MR. BECKER: This is out of 2010 -- ASME A17.1 2010  
24 Part 2 and is not complete. We've stricken areas that  
25 were beyond what we expected existing elevators to come up

1 to.

2 MR. DAY: Does that say that in here, Keith, in the  
3 analysis? I didn't see it, and we need to say it.

4 MR. BECKER: And it's one of these things I looked at  
5 and done so many times, I can't remember.

6 MR. DAY: Okay. You had made a statement to run this  
7 by the subcommittee for adoption to code?

8 MR. BECKER: Correct.

9 MR. DAY: What would you hope to gain, and have you  
10 asked the chairman of that to do?

11 MR. BECKER: I have not asked the chairman. I've not  
12 specifically asked the chairman. I guess I specifically  
13 am a little confused as we have the Elevator Advisory  
14 analysis form, and if I bring a topic to the committee,  
15 what the process will be, what the expected process --

16 MR. DAY: It would not be expected that you send it  
17 to the code adoption subcommittee, but bring it to these  
18 folks right here and see if they have questions.

19 MR. BECKER: And we are --

20 MR. DAY: And as a group, they may want to send it to  
21 them.

22 MR. BECKER: And we are at that point. I mean,  
23 that's where we're at today is to bring it forward, try to  
24 move it through and have the discussion as to where this  
25 -- if it makes sense to expand it beyond the grain

1 industry, you know, if it makes sense to put it into  
2 existing elevators or if we should just put it into these  
3 WAC codes.

4 MR. DAY: Is that a question for this group?

5 MR. BECKER: I'm looking for input from, yes, this  
6 group or anybody else out there.

7 MR. DAY: Swen, what do you think?

8 MR. LARSON: I think we have a number of instances  
9 out there where people are actually having to access  
10 elevators across rooftops in areas that are unsafe to do  
11 it. I know we had a mechanic injured in Spokane. Climbed  
12 up to the top of the ladder, opened the door, the door  
13 blew open and knocked him off the ladder, knocked him out.  
14 So --

15 MR. DAY: Is that recently?

16 MR. LARSON: About a year ago.

17 So I think for the safety of the people accessing  
18 that stuff, we should take a look at it.

19 MR. DAY: I'm sorry to interrupt, but was there an  
20 accident investigation performed on that that you know of?

21 MR. LARSON: I don't know.

22 MR. DAY: That was in the city of Spokane?

23 MR. LARSON: Yes. I'll try to get you the further  
24 details, because it wasn't in my area. I just kind of  
25 heard about it.

1 MR. DAY: If you can give me a little bit more  
2 information . . .

3 MR. LARSON: I'm sorry. I didn't hear you.

4 MR. DAY: If you can give me a little more  
5 information, I'd appreciate it.

6 MR. BECKER: There's a lot of material, here so it  
7 is --

8 UNIDENTIFIED SPEAKER: I think one thing that would  
9 be helpful is I think it will affect building owners more  
10 than elevator companies in a lot of instances. So maybe  
11 David can work with his constituents.

12 And then also, I mean, specifically speaking to  
13 Swen's example, I don't think we can prevent every  
14 accident that's going to happen out there. So, I mean, it  
15 may have been a situation where who knows if it was a  
16 preventive maintenance task. A trouble call changes the  
17 ball game, but talking specifically from Schindler's  
18 standpoint, if -- mechanics are not being asked to put  
19 themselves in unsafe situations.

20 So we can't prevent everything. And if it was a  
21 windy day, there probably needs to be additional  
22 precautions taken. But I think it's something building  
23 owners need to dive into to see the costs, which was your  
24 concern, Jack.

25 MR. DAY: To speak to this a little bit, this has

1 been a concern for quite some time as well. And one of  
2 the only places that we have to go to are the DOSH  
3 industrial standards for all these accesses. We had that  
4 ability to go there and, so to speak, does this need to be  
5 part of our own repertoire? Yes. I think it does.  
6 Because our only other recourse is to use the DOSH  
7 standards. And we want to be in a position where we have  
8 our own standards and that they're all known, published  
9 standards to go off of.

10 So the feeling from me is that we need a minimum  
11 standard for access. So if it is a windy day or whatever  
12 it is, the situation should be, for the most part, covered  
13 to a minimum requirement that the industrial community out  
14 there is expected to perform to for all worker's safety.

15 Rob, did you have a comment?

16 MR. McNEILL: I'm in favor of moving forward with  
17 this with Becky's recommendation of having that code date  
18 noted. And I know Keith and his committee spent a lot of  
19 time on this and went through every code they could, and I  
20 think it's a really well-done document. It's a good  
21 starting point to help make it safe.

22 MR. BECKER: The goal was -- and when we started out,  
23 we tried to go through all the existing codes to see if we  
24 could find something that was already there that we didn't  
25 have to create something. But at this point, we tried to

1 make something that wasn't extremely restrictive, that  
2 wasn't causing a lot of expense, and we could come up with  
3 something that was -- so at this point, I guess I'm  
4 looking for a recommendation from the Committee as to  
5 where we go from here.

6 MR. DAY: I think for me, I'd like to see some  
7 examples of costs to put in here as attachments so we have  
8 some idea and some evidence of this is generally going to  
9 be this, and put A17.1 on there and move it along.

10 MR. BECKER: Okay. We will do that.

11 Moving on, so overview of progress on point-of-sale  
12 inspections of residential elevators. That's Swen.

13 MR. LARSON: A couple of things in this area. I sent  
14 out or had the State send out on listserv a question. And  
15 basically, I had some inquiries about what's going to be  
16 included in point of sale. And we kind of did a poll and  
17 asked people to put down their vote and to have their  
18 supporting reasoning go along with it. Overwhelmingly,  
19 the people that returned the survey thought all  
20 conveyances should be inspected. We had one that thought  
21 that -- there were a couple different answers. Some of  
22 them liked the No. 2 proposal, some of them liked the  
23 No. 1 proposal. Overwhelmingly, they thought that all  
24 conveyances should be inspected. And I've got all those  
25 answers here. All of those -- not answers. All of their

1 return comments for anybody to examine if they wanted. I  
2 didn't make a lot of copies. Just for examination.

3 The other thing, looking through the agenda, I  
4 reworked the language and everything like I talked about  
5 after the last meeting. The language for the addendums  
6 and the changes in the laws look correct, but the elevator  
7 analysis form looks like the old one. I did rework that.  
8 I don't know whether I didn't send it to you or it got  
9 mixed up, but in my analysis, it says, "Would require a  
10 residential elevator located in a residence have an  
11 annual-type inspection when residence is sold." And I  
12 don't know if a category test would fit that language  
13 better, Category 01 test or just an annual inspection  
14 would -- annual-type inspection would be the best language  
15 for that.

16 MR. DAY: An annual-type inspection.

17 MR. LARSON: Yeah.

18 MR. DAY: The category -- just like everything else,  
19 residential conveyances are not immune from maintenance  
20 nor safety tests. The law did not say that those don't --  
21 the only thing the law says is they won't get annual  
22 inspected. That's it. It didn't say they're not to do  
23 safety tests, and it doesn't say they're not supposed to  
24 do maintenance. It does allow them to do their own  
25 maintenance. It does allow that. So those are points to

1 note.

2 So if we were doing an annual-type inspection at the  
3 point of sale, we, as inspectors, would expect to see that  
4 those things, just like on any other annual inspection,  
5 has all been taking place. If it's not, then there will  
6 be corrections.

7 MR. LARSON: So what I did was I took the reworked  
8 documents to a legislator, because I know what I presented  
9 probably isn't going to be the finished language and  
10 they're going to need to look at it. But at least it's  
11 gone that far.

12 Looking at all the proposals, all the returns on my  
13 question, I still think that it makes sense at this time  
14 to just bring forth the residential elevators. Not that  
15 the other ones are unsafe or can't provide a damage, but  
16 all my data shows the accidents are coming from the  
17 residential elevators. I've got the data to prove that.

18 The other thing I don't want to do is jam up the  
19 AHJ's with a bunch of inspections and add a whole lot.  
20 I'm trying to look at the financial cost to the AHJ's, to  
21 the homeowner, and to me, this is where we get the most  
22 bang for our buck, makes the most sense for people; it  
23 provides the most protection. If the other members of the  
24 Committee or the people out there at large think it needs  
25 to be changed, then they can talk to the legislation about

1 adding stuff. But for me, this is the starting point.

2 This is the point that I see most needs to be addressed.

3 MR. DAY: So, Swen -- to be clear what Swen is saying  
4 is that for his recommended statute, it is residential  
5 elevators only. If others want to see more than that,  
6 then what he's saying is step forward to your legislator  
7 or be there during hearings; is that correct?

8 MR. LARSON: That is correct. Thank you.

9 UNIDENTIFIED SPEAKER: For clarity, then, Swen, would  
10 we then note in this analysis form that that would be  
11 residential elevators versus residential conveyances?

12 MR. LARSON: Residential elevators, correct.

13 UNIDENTIFIED SPEAKER: But would that then be changed  
14 in the language of this document?

15 MR. LARSON: They have been changed. And I've got  
16 20 copies here of the new language. I don't know what  
17 happened, whether I didn't send it or it got mixed up.

18 UNIDENTIFIED SPEAKER: Okay. That's right. Because  
19 I had seen that in my e-mail, but that's not what's  
20 reflected here. So thank you.

21 MR. LARSON: It says, "Would require a residential  
22 elevator located in a residence have an annual-type  
23 inspection when residence is sold."

24 UNIDENTIFIED SPEAKER: Thank you.

25 MS. ERNSTES: Does that include incline elevators or

1 just -- an incline elevator is an elevator in our world.

2 MR. LARSON: A residential elevator. Good point. I  
3 don't know.

4 MR. DAY: If it says "residential elevator" in the  
5 statute, we will consider residential incline elevator as  
6 the same thing. We won't consider it different, because  
7 it's defined that way.

8 MR. BECKER: Go ahead.

9 MR. MORRELL: Swen, how do you envision this playing  
10 out? A homeowner who has a residential elevator wants to  
11 sell his house. He has to call for an inspection? Or who  
12 calls for the inspection and who pays for it?

13 MR. LARSON: It would be the homeowner that pays for  
14 it like other inspections they have done. And whoever  
15 calls for a roof inspection, I don't know how that's  
16 handled, but I'm sure it would be handled the same way for  
17 this. When I go to sell my house, I need a roof  
18 inspection, correct? So whether the real estate agent  
19 calls for that or whether the homeowner calls for that,  
20 whoever calls for that, it would be handled in the exact  
21 same way.

22 MR. MORRELL: Well, in doing an annual inspection,  
23 does that not require an elevator company to be on-site  
24 when that inspection is being done?

25 MR. LARSON: I think we talked about this at the last

1 meeting. And in the past, you guys do an annual-type  
2 inspection, but you don't need an elevator company there.  
3 Is that correct, Becky?

4 MS. ERNSTES: In rule, they can request an annual  
5 inspection any time. There's a fee for that already in  
6 rule.

7 MR. DAY: So the answer is no.

8 MR. LARSON: No.

9 MR. MORRELL: But if, in that annual inspection then,  
10 something is found to be wrong with that elevator, then  
11 you have to have an elevator company come in and do the  
12 repair.

