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## ELEVATOR SAFETY ADVISORY COMMITTEE

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### TRANSCRIPT OF PROCEEDINGS

February 18, 2025

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DEPARTMENT OF LABOR AND INDUSTRIES  
STATE OF WASHINGTON

ELEVATOR SAFETY ADVISORY COMMITTEE

TRANSCRIPT OF PROCEEDINGS

VIA MICROSOFT TEAMS

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February 18, 2025

Pages 1 through 109

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**CERTIFIED  
TRANSCRIPT**

Taken Before:

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Certified Stenographic Court Reporter

for

Capitol Pacific Reporting, Inc.

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**ATTENDANCE**

**ELEVATOR SAFETY ADVISORY COMMITTEE**

<b>Ricky Henderson</b>	<b>ESAC Chair</b>
<b>Garry Wood</b>	<b>Vice Chair, Registered General Contractors Representative</b>
<b>Gerald Brown</b>	<b>Secretary, Chief Elevator Inspector for Washington State</b>
<b>Jan Gould</b>	<b>City of Seattle Representative</b>
<b>Duane Leopard</b>	<b>City of Spokane Representative</b>
<b>Scott Cleary</b>	<b>Owner-Employed Mechanics Exempt from Licensing Representative</b>
<b>Lindsay LaBrosse</b>	<b>IUEC Local 19 Business Agent</b>
<b>John Carini</b>	<b>Building Owners and Managers Representative</b>
<b>Lyall Wohlschlager</b>	<b>Owner-Employed Mechanics Exempt from Licensing Alternate Representative</b>
<b>Carl Cary</b>	<b>Building Owners and Managers Alternate Representative</b>
<b>Jerome Phillips</b>	<b>Licensed Elevator Contractors Alternate Representative</b>
<b>Cory Winchell</b>	<b>Licensed Elevator Contractors Representative</b>
<b>Jason Howerton</b>	<b>City of Seattle Conveyance Program Alternate</b>

**ADDITIONAL SPEAKERS**

<b>Nicole Taylor,</b>	<b>L&amp;I</b>
<b>Rebecca Llewellyn</b>	<b>L&amp;I</b>
<b>Paoakalani Naipo</b>	<b>L&amp;I</b>
<b>Alicia Curry</b>	<b>L&amp;I</b>



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1                   CHAIRMAN HENDERSON: All of our ESAC committee  
2 members that are present here, I would like, if we can,  
3 let's start by introducing ourselves and make sure we  
4 have our cameras turned on.

5                   As starting that I'll start out the introduction.  
6 I'm Rick --

7                   MR. BROWN: Ricky. Ricky, just a minute.  
8 Just a minute.

9                   Janette, did you start recording?

10                  THE COURT REPORTER: Yes, I did.

11                  MR. BROWN: Okay. Thank you.

12                  Sorry, Ricky.

13                  CHAIRMAN HENDERSON: Oh, no, no. No problem.  
14 I'll start out the introductions with myself. I'm  
15 Rick Henderson, the current chair of the Elevator  
16 Safety Advisory Committee.

17                  Moving on to the rest of the members, please  
18 introduce yourself and turn on your camera.

19                  MR. WOOD: Garry Wood, vice chair,  
20 representing registered general contractors.

21                  MR. CARY: Carl Cary, alternate for building  
22 owners and managers.

23                  MR. WINCHELL: Cory Winchell, Schindler  
24 Elevator, representing elevator contractors.

25                  MR. CLEARY: Scott Cleary, representing T70



1 exemption from licensure residential and commercial  
2 accessibility.

3 MR. WOHLISCHLAGER: Lyall Wohlschlager,  
4 alternate for exemption from licensure residential and  
5 commercial accessibility.

6 MR. LEOPARD: Duane Leopard, City of Spokane.

7 MS. GOULD: Jan Gould, City of Seattle, SCI  
8 conveyance program code advisor. Good morning, all.

9 MR. HOWERTON: Jason Howerton, alternate, City  
10 of Seattle conveyance program.

11 MR. CARINI: John Carini, representing  
12 building owners and property managers.

13 MR. PHILLIPS: Jerome Phillips, licensed  
14 elevator contractors alternate rep.

15 MR. BROWN: I'm Gerald Brown. I'm the program  
16 manager and the secretary for ESAC.

17 CHAIRMAN HENDERSON: This is Rick Henderson.  
18 Lindsay, are you here with us?

19 MS. LaBROSSE: Yeah, I'm here. My name is  
20 Lindsay LaBrosse, IUEC Local 19 business agent,  
21 representing elevator mechanics licensed  
22 (indiscernible).

