

DEPARTMENT OF LABOR AND INDUSTRIES

STATE OF WASHINGTON

COPY

TRANSCRIPT OF PROCEEDINGS

of

ELEVATOR SAFETY ADVISORY COMMITTEE MEETING

Date and Location

November 20, 2012
Tuesday, 9:00 a.m.

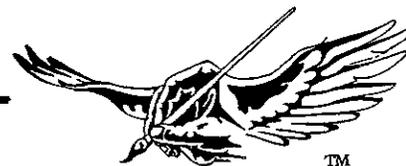
L&I Tukwila Training Room
12806 Gateway Drive
Tukwila, Washington

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: Scott Cleary; David Gault; Dave Spafford; Daniel Munn; Keith Becker; 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:
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PROCEEDINGS

Opening Remarks

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5 MR. CLEARY: We've got a lot to get done today. We
6 have a couple of announcements we want to make. One is
7 we're going to have an MCP workshop provided by the State
8 and the gentlemen that are involved in the implementation
9 to look over ones that we have and help us make sure that
10 our MCP's are going to meet the minimum requirements that
11 the State is requiring.

12 Also, it's been brought to my attention that we
13 haven't been having -- our title hasn't been completely
14 accurate. So from now on we'll be known as the Elevator
15 Safety Advisory Committee. And that's part of the RCW.
16 And so that was brought to me. And thank you for that.

17 You have an announcement to make?

18 MR. SPAFFORD: Yes. We do have a replacement for
19 Bill Watson hired on for the city. He's starting
20 December 5th, Skip Button. So that's the news we have
21 from the city. Bill is going to be gone by the end of the
22 year -- or moving on.

23 MR. DAY: Moving on by the end of the year.

24 MS. ERNSTES: Retiring.

25 MR. DAY: Greener pastures.

1 MR. WATSON: Do you know something I don't know?

2 MR. CLEARY: Also, please, when asking questions,
3 please state your name, your affiliation so we can be part
4 of the record. We're trying to make sure that we get
5 everybody's affiliation and name into the minutes.

6 So with that, are there any comments on the last
7 meeting's minutes? Anybody at all?

8 I motion that we adopt them.

9 MR. SPAFFORD: Second.

10 MR. CLEARY: So they're adopted as posted.

11 So with that, we're going to go into the chief's
12 report, then we'll go through old business, new business
13 and some future business, and we'll have our stakeholders
14 meeting, we'll have a short break. Then from 1:00 till
15 4:00 we'll have our MCP workshop.

16 With that, the chief's report, please.

17 MR. DAY: No introduction.

18 MR. CLEARY: Sorry. Our introductions. I'm Scott
19 Cleary. I represent the general contractors, and I'm also
20 the chair.

21 MR. VAL: Charlie Val. I represent the Elevator
22 Constructors Local 19.

23 MR. MUNN: Daniel Munn, I'm representing the
24 committee for the architectural and engineering design
25 aspect.

1 MR. SPAFFORD: David Spafford, represent the City of
2 Seattle.

3 MR. DAY: Jack Day, State of Washington representing
4 the secretary position.

5 MR. BECKER: Keith Becker representing the owner
6 employed mechanics exempt from licensing.

7 MR. GAULT: David Gault, Paramount Olympic Hotel
8 representing the owners.

9 MR. CLEARY: Okay. With that, Jack.

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Chief's Report

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MR. DAY: Chief's report is next. This year the Department has had several employment challenges. We have had five inspectors retire this year which equals to approximately 25 percent of our staff, also two office staff replacements equaling 50 percent of the office staff. The knowledge that each employee has taken a mandatory 3 percent cut in hours also equates to 64 fewer hours per year per employee. By December the Department will be fully staffed again. We have one more position to fill. It will be filled by the end of the month.

However, this also means a lot of training in our future.

This brings us into the FY13 statewide annual scorecard. It looks like that.

1 Presently we are approximately 50 percent of our
2 target for completing annual inspections. Some of this is
3 due to the replacing of manpower and other losses. It
4 will take a few months for our new inspectors to obtain
5 the skills necessary to be considered full force. My
6 estimation is that with the current staffing and workload,
7 we'll be around 70 percent by June 2013. June is also the
8 end of our 3 percent hour reduction. And as long as no
9 additional forces limit our hours, we will gain 1,400
10 staff hours by the fiscal year 2014. So this will also
11 make some improvements on our annual chart.

12 Are there any questions before I leave the Statewide
13 Annual and Other Inspections Chart? It's a great chart to
14 show you where we're at with the workload that we have.

15 The next chart I'll be speaking about is the Accident
16 Chart. It's a graph that looks like this with the actual
17 numbers on the back.

18 On this chart I took the liberty of addressing the
19 accidents as an average over the past five years. If you
20 were to calculate it, the elevator not at fault equals
21 13 per year, the elevator at fault is 5.6 per year, the
22 escalator not at fault is 43 per year, and the escalator
23 at fault is 1.4 per year.

24 The elevator not at fault is on an upward trend, but
25 if you look at the 2012 data, which is not compiled for

1 the fourth quarter, it may turn out to be less for this
2 year. It will be less than 13. 13 is the average
3 throughout.

4 The elevator at fault appears to be relatively the
5 same, hovering around 6 -- 6 per.

6 The escalator no fault is skyrocketing. There's a
7 trend of substantial increase in this arena. Misuse,
8 luggage, not holding the handrails appears to be the
9 largest usage accidents.

10 The escalator at fault seems to be on a decline,
11 which is good news.

12 With this week being Elevator and Escalator Safety
13 Week, it seems an obvious target for improvement is the
14 escalators and their customers. It seems we have the
15 parties directly interested in public safety able to bring
16 something to the table next meeting addressing this
17 alarming statistic.

18 Is it a new law that's the only answer? I don't
19 believe that's correct. I think or I hope that there's
20 other avenues. We can have committees. Maybe we can have
21 a committee designated to the education and safety of the
22 escalator riding public. I wanted to ask, is there any
23 interested party?

24 MR. VAL: I'm interested. There is also a group
25 called the Elevator Rider Safety Foundation that we may be

1 able to reach out to for education materials and things.
2 What that rider foundation does is they actually have a
3 program to go to school children and have classes in
4 elementary school for elevator and escalator rider safety.

5 MR. DAY: Thank you, Charlie. I also believe that
6 without the involvement of the owners of these particular
7 facilities and some elevator companies to help get those
8 owners involved that this one person here isn't going to
9 achieve what we need to have achieved. I would hate that
10 we turn around and make some law in effect when probably
11 it's nothing more than the need for education out there
12 and to target the people or our citizens that need that
13 education.

14 MR. HENDERSON: I know we're a member of NEII and
15 NEII has quite a bit of stuff dedicated to the elevator
16 and escalator safety. I'd like to volunteer to contact
17 them and see if we can't get their support. I'm pretty
18 sure that they would be interested.

19 MR. McBRIDE: And I'll follow up on the suggestions
20 and get one and see if we can get some of our members to
21 participate.

22 MR. CLEARY: Is that something we can have at our --
23 Jack, do you want it by the next meeting or do you want it
24 before then?

25 MR. DAY: I think, speaking for -- I'll speak for the

1 Committee. It would be nice if we can have some plans in
2 place of what we can do especially by, you know, next
3 November. Every year this particular week is set aside
4 for a national elevator/escalator safety. I don't know if
5 folks are aware of that, but this entire week is set aside
6 for that. And it would be great if, by this time next
7 year, I mean, we can dedicate some folks and some
8 resources here that we have something squarely and solidly
9 in place that involves the people necessary and to get the
10 education out to others. I would like it if there was
11 some kind of committee formed to help everybody in what we
12 need to do, who do we need to do it with and how.

13 MR. CLEARY: Charlie, did you want to chair this?

14 MR. VAL: Yeah. I'll do that.

15 MR. CLEARY: I think we'll put a subcommittee
16 together. Charlie said he will chair it. And whoever
17 would like to be on it, we'll have a sign-up list today
18 and we'll get that and we'll structure that. And then --
19 Tom?

20 MR. McBRIDE: And then what I'll do is I'll reach out
21 to NEII like I indicated and get back and see if we can
22 add some more names to the list for those who may not be
23 here today.

24 MR. CLEARY: Dave, is that something that the
25 building owners and that stuff would be interested in?

1 MR. GAULT: Probably, yes. But I'm thinking a broad
2 scope here, yes, across all the owners.

3 MR. VAL: If it pleases the Board or the Committee,
4 we'll have a report at the next meeting.

5 MR. DAY: If you need some help setting that up,
6 Charlie, through our Microsoft Live or something, the
7 State would be more than happy to participate.

8 MR. CLEARY: Anybody else that wants to participate,
9 please just get ahold of myself or Charlie and we'll give
10 you the information.

11 MR. DAY: To continue on, in June 2008 the Department
12 made an effort to inform the residential incline elevator
13 community about the hazards of the known Rehmke safety
14 design. Some of you may recall a mechanical hook and bar
15 design that when triggered and releases the hook, that's
16 intended to capture a bar, thereby stopping the descending
17 elevator due to a loss in suspension.

18 Several customers have not responded, and apparently
19 there is little activity to remedy the situation.
20 Presently the Department is in the process of visiting the
21 known locations with the intent of removing them from
22 service. We would ask this community to actively call the
23 Department and set a plan in motion to correct the
24 situation prior to our arrival. Our desire is, as always,
25 a safe and functioning conveyance. We understand the

1 economics, but we have also had over four years to address
2 the situation.

3 Where is the Department headed? Business is moving
4 at a much faster pace these days and we see a need to move
5 in that direction as well. By the end of this year, we
6 will have outlined some of our first project improvements.
7 In 2013 we will begin a process of detailing those process
8 improvements. They may include new and alteration permits
9 and permit handling, annual inspection performance and
10 scheduling.

11 We have also moved into the realm of computer-based
12 meetings. The Department is very interested in education
13 in regards to this. We would like companies to prepare
14 Web-based training to present their new and unique
15 equipment to the elevator inspection personnel. We have
16 already been asked -- some have already been asked to
17 supply this training. Others, if you would like to get
18 your specific process in front of all the inspectors,
19 please call me. I would like to get you scheduled.

20 And basically, what this is is a one-hour
21 presentation that will be delivered over an Internet-based
22 communication to the inspectors at their field terminals.
23 The intent of this is to get your information how-to or
24 what-is-it into their hands at a much quicker pace than to
25 do this once a year at our annual meeting. So a lot of

1 you, especially MCP's, there's a few of you that have
2 already volunteered to do this. But other wares as well.

3 New equipment coming into your area, this is one of
4 the mechanisms that will get your information out there.
5 We have that set up. We had it tested. It works, so we
6 are ready to begin.