13 MR. LARSON: Yeah. The inspectors won't make any  
14 corrections that need to be done.

15 MS. ERNSTES: Well, that's not always a true  
16 statement either. Because if it's a maintenance item, the  
17 homeowner can fix it. Like if it just needs something  
18 simple that's not an alteration, then they can do a  
19 like-for-like repair and maintenance. If we go, then  
20 there's testing done, there's documentation of tests being  
21 done, then we would write that and an elevator company  
22 would have to do that. But as the law stands today --

23 MR. DAY: There's no proposal to change what's  
24 already existing in the maintenance and testing world for  
25 residential conveyances.

1 MR. LARSON: I would say the residential company  
2 would be involved in any major repair, anything of any  
3 significance.

4 MS. ERNSTES: So the way it's written now, the intent  
5 is that that inspection is by the AHJ and not by an  
6 elevator company?

7 MR. LARSON: Correct.

8 MR. SPRAGUE: So at this time, this point-of-sale  
9 inspection, say it's an older residential elevator, they  
10 would also be required to have an MCP in place because  
11 they're getting a State inspection then.

12 MR. DAY: Yes. Like I said earlier, the law didn't  
13 say you don't have to meet the maintenance and safety test  
14 code if you have a residential elevator. You don't get  
15 out of it. Or a residential chair. You don't get out of  
16 that. The criteria is there to do it. You just don't get  
17 an inspection. So as we were discussing earlier, waiting  
18 until we show up to go do your maintenance and safety test  
19 is not a good plan because those things are supposed to be  
20 ongoing.

21 MR. SPRAGUE: Yeah. I'm thinking more of -- I mean,  
22 there's a lot of residential conveyances that don't have a  
23 company doing regular maintenance, you know. I mean,  
24 where you have a professional company doing it, they can  
25 handle all that stuff. But if you haven't got a company

1 on your side that can write MCPs and everything, you're  
2 going to be kind of in a difficult situation. And  
3 probably some of these, I mean, in our area, the inclines,  
4 some of these are -- that could be a real sticking point  
5 just trying to even have an MCP. Because an owner can't  
6 make an MCP. Legally, I mean. So he's going to be in a  
7 difficult situation.

8 MR. BECKER: So at this point, Swen, where do you  
9 want to go with this?

10 MR. LARSON: Well, like I said, I've taken the  
11 language to the legislator to work on making it look  
12 better and moving it forward.

13 MR. McLAUGHLIN: Keith, can I just talk for a couple  
14 quick comments? I have a bunch of things on my pad here,  
15 and the questions that have gone around here have answered  
16 some of them. I just wanted to briefly share with you, I  
17 had the opportunity this weekend to spend some time with  
18 two residential incline owners, one of whom has just  
19 completed a complete upgrade and has completed a State  
20 inspection. The other one is just starting the process.  
21 And I almost wish I had a video of the two and a half  
22 hours that I spent with these guys because the questions  
23 that went back and forth between them were very  
24 interesting.

25 There's a lot that's cutting edge for our IE owners

1 right now with the new rules and also the new policies.  
2 The questions were primarily concerned with how the MCP  
3 was being applied, what portions they needed to pay  
4 particular attention to, the inspection process, the  
5 questions that the inspectors had. It was quite a run  
6 through of the new era that we're living in now, totally  
7 different than even 18 months ago for our community.

8         The other piece of it I wish I could give you more  
9 information on, but just to set a context of what's  
10 happening in our community right now is a program that the  
11 Committee should be aware of, and that was going back two  
12 years of a recall of a lot of units based on a safety  
13 device. And unfortunately, Jack's told me that he's  
14 constrained as to how much he can talk about that program  
15 due to some sensitive areas that are involved, and I can't  
16 talk about it too much because of privacy issues for the  
17 homeowners involved. But there are a lot of things that  
18 we're already learning out of that process of the recall.  
19 As I say, it's been going on for two years and it's not  
20 complete yet. Some units have been signed off and  
21 upgraded; others are not.

22         But the net effect is that the word that keeps coming  
23 up again and again is "specificity," one that I can hardly  
24 pronounce, but specificity. We're seeing the Department  
25 being very, very specific in what its requirements are,

1 and the homeowners, at the same time, are trying to be  
2 aware of exactly what is going on, what is being required.  
3 And as with any new program, as you can imagine, there's a  
4 lot of interpretation that's going on. And the one thing  
5 that is causing, I think, problems on both the owner's  
6 side and the Department's side are any ambiguities. And  
7 in looking through your proposal today, I just wanted to  
8 talk about a couple of ones that I've noticed.

9 And I realize that you're on a different track then,  
10 for example, Keith's program is. The material that's  
11 coming out of Bryan's committee has been thoroughly,  
12 thoroughly scrutinized. And you started your process, you  
13 know. You've been at this for some time.

14 So as far as I can see, you've already had the vote  
15 from the Committee in August. You say that you're moving  
16 forward with it. But I have about five things on my  
17 notepad here. And I'm not trying to put you on the spot  
18 with anything here and you don't even need to respond.  
19 These are just things that we noticed.

20 The first thing I had was scope, and you've already  
21 talked about that, and Jack has clarified that we need to  
22 have -- when we talk about elevators, we have to be very  
23 careful as to which portion of the definitions that are  
24 established in WAC and RCW we're talking about. And I  
25 appreciate the clarification that came out a moment ago.

1           The other item is the statement as to what you're  
2 trying to accomplish with this is pretty clear. The devil  
3 to me is in the implementation. And I noticed that  
4 several months back, we were talking about real estate  
5 industry form and now we're talking about the deed. And I  
6 am not expert in real estate law or land-use law, so I  
7 can't speak to whether the deed is the appropriate  
8 instrument that needs to be used in the ultimate  
9 application of this. It's something that I almost wish  
10 that we had a better communication between you and the  
11 real estate industry because I think that's something  
12 that's going to come up as to whether the deed is an  
13 appropriate final document that is going to accomplish  
14 what you're going for. And with my limited experience, it  
15 seems like maybe that isn't the item we would want to  
16 pick.

17           The other thing is you have language in your proposal  
18 here that talks about to ensure safe operation, and we've  
19 already had some discussion here about as to which  
20 inspection is going to be used. Because in watching these  
21 two homeowners talk last weekend, I realized that it's  
22 absolutely crucial that in order for this program to go  
23 forward, that everybody be clear as to absolutely which  
24 standards are going to apply and what situations. And  
25 unfortunately, your proposal right now isn't that detailed

1 to tell us exactly what that would be. So that's  
2 something else that you might want to take a look at.

3 The third thing that I noticed is cost. I don't know  
4 how important that is to complete the form. You know,  
5 when you put a cost item down here, this is not like  
6 you're applying for a mortgage loan or something. But to  
7 say that the fiscal impact is less than \$50,000 --  
8 actually, I'm going to broaden my question a little bit  
9 more other than to just Swen, but also to Bryan and Chief  
10 Day, and that is it might be worth specifying what cost  
11 figure not only on this proposal, but on any proposal,  
12 should go in here. Because I look at that less than  
13 \$50,000, and the attachment that you have to your proposal  
14 here, Swen, that shows how you calculated that, I look at  
15 that one way, and it looks to me like if we're talking  
16 about administrative costs, then that cost to the State  
17 should be zero. And yet, if we're talking about the cost  
18 for repairs, it's got to be more than that. If we're  
19 talking about something that needs to be due to the  
20 expansion of requirements when you go in, as we've seen in  
21 the recall program where it began with a safety device  
22 that needed to be replaced, and yet, just by the nature of  
23 the inspection, that has expanded to the fact that the  
24 owner costs for just one unit -- I didn't see any bids  
25 that came in for anyone that was involved in the recall of

1 the RIE's who had an estimate from a company that was less  
2 than \$50,000.

3 So just as a point of interest and as we go forward  
4 on this thing --

5 MR. DAY: What's your question, Bob?

6 MR. McLAUGHLIN: What?

7 MR. DAY: What is your question?

8 MR. McLAUGHLIN: The question is, do we have  
9 guidelines if we submit these as to whether we're talking  
10 about administrative costs? Are we talking about costs  
11 per annum? Are we talking about cost for the life of the  
12 legislation? Is that spelled out?

13 MR. DAY: So this would be the administrative cost of  
14 performing the annual inspection. Maintenance, testing,  
15 as I said already, are already in there. It's already  
16 required. Maintaining it to code, it's already in there.  
17 This does not address it. It's already in the law today.  
18 We don't need to put a cost of that because it already  
19 exists.

20 Everybody that has a conveyance is supposed to do  
21 maintenance and safety test. That's unquestionable. To  
22 put it in here as a cost when it's already supposed to be  
23 going on is not part of what this analysis is even about.  
24 This analysis is the annual safety test is what it's  
25 requiring people to do to make sure your conveyance -- the

1 additional cost to people are that they're not having it  
2 maintained or it wasn't maintained, or they had somebody  
3 else do something that they shouldn't have done, then  
4 those are already covered by law, by statute, by code.  
5 So that's not in here.

6 MR. BECKER: So in the interest of trying to keep  
7 things moving, we're talking about identifying conveyances  
8 and having them inspected as residences are sold, comes up  
9 for sale. I mean, that's essentially your proposal. The  
10 rest, I mean, I get there's a lot of fingers coming out of  
11 this thing, you know, because it's going to generate the  
12 inspections, it's going to generate some repairs and  
13 maintenance. But Swen's proposal is just to identify them  
14 and ensure that they're inspected and they come under  
15 scrutiny, correct?

16 MR. LARSON: Correct. And I've got an article here  
17 that came out on CBS news just recently where the Consumer  
18 Protection Agency -- and this is before them now, the  
19 residential elevators. It identified 1,500 accidents in a  
20 two-year period. I don't know the severity of those  
21 accidents or the type, but they're happening. It's an  
22 issue that needs to be looked at, because if we do it,  
23 it's probably going to be a lot less damaging than if the  
24 Consumer Protection Agency does it.

25 MR. BECKER: At this point, I need to move on unless

1 we need any action.

2 MR. LARSON: Let me take one minute.

3 Bob, I hear what you're saying, and I'd like to  
4 discuss these things with you afterwards, tell you what  
5 I've done. And I'll leave it at that.

6 MR. GAULT: Keith, are we saying that what was in  
7 this document here is not what is currently -- so what's  
8 attached here is not what is currently being reviewed?

9 MR. LARSON: Yeah. It's the front page. The  
10 addendums -- the addendums -- and I went and divided up  
11 the (inaudible), made it a little simpler, but there's the  
12 analysis form is what is incorrect. Anybody else want a  
13 copy, there's some extras up here.

14 MR. BECKER: And perhaps we can discuss this later in  
15 the stakeholder's meeting.

16 MR. DAY: We're going to need to put a date on top of  
17 these proposals to keep this straight then. So let's  
18 start doing that.

19 MR. LARSON: Date it today.

20 MR. BECKER: Moving on. Class A permits.

21 MR. DAY: Class A permits, I'll be really quick.  
22 First and foremost, what you see in here in the analysis  
23 is where it basically stopped last -- the end of July, I  
24 believe. No more work was done on it, and the reason I  
25 bring it up here under old business is to see if there's

1 an interest in reconvening the subcommittee to start  
2 discussing this. Is there interest from any of the  
3 members and the audience for Class A permits and to start  
4 a subcommittee back up again in regards to it? I see  
5 none. Nobody wants to do it.