23 CHAIRMAN HENDERSON: Thank you, Lindsay.  
24 Again, this is Rick Henderson.

25 Duke Davis, are you available today? Are you



1 online?

2 (No response.)

3 CHAIRMAN HENDERSON: All right. So Duke is  
4 not present.

5 I believe that fulfills the roster.

6 So moving on through that, the next item on the  
7 agenda is introduce -- let Lindsay introduce herself.  
8 She is our newest member, the ESAC committee member.  
9 And we would very much like to welcome you to the  
10 committee, Lindsay.

11 MS. LaBROSSE: Thank you. I appreciate it.

12 CHAIRMAN HENDERSON: Next item on the agenda  
13 that we have is the comments and vote on November's  
14 minutes. I would like at this point to make a note  
15 here. Did all of the ESAC committee members get copies  
16 of the meeting minutes from November? Has everybody  
17 had a chance to review those minutes from November?  
18 Because as Scott was pointing out earlier -- and I'm  
19 going to share my screen here -- looking at the L&I  
20 website, we are missing both August and November's  
21 minutes from the last meetings. I know, Becky, I  
22 assume that's being worked on to get corrected.  
23 There's also some other -- looks like we still have  
24 Mandy Ortega's connection as a link for --

25 MR. BROWN: We're trying those -- we're trying



1 to get that taken care of now, Ricky.

2 CHAIRMAN HENDERSON: Which is why I think  
3 there's been some issues getting information as Mandy's  
4 no longer with the department.

5 And our meeting minutes for the -- for the upcoming  
6 meetings, are they intended to be posted on this  
7 website?

8 MR. BROWN: Yes. We've always posted our  
9 minutes from the court reporter on there.

10 CHAIRMAN HENDERSON: Correction on that  
11 question. Looking at the agendas for meetings, are  
12 they intended to be on this website?

13 MR. BROWN: I'm not real sure. I don't know  
14 if I remember seeing agenda meetings -- agendas. I  
15 know I've seen the court reporter reports posted.

16 MS. GOULD: Where is the agenda? Sorry.

17 MR. BROWN: Becky, did you have a chance to  
18 put the agenda in the chat?

19 MS. ZAMORA: I'm having issues. I know that I  
20 sent one this morning, but it's still showing sent on  
21 my end. So what I'm going to do, I'm going to log out  
22 and come back up to see if that works. Okay? Thank  
23 you.

24 MR. BROWN: Thank you.

25 CHAIRMAN HENDERSON: This is Rick Henderson.





1 I know we have a couple of hands up here from committee  
2 members.

3 Duane?

4 MR. LEOPARD: Duane, City of Spokane. I  
5 didn't get a copy of any minutes, Ricky. I haven't had  
6 a chance to review them.

7 CHAIRMAN HENDERSON: All right.

8 This is Rick Henderson. Recognize Brian. You have  
9 your hand up?

10 MR. HORNBACK: Good morning. Brian Hornback  
11 for Department of Labor and Industries. Just trying --  
12 to -- I want to just give you a couple of pieces of  
13 insight regarding the website. So when Melissa and  
14 Mandy left, we lost our person who has the training and  
15 is qualified to update the website. We're currently  
16 working on getting training. We're borrowing somebody  
17 from another program to do this. So Becky is my admin  
18 and is filling in to help out Gerald as well. So as  
19 soon as she can -- she can make the updates, she will.  
20 But we do have -- we identified somebody on Friday to  
21 see if we can get the information updated. So we'll  
22 get that done as quickly as possible, and recognize  
23 this last -- it's a challenge. I'm also trying to drop  
24 the agenda for today into the chat. So see what I can  
25 do.



1                   CHAIRMAN HENDERSON: This is Rick Henderson.  
2                   Thank you, Brian.

3                   MR. BROWN: Ricky, I have to step out for a  
4                   minute. I'll be right back.

5                   CHAIRMAN HENDERSON: This is Rick Henderson.  
6                   Is Bob still there? I was going to reach out to  
7                   Bob, to people outside of the ESAC committee members on  
8                   how they typically receive copies of the agenda in the  
9                   past. Has that been -- how have you been able to get  
10                  access to that? Was that sent out to you on listserv?  
11                  Or how has that been getting to you in the past?