7 That ends the chief's report. Are there any
8 questions?

9 MR. McLAUGHLIN: Jack, I'm very interested in Rehmke
10 hook follow up. I have received two phone calls on this,
11 one from a family who told me they had received a card,
12 and it turned out that -- I had imagined a mailed card.
13 It turned out it was an inspector who had visited their
14 residence and just left his business card. The other one
15 was a fellow who apparently was in contact with your
16 office and Becky gave him my name. And I talked to him
17 for a while.

18 Can you amplify a little bit more on how you're
19 proceeding with this? Because the only contact I've had
20 was with two -- and I think we have, what, about three
21 dozen people on your list roughly? Somewhere between two
22 dozen and three dozen?

23 MR. DAY: Correct.

24 MR. McLAUGHLIN: And I don't imagine that list has
25 changed since the initial letter went out.

1 And I heard you mention that you're doing site
2 visits. Is this primarily -- are you doing a mailing to
3 them or just a site visit?

4 MR. DAY: At this present time we're doing a site
5 visit, but we are entertaining the thought of doing a
6 mailing again, as well.

7 MR. McLAUGHLIN: I heard your invitation to have this
8 community of two dozen or three dozen communicate, and I
9 didn't know whether you had -- you know, if you send a
10 letter to them, would you mind emailing me a copy so that
11 if I get more phone calls, I'll at least know what page
12 we're on?

13 MR. DAY: I will. I will.

14 And, Becky, I'll ask when you get that, can you keep
15 in mind we want to send a copy?

16 MR. McLAUGHLIN: I understand the Department's
17 frustration on this issue and appreciate the fact that you
18 made the outreach with your initial letter, and I'm
19 disappointed that you haven't had a better response.

20 MR. DAY: Yes. Very limited response to those
21 letters that we sent out. And it's not to say that we
22 don't want to work with that community because we do, but
23 we want to see a plan. We're going to need to see a plan.
24 And, unfortunately, you know, in order to get it to that
25 point, we're going to have to shut them off first to get

1 them to come to the conclusion that they need to get a
2 plan with one of the companies that provides the service
3 to fix the problem, but also making a site visit to see if
4 it's even there, is it still there. It could be gone or
5 they could have done something else with it. We don't
6 know. So those are some of the main reasons for a site
7 visit.

8 MR. McLAUGHLIN: Are you encountering any change in
9 ownership of any of these?

10 MR. DAY: I'm going to refer that question to
11 Mr. Metcalf because he's the one leading that.

12 Rich, are you thus far -- we've only been to a couple
13 -- a change in ownership, that you've noticed that?

14 MR. METCALF: Haven't noticed that in the two we
15 visited, but we're anticipating that's going to be one of
16 the issues.

17 MR. DAY: So yes, Bob, we'll keep you in the loop.

18 MR. McLAUGHLIN: Thank you.

19 MR. CLEARY: Any other questions?

20 MR. LEWIS: We ran into an owner change on that.
21 He's aware of it. He called us.

22 MR. DAY: Did he?

23 MR. LEWIS: Yeah.

24 MR. DAY: If you can keep us, if you can, or have the
25 owner keep us -- based off of this information I just

1 showed you, if you can have the owner keep us in the loop,
2 then it prevents a visit by us as long as we know what
3 their plan is moving forward and that they have a plan
4 with you or any of the other elevator companies. That's
5 what we want to know.

6 MS. ERNSTES: I have a letter that I gave to the
7 inspectors to hand the homeowners so that they'll have a
8 little more information of why we're at their door. That
9 was sent out last week to Michael. He's the one doing
10 this currently. Maybe others.

11 MR. DAY: Let's get that letter to --

12 MS. ERNSTES. Yeah. I can do that.

13 Also, we've been refused entry to shut one of these
14 off so we'll be taking further action to get that shut
15 down.

16 MR. DAY: Refusing us entry only delays the
17 inevitable.

18 MR. CLEARY: Any other questions?

19

20 Old Business

21

22 MR. CLEARY: We're going to move on now to old
23 business. Jack is going to speak to the MCP record series
24 and enforcement due date.

25 MR. DAY: So this is basically a reminder. The MCP

1 record series is, for all intents and purposes, in place.
2 We have expectations as far as those expectations are
3 known.

4 One thing about the record series is we're delaying
5 that until we adopt the 2010. We want it to be a
6 hand-in-hand kind of thing. So the record series itself
7 is being delayed.

8 But this brings me to another subject or another
9 point in regards to this. It's been a point of confusion
10 out there. This doesn't mean that you're not supposed to
11 have an MCP in place now. Your MCP, as we've outlined, it
12 is to be an 8.6 compliant MCP maintenance control. What
13 it means, it's supposed to include the 8.6 items as
14 outlined in our code today, intervals, and an indication
15 that that was performed by a licensed elevator mechanic or
16 other authorized person. So that's supposed to be in
17 place today right now. And we are, if you look down to
18 the last item on old business, it's the 8.6 pilot. So I
19 thought it best that I incorporate these two items
20 together during this discussion.

21 The 8.6 pilot is a series of events that I set in
22 motion back in June. And basically, it was to take two
23 inspectors, go out on a job site, figure out the best way
24 to enforce the 8.6 maintenance items on an MCP log. And
25 they looked at this across several companies. However, we

1 stuck with the hydraulic elevator. And so if you've all
2 seen that, you've probably seen that we -- you've seen
3 corrections based off the hydraulic elevator.

4 Those two individuals took their knowledge and
5 delivered it to another inspector who then evaluated that
6 and also put it into practice. They also did some process
7 improvements.

8 Those three inspectors took it to two other
9 inspectors who also reviewed that process, performed that
10 process and also did process improvements.

11 What we're doing is strategically going across the
12 state delivering this training to all elevator inspectors.
13 Our wholehearted position here is to be as economic as we
14 can be, meaning as straightforward as we can be about the
15 MCP, to have a standardized correction and a standardized
16 process for reviewing everybody's MCP.

17 At present we are a little over halfway through the
18 22 inspectors as far as this pilot project is concerned.
19 We still have about 10 other inspectors to deliver this
20 education to.

21 Our goal is to have all inspectors educated by the
22 end of the year. This means that our process will mean
23 we'll have a standardized process for evaluating 8.6
24 maintenance items on an MCP, and we are enforcing that
25 today. By the end of the year we should be on all four

1 corners of the state.

2 The next phase will be introducing the electric
3 elevator. We should start that by the beginning of the
4 year.

5 There is an instance where we are going to -- in a
6 specific locale we are going to also introduce the
7 escalator since escalators seem to be one of our largest
8 problems. We don't want to forget that and leave that to
9 the end of the year.

10 Are there any questions regarding 8.6 pilot and MCP
11 record series and the enforcement date of that?

12 MS. FILLIPS: Jack, do you have that on your Web
13 site? Do you have that pilot on your Web site?

14 MR. DAY: We do not have all this information that I
15 just explained to you on our Web site. All we have on our
16 Web site at this present time is a sample of what an MCP
17 generically would look like. That's all we have there.
18 However, we will soon -- I should explain this. We're
19 also going to work with the industry in developing a
20 letter to send out to all the owners in regards to what
21 this is, what it means to them and that kind of thing. So
22 we're working with them so that this can go out to the
23 owners as well.

24 MS. FILLIPS: Do you have any indication of how the
25 owners are going to integrate the various maintenance

1 components for different equipment in their system?

2 MR. DAY: How the owners are going to do that?

3 MS. FILLIPS: The elevator companies or the owners,
4 whoever is maintaining the records.

5 MR. DAY: Maintaining the records, I can speak to.

6 MS. FILLIPS: Will it be paper? Will it be
7 electronic?

8 MR. DAY: At this present time it will be paper. It
9 will be paper records. And per our draft rule, there will
10 be a certain length of time that they must be kept
11 on-site. And they will be paper at this time. That
12 doesn't mean we won't migrate away, but I think that's
13 another subcommittee.

14 MS. FILLIPS: Thank you.

15 MR. CLEARY: Any other questions? Is that it Jack?

16 MR. DAY: That's it.

17 MR. CLEARY: We're going to move on now to fire alarm
18 initiation devices. I believe we've been talking about
19 this for a while. Rob is not here today, so Dave, you're
20 going to speak to that?

21 MR. GAULT: We still are unable to get ahold of the
22 State, and Rob hasn't gotten ahold of me so we're still
23 trying to get in to see the state fire marshal. So it's
24 trying to get in to talk to them. So we haven't been able
25 to meet or talk. That's where the next step was is to get

1 into their office.

2 MR. DUIN: I spoke with Rob yesterday, and he
3 basically echoed the same thing David just said. He's
4 been unsuccessful at connecting with the fire marshal and
5 trying to get that first meeting to discuss what their
6 position is. So he was suggesting that -- he's got a list
7 of people, David and other people who are interested in
8 being on the committee he was just going to contact and
9 start a review of the applicable code starting next month
10 and just work through that on a monthly basis until they
11 get through it completely. And then if he ever is
12 successful in getting the fire marshal to meet with them,
13 they'll integrate that into the discussions.

14 MR. CLEARY: Jack?

15 MR. DAY: I would encourage that from the
16 subcommittee. If entities don't want to participate,
17 we'll utilize the entities that do. I would assume that
18 we've gone down an avenue of larger city, maybe fire
19 marshals or fire jurisdictional authorities to see if a
20 few of them may want to be involved. That would be an
21 acceptable replacement.

22 MR. CLEARY: We need to do something to move this
23 off. We've been kind of high centered for a long time
24 with this topic. So, Jack, we really need to do something
25 to get this and get this off of old business and figure

1 out what we're going to do with this. So we need to get
2 whoever wants to be involved involved, and who doesn't,
3 they're not. And then they're going to have to pretty
4 much comply with what it comes up with.

5 So we've been -- you look back on our records, we've
6 been dealing with this topic for over a year now. So we
7 need to get some movement on that.

8 MR. DUIN: I know that's Rob intent is probably right
9 after Thanksgiving to contact the list of names that he's
10 got, have a meeting in early December, early/mid-December
11 have that first meeting and have a couple meetings done
12 and some progress on it by the next stakeholders meeting.

13 MR. CLEARY: Bill, do you have any other
14 recommendations to help wedge this free a little bit and
15 get some movement on it?

16 MR. WATSON: No. Other than I think it's easily
17 possible to get the fire marshal's office in Seattle to
18 participate.