6 MR. McNEILL: Jack, I contacted most of the majors --  
7 actually, all of them and some minor companies. Most of  
8 the majors are moving with a different direction. I'd  
9 like to keep this active in the background. If the  
10 direction doesn't proceed, I'd like to take this committee  
11 up, but I want to give it a little more time.

12 MR. DAY: How much time? Do you know how much time?

13 MR. McNEILL: By the next meeting.

14 MR. DAY: February. So I should bring it back up --  
15 so you want me to keep this on the agenda for February?

16 MR. McNEILL: Yes, please.

17 MR. McBRIDE: Thanks for Rob's comments, too. NEII  
18 supports continued work on this issue, in answer to your  
19 question, Chief Day, so we'll continue to work on it.

20 I think we need the ASME definition of "alteration"  
21 to move it forward in a way that would make it useful for  
22 everyone. And I know in the past we've talked about that  
23 and different perspectives on that question, but I think  
24 that's the critical question is the definition of  
25 "alteration" for resolution.

1 MR. BECKER: So we'll move on to Bryan Wheeler, code  
2 adoption subcommittee.

3 MR. WHEELER: Great. Thanks, Keith.

4 I guess to recap, our committee has been meeting  
5 several times since the last EAC meeting, and I appreciate  
6 the opportunity to present one new proposal as well as  
7 review the three that were presented at the last quarterly  
8 EAC meeting.

9 The three that were presented at the last quarterly  
10 meeting were new formatting for the conveyance rules to  
11 follow the ASME 17.1 code. And then there was the second  
12 one was QEI requirements for state elevator inspectors.  
13 And the third one was a technical correction that just  
14 simply changed -- just changed a code -- the language to  
15 be correct rather than it was a typo that was made in  
16 there. So that was an administrative clarity.

17 With those three proposals that had been submitted to  
18 the committee, from the -- all three were approved  
19 unanimously from the subcommittee group. And as has been  
20 mentioned earlier, I think that those committees had a  
21 very thorough review of the issue at hand and how it  
22 related to code and the different stakeholder's effects on  
23 it.

24 So from the committee, I would like to propose that  
25 the EAC moves to make these three proposals move right to

1 rulemaking process after this meeting.

2 The fourth one is a new one presented that has been  
3 discussed since we -- really, since one of the first  
4 meetings of our group. That is the clarity and the --  
5 that the State of Washington accepts A17.7. And there's  
6 been some language discussion and revisions through that  
7 subcommittee, and the proposal you have today is the final  
8 outcome of that committee.

9 So I understand if the EAC needs time to review this,  
10 fine. I think it's open for comment. But I would hope  
11 that by the next meeting, we could move this one forward  
12 or add to it as needed.

13 MR. BECKER: Bryan, can we address each one of these  
14 just individually?

15 MR. WHEELER: Sure. I guess I don't want to spend  
16 time of everybody's going through this in detail since we  
17 have it here, but I can go through, say, for example, the  
18 first one, new format of the conveyance rule. The summary  
19 is right there. The conveyance related rules in  
20 Washington Administrative Code shall be written in a  
21 format and order that's consistent with the A17.1 code  
22 with the Washington State changes and additions expressly  
23 identified.

24 Right now you currently -- the WAC code is more of a  
25 question-and-answer format. Our group is proposing for

1 clarity to go to the A17.1 formatting and then insert the  
2 -- identify the changes that Washington State has to that  
3 code. It becomes more of a uniform standard at that point  
4 with the Washington State needed changes and additions  
5 clearly identified.

6 MR. BECKER: So if the WAC -- so we're looking at the  
7 -- you know, in my case, I like a lot of the WAC's. I  
8 don't care if it says "how do we" or "where do we" or  
9 "take out the question mark." But one-stop shopping. I  
10 like to get it out and read it in one spot.

11 I spend my time in the WAC. I think a lot of people  
12 spend their time in the ASME code. And so you're hopping  
13 back and forth. If we change mine, I'm hopping back and  
14 forth and I'm trying to track through everything. So in  
15 some cases, I like the WAC. I like the WAC code the way  
16 it's descriptive. There's not a lot of hyperlinks in  
17 there that has got me chasing everything. I guess that's  
18 my own question.

19 MR. WHEELER: Yeah. And I think that the  
20 subcommittee was made up of all stakeholders, and all  
21 stakeholders had opportunity for input. And I think that  
22 that discussion came up through that committee. I think  
23 that it comes to the EAC's decision as to whether we move  
24 this forward to a rulemaking process or not. And that  
25 really becomes the vote of all stakeholders, is how I

1 understand it.

2 MR. BECKER: And as in examples -- you know, when you  
3 show an example --

4 MR. DAY: Existing? So everybody, look at the  
5 example. It's the page right after that analysis,  
6 Analysis 01.

7 So a couple things to note here is, first off, we  
8 start off with existing WAC. It's Part B. One of the  
9 things it said is it will remain in Part B because it's an  
10 administrative code. So we wouldn't move it or change  
11 where it belongs or where it would go. It would stay in  
12 Part B.

13 The existing WAC, you see there is -- that's the  
14 existing WAC right there. That's what it says.

15 Down below in red, the next item in red is what it is  
16 being suggested to say. That's the proposal in red.

17 To further go along, there are two examples. The  
18 next one down would be placed in a section of WAC called  
19 Part 2. The reason for stating Part 2 is because that's  
20 the part that is found in A17.1. So it would be  
21 subsequently the same part and called the same because  
22 it's from Part 2 of A17.1.

23 And then there's what the language says today. And  
24 then for the future language, that's what's being  
25 proposed.

1           MR. WHEELER: I think that what this does is it  
2 shortens up the document that we call the WAC because  
3 there's a lot of redundant information that's in the WAC.  
4 And to Keith's point, it does prevent some flipping back  
5 and forth, but it also creates confusion in many cases as  
6 to which applies or doesn't apply. And for a building  
7 owner that has buildings across the different  
8 jurisdictions and different areas, it does cause confusion  
9 there sometimes. It does for contractors that work in  
10 multiple jurisdictions as well.

11           So I think that by shortening up the -- and many  
12 other jurisdictions do the same formatting where they only  
13 bring in changes to the A17 that apply to that  
14 jurisdiction, and this is very similar to that format.

15           Again, after thorough review from the committee, it  
16 was unanimously passed by the EAC that this be adopted and  
17 moved to the rulemaking process. So that's why we  
18 presented it up at the last meeting.

19           MR. BECKER: So presented to the Committee. Do we  
20 need to take action on this item?

21           MR. DAY: It would be helpful if you did.

22           MR. BECKER: I mean, that's where I'm -- I'd like --  
23 I guess my --

24           MR. DAY: So I think we're discussing it.

25           MR. BECKER: Do we need more discussion? Do we want

1 to vote to approve? send this forward? Swen?

2 MR. LARSON: You know, when we started this, my  
3 thought and the way it was explained to me that they were  
4 going to try to clean up the language, make it simpler and  
5 clearer. And sitting in the meetings, I don't think that  
6 that's happening. To me, it's not simpler and clearer. I  
7 think that the proposal, the WAC's, the questions and  
8 answers for most of the people using it outside of our  
9 specific industry, it's going to be clearer the way it  
10 exists now.

11 MR. WHEELER: Can I ask, all stakeholders had an  
12 opportunity to vote on this, and all stakeholders voted  
13 approved. So it was a unanimous approval from the  
14 Committee. So to have differences now, I think, is in  
15 contradict to our committee results.

16 MR. DAY: I think you're making a mistake. You're  
17 bringing this -- you all at the committee decided to bring  
18 it to here. So to tell this Committee that they can't, it  
19 will be wrong.

20 MR. WHEELER: That's not what I was saying. As a  
21 Committee, the EAC certainly has another vote and another  
22 opinion as to what to do. I'm saying from the committee  
23 standpoint, all stakeholders reviewed this, and there was  
24 an approval. That's the only reason we even brought it to  
25 this committee. We wouldn't have brought it if it wasn't

1 an approved proposal from that committee.

2 MR. DAY: Thank you.

3 MR. BECKER: And I appreciate what everybody is --  
4 and part of this is my own fault. I didn't get there. I  
5 attended the last meeting. And I think that the  
6 subcommittee is outstanding. I think the opportunity to  
7 move things forward through is going to be -- is a great  
8 opportunity. It moves more often, meets more often, has  
9 the stakeholders present. Okay. I missed the boat. Now  
10 I'm trying to catch up.

11 And I'm looking at it from my standpoint, you know.  
12 Whether the heading on the WAC has to ask a question or  
13 not is still a novice, really. Getting into these things,  
14 I don't live, I don't breathe these things. I don't look  
15 at them. I don't even want to look at them. If I don't  
16 have to, I don't go there. But when I do have to find my  
17 way through it, it seemed to be giving me the information  
18 I was looking for and giving me the direction I was  
19 looking for.

20 Now, if the industry wants to -- and the Committee  
21 wants to go ahead and recommend that we move forward with  
22 it, I've got no problem with it. But I did have a problem  
23 -- a serious problem with the way it was.

24 MR. LARSON: Look at the debate we've had on the  
25 residential language. And that's really pretty simple

1 when you compare it to what we're changing and rewriting  
2 the whole WAC. I mean, this is going to be huge. And we  
3 had ongoing debate for a long time, and to bring four  
4 proposals at the first meeting and just kind of blast it  
5 through, I'm not comfortable with that, Bryan. I'll be  
6 honest with you.

7 MR. WHEELER: Three proposals were presented three  
8 months ago, and we're bringing one new one to the table  
9 today.

10 MR. GAULT: But I don't think they were covered last  
11 month at the last meeting. They were presented, but we  
12 didn't cover them.

13 MR. BECKER: There was no discussion at the last  
14 meeting. And they were proposed. And I'm just -- I don't  
15 want the subcommittee to feel that to validate your  
16 existence that we've got to move forward with a lot of  
17 proposals. I like the fact that we can get a lot of  
18 discussion and we can get very in depth on issues. So I  
19 want to be careful. I'm not saying you can't -- you know,  
20 there's going to be times when we can bring four or we can  
21 bring three.

22 MR. WHEELER: One of the hopes of the subcommittee is  
23 that we can bring these proposals to this group. And the  
24 reason I asked for us to move it to the rulemaking process  
25 is how we understand the rulemaking process is that

1 there's a review period, there's an action, there's  
2 information that then goes out formally to all  
3 stakeholders, all stakeholders have an opportunity for  
4 input and so forth before it actually becomes a finalized  
5 rule.

6 So by moving it to the rulemaking process, our  
7 understanding is that it will then create more debate and  
8 discussion outside of this meeting when we only have a  
9 limited amount of time, and we don't have to spend two  
10 hours of this meeting debating details like this. It's  
11 just been recognized from the subcommittee that it's  
12 something that should be talked about and moved to the  
13 rulemaking process. If that's a misunderstanding, I'd  
14 like to get some more clarity on that.