12                  MR. McLAUGHLIN: At its best we always got the  
13                  agenda about a week before the meeting. And that was  
14                  very helpful because the subcommittees could put their  
15                  progress reports into the agenda, which also gave us a  
16                  heads-up. And then the minutes, I think Melissa could  
17                  testify that there were problems that she wasn't  
18                  comfortable describing, but the -- getting the minutes  
19                  posted apparently for a while they needed to be  
20                  reviewed before they could be posted, and sometimes it  
21                  would be just before the following meeting before we  
22                  would get them. I can't speak to that. But to answer  
23                  your question, yes, we used to get both the agenda,  
24                  attachments to the agenda, and then the meeting  
25                  minutes.



1                   CHAIRMAN HENDERSON: Rick Henderson.

2                   Were those sent to you directly by email from  
3                   listserv, or did that come -- do you have a -- let me  
4                   rephrase it. If you have a copy of the agenda being  
5                   sent to you from a previous committee meeting, could I  
6                   talk you into forwarding that to me so that we have  
7                   the -- make sure that we that old history of how we  
8                   have been getting that information out?

9                   MR. McLAUGHLIN: Yes. I can send you a copy  
10                  of that after we get through. It's hard for me to do  
11                  during the meeting. But yes, it always -- Melissa was  
12                  very good about making sure that we always had it in  
13                  email. And I know that I'm on the listserv because  
14                  unfortunately the -- there was with a meeting notice, I  
15                  think it might have been for one of your subcommittees,  
16                  your interim meetings, that had the entire listserv  
17                  posted, which is a scam in -- a spam invitation that I  
18                  realize that you've got some training going on in that  
19                  regard. And I know that our group is on -- I've seen  
20                  several names on there that we are on the listserv. I  
21                  did not get a notice on this one. That's about all I  
22                  can tell you. So, yes, it has been done in the past,  
23                  and it's not working very well right now.

24                  CHAIRMAN HENDERSON: As Brian mentioned  
25                  earlier that we -- there's some challenges right now



1 from staffing in L&I about getting this -- getting that  
2 corrected. And in the interim, while we're waiting for  
3 the agenda to be put into the chat, I'm just screen  
4 sharing.

5 Can everybody see my screen and see the minutes  
6 agenda?

7 MS. GOULD: Yes.

8 UNKNOWN SPEAKER: Yes.

9 CHAIRMAN HENDERSON: So with Duane not having  
10 copies of the minutes from last week, is anybody --  
11 excuse me -- having copies of the minutes from the last  
12 meeting, any other committee member didn't get copies  
13 of the minutes from the last meeting?

14 MS. GOULD: Jan Gould.

15 I don't believe I did either.

16 MR. CARY: Carl Cary.

17 I did not.

18 CHAIRMAN HENDERSON: Scott?

19 MR. CLEARY: Nor did I.

20 CHAIRMAN HENDERSON: With that for comments on  
21 that, I propose -- do I have a motion that we put a --  
22 move this to the next meeting agenda so that we get  
23 those minutes out to everybody and everybody does have  
24 a chance to review them?

25 MR. CLEARY: Scott Cleary.



1 I motion that we --

2 MS. GOULD: Ricky, Jan Gould.

3 Hang on. Mandy did send them out.

4 CHAIRMAN HENDERSON: Have you had a chance to  
5 review them?

6 MS. GOULD: No.

7 CHAIRMAN HENDERSON: Do you feel comfortable  
8 voting on them?

9 MS. GOULD: Jan Gould.

10 I do, but that's up to the group.

11 CHAIRMAN HENDERSON: So back to -- did I hear  
12 a proposal that we postpone adopting these minutes  
13 until next meeting and everybody has a chance to review  
14 them?

15 MR. CLEARY: Scott Cleary.

16 I make the motion that we postpone to our next  
17 quarterly meeting in May.

18 MR. WOOD: Second. Garry Wood second.

19 CHAIRMAN HENDERSON: So that motion passes.  
20 Those are postponed until next meeting.

21 MR. CLEARY: We need to vote on that, Ricky.

22 CHAIRMAN HENDERSON: Raise your hand if you're  
23 good with postponing this vote until next meeting.

24 MR. BROWN: The primary members.

25 CHAIRMAN HENDERSON: And alternate if your



1 primary is not present.