19 MR. DAY: Bellevue.

20 MR. CLEARY: Okay.

21 MR. DAY: And maybe a smaller jurisdiction if we
22 could get a smaller jurisdiction in there.

23 MR. WATSON: How about Dave Beste --

24 MR. DAY: Yeah. Bellevue.

25 MR. WATSON: -- a captain in the Bellevue fire

1 Department. He's also on the Emergency Operations
2 Committee.

3 MR. DAY: I think he's been asked.

4 MR. CLEARY: I think so too.

5 Any other comments or feedback on that?

6 So, Mark, you'll help with that, and Rob?

7 Jack?

8 MR. DAY: I would like to echo Scott's concerns.

9 This has been at our table. And if we really went and
10 looked, it's been there a couple years. And I would
11 really like to see that by next -- by February, which is
12 our next meeting, that there has been some movement,
13 there's been some meetings at least outlining -- outlining
14 where this group is heading. If we could do that, that
15 would be great. Otherwise, I think we'll set up a
16 different committee to come up with a conclusion of what
17 needs to happen.

18 MR. CLEARY: I'll take some initiative to help push
19 some things through to help with Rob. We just need to get
20 some movement on it and get it off the old business.

21 Any other comments, feedback or questions on that?

22 Okay. Let's move on to penalties.

23 MR. DAY: Penalties, 90, 180, 270 and 360. This is
24 one of the items that's been delayed, it's been postponed.

25 We are keeping track of the civil penalties from

1 July 1, 2012, but our system for initiation has not been
2 repaired as of yet. It is an IT solution that has not
3 materialized. It is probably scheduled for the beginning
4 of the year, sometime in the beginning of the year to be
5 initiated. So I really don't know exactly when it will
6 other than I've gotten promises that it's the beginning of
7 the year, but I also got a promise that it would be
8 July 1st too.

9 So without much more information than this, I just
10 want people to be -- to know and be prepared that when
11 this is fixed, I will be sending out a communication that
12 it is working, and at that moment we will be starting on
13 our backlog of any civil penalties that have arisen from
14 July 1st through the time that this initiates.

15 What this means is your customers that have not
16 gotten their corrections to us must proceed forward. So
17 they have a little bit of leeway at this time. Let's call
18 it a grace period instead of IT hoopla. However, it still
19 needs to be tackled, and we will be addressing that.

20 Some people may not know, hopefully everybody in this
21 room does, but you can log onto -- one of our links on our
22 Webpage for the building owner is that they can put in
23 their building name or their conveyance number, they can
24 click on the conveyance number and they can see the
25 corrections and they can see if they're still outstanding

1 or not. So the information is out there at everybody's
2 fingertips to just go look.

3 Are there any questions regarding the civil
4 penalties? I apologize for that. I know a lot of people
5 were counting on that.

6 MR. CLEARY: Becky?

7 MS. ERNSTES: I used to get a lot of calls to send me
8 those inspection reports. You can also print your own
9 inspection report in the same format it got sent to the
10 customers off that Web site. So you no longer need to
11 call us if you didn't get your report. You can go on the
12 Web site and print it.

13 MR. DAY: Or you lost your report.

14 MS. ERNSTES: Yeah. They get lost or don't have it
15 or didn't get -- some of the elevator companies don't get
16 it from their customers but they know we've been there, so
17 you can now print it from that site.

18 MR. CLEARY: Any other questions or feedback?

19 We're going to talk on the adoption of the ASME 17.1
20 and 18.1 process that we've been going through.

21 I just want to echo what we've talked about a little
22 bit before is that if you noticed, Jack spent a lot of
23 time on these issues and so we need some feedback from the
24 stakeholders too on a lot of this. So please participate
25 a little bit and give us feedback because we need to start

1 moving forward on some of these issues. And if we don't
2 get feedback, the Committee will go ahead and start making
3 recommendations to the State, and we want everybody's
4 feedback on it. It's been pretty quiet out there for
5 feedback on a lot of these issues we've been talking
6 about. So please participate.

7 Jack?

8 MR. DAY: A few months ago we released what's called
9 a CR-101 which was Draft 1 of the WAC 296-96. In that
10 period of time from that release we've received about a
11 dozen different entities who commented. We're finished
12 with the comments. We've returned those comments. We've
13 addressed all of the items and we have made edits to WAC
14 296-96.

15 This means we incorporated some of the items.
16 Speaking to some of the items we're incorporating, it's
17 changing some of the language around the adoption of the
18 A17.7. One of the things we want to do with A17.7 is once
19 we have a product approved or that's gone through that
20 A17.7 process with us, we do not want each item after that
21 to become a brand-new variance over and over and over
22 again, meaning if an elevator company submits that first
23 ACO [phonetic] -- it's called an ACO certificate -- and we
24 go through that process, we basically want that particular
25 process to then be a piece of our adopted standard or

1 adopted code here, thus allowing this not to be a variance
2 every single solitary time.

3 So there's language in there. That's basically how
4 it's been changed to incorporate that thought.

5 There's also language if you change anything on that
6 ACO certificate, you must resubmit it. So just because
7 you do it once, if you change something, you have to do it
8 again.

9 There's a few other things that were changed at the
10 owner's request. These were basically to nail down the
11 fact that the owners don't want to be the only entity
12 responsible when an MCP failure has occurred because of
13 the elevator company's lack of want, desire, capability or
14 performance in development of or carrying out an MCP. So
15 they feel that this is very unfair they're the only ones
16 holding the brunt and the burden of the MCP not being
17 delivered properly to them. So the language has been
18 expounded a little bit to care for that particular issue.
19 The State does agree with this. The State believes that
20 all elevator companies should supply -- be able to supply
21 an MCP to an owner and to carry this out.

22 But there are remedies for solutions. For you, as
23 elevator companies, there is a remedy for a solution of
24 this so you're not just going to get hammered and slapped
25 down immediately. You have a course of action to do if

1 you're found deficient in an MCP.

2 One of the things that we also wanted to do, there
3 were some housekeeping issues in WAC 296-96. There were
4 also some other issues that previously a stakeholder had
5 delivered and they had wanted changes but we could not do
6 either of them because of the Governor's moratorium that
7 ends December 31st of this year.

8 With that, we deleted the current CR-101. Today, on
9 today's date, November 20th, we will get signed a new
10 CR-101. So there's a new deadline. Basically, what this
11 means for everybody is there's a new deadline for the
12 adoption of this code.

13 And that deadline, unfortunately, is going to be
14 sometime between May and it could possibly move into June.
15 The biggest stumbling block we have here is the entity
16 that types up all this draft rule, they're very backlogged
17 because of the Governor's moratorium. There's many other
18 agencies and departments that are also pursuing similar
19 rule change, so they're swamped. And this date and where
20 it will go all depends on how soon that entity can get
21 through their process of typing this up. They have to
22 type this up word for word, comma for comma, period for
23 period and the whole thing. So don't ask me why. I asked
24 already.

25 MR. CLEARY: Jack, can you give us a brief overview

1 for people that might not know what a CR-101 is?

2 MR. DAY: A CR-101, is what is delivered to the
3 Department of --

4 MR. GAULT: CR, continuing resolution.

5 MR. DAY: Yes. No. Oh, shoot. Becky? Do you --
6 oh. Yes. The code revisor. Thank you. It's delivered
7 to the code revisor's office and signed by them which is
8 an intent to change the rules. That's what a 101 is. So
9 we put in our intent to change WAC 296-96.

10 MR. CLEARY: Now, we've talked a little bit. Now,
11 you're pretty confident that because -- everything's been
12 pushed a little bit to the right because of the floodgates
13 opening up to a certain extent, but we're pretty confident
14 that we'll be able to meet that June or July -- or June,
15 and things usually don't take effect until July 1,
16 correct, if it's that June date?

17 MR. DAY: Well, we'll have the option at that time of
18 moving and saying July 1st.

19 MR. WHEELER: I think that the previous CR-101 was
20 sent out to the stakeholders via e-mail for review. Will
21 that happen again or will we have to go to the Web site to
22 pull that? How can we get a copy of the revised 101?

23 MR. DAY: What I've created is a Draft 2. The
24 Draft 2 is going to have to go through more hands, but my
25 intent is to also release it to -- that's not a 101. But

1 my intent is to release the Draft 2 to the community at
2 large so that they can -- they can see it.

3 There's a couple other folks that need to go through
4 it first before I can. I did ask this morning as I was
5 heading out of the building of when that might happen.
6 And so most people are fairly confident that by the middle
7 to the end of December that I'll be able to release it as
8 a general document to the stakeholders again.

9 MR. WHEELER: Thank you.

10 MR. DAY: So that's the anticipation of releasing it,
11 sometime in that time frame.

12 MR. McBRIDE: And I just want to take a moment to
13 thank the Committee, Jack and the Agency for releasing
14 that earlier version of the rule proposal before you had
15 to. It has to go out with the CR-102, but you released
16 that early. And based on the volume of material, it was
17 very helpful to have that extra time to review. So thanks
18 to you and your team.

19 MR. DAY: And we plan to do it again in a similar
20 fashion. We want you to know what's coming up. That's
21 the whole intent so you know what's coming up. If you
22 have a better mechanism or better way to word it or you
23 see an error in what we've done, this is a great time to
24 capture that or to change the language a little bit to
25 better suit what your needs are, based on the intent of

1 that rule.

2 MR. CLEARY: Are there any questions on timeline or
3 anything else that's laid out here? No?

4 Jack, anything else on that?

5 MR. DAY: Hu-uh.

6 MR. CLEARY: We're going to move on with Keith. He's
7 going to talk about existing machine rooms and enclosures
8 and access to machine rooms.

9 MR. BECKER: We have a subcommittee. We've met twice
10 so far to discuss. Our goal is -- originally was started
11 within the ag. sector in our grain facilities and our
12 conveyances. And some of these are old, and in some cases
13 access to machine rooms is not in a safe manner for
14 inspectors or people working in these areas. And so
15 generally, it initiated the process.

16 What our goal is is to create some language that will
17 address access in all conveyances, that it's not specific
18 just to our special service manlifts or whatever it is,
19 something we can use in -- for all -- across the board.
20 We are evaluating existing WAC's right now to try to break
21 down each one, try to get language in there, find parts of
22 it that will give us that direction or allow us to give
23 that direction and then to determine if we have conflicts.

24 Right now we're looking at an agricultural WAC. It
25 actually -- in some cases it says it supersedes other

1 WAC's, but in no cases so far have we found where -- I
2 mean, what needs to be safe, needs to be safe. One of the
3 things we're running into is, in our case, some of these
4 facilities were built in the '40s. We've kind of operated
5 on terminology that we're grandfathered in. Grandfathered
6 in has kind of gone away. If it's not safe, it's not safe
7 and we've got to create safe access in all of these areas.

8 So that's what we're working on. It's a slow
9 process. Everybody's got a lot of things going on. We're
10 trying to meet at least a couple times a quarter. We just
11 really addressed one WAC so far. As we get a little
12 farther in and we've got something to give out, I think
13 we'll do that, make it -- get some help from the group and
14 from the industry. But right now it's just plugging away
15 trying to evaluate.