15 MR. McBRIDE: And Bryan said a little bit of what I  
16 was going to say.

17 One of the purposes of the code advisory subcommittee  
18 was out of respect, as Bryan was saying, for this Elevator  
19 Safety Advisory Committee meeting, four meetings per year,  
20 two-hour meetings once a quarter. It simply doesn't  
21 provide the time to delve into the details related to  
22 these issues.

23 So since about May, the code advisory subcommittee  
24 has been meeting monthly, spending a considerable amount  
25 of time, went into great detail. I think it's really

1 important that you hear what Bryan said. We are not  
2 coming to you as a member of the committee asking for you  
3 to rubberstamp this thing and move it on. What we are  
4 asking for you to do is to consider the fact that  
5 stakeholders have spent considerable time studying these  
6 issues, trying to improve them on behalf of the whole  
7 spectrum of stakeholders, and I think, importantly, that  
8 there will be that opportunity for additional debate  
9 through the rulemaking process. This is not a  
10 rubber-stamp at all, but we are asking you to move this  
11 forward into the rulemaking process based on stakeholder  
12 input at these monthly meetings.

13 And I don't want to put unnecessary additional  
14 pressure on you, but that was the purpose of the code  
15 advisory subcommittee was to bring to you ideas that were  
16 vetted. You obviously have the opportunity to approve or  
17 reject the proposal.

18 MR. WHEELER: And I think just to add, too, is that  
19 the stakeholders composition of this committee, we  
20 intentionally mirrored the stakeholder structure of the  
21 EAC, and we asked for different stakeholders from those  
22 different groups to be at those meetings. And I think,  
23 for the most part, we have had involvement from all  
24 stakeholders at some point or another in this meeting. I  
25 think the one that's been missing has been the general

1 contractor. And I would take this opportunity to invite  
2 any general contractors that would like to attend this  
3 because we sure could use the input from that stakeholder  
4 group.

5 But to Tom's point, that's where we're asking to move  
6 this forward as well as the other two that were proposed.  
7 And we can go through those a little bit more in detail if  
8 we are allotted that time.

9 MS. ERNSTES: If you're asking for this proposal to  
10 be moved forward, this proposal is still in its infancy.  
11 Because when we do rulemaking, we have to have this is  
12 what it's going to look like. So we're not even close to  
13 that. If we're going to change the whole WAC format and  
14 people want that, that's a good thing, because we have  
15 lots of issues. But this isn't ready to go to any kind of  
16 rule with just what this says. We would need, you know,  
17 over time to get that whole thing reorganized and  
18 rewritten.

19 MR. WHEELER: And through the support of the EAC for  
20 this, then that validates us going forward or working with  
21 the Department and code writers and so forth to get that  
22 format done. There doesn't -- there's no motivation to  
23 move that way without the approval and acceptance from  
24 this group.

25 MS. ERNSTES: So this proposal is really not ready

1 for rulemaking. It's a proposal to say should we move  
2 forward with changing the format so that we can work on  
3 what that's going to look like. Because I agree with you.  
4 The format in its current thing, we made attempts last  
5 time to incorporate some of the ASME, but we need to  
6 incorporate more of the ASME. We need to take the  
7 alterations and create a whole section for that. But  
8 we're not there yet. So if your proposal to these guys  
9 is, do we need to change it and that's the bottom-line  
10 question, maybe that's how it should be asked, not that  
11 we're ready to make this a rule. Is that clearer?

12 MR. WHEELER: Right. It's the -- yeah. I mean,  
13 that's the hope is to get that support.

14 MR. DAY: So just to really be clear, this is not  
15 ready to go into the rulemaking process. This is, Becky  
16 said, the whole thing needs to be done. And that's going  
17 to take some time. And so part of my concern for you guys  
18 is the time. We could do it as we go, and that might be  
19 the best way to really address these. Do it as we go so  
20 that they're ready and developed.

21 However, one of the comments that I had, and I really  
22 wanted to hear from everybody in regards to the change  
23 here in this proposed change, is over the last two weeks,  
24 Becky and I and others take a lot of phone calls from a  
25 variety of stakeholders out there. And the variety of

1 stakeholders do not own, do not have and don't have access  
2 to the A17.1.

3 MR. WHEELER: How do they not have access to the  
4 A17.1?

5 MR. DAY: Over 8,000 owners do not have access to  
6 A17.1. There are over 8,000 owners minus Seattle and  
7 Spokane that we deal with. They don't have a copy, and  
8 definitely the most current copy of A17.1.

9 MR. WHEELER: A17.1 can be purchased.

10 MR. DAY: The owners.

11 MR. WHEELER: Yeah. But they can be purchased  
12 anywhere on the open market, correct?

13 MR. DAY: That's exactly right. That's exactly  
14 right. So listen to what was just said. It can be  
15 purchased. It's available for purchase.

16 So when we go through this process and it is A17.1,  
17 you all will need to have one. Your mechanics, the  
18 elevator companies, I mean, mechanics that we've talked to  
19 in the last two weeks that do not have it -- that do not  
20 have it. So your own employees don't have it. Now, some  
21 of yours does. I don't mean all of you. But they'll all  
22 need this because they'll need to refer to it. There is  
23 no general contractor in here, but they usually don't have  
24 them either.

25 So the implementation of this will mean that we

1 expect, Bob, you to have it. Because if you don't, you  
2 can't get it from us. It's a copyrighted document. We  
3 can't give it to you. You've got to go buy it.

4 So I want everybody to understand that. That's what  
5 it means. And that's probably so. That's probably the  
6 way it should be as well. But I want everybody to think  
7 about that when you say, yeah, that's what we want. Then  
8 that other piece is what's expected, that you own A17.1,  
9 A18.1, A90 if you're doing A90, and so on and so forth.  
10 We make many references to the IBC and FPA in here.  
11 There's a tremendous amount of national codes that are  
12 referenced here, not just A17.1.

13 UNIDENTIFIED SPEAKER: And that's no different than  
14 right now. Because we just talked about, Bob, that he has  
15 to abide by A17.1 right now. So I don't know that this  
16 change that we're proposing has -- I don't know if there's  
17 any validity to that argument right there.

18 MR. DAY: It's not an argument. It's a reality.

19 UNIDENTIFIED SPEAKER: And it's a reality right now  
20 as we currently operate as well, just to share with  
21 everyone.

22 MR. DAY: So I'm curious. Before we leave this  
23 subject, when I talk to a mechanic tomorrow and he doesn't  
24 have it, what would you expect us to do? Because this  
25 will be a true reality once we change it.

1 MS. FILLIPS: ASME is not all that expensive. It's a  
2 couple hundred bucks. Is there any reason you couldn't  
3 have it in the State library and also here at L&I?

4 MR. DAY: Is there any what?

5 MS. FILLIPS: Is there any reason you couldn't have a  
6 copy in the State library and here at L&I where elevator  
7 companies can come in and read it for clarity?

8 MR. BECKER: I think it's protected. I don't  
9 think --

10 MS. FILLIPS: I think if we bought a copy, if we use  
11 it --

12 MS. ERNSTES: We have one in the State library. We  
13 have a State library in Tumwater, and they have these ASME  
14 codes.

15 MR. DAY: But you have to go to Tumwater. You cannot  
16 take it. You can't check it out.

17 UNIDENTIFIED SPEAKER: For those that are interested,  
18 they're available online for free, like the older versions  
19 up to like 2007. You can just download them on PDF and  
20 they're there. There is a law group, I can't remember  
21 their name, they posted it, and you just download it. The  
22 2010 you have to buy, but the older ones are available.

23 MR. BECKER: I think reality is is you're going to --  
24 mechanics need to have these documents if they're working  
25 on these conveyances. I like the format of being able to

1 get most of the meat out of this thing without having to  
2 dig too awful deep.

3 But we need to keep moving. Where do we want to go  
4 with this proposal as a committee?

5 MR. DAY: Do you guys want to see more of it like  
6 these examples?

7 MR. GAULT: I would say we need to see more examples.  
8 Because when I made the comment that questionnaires can be  
9 changed, somewhere I lost it in the example you provided  
10 in that we're just going to code, go to A17. Rather than  
11 the dialogue, it was written -- the WAC was written more  
12 like code that's participating in A17 so that it was all  
13 contained in the WAC, because it's a much wider  
14 distributor within the state to be contained and be  
15 distributed. Not to go to a code that -- if the WAC code  
16 becomes nothing, then, like that one in the first example,  
17 Jack's just going to have one code change. Read A17.  
18 We're going to go by -- I mean, it's just unless there's  
19 something that's nuance different in the state of  
20 Washington that needs to be done, it seems like a waste of  
21 time if you're just going to go to this and not have it  
22 explanatory. So in going from question, answer to this, I  
23 would -- somewhere I missed it that this is where we were  
24 going to go.

25 MR. DAY: I really think it will be more difficult

1 for folks just having the example. That's what I think.

2 MR. BECKER: So what's the message we need to send  
3 back? I mean, what are we looking for? I mean, because  
4 we need to clean up, and I've got no problem with cleaning  
5 it up. But we need to give some direction as to what  
6 we're asking on this. Just more examples? Is that what  
7 we're looking for?

8 MR. DAY: What about this? I like the idea of taking  
9 these things and putting them into parts that mimic where  
10 they're located at in A17.1, A18.1, A90 and that kind of  
11 thing. That's going to be a huge benefit for folks that  
12 are navigating through A17.1 Part 2, and, oh, let's go see  
13 what Part 2 of WAC says. What about we put these things  
14 side by side and go -- as we're changing them and creating  
15 them, and then if it's decided we move here, we'll already  
16 have the language -- the short language version available?  
17 And just have it in red or something like that.

18 MR. WHEELER: I think an example that I deal with  
19 daily is I do business in eight different jurisdictions.  
20 And most jurisdictions use -- that I do business in use  
21 that A17 as the foundation, and then they publish the  
22 changes that that jurisdiction has that's different than  
23 that. And it's not a complete rewrite of the A17, which  
24 is somewhat what we have today in the WAC with a lot of  
25 language that is redundant from the A17 added into the WAC

1 paragraph.

2 And so the focus and the goal of the committee was to  
3 shorten that up, make the document smaller, which then  
4 clearly identifies the changes that Washington State wants  
5 to see, much like the other jurisdictions that we do  
6 business in as a service company or as an elevator  
7 contractor as well as many of our owners that we talk to  
8 where they have buildings in different jurisdictions.

9 MR. BECKER: And I apologize because I'm messing  
10 things up and I keep things moving, but the reality is  
11 we're going to run out of time real fast. We need more  
12 clarification here. We need more examples here as to what  
13 we need to do on this one.

14 MR. WHEELER: So in the essence of time then, do we  
15 want to go into QEI requirements, our other proposal, as  
16 well as the clerical error that was being corrected? And  
17 I'd also like to speak for the minutes at this point that  
18 I'd like to have -- see if there's a way to have our  
19 subcommittee topics maybe brought to the front of the  
20 agenda next time and move some of the other ones that have  
21 been on there down so that we can be given some due time.

22 MR. BECKER: We need to get you more time to address  
23 this, and I was hoping we had the time available in here  
24 because a couple of these topics I didn't think was going  
25 to take as long. So I apologize for that. And that's one

1 of my concerns is that when you guys put in the work, we  
2 get an opportunity to hear what you've got to say.