2 Motion carries so we will delay that until next  
3 meeting.

4 Next item on the agenda that we'd like to discuss  
5 is the -- we currently have a Senate and a House bill,  
6 Senate -- House Bill 1183 and Senate Bill 5156, and  
7 they're -- I'm going to drop -- if I can I'm going to  
8 drop the text of this into the chat.

9 MR. BROWN: Ricky, just so you're aware, some  
10 of the people don't have access to the chat. So if you  
11 don't have access to the chat, we could have them  
12 contact you and get a copy from you, if that would  
13 help.

14 CHAIRMAN HENDERSON: Absolutely.

15 Put a copy of it on the screen so we can look at it  
16 real quick. So what we have here is, in the bill it  
17 is -- I'm just going to read it real quick.

18 "By March 31, 2026, the department shall adopt by  
19 rule standards for cities and counties to allow all  
20 passenger and freight elevators to meet the most  
21 current version of global safety and related standards  
22 or in the alternative the current North American  
23 standards --

24 (Indiscernible unknown speaker  
25 interference.)



1                   CHAIRMAN HENDERSON: -- and standards for  
2 cities and counties -- Jerome?

3                                   (Indiscernible unknown speaker  
4 interference.)

5                   CHAIRMAN HENDERSON: Sorry about that.

6                   Backing up, starting over a little bit here. "Or  
7 in the alternative, the current North American  
8 standards, and standards for cities and counties to  
9 allow passenger elevators no larger than those that  
10 accommodate a wheelchair for apartment buildings with  
11 at least, at most, six stories and at most 24 units in  
12 total."

13                   So what this will do is, it eliminates the  
14 requirement for -- an IBC requirement for a  
15 gurney-sized elevator in this type of a building that  
16 currently IBC code would require if IBC is requiring if  
17 we are putting an elevator in. It would also, as my  
18 read in it, as we look at it for only sized to be able  
19 to fit a wheelchair with no language with turnaround  
20 room for a wheelchair would also not meet ADA  
21 requirements for size of an elevator. This has come  
22 up. It's being moved very quickly. And ESAC became  
23 aware of it. Gerald let us know about it. And the  
24 ESAC is -- after looking at it ESAC has proposed a  
25 letter to the department that has been presented to the



1 department voicing our concerns for lack of code  
2 compliance for different sections on this.

3 Opening up for comments and discussion.

4 Hearing none -- I'm sorry. Lindsay.

5 MS. LaBROSSE: Thank you. If you want I can  
6 give you a quick update as far as the IUEC and our  
7 lobbyist that we've hired about this. I asked her for  
8 a quick update this morning about the House bill and  
9 the Senate bill. Last week we had a meeting with the  
10 prime sponsor for the House bill, Representative Davina  
11 Duerr.

12 And this is what Amanda Jahshan, our lobbyist,  
13 texted me this morning. "We're hearing from the prime  
14 sponsor that the elevator-specific components are  
15 coming out of House Bill 1183. We've met with the  
16 prime sponsor of Senate Bill 5156" -- that's Senator  
17 Jesse Salomon -- "and we've requested an amendment.  
18 We've made the request to leadership that without a  
19 plan amendment the bill not be moved" -- "that the bill  
20 not move. The bill is currently on second reading in  
21 Senate rules and ready to get pulled for a floor vote.  
22 If the Senate vehicle is voted out of the chamber,  
23 we're already engaged with staff to work on amendment."

24 So it looks like they're making the Senate bill the  
25 vehicle, and the House bill will not be, and they're





1 going to be removing the elevator language from the  
2 House bill. So the only bill that's kind of worrisome  
3 still is just the Senate bill.