16 We don't really want to create new WAC's if we don't
17 have to. If we can just utilize things that have already
18 been established -- and we're awfully vague in our wording
19 for our machine rooms and those access areas. It's just
20 in some cases they don't even exist, not even addressed.
21 So we need to have wording, we need to have some direction
22 from the inspectors, from everybody involved and give
23 owners some direction. And in some cases an RCW just
24 doesn't tell you much. There's got to be something
25 better. And in some cases they do.

1 So that's what we're working on. Like I say, it's a
2 slow process. Everybody's got a lot of stuff to do. But
3 establishing that language and addressing any conflicts
4 with any other WAC's, that's part of what we're working on
5 right now.

6 MR. CLEARY: Have you guys defined some deliverables
7 and deliverable dates that you want to try to meet on
8 this?

9 MR. BECKER: We have not. We've got dates where
10 we're meeting. We have not really come up with some dates
11 where we will have all of the WAC's we want to look at
12 addressed. Hopefully in the next quarter, by the next
13 meeting we can have some.

14 MR. CLEARY: It would be good to have some
15 deliverables and dates so we can figure out how to get
16 closure on some of these things and get some answers.

17 Jack?

18 MR. DAY: This particular process, what we're doing
19 is reviewing -- first we reviewed an industrial access
20 code. And we went through -- and it was quite a lengthy
21 code. Do you remember the name of it?

22 MR. BECKER: 96-307.

23 MR. DAY: 96-307. A whole lot of WAC's, but which
24 ones were applicable to what we do. And that's what we
25 did. We pulled them out and we put them in a Word

1 document.

2 The next thing we're going to be going through is the
3 State's fixed vertical ladder code. We'll be going
4 through that and pulling it off WAC's.

5 So at this time, to deliver folks something at this
6 time, it's just going to be, hey, we like this, we move it
7 over and we put it into a Word document. It's going to
8 take probably two months or so, maybe more, to get through
9 the fixed ladder code and do a similar thing. So I'm not
10 sure that we'll have much but a laundry list of codes that
11 might or might not work by February. We could deliver
12 that, for sure.

13 MR. BECKER: Right now we're creating something that
14 is probably 10, 15 pages long -- 10 or 15 pages long.
15 We've got to have something we can write on a napkin when
16 we get done. It's just got to be brief and to the point,
17 give that direction. And right now there really is a lot
18 of stuff. But hopefully, by next quarter we've gone
19 through another WAC and we can -- it will be a little
20 easier for us to kind of get some direction.

21 MR. CLEARY: One of our stated goals when we talked
22 about this in February, our old business column is
23 starting to get large again and so we really want to make
24 sure we do everything we can to shrink that down so we can
25 keep introducing new topics and new business that

1 everybody can get involved in that's important to them.
2 So we just want to try to make sure that we can get that
3 moved.

4 Anything else? Any other questions on that?

5 Jack, now you talked about 8.6 --

6 MR. DAY: I did.

7 MR. CLEARY: -- so we'll go past that.

8 We're going to talk about the educational policy.

9 And some of us participated on the subcommittee that we
10 had a year ago. And we're going to talk about that.

11 Everybody should have a copy of it.

12 MR. DAY: There should be a copy right here. It's
13 also on our Webpage.

14 What you have in front of you is a collaboration of a
15 subcommittee's diligent efforts starting back in 2010.

16 And I believe you guys finished in 2010, right? Somewhere
17 around there.

18 MR. CLEARY: Yeah.

19 MR. DAY: Don't quote me for sure.

20 Anyway, their efforts in putting together the
21 information necessary for those in training to be able to
22 sit for a license in the State of Washington, the first
23 page is the purpose and description. I won't read all
24 this to you. It's in front of you. You can read it at
25 your leisure. But you should, if you have employees in

1 training or intend to have employees in training, go
2 through this thoroughly.

3 The next item is documentation of work experience.
4 The group got together to define this. So these rules and
5 these hours and how it's to be documented is defined by
6 the subcommittee. The subcommittee, through all this,
7 delivered to this Committee, this Committee delivered it
8 to the State, and the State has adopted it as a policy at
9 this time.

10 So yes. We will be looking for documented work
11 experience.

12 And the next thing down the line is obtaining
13 recommended educational credit requirements. You see a
14 list of five items here: Formal college, online courses;
15 national elevator training programs such as NEIP, CET/CAT;
16 company training programs including company and
17 manufacturer specific conveyance training; the last item,
18 existing or past education training.

19 I want to talk about the No. 4 and No. 5. No. 4 is
20 going to be company-specific training where the company
21 has put together a program to train their employees, and
22 it's documented training, it has a syllabus, it has a
23 series of events taking place. It's not just a
24 hither-and-throw-together kind of "I'm going to train my
25 employee today for five minutes and I'm going to document

1 it down." That is not going to work. Don't do that. The
2 Department will be reviewing those. And from time to
3 time, other people want to see what has been -- what has
4 gone on so that they have a check and balance in what we
5 approve or don't approve.

6 So you must, on No. 4, have a specific training
7 regimen, times in place, syllabus together for educating
8 your personnel. And you must show it to us.

9 No. 5, existing or past education training. So when
10 you go through some of this documentation, you'll see that
11 there's electrical education necessary both safety and
12 specific to AC/DC theory and other types of processes. We
13 do feel if you come into this workforce with a journeyman
14 electrical certificate that you probably have met most of
15 those things, so we would accept something like that in
16 lieu of that type of education. But again, only where
17 that specific thing comes into play such as an iron worker
18 may have already had education on rigging and hoisting.
19 Maybe not the specifics about hoisting a rail, but they
20 have education on hoisting beams. So this is very
21 similar. So we may take iron worker into case, or, like
22 No. 5 says, as education that may replace some of that,
23 the education outlined here.

24 Everybody understand that? Okay.

25 The next item documents training. And the rest of

1 this has everything to do with training.

2 The first thing you'll see in our graph down here is
3 License Category 01 through 08. You will notice that it's
4 missing 05. Category 05 is material lift. It's not held
5 to the same criteria per RCW so it is not in here. It is
6 a different process all together. We are not addressing
7 material lifts.

8 You'll notice that Category 09 is not in here.
9 Category 09, you must -- what license are you seeking?
10 You must have 75 percent completion of that process before
11 you can have a temporary license in the State of
12 Washington.

13 The rest of this, the next line down underneath the
14 category numbers is the total number of hours per year
15 that training must be established to.

16 The next line is how many years of education that the
17 RCW and WAC requires. So the first line, 144 hours per
18 year times 3 years is 432 total documented hours. That's
19 what you must be providing. Remember my earlier -- the
20 earlier talks about documented hours. They must be
21 documented.

22 And this goes across for each category. You'll
23 notice most of them take graduating steps down in the
24 total number of hours.

25 The next item which is labeled Course 1 there at the

1 bottom of your page, it does continue to the next page.
2 And I'll only go through Course 1 for this particular
3 exercise.

4 Course 1 outlines the subject matter contained into
5 Course 1. For Category 01, Category 01 needs to have
6 5 percent of their education needs to be based off of the
7 items in Course 1 which equates for Category 01 to be 22
8 hours. You must have 22 hours of documented education and
9 training for some or all of these courses outlined in this
10 particular Course 1 curriculum.

11 This goes on to similar when you look at Course No. 2
12 on throughout the remaining courses is exactly how they're
13 put together. So as you complete these courses, this is
14 the hours you need, and these are the ones that need to be
15 documented.

16 The last thing, the two last things I wanted to talk
17 about on this are the very last -- on the last page,
18 page 8, I want to be very specific and make sure people
19 understand this. On March 1, 2011, temporary licenses
20 will be granted to those individuals that have 75 percent
21 or more of both documented work experience and educational
22 training within the category they seek. You can only work
23 within the category. You can only do that work within the
24 category you seek, only within the education that's been
25 delivered to you.

1 So you don't go think you're going to have a Category
2 02 work experience and work on an escalator. That's not
3 going to happen. And that work won't be applied if you
4 happen to do that. And be careful. You may end up with a
5 civil penalty because of it. So you must stay within the
6 documented training for the work you're doing.

7 The last thing I have is any questions in regards to
8 this?

9 MR. WHITED: How about for people who train their own
10 people? Are we going to have a license for them? What's
11 the status there?

12 MR. DAY: Jerry, to be a little bit more specific, I
13 think you're referring to people that are outlined by RCW
14 70.87.270 such as people performing work on grain storage
15 facilities and power-generating plants. Am I correct?

16 MR. WHITED: That's correct.

17 MR. DAY: The RCW doesn't require or outline that
18 those people have a license, so they will not get one.

19 MR. WHITED: Thank you.

20 MR. DAY: And this doesn't really cover those folks.

21 MR. CLEARY: All the categories, I think, other than
22 number 03 requires that experience that you glean be in
23 the state of Washington, correct? So if you do do your
24 training under CAT or NEIP or CAT, there will be
25 reciprocity if they glean that like-for-like in another

1 state, the CAT?

2 MR. DAY: Hu-uh.

3 MR. CLEARY: Or does that still got to be gleaned in
4 the state of Washington?

5 MR. DAY: That's one of the subjects we're about to
6 breach under new business. But at this present time, no.
7 The WAC requires that an individual must work for three
8 years for a company licensed to do business in the state
9 of Washington. That's what it says today.

10 MR. CLEARY: And so that's really key. That's really
11 important to realize that with your training programs is
12 they've got to be in the state of Washington.

13 MS. ERNSTES: Actually, if you have a national
14 certification, you did not have to work in the state of
15 Washington.

16 MR. DAY: This isn't about national certification.

17 MS. ERNSTES: But that's part of your question.

18 MR. CLEARY: Part of the question is if we go under
19 -- adopt a CAT program.

20 MS. ERNSTES: We already have. We already recognize
21 the CAT/CET because it is a nationally recognized program
22 by the federal government. So currently, if you bring
23 forth a union certificate that you passed a mechanic's
24 exam or you passed the CET/CAT, then we give you a license
25 no matter what state you were working in when you got that

1 certification.

2 MR. CLEARY: That's where I --

3 MR. DAY: The word you used was "reciprocity," by the
4 way.

5 MR. CLEARY: And we don't have reciprocity.

6 MR. DAY: Just to clarify.

7 MR. CLEARY: There's language in WAC about
8 reciprocity. We just don't have it.

9 MR. DAY: We don't.

10 MR. CLEARY: But with CAT, we could.

11 MS. ERNSTES: Well, we don't need it because the rule
12 says that you get --

13 MR. DAY: With CAT, with a nationally recognized
14 elevator education program, which CET is now part of, then
15 -- that it follows the same guidelines as NEIP.

16 MR. CLEARY: Bill?

17 MR. MORRELL: Just a point of clarification. Recent
18 research on my part with the National Association of
19 Electrical Contractors, the CET program is nationally
20 recognized. CAT program is not. So, you know, you need
21 to consider that -- I need to consider that. Because even
22 if I entered into the CAT program, it wouldn't be
23 recognized by the State. If I completed or have my people
24 complete the process, it would not be recognized by the
25 State.