3 MR. DAY: I appreciate that.

4 MR. McNEILL: This is a challenge because they spent  
5 a lot of time and did get stakeholders from everywhere.  
6 It's obvious -- I wanted to move this forward, but it's  
7 obvious we don't have enough commitment to do that, and I  
8 don't want this to die. So I'm not going to do that. The  
9 intent is, if you look at this WAC -- and, Jack, help me  
10 if I'm wrong. If you look at the WAC and then you look at  
11 the ASME, they're duplicating the majority of it.

12 So we just want -- Keith, what we want to do is get  
13 those salient points that are different in the WAC so it's  
14 very clear and not be redundant. So I understand somebody  
15 like you that doesn't use it every day, and most of us  
16 don't, you look at it. It's easy with the question and  
17 answer, but it's really just about the same in the ASME  
18 other than it's not telling you what's going to happen to  
19 you if you don't do it.

20 MR. DAY: Okay. So more examples on Proposal 1, and  
21 let's jump into Proposal 2.

22 MR. McBRIDE: The only concern I've got is keeping in  
23 mind if the proposal wasn't the entire picture, that he  
24 was to provide you with a couple of examples, it would  
25 then go to this process. If you look at the

1 recommendation on here, it says clearly that we're  
2 requesting the EAC to undertake a motion that indicates  
3 support for redrafting in a format and order consistent  
4 with this. So the work still needs to be contemplated.  
5 To go back to the committee and ask the committee to work  
6 up a lot more examples not knowing how it's going to be  
7 received is --

8 MR. BECKER: Well, at this point, I think the  
9 consensus is we'd like to clean it up, you know. But who  
10 cleans it up?

11 MR. McBRIDE: And I would add one thing. It's not  
12 only redundant. It's inconsistent. There's a real need  
13 for cleanup and reformatting, I think, as Becky indicated.  
14 But I think you need to send a message back to the code  
15 revisor subcommittee, because the request was to move this  
16 forward. So if I hear the EAC correctly, we're being  
17 rejected on this.

18 MR. BECKER: I don't think we've got any rejection.  
19 I mean, today, I'm not seeing enough examples, and I guess  
20 I'm unclear as now it is -- who makes -- who goes through  
21 and cleans this up? Is this subcommittee going to take  
22 every item in the WAC and address it?

23 MR. WHEELER: Absolutely not. I'm not.

24 MR. BECKER: The stakeholders, though, are the ones  
25 that are reading this and saying, "Okay, here are the

1 inconsistencies."

2 MR. WHEELER: I think that part of that, by accepting  
3 the idea, the concept, moving it forward, that is when we  
4 can get code writers involved, and that is when we can  
5 enlist other resources to do that rewrite. And then that  
6 goes through a review process and things of this nature.

7 But without the EAC's recommendation that, yes, let's  
8 move away from that question-answer format, this is a dead  
9 issue, and it's not going to go anywhere, and we'll just  
10 have this on an agenda for the next 20 years. But that's  
11 where we're hoping that we can get the EAC's approval to  
12 move it to, yes, let's move it away from this format so  
13 then we can, you know, enlist those other resources.

14 MR. BECKER: So we get a recommendation from the  
15 Committee or direction.

16 MR. McNEILL: I move -- I recommend that we move away  
17 from the format and we have it consistent with the ASME  
18 other than the specific changes to the WAC for -- in the  
19 state.

20 MR. BECKER: We've got a motion. We've got a --

21 MR. BUNTIN: I second that.

22 MR. BECKER: Skip, second.

23 MR. DAY: All in favor?

24 MR. GAULT: Can you reiterate? There was an ongoing  
25 -- just reiterate the motion.

1 MR. McNEILL: The motion is to move away from the  
2 question-and-answer format in the WAC and have it follow  
3 the ASME 17.1 type language.

4 MR. BECKER: Is that clear? Any other discussion?

5 MR. DAY: Yes. One. Are we following -- are we  
6 suggesting to follow the language in the example?

7 MR. McNEILL: Yes. Where it outlines -- where it  
8 outlines the areas covered, yes.

9 MR. BECKER: And that's -- of course, that's  
10 consistent. That's what you brought.

11 Any other discussion? So all in favor?

12 COMMITTEE MEMBERS: Aye.

13 MR. GAULT: I'm not in favor.

14 MR. DAY: No.

15 MR. BECKER: I'm not in favor.

16 MR. LARSON: Nay.

17 MR. DAY: So there's three not in favor and two --  
18 four. Can we do a hands or something?

19 MR. BECKER: All in favor, signify. I've got two in  
20 favor. All against? We've got three.

21 MR. WHEELER: Progress.

22 MR. BECKER: I apologize, again. We're going to have  
23 to rearrange this so we can get you due time on this. But  
24 I want to move on just into new business real quick. And  
25 I have a machine space lighting that I will pass on for

1 right now. We'll bring that back on to the agenda next --  
2 I think it's done. It is a proposal that's in here.

3 Jack, do you have license criteria that you want to  
4 touch on real quick?

5 MR. DAY: I want to break a second.

6 Let me ask the group. So I asked if our reporter can  
7 stay another hour. Can you guys stay another hour and we  
8 forego the stakeholder meeting?

9 MR. GAULT: I have to check the schedule. I have a  
10 new commitment.

11 MR. BECKER: Can we get another half-hour?

12 MR. DAY: Can we get another half-hour from you?

13 MR. GAULT: I'm really pushing it.

14 MR. DAY: So at least 15, 20 minutes? Okay.

15 MR. BECKER: We'll do what we can.

16 MR. DAY: We're going to extend this another 20  
17 minutes, then one of us will have to go.

18 So I want to keep on with the -- can we stay with the  
19 QEI, which is next? Bryan, QEI.

20 MR. WHEELER: QEI requirements, Proposal No. 2, that  
21 the committee reviewed. This proposal requires all  
22 conveyance inspectors working for Washington State to be  
23 certified to the QEI-1 standard of ASME. Inspectors will  
24 hold an internationally recognized certification as a  
25 qualified elevator inspector. This certificate requires

1 knowledge of and training in the national and  
2 internationally recognized codes relating to the  
3 construction, maintenance and alteration of elevating  
4 conveyances.

5 To maintain the certification, an inspector must pass  
6 continuing education requirements and adhere to the  
7 acceptance standards of professionalism set by the  
8 industry.

9 Currently, Washington State deletes that section of  
10 the A17 via the WAC, and the A17 has that reference of QEI  
11 certification in it. Our proposal, after extensive review  
12 by the subcommittee, and, again, with approval from --  
13 unanimously from the subcommittee, our recommendation to  
14 the EAC in this proposal is that the A17.1 safety code for  
15 elevators and escalators recommends, and many  
16 jurisdictions throughout North America require, QEI-1  
17 certification. This change would put Washington State on  
18 par with most other AHJ's in this regard.

19 The EAC code adoption subcommittee voted unanimously  
20 to recommend that Chapter 296-96 of the WAC rule 006501 be  
21 amended to strike the words (as read) "excluding all  
22 references to QEI certification in the ASME from code  
23 adoption." So, in other words, we are proposing that  
24 state elevator inspectors have that QEI certification as  
25 stated in the A17 code.

1 MR. BECKER: Do we have a discussion on that?

2 MR. DAY: Any discussion? Swen? Skip? Anything?

3 MR. BUNTIN: What is the purpose? Just to bring the  
4 State of Washington in line with other jurisdictions?

5 MR. WHEELER: I think it brings -- well, the group,  
6 as the discussion went during the subcommittee, was, one,  
7 to, yeah, follow the A17 direction there, but also  
8 bringing standardization and training. And I know the  
9 State is spending a lot of resources in trying to do their  
10 own training of inspectors. Had they come to the job with  
11 that QEI certification or received it elsewhere, some of  
12 those resources that the State's using for that could be  
13 used other places.

14 MS. ERNSTES: I have a quick comment on that. I used  
15 to be a QEI inspector. I spent the time and money to get  
16 a QEI certification before I got hired by the State.  
17 Frankly, I spent a week and it cost me a lot of money, a  
18 lot of lost time, and all I got taught was how to pass a  
19 test.

20 Years ago, QEI was started to educate inspectors. I  
21 do not find that the purpose of NAESA or the other  
22 organizations currently doing QEI. I find that they are  
23 in the business to make money.

24 The benefits I received from being a QEI were not  
25 many. And, in fact, in this state, we tried years ago to

1 get it through HR. It has to go through the union. It  
2 has to be vetted through the union, and the union didn't  
3 support it. We -- voluntarily, a lot of us did it. I  
4 went to some of the meetings, and I don't go to meetings  
5 anymore. I am not a QEI because the benefits that I got  
6 from that were not educational, and they were not  
7 informative to my job. Frankly, they were about elevator  
8 products, and I was not -- I was not -- it was not  
9 informative. It didn't help me do my job, and that's what  
10 I wanted to do.

11 QEI has certain requirements that the people who are  
12 running those programs are not adhering to. I know many,  
13 many instances of people who have QEI's who don't meet the  
14 minimum qualifications to sit for the test. That keeps  
15 happening. It was supposed to be fixed. It is still  
16 happening today. I could give you many examples of people  
17 who are not qualified to be QEI, yet those organizations  
18 are willing to give them QEI's.

19 If I have a QEI through the State of Washington, I  
20 have to pay for it on my own. The State will not pay for  
21 any certifications that you can take and use somewhere  
22 else. That money comes out of my pocket to have a QEI and  
23 to do the annual certifications and the annual testing.  
24 My experience is that it's not beneficial, and the State  
25 now has a person who is dedicated to training and that we

1 can do our own training better than QEI does.

2 MR. BECKER: We've got a question in the back, a  
3 comment.

4 MR. ROGERS: First off, I want to say there are two  
5 organizations that certify inspectors: NAESA and QEITF.  
6 QEITF is a nonprofit, so they don't do it for profit right  
7 up front.

8 The training that they do is how to navigate through  
9 the code books. So as you're doing an inspection, you  
10 have to go between the NFPA book, the A17.1 book.  
11 Whatever different code you're inspecting under, you have  
12 to know how to navigate through there to find what the  
13 problem actually is.

14 And so I politely disagree with what the lady said  
15 over here. But I would be in support of this proposal. I  
16 think it's a good proposal. ASME took QEI out of the --  
17 or QEI out of the -- they're no longer a certifying agency  
18 or accrediting agency.

19 MR. BECKER: Who are you representing?

20 MR. ROGERS: Gregg Rogers. I'm with EIWPF, Elevator  
21 Industry Work Preservation. The QEITF is a separate  
22 nonprofit part of our organization.

23 But ASME took the QEI accreditation out of their  
24 program. They no longer accredit because they felt there  
25 was a conflict of interest. And now ANSI is this

1 organization that accredits NAESA and QEITF. So I just  
2 want to bring this forward at this point.

3 And this proposal, in the way I'm reading it, mirrors  
4 what ASME has done is taking their accreditation proposal  
5 away, or certification. And most states around the  
6 country are taking reference to ASME QEI-1 out of their  
7 statutes because of that.

8 MR. BECKER: The concerns that brought this issue to  
9 the table?

10 MR. WHEELER: Consistency and looking at a recognized  
11 national standard for inspectors just as mechanics are  
12 held to a certain standard and so forth. So having a  
13 nationally recognized standard was really the concern  
14 there.