4 CHAIRMAN HENDERSON: This is Rick Henderson.

5 Thank you, Lindsay. I appreciate that.

6 Just to review this is -- still screen sharing.  
7 I'm going to look at the -- I believe I have a copy of  
8 it here. I'm sharing on my screen a copy of the letter  
9 that the committee submitted to Brian Hornback voicing  
10 our concerns about these elevators going in that are  
11 not compliant. I'm sorry. That's the wrong -- wrong  
12 letter. Apologize. I'm having trouble locating a copy  
13 of that letter right now. But rather than showing it,  
14 I'll just continue with my statement that we -- the  
15 ESAC put forth a letter that gave our concerns to the  
16 department about not having code-compliant elevators  
17 within the state and potentially having two separate  
18 code standards running at the same time, a global  
19 standard as well as the national ASME's A.17.1  
20 standard. This was things that we thought would add  
21 great complexity and create a lot of issues. And along  
22 with the questions, as in the agenda, it passed. House  
23 is going to interact with ADA, NEC, and fire codes,  
24 which ISO standards don't address. If passed, which  
25 RCW or WAC would this be under; building or elevator?



1 As the main issues related to this is really within the  
2 building code, from my understanding. But what they're  
3 trying to push this, as my -- as the last I heard --  
4 and, Lindsay, you might be able to speak to this with  
5 the latest Senate bill -- is they were pushing this to  
6 actually to go into the elevator code language rather  
7 than the building code.

8 Is that still your understanding?

9 MS. LaBROSSE: Yes, that's correct. The  
10 meeting we had last week to -- with them trying to do  
11 that, like you said, it's a building code issue. It  
12 has nothing to do, really, with ASME A17.1 because all  
13 of the codes related to A17.1 follow ADA and building  
14 code standards and NEC standards and things like that.  
15 So the amendment would be to remove the language that  
16 is asking for the global safety standard and just  
17 follow ASME code. The concern for them is they want a  
18 smaller elevator instead of the gurney sized. And we  
19 talked to them about, you know, other options available  
20 to the building, which would be, you know, like an MRL,  
21 something that's a bit smaller but still follows all of  
22 the ADA like all of the existing codes. So turning  
23 radius for a wheelchair, et cetera, but it doesn't  
24 necessarily fit a gurney. And they seemed kind of open  
25 to that.



1                   CHAIRMAN HENDERSON: This is Rick Henderson.

2                   And that's been my thought on this one as well  
3                   because it's not -- from my understanding it's not an  
4                   ASME issue as far as the size for them to be able to  
5                   get a smaller car. It is, as you mentioned earlier,  
6                   building code requirement for a gurney-sized car. And  
7                   below that one is the ADA requirements for turnaround  
8                   spaces for wheelchair elevators. Those -- those are  
9                   the areas that need to be addressed, not necessarily  
10                  the elevator code side of it, in my opinion. But the  
11                  ESAC's recommendations moving to this is that this  
12                  definitely needs to have more discussion and talked  
13                  about and looking at all of these interactions so that  
14                  all of the issues that we're talking about here today  
15                  can be addressed.

16                  Jan, did I see you have your hand up for comment?

17                  MS. GOULD: Jan Gould, City of Seattle.

18                  I was wondering if Tom McBride had any NEII  
19                  position information.

20                  CHAIRMAN HENDERSON: Is Tom on the call today?

21                  MR. McBRIDE: I am. Am I permitted to speak?

22                  CHAIRMAN HENDERSON: Yes, please.

23                  MR. McBRIDE: Okay. Thanks.

24                  Tom McBride representing NEII here on this call.

25                  And thanks to Ms. LaBrosse, too, for that update from



1 her organization's lobbyist. It's really -- it's  
2 consistent with what we've learned.

3 We've been working primarily on the Senate side to  
4 express concerns, primarily distilling it down to the  
5 messaging of don't sacrifice safety in an effort to  
6 increase housing stock. Housing -- expanding housing  
7 stock is very important, but not when we have to reduce  
8 the safety standards. And NEII is involved, as are the  
9 elevator manufacturers in the state. But I think we're  
10 making some headway. It did get to the Senate floor,  
11 as Ms. LaBrosse mentioned. And what was a little  
12 surprising was when I've been talking with some of the  
13 senators, they expect it to get off the floor last  
14 week. So it definitely has slowed down. The  
15 opposition group has grown. The fire fighters are  
16 involved, labor is involved, others are involved too.  
17 So I think we've got a pretty good growing opposition  
18 campaign. And I think it's important, too, what was  
19 said earlier; that is that it's not just an effort to  
20 kill the bill. There's probably ways to fix this or at  
21 least take the time necessary to accommodate the -- it  
22 gets complex really fast, as you all know better than I  
23 do. But the interplay between -- among ASME, ADA, ISO,  
24 and the IBC, to name just a few. So I think it's  
25 slowing down. I'd agree with what was said by



1 Ms. LaBrosse. And I think we've got a lot more work to  
2 do because it was moving fast, and it still could move  
3 fast, so it's still a meaningful threat. Happy to  
4 answer any questions.