1 MR. DAY: What state?

2 MR. MORRELL: Washington State.

3 MR. DAY: Yes. It -- under No. 3 -- No. 3, first
4 page, page 1, No. 3, we will also recognize CAT as part of
5 your training program or as your training program as a
6 whole. This does not mean there will be reciprocity at
7 all, but it means that we will recognize it but you'll
8 still have to take a test.

9 MR. MORRELL: With what I thought was said was that
10 if you complete the CET program and present that
11 certificate, you would be allowed a license like the
12 national union program. What I'm saying is that, yes, it
13 would be a part of this training, but if I completed a CAT
14 program, it would not be -- I would not be getting a
15 Category 02 license with that. It would only be a part of
16 the total training. So it's not a straight, across the
17 board, complete the course and here's your license.

18 MR. CLEARY: And it doesn't qualify you for the
19 license. It qualifies you to sit to take the test for the
20 license.

21 MR. DAY: It would qualify you to sit to take the
22 test, Bill.

23 MR. MORRELL: But if I was a -- if I was applying for
24 a CET --

25 MR. DAY: I'm sorry?

1 MR. MORRELL: If I was applying for the CET, okay, I
2 would not have to take the test if I completed the course.

3 MR. DAY: That's correct.

4 MR. MORRELL: Because that's a nationally recognized
5 program.

6 MR. DAY: That's correct.

7 MR. MORRELL: That's the difference.

8 MR. DAY: That is the difference.

9 MR. CLEARY: Charlie?

10 MR. VAL: It's my understanding that the CAT and the
11 CET program qualify you to take the state mechanic's exam.
12 That was my understanding. And so if it's going to be
13 different, I need to find out when it changed.

14 MR. DAY: The CET, per RCW, a recognized --
15 nationally recognized education program, CET is a
16 nationally recognized elevator training program, that
17 people do not -- if they complete the CET through its
18 process, all of their process, then that means that they
19 don't need to sit for a test for the State of Washington.
20 CAT, as Bill pointed out, CAT, certified accessibility
21 technician, would need to sit for our test because it is
22 not, at this present time, a nationally recognized
23 elevator training program.

24 MR. CLEARY: But it would allow you to qualify to sit
25 for the test.

1 MR. DAY: Once completed, it will qualify you to sit
2 for our exam.

3 MR. WATSON: So I think what Charlie is saying is
4 originally the NEIP program was the only one that was a
5 nationally recognized training program.

6 MR. DAY: That's correct.

7 MR. WATSON: So apparently, in the meantime,
8 someplace down the road, CET became a nationally
9 recognized program.

10 MR. DAY: It did.

11 MR. WATSON: And I think that's what Charlie's asking
12 is how did that happen or when did it happen or something
13 like that.

14 MR. DAY: I don't have the details of either one, how
15 that happened or when it happened. I wasn't involved with
16 CET in any way, shape or form becoming nationally
17 recognized. I didn't follow it and I don't know how it
18 became. Through the federal process of it, I guess. But
19 when --

20 MS. ERNSTES: Five or six months ago.

21 MR. CLEARY: Yeah. It was this year.

22 MR. DAY: It was sometime in 2012, earlier this year.

23 MR. MORRELL: If it's any consolation to you,
24 Charlie, an organization that wants to undertake training
25 employees under the CET program and they're currently not

1 a CET -- they do not have a CET categorized person, okay,
2 it's by rules of the National Association of Elevator
3 Contractors, it is really difficult. You know, I, for
4 example, would not be able to do that because prior to
5 2004, I do not have the required number of hours as a
6 Category 01 to be able to -- I wouldn't be able to
7 document that to take -- you know, to do that course. And
8 then if I was recognized as a CET certified person, I
9 would have to become certified as a CET trainer. And
10 that's another process.

11 And so, you know, when I'm having a conversation with
12 appropriate people of the National Association of Elevator
13 Contractors, basically what's running through my mind is
14 how I would be able to even train my people under either
15 one of those two programs because of the prior
16 requirements that you would have to document prior to
17 2004.

18 So, you know, yes, you can buy those courses, you can
19 take the courses, you can buy the books and training and
20 utilize it under the program of which it's being outlined
21 as policy in the state of Washington. But to get that
22 certified -- certification so that you can walk into the
23 state as a CET and get the certification -- is that not
24 true, Scott?

25 MR. CLEARY: Yes. You have to get your requirements

1 if you didn't get in before '04 to be grandfathered.

2 There are some strict requirements.

3 Any other questions? We're running a little bit late
4 and we need to move on a little bit to new business. Any
5 questions? Okay.

6

7

New Business

8

9 MR. CLEARY: The first thing we want to talk about is
10 acceptable LULA applications. We talked a little bit
11 about this at the last meeting, kind of redefined it a
12 little bit and want to bring it to the stakeholders and
13 talk a little bit about it.

14 Basically what we want to do is we're trying to give
15 some advice and guidance to the Department. If you read
16 on page 4, WAC 296.96.02590(1), LULA's may be permitted in
17 churches, private clubs and buildings listed on the
18 historical register that are not required to comply with
19 accessibility requirements; (2), installation of LULA in
20 existing buildings that are not required to comply with
21 accessibility requirements will be considered on a
22 case-by-case basis by the Department.

23 Well, that's one thing that we're looking -- the
24 Department is seeking advice and instruction on (2). (1)
25 is pretty clear, (2) is pretty ambiguous so we're trying

1 to get some clarification on getting rid of that and then
2 opening it up a little bit on applications of LULA's.

3 One of the things that we talked about is buildings
4 that are using VPL's and IPL's for that application and
5 are not doing it to meet an ADA requirement, I would like
6 to recommend that we expand the use of LULA's. The
7 technology has gotten very good, and it gives building
8 owners an opportunity, I think, with a better piece of
9 equipment than an enclosed VPL. So that's kind of what
10 I'm seeking some feedback from everybody on.

11 But that's kind of the course that we're trying to do
12 with this LULA discussion. And we want to get rid of the
13 ambiguity and we want to open it up a little bit, not to
14 meet ADA but to meet the requirements that are being met
15 now by IPL's and VPL's. And they'll be limited in scope.
16 That's something that needs to be defined. They'll also
17 be limited in height and travel.

18 Jack?

19 MR. DAY: One of the reasons the State wants to open
20 this (2) up is because at this present time when a scope
21 is let, companies have no idea what to bid on for this.
22 So they're basically relished or forced into the mode of
23 vertical platform lift. And so what we would like to do
24 and what we recognize is the device itself has come quite
25 a ways, for instance, since the days of old. And in its

1 place, what we're doing in its place is making people put
2 a VPL in, a vertical platform lift, when a LULA could
3 suffice. A LULA will fit the bill, a LULA will do what is
4 necessary there; however, a company doesn't dare bid on it
5 because they don't know how the jurisdictional authority
6 will rule on (2), will we allow it or not. Well, at that
7 present time they've already ordered it, most likely,
8 because the stages of business today are quite quick.

9 So we want to put something -- if we're going to move
10 forward, we either need to do one of two things: remove
11 it in its entirety so it's just as (1), or we outline how
12 it is to be used in other locations instead of leaving it
13 open-ended at the desires or wishes of the Department.

14 So that's the course and that's where we're at.
15 Scott has given -- Scott and others have given a good
16 argument, and I believe we should explore it, explore this
17 avenue.

18 MR. GAULT: LULA is -- you've got to remember we're
19 all on different acronyms, and when you start doing --

20 MR. CLEARY: Limited use, limited application.

21 MR. DAY: LULA is limited use, limited application,
22 meaning you can't put this type of lift in a situation
23 where it's going to get a lot of traffic. That's
24 certainly not limited. If you put it as one of your main
25 capabilities to get to an upper level in a facility,

1 that's the wrong use for it. It is a limited-use device.

2 MR. CLEARY: And it's not to replace passenger
3 elevators or to do it in a cheaper method. It's for where
4 you have space limitations, size limitations and very low
5 use.

6 Lyall?

7 MR. WOHLSCHLAGER: The intent is to keep it for
8 existing buildings, though, and not open it up to remodels
9 where VPL or an IPL might be put in?

10 MR. DAY: The whole (2) is up for discussion. (2),
11 installations of LULA in existing buildings, the whole
12 thing is up for discussion, including that.

13 MR. WOHLSCHLAGER: Including that. Okay.

14 You know, I think there's a lot of applications out
15 there that would be acceptable places for LULA's to be
16 used then.

17 MR. DAY: So what I wanted to know, and I put that
18 down here, building occupancies, the type of occupancy it
19 is, should that be a limitation; the building type, the
20 type of building, should that be a limitation; obviously
21 the use, outline what this use is; and rise limitations,
22 should there be a limitation in how high this goes.

23 MR. CLEARY: Well, by code right now Section 25 is 25
24 feet. So yeah.

25 MR. DAY: It is, but we may --

1 MR. CLEARY: Lower it?

2 MR. WATSON: In the City of Seattle we do a lot of
3 plan review on -- building plan review prior to an
4 elevator permit application, and we have some people that
5 we would call our accessibility gurus. I can give you the
6 name of the guy in Seattle that deals with this over and
7 over again and the way they've gone forward with this. So
8 maybe you can be consistent or find out what they're --
9 how they're looking at these applications.

10 MR. CLEARY: Can you talk a little bit about how the
11 city has dealt with these conveyances in the past?

12 MR. WATSON: Well, it hasn't been the elevator
13 section's call as to where they go. It's been somebody
14 else who looks at accessibility requirements for buildings
15 and tries to determine if there's conflict in codes and
16 whatever, you know. There's also a WAC rule that says if
17 you put in an elevator in a building that's required to be
18 accessible, it has to be a certain size where you can spin
19 around and stuff like that in a wheelchair, so trying to
20 get a lift like this that's accessible in one way to meet
21 some of those requirements and not conflict with the other
22 code that's in place already.

23 So in Seattle a lot of times in a small building it's
24 not required of have an elevator but it's still required
25 to be accessible, you know. Where you may have a

1 two-story building and there's something on the second
2 floor that has to be accessible, they've allowed a LULA
3 elevator in place of a VPL or an IPL. Because the
4 thinking is that even though it's a VPL that's the
5 requirement for something like that, a LULA elevator is a
6 much safer, better-designed piece of equipment that would
7 work out better in that case.

8 MR. CLEARY: You stated it very well. That's kind of
9 the discussion we're --

10 MR. WATSON: I'll give you this guy's name and
11 number. I have the name but not the number. But if
12 somebody from your crew is interested, he can at least
13 speak with them and see what they're thinking is and how
14 they're approaching on that stuff.

15 MR. CLEARY: Charlie?

16 MR. VAL: Last meeting when we had this conversation
17 I took a shot at Scott and wanted to apologize for that,
18 and I told you that I would.