15 MR. BECKER: So obviously, there have been issues  
16 with inspector training or just concerns that it might be  
17 in the future or we got a track record?

18 MR. WHEELER: Both. Yeah.

19 MR. BECKER: And there is some -- I mean, we've got  
20 new inspectors coming on board, we've got new training  
21 procedures for inquiries or more --

22 MR. DAY: We do. Mr. Wilson is in charge of training  
23 -- the first six months of training for our new hires, and  
24 it's specifically in regards to how to locate, where to  
25 find, what code should they be in and how should that

1 correction be written.

2 I myself have the benefit of not only having had the  
3 QEI certificate, but also being an auditor of QEI  
4 inspectors in other states. As I come from another state,  
5 it was very interesting what some may call consistency,  
6 and there is no consistency no matter where you go.  
7 That's all up to the jurisdiction of authority, how  
8 consistent an inspector is or is not. Because there is  
9 not a level of accountability for QEI unless there is a  
10 complaint.

11 So where I'm not opposed to QEI, it brings in another  
12 level of training, accountability. The State of  
13 Washington would probably do its own process for two  
14 reasons. Both organizations that perform this service  
15 today also perform mechanics' education and their  
16 continuing education, and it becomes a conflict of  
17 interest with the State of Washington doing both, having  
18 services provided by two organizations that supply  
19 training and education to mechanics who are licensed in  
20 the state.

21 So, again, I'm not opposed to it, but I would take  
22 this proposal back to the subcommittee -- my suggestion  
23 would be to take it back to the subcommittee and try to  
24 remove some of the conflict of interest as well. And what  
25 I speak to about that is the education requirements.

1 Currently WAC has -- I have to sign off continuing  
2 education that licensed elevator mechanics take. And this  
3 would probably be or we would want to say as a nationally  
4 -- if it's a nationally recognized and certified program,  
5 you go take that education, and it does not need to be any  
6 more authorized by the State of Washington than that. It  
7 gets me out of the game of having to authorize continuing  
8 education for mechanics, which basically removes the  
9 conflict of interest. Do you see what I mean?

10 MR. WHEELER: I think there's still some -- there's a  
11 lot of questions in my head from what you just said, but I  
12 don't think right now is a time to do that. Maybe we can  
13 discuss that at our next subcommittee.

14 MR. DAY: On the second note, I think if we're going  
15 to make it work, and it can work, is that there be a level  
16 of accountability created in there. Because just QEI  
17 alone is not enough. It isn't enough, okay? It will cost  
18 more money, building owners, FYI. The State must remain  
19 in the black. So as it's negotiated through the policies  
20 and through the union, I am pretty sure it will come up as  
21 to a pay increase, because the State won't pay for it.  
22 The State will not pay for continuing education that you  
23 can take to another position or another job.

24 MR. BECKER: So the subcommittee took this and felt  
25 that it would, obviously, be an improvement or

1 consistency, yet, you know, that you won't see. Is this  
2 the only way -- I mean, if you go back and discuss it, are  
3 there points that will be changed, you know? Can we get  
4 some meaningful feedback on a different direction with  
5 this? I guess I'm looking somewhat at the cost to the  
6 inspectors. How do you get good people to be involved in  
7 the inspection process under the format we have right now  
8 under the wage structure or under the workload under the  
9 education requirements? We want to have good people  
10 working on our conveyances. We want to have good people  
11 inspecting them. And we've got to -- we've got to have  
12 people accessible to be in this. Are we running them off,  
13 are we bringing them on, are we -- is not an issue.

14 MR. WHEELER: And I agree with all those statements  
15 you just made that we need to consider that. But as the  
16 code adoption subcommittee, our recommendation was -- our  
17 mission there was review the code as it sits. Our  
18 recommendation was to eliminate the striking of QEI. And  
19 then, quite frankly, in our opinion, it becomes many other  
20 elements. Many other facets are going to get involved  
21 with this. This committee isn't going to negotiate with  
22 the union, with the State about wages or anything like  
23 that. So those kinds of things come up and have to get  
24 worked through if the Elevator Advisory Committee decides  
25 that QEI is something that we need to have.

1           And, I guess, to the idea of who pays for that and  
2 things of this nature, I don't see QEI certification any  
3 different than elevator mechanic certification or licensed  
4 hairdresser in the State of Washington or licensed teacher  
5 in the State of Washington, these types of things.  
6 There's many provisions that require a license or  
7 certification of some type that I think precedence has  
8 been set in the past for.

9           MR. DAY: So a couple issues that I gave you guys,  
10 Bryan, can you guys deal with that? And, no, you guys  
11 can't negotiate, you know. But in the process of  
12 negotiation, you guys can come up with how much this is  
13 going to cost and the cost per year. Those need to get in  
14 here. And work on how to get the Department away from the  
15 ethics challenge where the Department is providing  
16 continuing education for mechanics and it be the same  
17 company that's also doing it.

18           MR. WHEELER: And I guess I'd like to understand a  
19 little bit more, and this can happen another time, but how  
20 is that conflict any different in Washington than other  
21 jurisdictions across the state or across the country?

22           MR. DAY: They probably don't look at it the same way  
23 as Washington, it would appear to me. And most other  
24 states don't regulate the licensing like that.

25           MR. WHEELER: Okay.

1 MR. LARSON: I've got ten seconds worth of input.  
2 I've had QEI training. I found it valuable for me to  
3 learn how to use the code books. That doesn't make me an  
4 elevator inspector. I know that. Because I'm QEI  
5 certified, you wouldn't want me inspecting your elevators.

6 MR. DAY: It's time. To me, an efficient inspector,  
7 you've got to have a baseline, and that's where QEI does  
8 come in. You've got a baseline, a starting point, just  
9 like becoming a mechanic. Four years of apprenticeship,  
10 does that make you a mechanic?

11 UNIDENTIFIED SPEAKER: I agree 100 percent.

12 MR. DAY: There's more to it.

13 UNIDENTIFIED SPEAKER: It's a standard that we're  
14 going for.

15 MR. DAY: Right. But it sets a baseline.

16 MR. WHEELER: So more information is asked for on the  
17 QEI-1. Can we move to No. 3 and maybe we can get an  
18 approval on that one? This is a simple edit of the WAC.  
19 And the effect of the proposal technical correction is  
20 minor, but provides important clarification moving  
21 forward.

22 You skip down to Item 11 of the analysis form, it  
23 identifies the WAC code. And basically there's a  
24 strikeout, and it says "this chapter" rather than a  
25 redundant wording there. So right now, our proposal is to

1 amend the WAC 296-96-00500 to read, "In any case where the  
2 national standards codes adopted by reference in chapter  
3 296-96 WAC conflict with the requirements of this chapter,  
4 this chapter supersedes." Currently it reads conflicting  
5 with itself, and it's just a minor edit. Can I ask for  
6 the --

7 MR. LARSON: I make a motion we accept this one.

8 MR. WHEELER: All right.

9 MR. McNEILL: I'll second it.

10 MR. DAY: Can I change the motion just a little bit?  
11 Not only accept it, but have it ongoing. Because we're  
12 going to find more of these in there, and if we can keep  
13 them all in this same proposal and just keep it  
14 refreshed . . .

15 MR. BECKER: So are you suggesting just open-ended  
16 for -- I mean, for a quarter? for a fiscal year?

17 MR. DAY: I think till we do a rule. If it works  
18 well, until we actually change the rule. What I'd hate to  
19 see is a dozen, two dozen, three dozen proposals of  
20 similar nature of minor changes for wording.

21 MR. BECKER: I'd just like to see an end, and then we  
22 start over on another. So that would be at code adoption  
23 time period review. I mean, at some point in time, there  
24 should be a --

25 MR. McNEILL: So will you communicate these on your

1 Web site so the public understands the change?

2 MR. DAY: And maybe, Bryan, we just put a date by  
3 each one that's already been brought to the Advisory. On  
4 the back page, the proposed language, put a date by it,  
5 this one's been reviewed, and any new ones, bring them  
6 back and just keep an ongoing proposal running.

7 MR. WHEELER: And it will be published on the Web  
8 site.

9 MR. DAY: Christine, your eyes are -- what's the  
10 matter?

11 MS. BREWER: I mean, it's not an official change to  
12 the WAC, so, I mean, it wouldn't be enforceable.

13 MR. DAY: No. Not until the rule changed.

14 UNIDENTIFIED SPEAKER: Right. So I'm just saying  
15 putting it on your Web site, but we'd be waiting for two  
16 years, basically. Is that what you're saying? Until your  
17 next rule cycle.

18 MR. DAY: If it takes two years. This might be one  
19 that's really easy to -- one of those easy ones to change.  
20 And if we can get through the entire WAC with all these  
21 small editorials and have them in one proposal, that would  
22 be a benefit rather than creating a new proposal for each  
23 and every single one for small editorial changes like  
24 this. That's what I'm suggesting.

25 MR. WHEELER: The State doesn't have a means of

1 changing these editorial things sooner than the every two  
2 years that rule adoption happens?

3 MR. DAY: It will have to be through a rule process.  
4 As we all were talking, there's an expedited rule and then  
5 there's the long process. So this could be the list of  
6 expedited.

7 MR. McNEILL: How do we expedite the expedited?

8 MR. DAY: We can discuss that after.

9 MR. BECKER: I just want to give the -- so you're  
10 comfortable with something, you know, where it's just not  
11 open-ended and we're never going to actually take it. At  
12 some point in time, you've got to take what you've got and  
13 get it changed.

14 MR. DAY: So maybe July 1st.

15 MR. WHEELER: If nothing else, for -- if nothing  
16 else, yeah, maybe every six months we do something, get it  
17 changed or something like that. Because I think keeping  
18 people involved in the subcommittee is critical, and  
19 having people's interest and efforts be, albeit minor in  
20 this case, rewarded, if you will, I think is important.  
21 So getting these changes to happen more frequently than  
22 two years is something that needs to happen from this  
23 Committee, I feel.

24 MR. DAY: It will make it easier on the number of  
25 proposals and who has to write them all if this one can be

1 ongoing that we just, each time a new thing is brought to  
2 this group, it will be found here. The existing stuff  
3 would be above. I'm pointing at Item 11. It's on the  
4 second page, what would it look like.

5 MR. WHEELER: But then the State would take action of  
6 implementing this into rule every six months.

7 MR. DAY: That, I cannot answer. That's what we have  
8 to hold off on. I don't know. But we can throw a date  
9 out there of July 1, 2015. I can't promise that date,  
10 though. Please, that's not within my role or capability  
11 of doing.

12 MR. BECKER: I guess, I'm looking at it is we're  
13 trying to eliminate a lot of proposals, but to change one  
14 every six months and then turn it in and hopefully move it  
15 forward and then start with a new one for another fiscal  
16 year or six months or whatever it might be, just so the  
17 subcommittee has gotten something hopefully that can be  
18 moved forward.