5 CHAIRMAN HENDERSON: This is Rick Henderson.  
6 Thank you, Tom, for that report.

7 Any comments or questions for Tom from the group --  
8 from the committee?

9 Hearing none, I would like to make comment on this  
10 House bill and how the standards that's being talked  
11 about here, the ISO compared to the ASME. In the  
12 original language of the bill where they're talking  
13 about the global standard, I think everybody needs to  
14 be aware that the ISO that is being referred to, I  
15 think here, when they're talking about the global  
16 standard, there is no jurisdiction in the United States  
17 that uses the ISO standard. It's all ASME for North  
18 America. There has been some work to try to get a  
19 merge between these two codes, between the ASME and ISO  
20 within the ASME committees and group. They've been  
21 working on it for many many years, and there's still a  
22 lot of work going ahead. And the reason I bring it up,  
23 I just wanted to make sure everybody was aware that  
24 with all of the manpower and all of the personnel that  
25 ASME has, they are still -- they've been working at it



1 for probably a decade, and they're still many many  
2 years away from getting a harmonized standard between  
3 the two. Putting this task onto Washington State and  
4 Gerald's department to make this happen in less than a  
5 year is impossible. It just could not happen.

6 Brian, I see you have your hand up.

7 MR. HORNBACK: Yeah, Brian Hornback,  
8 Department of Labor and Industries.

9 Ricky, I apologize. I dropped the -- I didn't want  
10 to interrupt, but I dropped the content of the letter  
11 that you sent to the department in the chat. For some  
12 reason I don't have the ability to just drop the letter  
13 in there so you can read it later. So I had to drop  
14 the contents in there. So just want to let you know if  
15 that's a problem or you'd prefer I don't do that,  
16 please let me know.

17 And then just, you know, the department is  
18 absolutely with you. We've voiced our opposition. You  
19 know, our bill analysis says, you know, this is  
20 something we couldn't implement. It would take us four  
21 years if we were forced to do it now, et cetera. And  
22 we have -- the department normally takes a neutral  
23 position on a bill and just provides the technical  
24 language to say, you know, the impact and how it  
25 happened. In this particular bill, we did take a



1 position that says we are opposed to it. So that's not  
2 something we normally do, but the bill analysis does  
3 show that.

4 And again, if you'd rather I do something different  
5 with the chat or just send stuff back to you, please  
6 let me know.

7 CHAIRMAN HENDERSON: This is Rick Henderson.

8 Brian, I appreciate that. I appreciate you  
9 dropping that in the chat. I think everybody will be  
10 able to get a copy and paste out of that.

11 Duane, you have your hand up?

12 MR. LEOPARD: Duane Leopard, City of Spokane.

13 I just want to, you know, let you know where Spokane  
14 stood too, and I'm only steps away from the fire  
15 department desk and building director, and we're all  
16 against it. Besides the safety implications that are  
17 involved, you know, no fireman access to the floors or  
18 hospital gurneys, you know, there's -- there's some  
19 other implications they really need to cover too, you  
20 know, so that the rest of the people can understand  
21 what's happening. We don't have any trained forces to  
22 inspect them. And my understanding is that all QEIs,  
23 if they inspect the ISO elevators -- sorry -- QEIs  
24 could possibly lose their certifications because of it.  
25 I'm not willing to give up mine, and City of Spokane is



1 not willing to hire other people just specifically for  
2 this type of equipment. It just wouldn't be feasible  
3 for us. And a wheelchair elevator, I'd like to see  
4 somebody haul a refrigerator up there or a couch or  
5 delivery and these goods. You know, the stairways is  
6 not a real safe way to handle all -- I know it can be  
7 done. But, you know, outside of the safety features,  
8 this is -- this is some of the things we discussed in  
9 meetings in the background. It just can't be covered,  
10 especially like you said, Ricky, within a year. That's  
11 all I had to say.