19 So what we were talking about at the last meeting was
20 that a lot of times when we're talking about these
21 different conveyances, if a commercial conveyance doesn't
22 fit or there's not enough room to put something in, then
23 we need to change these rules. And I don't think it's a
24 good place to go. I believe that if you're going to have
25 a commercial application, you need to put in a commercial

1 conveyance. And because you don't have the space is not a
2 reason to change the rules.

3 And the other problem that I have is that we don't
4 know what those buildings are going to be in the future.
5 So we might have -- we might put one of these conveyances
6 in somewhere and it becomes a department store or it
7 becomes some kind of store where they're going to use that
8 for a freight elevator or they're going to use it for
9 hauling material. So the codes that we have are there for
10 a purpose and a reason, and we wind up going into a bad
11 spot and we wind up trying to make something fit when it
12 doesn't actually fit there.

13 MR. CLEARY: And that's everything that needs to be
14 discussed. We don't want an (inaudible) application or an
15 unsafe situation for high volume.

16 Becky?

17 MS. ERNSTES: Well, I think, Charlie, that we can't
18 change the building code, okay? So that's the first thing
19 we have to look at. The building code already tells you
20 when you need a commercial elevator. The building code
21 tells you when you can put a VPL or an incline platform
22 lift. So I think if we start with those kinds of
23 guidelines, then we'll stay within the structure of the
24 IBC and we won't get into the kind of situations you're
25 talking about.

1 MR. CLEARY: Any other questions?

2 MR. MORRELL: The LULA, not being a constant pressure
3 controlled by the call stations or from the platform
4 control, is a big difference between that and a VPL so
5 that anybody that approaches a LULA can ride the lift
6 without having to hold their finger on the button.

7 The other big difference historically has been
8 between the two that a VPL needs to be keyed. And with
9 the considerations for the 2011 code and considerations
10 and the types in the WAC code, the types of environment
11 that require things to be keyed or not keyed, if in a
12 commercial environment it's not going to be required to be
13 keyed given the American Disabilities Act, A17, then
14 anybody can get on a VPL and ride it in a commercial
15 environment. So the VPL's and the LULA's are becoming
16 closer. There are still differences: speed of travel,
17 height, so on and so forth, size, weight capacity.

18 But, you know, in a commercial environment, I'm not
19 saying churches or schools and such, anybody can get on a
20 -- in the future, perhaps, anybody can get on a vertical
21 platform lift and ride it to the second story. So the
22 difference is becoming less. And there have been a lot of
23 improvements as well in VPL's.

24 MR. CLEARY: Charlie, I think this is something where
25 I think we need to put a little subcommittee together and

1 talk about. So I'll chair that. If, Charlie, you want to
2 be on that, Bill, whoever else needs to be on that. So
3 during the stakeholders meeting we'll put a list together
4 for that, and Becky and Dave. So that would be really
5 good. Because we need to get this defined. Because I
6 really believe getting the Section 2, the ambiguities
7 there takes a case-by-case. It does give you a foundation
8 of either we commit or we can't. There's not that maybe
9 it will, maybe it won't. And if we can define it a little
10 better, I think it's good for the industry, I think it's
11 good for the end-users, and I think there are applications
12 that really will suit it. But that -- you know, we just
13 need to work out the issues and make our recommendations
14 to that.

15 Jack?

16 MR. DAY: As you're going to convene a subcommittee,
17 I want to be sure that the subcommittee stays within
18 specific guidelines. Because what Charlie brought up is
19 very true. I don't want to see LULA's out there and I
20 don't want you guys recommending LULA's where we should be
21 having a 2,500 pound passenger elevator. Because that's
22 not going to fly.

23 What I want to see is the utilization of the building
24 code and where the building code outlines where a vertical
25 platform lift or IPL can be utilized and it's outside the

1 scope of accessibility. If you guys do approach the scope
2 of accessibility, then you must outline -- be prepared to
3 outline what this has to have, this LULA has to have, in
4 order to meet this accessibility criteria, the same as a
5 vertical platform lift has to have.

6 But again, it's a limited use, limited access piece
7 of equipment. And like Charlie said, one of our concerns
8 is going to be what's the building today and what's the
9 building tomorrow. Where this goes and how it's used is
10 going to be very important. We don't want it used as a
11 passenger elevator application. Just a guideline.

12 MR. CLEARY: We agree. I don't think any of us
13 really want to put it -- or are trying to replace
14 commercial elevators, but we run into some applications
15 where it is size or it is something that the end-users,
16 the owners have no other way of accomplishing that. We
17 can put in a VPL, and putting a VPL in an enclosure at
18 times is not always the best application with constant
19 pressure and that for how it gets done. So we'll work on
20 that.

21 Any other questions or feedback? If anybody wants to
22 be on that, let me know, please, and we'll get that kicked
23 off the first of the year.

24 The last item that we have -- yeah. The last item
25 that we have is licensing criteria. And that's on --

1 still on page 4.

2 And one of the things that really did kind of
3 precipitate out of the subcommittee that we had for the
4 educational criteria is that -- and I think everybody --
5 well, almost everybody should agree that we have way too
6 many categories in this state. It makes it cumbersome, to
7 say the least.

8 So I think, Charlie, you can help speak to this a
9 little bit too, but one of the things that came out, I
10 think it was almost unanimous that, boy, it would be nice
11 to be able to condense some of these things, move them
12 around, but kind of condense down to four -- you know,
13 three, four, maybe five at the most, especially. So
14 that's kind of what we're talking about here. And I think
15 Jack's been talking about it too. We really kind of want
16 to move forward on this and make it easier and move some
17 things around, but kind of condense 02 and 06 and move
18 some other things, move commercial dumbwaiters out of 02
19 and put it up into 01 and there's some other things that
20 we can talk about. But I think it's time that we condense
21 these down.

22 Jack?

23 MR. DAY: I fully agree. They're really cumbersome
24 and very hard to maintain. And when I look at them, I
25 just don't understand today. I mean, I understand then

1 why they were created, but are they necessary today?

2 So I looked at these as a three-phase mechanism for
3 changing them. And not any one can be pulled out and just
4 do one of these items. But I put this paragraph Licensing
5 Criteria as an example of what we believe it should
6 migrate to. That's an easy statement, but it's got to be
7 discussed and brought forth because there are obstacles.
8 I could make this paragraph a statement, but, again,
9 there's problems. And those problems must be addressed
10 before we do them.

11 But I'll go through this rather quickly in the
12 suggestion. Category 02, Category 06 and Category 07, to
13 combine them. However, it's agreeable to me that we
14 remove the commercial dumbwaiter out of Category 02. It
15 should belong in Category 01, per my opinion.

16 Bill?

17 MR. WATSON: Jack, could you just say what Category
18 02, 06 and 07 are so everybody knows what you're trying to
19 combine?

20 MR. DAY: Category 02 is the commercial and
21 residential accessibility license, Category 06 is the
22 residential accessibility requirements.

23 MR. CLEARY: And Category 02 also has residential
24 elevators, right?

25 MR. DAY: I think I said that. I did. Repeat that

1 back.

2 Category 07 is the residential incline elevator
3 license.

4 All these have something in common. They all apply
5 to residential and accessibility equipment. It also --
6 except for a commercial dumbwaiter, and the commercial
7 dumbwaiter just does not fit into that realm. It fits
8 into Category 01.

9 Also, if we were to examine CAT, certified
10 accessibility technician training, we'll see that they do
11 not address or train on commercial dumbwaiters.

12 MR. CLEARY: So it makes sense to peel that off.

13 MR. DAY: The next thing is Category 03 and 04.
14 Category 03 and Category 04 are basically those industrial
15 applications. These are the folks that work on hand-pull
16 elevators, electric manlifts, special-purpose elevators,
17 belt-lift -- belt lifts and the like. So they're very
18 specific to industrial applications. So under that I
19 would want to combine them and call them -- and basically
20 they'll be an industrial category.

21 The next thing is combine Category 08 with 01. Now,
22 this is one that has a bit of contention probably more
23 than others. However, if you review our education policy,
24 you will see that in moving forward, we're going to
25 require very similar education from the Category 08 new

1 personnel as we would the Category 01.

2 And so what purpose does Category 08 serve?

3 Category 08, the difference here is a person who works for
4 a public entity -- now, keep in mind a public entity does
5 not have to be a general contractor. So this person is
6 working for somebody who does not have a general
7 contractor's license, thus they don't have the insurance
8 or bond. So this person is designated as a Category 08.
9 So there's the difference right there. That's one of the
10 major differences.

11 However, the universities have a stake in -- they're
12 the ones who have the Category 08 people, as I understand
13 it today. They're the ones who have the major stake in
14 this.

15 But again, moving forward, we're going to require the
16 exact same training for Category 08 as Category 01.

17 MR. CLEARY: Other than escalator training. That's
18 where it differs.

19 MR. DAY: Other than escalator. That's correct.

20 Now, the next phase of this -- and remember, these
21 things should go together. This whole entire paragraph
22 should go together because it's important, incorporating
23 only NEIP, CAT or CET for all categories except material
24 lift. So when we do this, most of this education policy
25 would go away. And if you were to obtain a mechanic's

1 license, it would be one of these three ways: CET, CAT or
2 NEIP.

3 The next thing, the WAC 906 that says, "the applicant
4 must provide acceptable proof," and I'll go down to the
5 section that I'm addressing. And it was discussed -- it
6 was brought up just about a half an hour ago. " . . . of
7 not less than three years work experience in the elevator
8 industry performing conveyance work as verified by current
9 and previous employers licensed to do business in the
10 state or as an employee of a public agency." So basically
11 if we migrate -- if we -- part of this intent is to build
12 something that could have reciprocity with another state,
13 but also, if you receive your education certificate from
14 one of these three entities, that we move into a realm of
15 there's where your license belongs, this is where you're
16 going to work in these broader category references, and
17 make it easier for others who want to do business in the
18 state of Washington to get here as long as they have that
19 certificate in hand.

20 So this is a proposal. This is -- and as I said,
21 this is going to take a bit more work than just blurting
22 it out to the whole group. We want to hear the issues and
23 concerns and to address and make sure we're making a
24 proper move at the proper time. We could not have made
25 this move two years ago. This is a process of

1 improvement, and I believe this is an improvement to the
2 present way we do things.

3 I'd like to take comments in regards to this.

4 MR. CLEARY: Yeah. First, is there interest amongst
5 the stakeholders to do this? Hands? Anything? No? No
6 interest.

7 MR. DAY: I see heads going up and down but no hands.

8 MR. CLEARY: Can I see a show of hands of who would
9 be interested in pursuing this?

10 MR. McBRIDE: Let me say again that I'll take these
11 proposals back to the association and get some feedback
12 from multiple companies.