19 MR. DAY: Show for their efforts.

20 MR. BECKER: Yes.

21 MR. WHEELER: I agree with that moving forward. I  
22 don't want to write 100 of these different things, and so  
23 I'm fine with that. But what I would like to do, because  
24 we don't know how often rule can be changed and so we have  
25 some questions there, I'd like to move this one forward

1 and get it cleared up. And then starting after this  
2 meeting, we'll track the rest of these changes by date,  
3 like you said, and make one proposal for those changes at  
4 a frequency that we find that works for the State on code  
5 adoption.

6 MR. McNEILL: I think that's a good idea. That way  
7 we can see what type of roadblocks we're going to hit and  
8 we're not going to wait for six months or a year and then  
9 realize we have a bunch of roadblocks.

10 MR. BECKER: So our motion --

11 MR. LARSON: Is to move this one forward.

12 MR. BECKER: And we had a second. Rob?

13 MR. McNEILL: Yes.

14 MR. BECKER: Any other discussion?

15 MR. DAY: I had promised four minutes. So your  
16 decision. This A17.7 or machine room lighting. I do have  
17 to talk about temporary license.

18 MR. BECKER: We need to vote. So all approved, say  
19 "aye."

20 THE COMMITTEE: Aye.

21 MR. BECKER: Okay. Motion to move forward. So we're  
22 going to have to stop on that.

23 MR. WHEELER: Thank you for the additional time.

24 MR. BECKER: And I apologize for not -- Jack, go  
25 ahead.

## New Business

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MR. DAY: Were these passed out? Everybody have one? It's titled Administrative Policy, Renewal Extension for Temporary Elevator Mechanic License (Category 09).

Please take a moment to review the purpose and description. At the bottom of that particular section it has from December 1, 2014, and it would expire July 1, 2016. The intent is to have this effective for 18 months.

First, the WAC that we're dealing with is 296-96-00912(3), and then we start with the policy. And what we're doing is changing the limitations which is in the last paragraph of WAC 912. And what we're proposing to change is that the person that would be working could work longer than two months, because right now they're restricted to two months, and they're further restricted to no more than 6 in a 12-month period of time. So what we're proposing is eliminating those two restrictions as long as -- under the policy 1a, b, c and d, and then followed by 2 and 3.

So I want to go through this really quick. Still they must maintain it every 30 days. This is in statute. There's no changing it. Policy can't change it. So it still must be done every 30 days. Complete on a

1 Department-approved application 15 days prior to the  
2 license expiration. This is so that they may have a  
3 current license upon the expiration of their previous  
4 30-day license so that there is no interruption in them  
5 being able to work.

6 C, pay the fees.

7 D, this remains the same. 75 percent or more of both  
8 documented work experience and educational training within  
9 the licensed category they seek. If the person has been  
10 working as a residential elevator mechanic, don't ask to  
11 have an 01. You're not going to get it. If you've been  
12 doing temporary construction hoist, you will not get an 01  
13 or an 02 or so on and so forth.

14 2, meet the continuing education requirements. If  
15 they're going to work as a mechanic, they're going to take  
16 continuing education as a mechanic.

17 3 -- and this is the most important, and this is an  
18 item that we really feel strongly about due to the last  
19 building boom. Big major mistakes were made under No. 3.  
20 It requires the point of contact for the elevator company  
21 to sign off that this person is the most qualified  
22 individual that they have. What we saw before was primary  
23 points of contact signing a form and then hundreds of  
24 copies being produced with that signature and fill in the  
25 blanks. That isn't going to fly this time because the

1 primary point of contact is responsible for this.

2 Some of you have primary points of contact outside of  
3 the state of Washington. You might want to consider a  
4 primary point of contact that resides in Washington if  
5 you're going to apply for this.

6 What we also want to know, has that primary point of  
7 contact exhausted all their current resources so they are  
8 utilizing actual persons that they would not have prior to  
9 this? What I'm trying to say here, struggling, is some of  
10 you have memberships within other organizations that  
11 supply your manpower. Is there no further manpower  
12 available at that particular organization where you go to  
13 get your manpower from? You must show that you have  
14 exhausted it. There is no possibility. Then you can  
15 start addressing the 75 percent or more.

16 That goes also for those that are not part of that  
17 particular structure. You still must demonstrate that you  
18 have exhausted all of your resources.

19 You also must demonstrate that you have the work.  
20 The primary point of contact must demonstrate that they  
21 have that work. Because what we're not interested in  
22 doing, as you read from the scope, this is because of a  
23 construction boom, we're not interested in you hiring  
24 folks just so that they can get their education and  
25 training in as happened last time. So you show a need and

1 you do not have -- you can't pull from a resource that can  
2 get you an actual licensed mechanic. Those are what the  
3 primary points of contact must be able to demonstrate to  
4 the Department when asking for an extension beyond the  
5 2-month or no more than 6 in a 12-month period of time.  
6 It still remains the same as far as it goes if you just  
7 want to put -- set somebody up for two months, then that's  
8 possible. But extending beyond that without demonstrating  
9 No. 3 will not be possible. So we keep the same policy.  
10 This particular one is for the building boom and the  
11 companies that do not have the manpower and must start  
12 setting up their 75 percenters.

13 Any questions? Bryan?

14 MR. WHEELER: Could the Department, before they  
15 publish this as a final document, define -- in Section 3  
16 define what acceptable proof is as well as in the last  
17 bullet, elevator companies with high rate of  
18 reinspections, can you define what "high rate" equals?

19 MR. DAY: Okay.

20 MR. WHEELER: Thank you.

21 MR. DAY: There was some discussion about define  
22 "acceptable proof," and this goes with your workload  
23 analysis, which I would imagine everybody has. Do  
24 elevator -- would it be fair to say that an elevator  
25 company has a workload analysis based upon manpower and

1 how many jobs they have available, how much manpower do  
2 you need? Do you have that?

3 UNIDENTIFIED SPEAKER: Jack, my concern -- the answer  
4 to it is yes. The concern that I would put forward to  
5 that is the confidential nature of that. So if I know  
6 what one of my competitor's manpower is, I know where all  
7 their jobs are stacking up. I can then make decisions.  
8 So even if it's a document that you returned to me -- and  
9 I'm not saying you. I'm just saying the Department in  
10 general. If that information gets leaked, then my  
11 competitors can make decisions about where they're going  
12 to bid.

13 MR. DAY: That will be a sticky subject. Let me ask  
14 an attorney about that, okay? It may just be something  
15 that your primary point of contact walks in and shows us  
16 instead of a document.

17 UNIDENTIFIED SPEAKER: Still, my concern is you've  
18 seen it, and what kind of confidential -- like you said,  
19 you've got to talk to an attorney, but that's a pretty  
20 tough thing.

21 MR. DAY: Well, what I would ask the attorney -- and  
22 I don't hold up much credence to me being able to say I  
23 can keep it confidential, but that's what I'm going to  
24 ask, if it's possible.

25 Other than that, any ideas for workload indicator?

1 Anybody got an idea?

2 MR. LARSON: How about permits issued? Does that  
3 tell you?

4 MR. WHEELER: Good angle right there.

5 MS. ERNSTES: Like, permits are not confidential.  
6 Anybody wants to, through public disclosure, know how many  
7 permits Joe Blow has on the books --

8 MR. WHEELER: But it's information that the State  
9 has, and they could see, you know, just from that  
10 information what volume and whether there's any --

11 MS. ERNSTES: Sure. We can tell what's approved and  
12 still not final and what's on the books.

13 MR. DAY: So what would I compare permits issued  
14 with?

15 MR. BUNTIN: Wouldn't it be just as easy to get a  
16 letter from the union saying there's no more --

17 MR. DAY: That may be what the primary point of  
18 contact does.

19 MR. BUNTIN: He would go to the union and just get a  
20 letter saying there's no available -- and that would be  
21 proof enough?

22 MR. WHEELER: For signatory companies.

23 MR. DAY: For signatory companies, that will work.

24 MR. WHEELER: Yeah. That would work. But others,  
25 how do you define -- I guess that's maybe for a different

1 meeting, but my question of acceptable proof.

2 MR. SPAFFORD: Even for the gentlemen that are -- or  
3 for the companies that are not union elevator companies,  
4 they can also use that resource, too, are their licensed  
5 union elevator mechanics available as well. They can use  
6 that as there's nothing available.

7 MR. DAY: That could be a starting point.

8 MR. SPAFFORD: Yeah.

9 MR. McNEILL: Is there any way to get this renewal  
10 about the 30 days extended? That seems --

11 MR. DAY: I don't know. What, now?

12 MR. McNEILL: This renewal every 30 days for --

13 MR. DAY: No. That's in law. It's in law. We can't  
14 change the law by policy.

15 So if nonsignatory companies have an idea, I would  
16 appreciate hearing from you very, very soon, because we  
17 want this available December 1st. For right now I'm going  
18 with permits issued and letter from the union, which I  
19 can't make them give you a letter.

20 Okay. Bryan, you had a second question. Currently,  
21 elevator companies with high rate of reinspections. One  
22 of the other problems that happened last building boom is  
23 a whole lot of temporary elevator mechanics out there, and  
24 the reinspections went way, way, way up. Extreme to the  
25 point there was 100 percent failure rate. These persons

1 weren't trained and did not know how. They also did not  
2 know how to act with their general contractors or  
3 subcontractors when they needed to have something moved.  
4 They always counted on the inspectors to do so.

5 So all elevator companies currently have a baseline.  
6 What I expect to see is that that baseline does not droop  
7 just because you have a temporary -- a series of temporary  
8 mechanics.

9 MR. McNEILL: Would you consider -- rather than  
10 having this arbitrary high rate of reinspections, would  
11 you consider changing this so these temporary mechanics  
12 would not be allowed to do final inspections and a  
13 licensed mechanic elevator or adjuster would have to do  
14 the final test and inspections instead?

15 MR. DAY: I would. I would. Everybody okay with  
16 that?

17 MR. WHEELER: Yes.

18 MR. McNEILL: Great. That way we have to have people  
19 that know what they're doing working on the equipment and  
20 making sure it's safe before we turn it over.

21 MR. DAY: So I'm not going to say adjusters. I'm  
22 going to say experienced 01 -- experienced mechanics  
23 within the category they have a temporary in.

24 MS. ERNSTES: They'd be licensed mechanics.

25 MR. WHEELER: Licensed mechanics.

1 MR. DAY: Okay.

2 MS. ERNSTES: Licensed in their appropriate category.

3 MR. DAY: Okay. There. So I'd like to hear some  
4 more ideas from the nonsignatory companies here really,  
5 really soon. Again, the intent is to get this published,  
6 out the door December 1st so that you all can -- if you  
7 need it, you can do it, you can get started on it.

8 MR. BECKER: Take care of that issue.

9 MR. DAY: Any other questions about it?

10 MR. BECKER: So do we want to adjourn? Do you want  
11 to address any of these other issues that are new  
12 business? old business? Anything on here.

13 MR. DAY: Bryan, do you want to tackle one more?

14 MR. WHEELER: I'm fine.

15 MR. BECKER: I can touch on the lighting real quick.  
16 It will just take me a minute. I've got machine space  
17 lighting. There's an Elevator Advisory form in here.

18 Regarding electric manlifts, WAC 296-96-1367, a light  
19 switch must be located near the elevator driving machine  
20 or machine space. We agree that there should be lighting  
21 in these areas. The question we have is the switch.  
22 Right now 80 to 90 percent of the existing electric  
23 manlifts have lights, but the switches are all downstairs  
24 in a grain elevator. Not a big deal. It's just another  
25 thousand dollar electrician's fee or time with your

1 mechanics working on this thing just to put a light switch  
2 up there.