12 CHAIRMAN HENDERSON: This is Rick Henderson.

13 Thank you, Duane.

14 Scott Cleary, you have your hand raised?

15 MR. CLEARY: Yeah. Scott Cleary, MCI.

16 Also, everybody needs to -- pretty much aware that  
17 the engineering and design standards are significantly  
18 less than the design standards of ASME for the  
19 structural components. So that's another thing to be  
20 cognizant of, too, is it's a much less of an elevator  
21 when it comes to structural components.

22 CHAIRMAN HENDERSON: This is Rick Henderson.

23 And following up with Scott on that one, this is  
24 where, while from the research that I've done, there is  
25 ISO-certified elevator that is compliant with ASME





1       because of while you may have an ASME elevator that is  
2       compliant with ISO standards, I don't -- the reverse, I  
3       don't believe would be possible because of the much  
4       lower standards that ISO has compared to ASME.

5               The other item that I wanted to touch base on --  
6       and I appreciate Brian dropping it in the -- the letter  
7       into the chat -- is the liability issues that may be  
8       opened up by doing this. You know, my understanding  
9       for the gurney-sized cars is for stretchers, you know,  
10       for if ambulance comes and is bringing somebody out of  
11       the building and they can have the gurney in the car  
12       laying flat so lifesaving procedures can be performed  
13       while they're in the elevator. If these are not  
14       provided, what liability does that open up anybody, the  
15       building and/or manufacturers of the elevators, if  
16       that's not there, if it is required by code. So that's  
17       a big question to me. And in the world that we live in  
18       liability is absolutely a major item that we have to  
19       pay attention to all the manufacturers would have to  
20       pay attention to. We've been talking about this one.  
21       We went a little over the agenda timeline for it. Any  
22       other feedback or comments for this?

23                               (No response.)

24                       CHAIRMAN HENDERSON: With that said I know  
25       that the letter that we created going out for ESAC for



1       this one, I'd like to see if we have a motion to the  
2       committee to vote on this to move it forward to the  
3       department.

4               MR. LEOPARD: Ricky.

5               CHAIRMAN HENDERSON: Yes.

6               MR. LEOPARD: I move the ESAC committee  
7       approve this letter and move it forward to the  
8       department.

9               MS. GOULD: I second. Jan Gould.

10              CHAIRMAN HENDERSON: I have a motion and a  
11       second. Can we have a vote to approve it as written?

12              And we have with that said, motion carries.

13              Next item on the agenda is CMP project update. Do  
14       we have the CMS project time here to do a presentation  
15       for us?

16              MS. TAYLOR: Yes. Good morning. I am Nicole  
17       Taylor. I'm the IT project manager at L&I, and I  
18       brought with me today some project team members to give  
19       an update on where we are with the new conveyance  
20       management portal. We're just going to run through a  
21       few different slides here to give you an update. We're  
22       going to be talking about schedule update, the training  
23       schedule, and how to get registered.

24              So this is a slide that we also bring back to every  
25       presentation, just to remind folks. We had done a



1 survey at the beginning of this project a couple of  
2 years ago and heard from a lot of stakeholders, you  
3 know, what they really cared about and what they wanted  
4 the project to focus on. So of course there's a heavy  
5 customer focus, as that was, you know, something we  
6 received a lot of feedback about, as well as being  
7 super accountable and transparent about where we are in  
8 the project and any problems that we come across. So  
9 we've continued to hold true to these pillars.

10 And so now we'll be super transparent and talk  
11 about our schedule update. So last month you would  
12 have seen a communication go out about a date shift.  
13 We did need to push this go-live date back to March  
14 26th. So moved from February 26th to March 26th. This  
15 winds up giving us time to make sure that the data  
16 migrated correctly, that we have a quality product that  
17 is getting rolled out.

18 We still experienced some very critical issues as  
19 we were continuing to test last month, and we needed a  
20 little bit more time to make sure that this works  
21 correctly for you all so it's not -- doesn't cause any  
22 further headaches, as well as we heard a lot of  
23 feedback that folks wanted more time for training. So  
24 this slide in the schedule does provide enough time for  
25 that activity, and we feel very confident in rolling



1 this out to you. This will be a phased rollout, which  
2 we'll have lots of details to come.

3 But any questions at all about the new date before  
4 I move forward?

5 (No response.)