13 MR. CLEARY: Bill?

14 MR. MORRELL: A couple different comments. First
15 one, dealing with dumbwaiters residentially, and
16 dumbwaiters residentially are not really a piece of
17 accessibility equipment. They're kind of more a material
18 lift than they are a piece of accessibility equipment. I
19 think that needs to be addressed along with commercial
20 dumbwaiters going to Category 01.

21 We've worked a long time diligently in terms of
22 educational requirements and work experience requirements.
23 If we combine Category 02 with Category 06 and Category
24 07, Category 06 and Category 07 have far less work
25 requirements as well as educational requirements. So

1 which way do those groups head? Do you reduce the
2 requirements for Category 02 down to 06 and 07 or do you
3 bring Category 06 and 07 up to 02? So it's, I think, very
4 important for people in Category -- I don't know. You'd
5 have to do a search to see how many companies are actually
6 in the Category 06. But I know that the Category 07
7 people, the (inaudible) elevator people are Category 07,
8 correct? And your work experience, Scott, is, what, a
9 year?

10 MR. SPRAGUE: Yeah. Minimum.

11 MR. MORRELL: And not three years. And you look at
12 the chart on the educational requirements and you look at
13 what's required, number of hours, you know, I'd be all in
14 favor of taking Category 02 down to a year and going to
15 Category 07 educational requirements.

16 MR. CLEARY: And your second question?

17 MR. MORRELL: The first one was dumbwaiters, the
18 second one was the educational.

19 MR. CLEARY: All right. Will that be taken into
20 account?

21 Bill?

22 MR. WATSON: This wasn't exactly part of that, but I
23 think it should -- the question should be asked again:
24 Does the experience -- work experience really need to be
25 performed within the state of Washington? I know there's

1 this reciprocity stuff in these laws too, but there's a
2 lot of good people out there who have done similar work in
3 other states that should be -- in my opinion, should be
4 considered for licenses within the state and haven't
5 worked in the state for three years doing this kind of
6 work. I think the State is missing out on a lot of good
7 people.

8 MR. CLEARY: That's a --

9 MR. DAY: One of my proposals is to strike that, that
10 line out of here. But in order to capitalize on that, I
11 believe one of the rationales behind that line being in
12 there in the first place was we didn't know what kind of
13 experience this person had outside of a nationally --
14 national education program. We had no idea. So in order
15 for us to strike it with that rationale for that sentence
16 being in there, we need to come up with the standard,
17 what's the standard that we would accept.

18 MR. CLEARY: And that's what took us some time. Like
19 Jack said, we couldn't have done this two years ago. Now
20 I think we've got some foundation and structure so that we
21 can make sure that we're comparing apples to apples and
22 standards to standards and levels to levels. So that's
23 something we really need to look at. Because you're
24 right. There's a lot of people -- a lot of other programs
25 in a lot of other states that are very good, but it really

1 limits bringing people in that want to come to the
2 Northwest, want to work in this industry. So I agree.

3 MR. WHEELER: I agree with those comments. There's a
4 lot of good people that could come to the state to work.

5 And what I would caution, though, is that we in
6 Washington have a lot of specialty specific WAC rules that
7 awareness of those should be a part of this system, in my
8 opinion, and an understanding of that specialty for WAC's
9 may be different than what they experienced in Colorado or
10 Arizona or other places in the country.

11 MR. CLEARY: I agree. Having a code section and a
12 WAC that includes WAC and all the other codes, you're
13 right, is something that's pretty critical to be able to
14 sit for the test. But I still think OJT is OJT.

15 MR. MORRELL: In recruiting individuals with prior
16 work experience and presenting those individuals to Jack,
17 where things really fall down is on the part of the
18 individual being able to document their work experience
19 and what kind of documentation it would take. So there
20 might be very experienced individuals, but they have to
21 document who they worked for and the hours that they
22 worked and that type of thing, especially in the last
23 three years, for example. If somebody left the industry,
24 went to a different state and then wants to come back,
25 does their documentation from six years ago apply to the

1 State of Washington? Would that be acceptable? And so I
2 think that's what I've struggled with when I've tried to
3 recruit people and present those individuals to Jack in
4 the past.

5 MR. CLEARY: Becky.

6 MS. ERNSTES: I've just got one point of
7 clarification. In the code there really is no such thing
8 as a residential dumbwaiter. Dumbwaiters in the code are
9 dumbwaiters. We designate them residential for our own
10 purposes only that we don't go back and inspect them. But
11 a dumbwaiter is a dumbwaiter in the code, and there are no
12 two divisions of residential or commercial.

13 MR. CLEARY: Good point.

14 MR. SPAFFORD: As far as challenging or taking the
15 test for the State of Washington, if a person has
16 documented work experience from wherever they may come
17 from that shows the hours that they have worked and from
18 the things like what you had specified earlier in your
19 document and they can challenge the test but they were to
20 take a class on our codes, sort of like what we do for QEI
21 requirements, wouldn't something like that be acceptable?

22 MR. DAY: Maybe. Maybe not. The first thing I have
23 to think about is who's going to administer that test?
24 Who's going to do it? Who's going to train on it, Dave?
25 Who's going to do all this stuff? Me? No.

1 But listen, today in the NEIP program, does the NEIP
2 program specifically have a class for the codes in the
3 state of Washington?

4 MR. SPAFFORD: No.

5 MR. DAY: Okay. Why am I going to put more
6 regulations on the non-NEIP person? So we've got to be
7 careful.

8 I do believe it should be a continuing education
9 class, by the way.

10 MR. CLEARY: A good point is, I guess the biggest
11 problem has always been verifying your experience and
12 being able to verify it and make sure that it's not
13 just --

14 MR. DAY: That was the whole -- that was the whole
15 crux of this line is how do I verify, how do you verify
16 that that person just wasn't sweeping the floor and
17 putting parts up for the last four years for X, Y, Z? How
18 do you know? You don't know. If you're a CAT or CET,
19 that's part of their process to have that verification.

20 MR. CLEARY: Charlie?

21 MR. VAL: For the most part, I agree with the
22 combining of the different categories. The problem that
23 we had to begin with, just for a little bit of the history
24 part of it, was that all these different categories came
25 out because different groups were trying to dummy-down the

1 industry -- the elevator industry so that somebody says,
2 "I don't ever work on escalators so why should I have to
3 study escalators? I don't ever work on dumbwaiters. Why
4 do I have to study dumbwaiters?" So I think that what we
5 need to do is get back to raising the bar in combining
6 these together and have a certification program.

7 MR. DAY: I agree with Charlie. What this whole
8 thing is intended to do is standardize the process, you
9 know. This a good process but it's only Phase 2. This
10 education policy, it's only Phase 2. We need to be
11 prepared to move down the line to the next phase. The
12 next phase is presenting itself to us. We should start to
13 capitalize on it.

14 So, Scott, I don't want to take your thunder, but we
15 need to do probably a subcommittee on it.

16 MR. CLEARY: Yeah. Here we go. A third
17 subcommittee.

18 But this is something I know we spent a lot of time
19 on and it was fruitful going through the educational
20 criteria. This is something I think we need to talk
21 about.

22 MR. DAY: I'll do that.

23 MR. CLEARY: I'll put a list together. And people
24 that want to be part of it, we'll do it during the
25 stakeholders . . .

1 I agree. I don't think any of us here really want to
2 dummy-down or bring down the standards. I think we want
3 to raise our standards. We want to be, you know, a state
4 that's recognized for having highly qualified, very good
5 installers.

6 We've been working on this thing since, you know,
7 before '04, and so we need to put some of these things --
8 you know, what's happened in the past were done for
9 certain reasons, you know. We just need to look at them
10 now under the filter of what we're doing now and what we
11 have in place. And I think we're much farther ahead than
12 we were even two years ago. So I think this is something
13 we need to look at and I think we need to move forward
14 with. So all participation would be greatly appreciated.

15 Becky?

16 MS. ERNSTES: Well, I think the first question that
17 we need to answer is the only -- incorporating only NEIP,
18 CET or CAT. One of the reasons we want to do that is that
19 I and Jack get out of the evaluation of who gets to
20 qualify and who doesn't. This policy will help us.
21 They're great guidelines. They're very clear. But it
22 still means a lot of time, energy spent in reviewing and
23 how people are going to submit this and document this.

24 So our proposal on the table is to only accept NEIP,
25 CAT and CET to start with. And I think we need comments

1 -- public comments from everyone on that so that we get
2 out of the business of being the person who gets to decide
3 whether you have enough qualifications which have been
4 vague in the past.

5 MR. CLEARY: And that takes 10 or 15 different
6 programs and brings it down to 3.

7 MS. ERNSTES: And everybody, you know, has their own
8 training program. And maybe the thing we need to look at
9 is if you can't be that person, that you're a small
10 company and you can't be the supervisor, that you actually
11 use that program with those guidelines to set up your own
12 internal program. Because there are people like Bill who
13 can't be a part of that because he can't get his
14 supervisor. But could he take that program and give that
15 program with some training and some qualified trainers?

16 MR. CLEARY: Any other questions or feedback on that,
17 please talk to us during the stakeholders and we'll get
18 some subcommittees set up.

19 Any other questions or comments on today?

20 Remember, we have stakeholders after this and then we
21 have the MCP workshop from 1:00 to 4:00. If no one's got
22 any questions, I motion that we --

23 MR. McLAUGHLIN: Do you want to touch briefly on the
24 item that you and I had talked about?

25 MR. CLEARY: Yes. Sorry.

1 MR. DAY: Do you want to do residential?

2 MR. CLEARY: Yes, we do.

3

4

Future Business

5

6 MR. CLEARY: Two things. There's a couple things
7 that come to light and then we'll get right into future
8 business. This is not on there and this is what we're
9 going to add. There's been some conversations and some --
10 you know, Charlie Val has talked about it in the past and
11 there's been some discussions on having conveyance systems
12 in residential homes part of a real estate checklist, and
13 so we want to get that on the next agenda. There's been a
14 couple phone calls that we have had about couples, elderly
15 couples just bought a new home, elevator didn't work two
16 days after they bought the home. We called out for
17 service. We checked if there's even been a permit pulled
18 on it. No. So that stops us. I mean, and it's not fair
19 to them because they were sold something that basically
20 cannot be worked on by a legitimate elevator company and
21 then what do they do? So we need to readdress that.
22 Charlie's brought that up and we've talked. And we need
23 to do some exploratory on it. I think we need to retalk
24 about that.

25 Charlie?

1 MR. VAL: The reason that we brought up this
2 inspection of conveyance in homes is several years ago in
3 Moses Lake somebody had bought a home, they moved into the
4 house, the neighbor person down the house street put in a
5 box on a run button. And it's considered an elevator.
6 There's no inspection on it or anything. They bought the
7 home and the 7-year-old was crushed because somebody down
8 the street put in a box with a button on it.