3 No safety. There's no safety increase.

4 There's -- we see no valid reason for asking for the  
5 conveyance owners to be required to absorb the expense of  
6 relocating these switches for no apparent safety benefits.  
7 We ask consideration for a code change or at least a  
8 variance at this time.

9 The last series of inspections, nearly all of the  
10 grain elevator conveyances, electric manlifts, were  
11 written a correction notice for this item, so we're  
12 looking -- right now we've got extensions -- or the  
13 Department has been giving extensions until this issue is  
14 addressed because of what it's about.

15 MR. DAY: We basically give them an extension to  
16 December 31, 2014, in hopes that we could create a policy  
17 in regards to it.

18 MR. McNEILL: So presently, do these switches have to  
19 be locked out and tagged out before they climb up that  
20 ladder and get in that machine room and somebody turn it  
21 off behind them in the dark or what?

22 MR. BECKER: Presently there is no -- we don't have a  
23 -- we don't have a procedure regarding that.

24 MR. McNEILL: I've been in machine rooms with the  
25 lights turned out by an engineer.

1 MR. BECKER: It typically could be added, something  
2 like that, you know. If we get very in depth, we might as  
3 well put the switch upstairs.

4 MR. McNEILL: I think if you just add the -- if you  
5 put a lockout/tag out on that switch at the bottom, you  
6 have another degree of safety.

7 MR. BECKER: With a lockout/tag out, we're almost  
8 looking at as much expense as added switches because we've  
9 got to pull a switch off the wall.

10 MR. McNEILL: They're pretty cheap.

11 MR. BECKER: Well, we can look at it. We don't have  
12 -- typically, we don't have a machine room. We've got a  
13 machine space that is open area so it doesn't go dark, you  
14 know. But it could be addressed. We could put in -- if  
15 somebody is going up there for repairs or inspections,  
16 that it would be locked on so you've got lights.

17 MS. ERNSTES: Some of those light switches are  
18 explosion proof, too.

19 MR. BECKER: They're all explosion proof.

20 MS. ERNSTES: Yeah. See, they've got a lot of  
21 explosion proof stuff, so it's not so simple just to, oh,  
22 we'll stick a little cover on that thing.

23 MR. DAY: Yeah. But if we've got somebody turning  
24 the lights out down below not knowing there's somebody up  
25 there, then they leave them in the dark.

1 MR. BECKER: And I could go into typically, but  
2 "typically" covers a lot of things until somebody turns  
3 off the lights. But their access -- you know, the  
4 inspector has to notify the company when he comes on-site.  
5 You know, they're trained personnel only, they're not  
6 public use, you know. So there's a whole lot of issues.  
7 But something like that we could discuss, you know, if  
8 that's a concern.

9 MS. ERNSTES: Because typically, when you have a  
10 variance, you have to have an alternative method of  
11 safety. So we don't just give you a variance because you  
12 say, "We don't want to spend the money on this." So the  
13 criteria for a variance is what's your alternative method  
14 of safety? So something like a lockout/tag out on that  
15 might be your alternative method of safety that guarantees  
16 that light will stay on.

17 MR. BECKER: We will address that and come back.  
18 Okay. That's all we got on that one.

19 Any other things we want to address or --  
20

21 Old Business (Continued)

22

23 MR. DAY: A little bit of time, Bryan.

24 MR. WHEELER: I'm fine.

25 MR. DAY: Do you want to do A17.7?

1           MR. WHEELER: I mean, it's -- I don't think we're --  
2 you know, it's the first time this Committee has seen it,  
3 so I'll just kind of highlight it. The fact that  
4 Proposal 4 was -- the proposal adds A17.7 to the WAC. In  
5 that chart that's in the WAC, as it sits right now, it's  
6 simply clarifying that A17 is adopted by Washington --  
7 A17.7 is adopted by Washington and clarifies the  
8 documentation required by the Department. The  
9 subcommittee debated this at length, and with input from  
10 all stakeholders, there's some recommended language  
11 highlighted there in yellow. And I don't think it's --  
12 you know, certainly look through it, and I think it's  
13 worth spending some time on. Maybe you have already  
14 reviewed it before this meeting.

15           But the proposal from the subcommittee, "The language  
16 within the provision is being modified to clarify that WA  
17 State does accept A17.7, but it retains its authority to  
18 reject a technology even if it has an AECO certificate.  
19 In addition the state of WA wants to be clear that changes  
20 to a design or component negates the related AECO  
21 certificate, and that the certificate applies only to the  
22 component for which it was received and not the overall  
23 system."

24           So without going into the long conversation that the  
25 subcommittee had on this, basically, that AECO certifies a

1 new technology, the State still needs to review that  
2 technology and has the ability to ask for additional  
3 information as it relates to that component.

4 MR. DAY: My position on this is it was recognized  
5 that it wasn't clear that the State had adopted A17.7  
6 because of the location that it's in in WAC 650. And  
7 where this started off with was, okay, let's put that in  
8 the comments in the grid, the State adopts what code, and  
9 make sure A17.7 was in the comments.

10 Changing the language, I don't see the need. I think  
11 the language being changed makes it harder to understand  
12 the State's position, not easier. But I do think it needs  
13 to be up there and very easy to tell that the State has  
14 adopted A17.7 and under what circumstances our process is.

15 That's where we're at with that one.

16 MR. BECKER: Anybody else got any input from the  
17 Committee?

18 So the language change, for clarification, doesn't  
19 take any authority away from the Department regarding any  
20 of these?

21 MR. DAY: That can be debated. Depends on who you're  
22 talking to. But the specific language that is of concern  
23 is in (iii) in bold, and it's the last sentence in yellow.  
24 And what it replaced is what's stricken out above. And  
25 what's stricken out above is much clearer than what it was

1 replaced with by starting with additional . . .

2 MR. BECKER: The subcommittee brings us this language  
3 in their proposal. If that particular language is  
4 stricken, does that change or does that -- how does that  
5 affect the proposal?

6 MR. WHEELER: I think it changes the proposal that  
7 the subcommittee decided on. So before I would accept  
8 that, I'd want to review that with the subcommittee and  
9 then decide if the subcommittee agrees with that to  
10 represent it at a future meeting to this group. Or maybe  
11 it's dead.

12 MR. BECKER: So at this point, you don't know if it's  
13 a deal killer.

14 MR. WHEELER: Don't know, no. Hu-uh.

15 MR. BECKER: Any discussion as to what the reasoning  
16 for that particular -- you know, why you felt it was  
17 necessary to change that sentence?

18 MR. WHEELER: I think that -- and maybe some of the  
19 other subcommittee members can chime in here as well, but  
20 I think that the intent there was to, again, bring it  
21 closer to that A17.7 standard as well as just reduce -- I  
22 guess add clarity. And in the subcommittee's  
23 conversation, I think that this language added clarity.

24 MR. DAY: I don't believe it did because I asked what  
25 does that mean. And it took a person five minutes to

1 answer, and I still didn't know what that meant. So  
2 consequently, I went to ask my attorney what that meant.  
3 And it doesn't mean really anything.

4 So the point here is we want to be very clear. The  
5 Department has final authority regarding acceptance. The  
6 design has changed or unforeseen or undisclosed  
7 information is obtained, and through the conversation at  
8 the subcommittee in regards to unforeseen or undisclosed  
9 information is obtained, it was felt that those last  
10 several words would mean that the elevator company had  
11 intent or they would feel that, if we found unforeseen  
12 information or undisclosed, it meant intent to withhold.  
13 And that really isn't the purpose of that. Because as  
14 engineers find out on a regular basis, they did not  
15 foresee that the gas pedal would stick to the floor and  
16 they had to do a recall. It's unforeseen, or maybe it was  
17 undisclosed as I had shown examples of undisclosed.

18 As A17.7 is very, very new, a lot of manufacturers do  
19 not realize it's product specific and it's about a certain  
20 widget. It isn't about their whole conveyance. So we  
21 have -- we do and we still do have manufacturers saying,  
22 "I'm A17.1 compliant", and they're pointing to they have  
23 an AECO for a particular part of their product. And then  
24 when it comes out during an inspection that, oh, we  
25 thought that AECO covered it when it didn't, and so there

1 was a misconception of themselves about what A17.7  
2 actually does.

3 So wanting to make it clear and very straightforward.  
4 I don't want to mince words. My proposal is to leave the  
5 strike -- what's stricken, leave it there.

6 MR. WHEELER: Well, and I would say that before this  
7 committee takes this any further, I will bring this back  
8 to the subcommittee and decide if we want to send a  
9 proposal like that to you or not.

10 MR. WATSON: Jack, are you speaking just in the  
11 yellow -- in the (iii)? Because there were some  
12 strike-throughs in (i) and (iv) as well that don't seem to  
13 be of much concern to anybody.

14 MR. DAY: Well, one of the other ones that was  
15 stricken, "The installer shall post a certificate with the  
16 expectations including . . ." So why was that stricken?  
17 That's in 4. It's the last process.

18 Now, I can say why. I can specifically say why that  
19 was stricken. That was stricken because A17.7 currently  
20 says that. I see a lot of eyes come up. Yes, it  
21 currently does say that.

22 MR. WHEELER: So, again, with the redundancy,  
23 probably.

24 MR. DAY: It's a redundancy thing. Now let's go walk  
25 on to an AECO job site and see if it's there.

1 MS. ERNSTES: I don't think so.

2 MR. DAY: It currently says that, though, everybody.

3 MR. WHEELER: So is it still going to be there if  
4 it's in the WAC?

5 MR. DAY: It currently says that. It's kind of  
6 getting back to the point people aren't reading it. The  
7 students of it are in front of you.

8 But it does currently say that, so that's why it was  
9 stricken. But it was felt it's such an important piece of  
10 the A17.7 process that it be put in there as a redundant  
11 thing. But it is important that it be there. But those  
12 are the points to ponder on.

13 MR. WHEELER: We'll bring it up at the next meeting.

14 MR. BECKER: I guess the subcommittee will discuss  
15 that. And as a subcommittee -- or as a discussion  
16 regarding the subcommittee and the issues and, actually,  
17 last week or whenever it was, I asked a time slot, I  
18 guess. I would propose that you suggest what you're  
19 looking for in time. And I know a lot of these can turn  
20 into a monster. So we can see if we can work that in and  
21 get you that, because you guys put a lot of hard work into  
22 this thing, and then you get -- to get shorted on time and  
23 then for the whole group, you know, this was a long --  
24 we've had it a long, long time to get it drug on. So  
25 anyway --

1 MR. WHEELER: Appreciate that.

2 MR. DAY: And for me, if somebody has something that  
3 they want to say and it's going to take more than a minute  
4 or two, call up and get on the agenda so we know that we  
5 can move things around. That's important.

6

7 Conclusion

8

9 MR. BECKER: At this point, I appreciate everybody's  
10 time and patience and working through this thing. And I  
11 say we move to adjourn.

12 MR. DAY: Thanks everybody.

13 (Whereupon, proceedings  
14 adjourned at 11:55 a.m.)

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November 18, 2014

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