9 So I do believe that we have a place for this, that
10 we do need to have this inspection done. And I'd ask for
11 support from the committee and from the stakeholders to
12 get behind us and push legislation for inspection of
13 residential elevators before a home is sold.

14 MR. CLEARY: You know, you've got to get mold
15 inspections, you've got to get rodent inspections, pest
16 inspections, and this is something that is usually a large
17 selling point to a home is a conveyance. And if it's not
18 put in right or it's not even permitted or it hasn't been
19 worked on, that's something that we're going to talk about
20 in future business is who works on it.

21 That's another thing is right now there's no
22 licensing requirements for the homeowner. He can work on
23 his own residential elevator. So that's another good
24 reason why it should be inspected before it goes through
25 sale. Because if we're not going to require licensing for

1 repair or maintenance on a residential elevator, that even
2 makes it more imperative that it gets looked at. Because
3 we don't know who does what, who keeps it running. And so
4 that's -- under the future business that's another thing
5 that we're going to bring up and talk about in February.

6 So we're looking for support. I can't think of any
7 good reason. If it was put in illegally and not put in
8 right, that's the seller's responsibility. It should not
9 be thrust upon -- it shouldn't be thrust upon the owners
10 who maybe have never owned an elevator, they don't know
11 what questions to ask. They don't know. I mean, wow, it
12 looks great. It runs when they do it, but then they call
13 up to do service. And, "No. We can't work on it."

14 "Well, why?"

15 "Well, there's been no permit on it."

16 "Well, what can I do?"

17 "Well, we've got to take it through inspection." And
18 there's a lot of other things.

19 Bill?

20 MR. WATSON: Just a little bit of history. At one
21 time a few years ago the IUEC had come very close to
22 getting a legislator's support in putting this through to
23 the legislature. But at that point, I think one of the
24 stumbling blocks was nobody at the committee level here
25 had incorporated all of the players like somebody from the

1 real estate industry, maybe somebody from the insurance
2 industry as well. So if you're going to move forward with
3 it, you need to think about who needs to be a part of this
4 to get it moving forward. Because otherwise, you're going
5 to run into the same stumbling block six months down the
6 road.

7 MR. CLEARY: Well, that's what we're talking about.
8 And I hate to bring up subcommittee again, but there's
9 something -- that's another thing we need to talk about.
10 We need to align the right players. Especially with a lot
11 of the homes now that have gone in foreclosure that have
12 been sitting for who knows how long or they've even been
13 put in or done right. That's something, I think, that's
14 critical for consumer protection and taking care of the
15 end-users.

16 Charlie?

17 MR. VAL: If I could, what stopped us the last time
18 was the Committee wasn't going to support it because they
19 didn't know -- the Advisory Committee wasn't going to
20 support it because they didn't know if there was support
21 from the real estate market, if there was support from the
22 insurance market. And so the only thing that happened was
23 there was no support from the Committee, and I didn't
24 bring it -- I didn't bring it to the legislature. The
25 last time when we -- the last legislation that I asked for

1 support from the Committee for the whistleblower
2 protection that was brought up a couple of different
3 times, and finally I just brought the legislation in
4 thinking it was something that the State needed, not
5 necessarily that I needed to have the blessing of the
6 Committee. We did wind up getting on board with it. I
7 think this is the same thing.

8 I've talked to the Realtors, I've talked to the
9 insurers, and I'm not -- I don't think that we're going to
10 have any problems with it. And I've had several years
11 to talk to different people and to reach out to those
12 different groups.

13 MR. CLEARY: So as Committee members, I'd like to go
14 forward with this. Do I have support to bring it on the
15 next agenda? Okay. We'll do that. Very good.

16 Well, with that, any comments? Jack?

17 MR. DAY: I probably have two which I want to
18 reiterate what Bill was saying and what Charlie was
19 saying. Labor and Industries wants to be sure that this
20 is stakeholdered through the affected parties, you know.
21 We want to know that those entities, understand, A, why,
22 and, B, for the most part support this. So that's really
23 important for you folks that are going to pursue this to,
24 if you can, get a letter from those entities, you know.
25 Outline what your intent is and get a letter.

1 The second thing I want to speak of is do you know
2 the labor impact to this? And I think this needs to be
3 part of your package, what is the impact to both your
4 labor and mine. Because I don't want to enter into this
5 blindly not knowing what is -- you know, what to expect.
6 Are there ten of these a year or are there 200 of these a
7 year? Do I have enough personnel? Do I need more
8 personnel? Am I involved with it or is this an
9 examination and safety test performed by a licensed
10 elevator company, and if there's an issue, you'd call us?
11 What is it going to look like? So you've got a little bit
12 of work to do, okay?

13 MR. CLEARY: Okay. Any feedback would be
14 appreciated.

15 MS. FILLIPS: I wonder if the banking and financing
16 industry should be involved in this?

17 MR. CLEARY: Everybody that's involved in that stream
18 should be. My feeling is is that if it's a system that's
19 not put in right, it needs to be made right. If it can't
20 be made right, it needs to be pulled out and taken out of
21 service. It doesn't matter, in my view, if it's
22 commercial, residential, where it is. If it's an unsafe
23 conveyance and not put in right, it shouldn't be there and
24 it needs to be taken care of. I know a lot of people
25 don't want -- some people might not want sunshine or

1 sunlight on that, but I think it's something that's
2 important.

3 MR. WHITED: Why wouldn't you have something in the
4 building permit in these cities, you know, where they
5 can't put a manlift in or anything unless it's approved by
6 the building committee that's of the cities that they're
7 in?

8 MR. CLEARY: Bill, would you like to address that?

9 MR. WATSON: Go ahead, Jack.

10 MR. DAY: What you're referring to is several hundred
11 jurisdictional authorities across the state of Washington,
12 each with varying degrees and opinions about what should
13 be what it is. The State is the dominating -- the
14 dominating RCW and WAC surrounding this. So whatever we
15 put in place is the minimum for those jurisdictions. So
16 if it was to start anywhere, it would start here. To
17 grassroots it to 200 and some odd jurisdictions, it's
18 easier to do it this way.

19 Bill, go ahead.

20 MR. WATSON: And I think the issue is on a commercial
21 piece of equipment, it's inspected by law in the state at
22 least once a year, so we have a good track record of how
23 that's being maintained, and is it safe. But in these
24 kinds of instances, conveyances that were permitted or
25 not, if they were permitted they were only inspected once

1 on acceptance so nobody knows the shape of them in the
2 meantime. And there are some, like Charlie said, that
3 were put in in residences without any permit or there
4 wasn't even licensing -- elevator contractor licensing in
5 those days. So that's where we're trying to get a handle
6 on some of those and make sure they're still safe. And it
7 seems like the best time to do that is when a piece of
8 property changes hands, when it's sold.

9 MR. CLEARY: There's so many other inspections. It's
10 a great time, it's a good funnel. It's a good time to
11 catch it.

12 Charlie?

13 MR. VAL: That's the other thing I was going to say
14 is that with the Internet nowadays, you can buy an
15 elevator online. If you have a closet on the main floor
16 and closet on the second floor, you go, "Oh, I've got a
17 hoistway." You cut a hole in the floor and put in an
18 elevator.

19 MR. DAY: All you need is a crescent wrench and a
20 screwdriver.

21 MR. CLEARY: And a hammer.

22 But it also puts the credible elevator companies,
23 especially the residential guys, in a really tough
24 situation when you get a call to help the customer and you
25 can't. Because we can't, with our license, go work on

1 conveyances that aren't permitted. And then some of them
2 may be already brings inspection, some may not. But it's
3 really a tough situation to tell someone, "No, I can't do
4 it until we do this." So I think it helps them in the
5 long run. I think it's the right thing to do.

6 MR. LEWIS: I think one of the biggest questions is
7 is who's going to do the inspection? Because if it's the
8 company that's going to do the inspection, you have to
9 have somebody, I believe, be certified to do it. And
10 what's that going to cost? You said manpower. How are we
11 going to sit down and figure that out? You just can't sit
12 and tell a mechanic, "Go out there and look this unit
13 over." He's putting his name on it. And if he misses
14 something, then -- and somebody gets hurt, they could come
15 back, probably. I'm not sure how that will all work out.
16 But you're going to need the people -- somebody in your
17 business to be certified.

18 MR. DAY: It is one of the -- one of the -- not a
19 roadblock, but it is one of the main issues. Because it
20 will end up being an elevator inspector that ends up with
21 that. However, we would probably expect a certain amount
22 of work to be performed prior to our arrival. Now, why go
23 there to say, "This is wrong," and then turn around and go
24 back there after that's fixed? Do you understand?

25 So a part of this issue is can you work on it without

1 a permit? Well, if it is not permitted or it needs to be
2 altered, well, that's a permit. So we would expect that
3 the company and the mechanic perform the work to get it up
4 to snuff, up to code and then we come in and --

5 MR. CLEARY: It would be no different than doing
6 an --

7 MR. DAY: It all has to be worked out. This is the
8 preliminary stages of it.

9 MR. CLEARY: But I personally believe doing nothing
10 is not the answer. I mean, the logistics need to be
11 worked out. There's going to be manpower, there's going
12 to be revenues and money spent. But doing nothing is not
13 the answer, in my view. So something needs to be done.

14 MR. DAY: I need to know and probably so does each
15 elevator company what type of -- what kind of labor are we
16 talking about here, you know. How is this going to impact
17 you and me?

18 MR. CLEARY: Bill?

19 MR. MORRELL: Scott, I share your opinion in regards
20 to customers calling us, and we try to go to the State of
21 Washington or the City of Seattle -- the City of Seattle
22 is pretty good -- and figure out if a conveyance has been
23 ever permitted. But I'm told that because these
24 conveyances are only inspected on installation, not
25 tracked by the inspectors thereafter, that those

1 conveyances that are residential are not put onto the
2 State's listing of what's inspected, what isn't inspected.

3 MR. CLEARY: But you'll know if they've been through
4 original inspection. If it had a permit pulled on it is
5 the main question.

6 MR. MORRELL: No. You can't call. My people have
7 tried to call the State, and they can't tell -- the State
8 can't tell that it's been --

9 MR. DAY: Bill, your people have called us and we've
10 told you. That's not so. If we can't tell, it means they
11 don't have a permit.

12 MS. ERNSTES: We track every elevator.

13 MR. DAY: We have every single one of them.

14 MR. CLEARY: By address, you'll know. Because I was
15 able -- this was put in in '98, what I was talking about.
16 I was able to check through the City of Seattle and also
17 through the State. So I agree.

18 We've got to move on. Any questions on that stuff,
19 we're going to have stakeholders and then we're going to
20 the MCP workshop. So I motion that we adjourn. Second?

21 MR. VAL: Second.

22 (Whereupon, proceedings
23 adjourned at 11:05 a.m.)
24
25

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11-20-12

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