6 MS. TAYLOR: Okay. So I'm going to pass it  
7 over now to Rebecca Llewellyn to talk training.

8 MS. LLEWELLYN: Hi. Good morning.

9 So we have put together a training schedule, which  
10 will be live demonstrations and trainings for the  
11 varied -- varied audiences that we have. So you can  
12 see there we've got one set up -- one scheduled for  
13 contractors, one scheduled for building owners,  
14 property managers, and all audiences, including some  
15 open houses where if you've already seen some of the  
16 training or watched some of the videos that we've  
17 produced, and you have specific questions, you can  
18 bring them right there. We also have, of course, the  
19 email that we were monitoring for CMP training at  
20 [lni.wa.gov](mailto:lni.wa.gov).

21 But I just wanted to show the CMP page real  
22 quick -- so let me share that -- which has the full  
23 schedule, not as broken down as this is. It just has  
24 the full schedule. But on the CMP page here, you just  
25 scroll down about the system. We've got the updated



1 date on there. Here you can see the trainings that  
2 we've already recorded. And we have on demand that  
3 people can watch at any time at your convenience. And  
4 then these are the scheduled training opportunities  
5 where there will be several of us on to answer  
6 questions to go over these scenarios.

7 And to get a better feel for how many people we  
8 needed to be available for these training, we've  
9 scheduled them also to give a little more secure site  
10 so that people can't just pop in. We made a very  
11 simple signup form here, though. You can just choose  
12 the date and time that works best for you. So if  
13 you're a building owner or property manager and want to  
14 see about how to sign up or how to renew your annual  
15 operating certificates, on the 6th you would just  
16 simply sign up here and it takes you to a very simple  
17 sign-in information, just basic information, the  
18 attendee name or what you want to go by, and you put in  
19 your email address and -- I want to get to -- sorry. I  
20 was going to have this prepped a little bit more, but  
21 then I kept losing it when I was going back so I need  
22 to do this live. But we will show you -- I want to  
23 show you the confirmation that you get right away and  
24 then the email confirmations that folks will get, and a  
25 reminder so that we get a good turnout and give people



1       lots of opportunities to come and ask their questions.  
2       And we just kind of needed to know how many people to  
3       plan on. Do we need one person? Well, we'll have at  
4       least two or three. But do we need more field chats  
5       and go with the registration. So right there it has  
6       created a registration confirmation you can see on my  
7       screen. It's got the meeting code and the log-in and  
8       call-in information. You can add it right to your  
9       calendar to help remind you when to arrive. And then  
10      again, as long as you register ahead of time, it will  
11      send you reminders. It's going to send you an email  
12      confirmation with the same information and go over what  
13      we are intending to go over in that training. So we've  
14      tried to make it really simple for you, but also give  
15      us some information of how many people are attending  
16      and who is planning to be there so that we can really  
17      meet your needs in the best way that we possibly can.  
18      So super easy.

19             And we hope that you will share this information,  
20      again, with your constituents that are building  
21      property owners. Any information out there that you  
22      can share will just help us out. Thanks so much.

23             MS. TAYLOR: Fantastic. Thank you, Rebecca.

24             So again, just again just the website on how you  
25      can find that sign-up that Rebecca was just showing



1 that, [lni.wa.gov/cmp](http://lni.wa.gov/cmp). And you'll find all of our  
2 communications, trainings, as she said, and the sign-up  
3 for the live sessions that you want to attend.

4 Okay. So I'm going to switch screen, and I'm going  
5 to pass it over to Pao. Go ahead, Pao.

6 MR. NAIPO: How's it going, everyone. So  
7 everyone can hear me? Can I get a thumbs up from  
8 people who are -- yes? Okay. Cool. We're good.  
9 Audio is good. All right. Thank you very much,  
10 everyone.

11 So we're going to go over again just some  
12 preparation for CMP launch. Now, I know you guys are  
13 looking at that and probably a lot of anxiety going on.  
14 If you've ever worked with applications, going from one  
15 thing to another, there is a transition time. Because  
16 of the type of application that this is and the amount  
17 of different stakeholders that this is going to be  
18 serving -- because currently the CMS system pretty much  
19 just is used by the internal staff. And then we have  
20 some outward-facing applications as well that sort of  
21 work in conjunction with the CMS system as it is  
22 currently. Our CMP project and the application that  
23 this is going to have will be able to incapsulate all  
24 of these things within one system. So with that we  
25 needed time to be able to take a break between using



1       these two -- or using our old system while we migrate  
2       data and input some of this new data into this new  
3       system.

4               So what does that mean? So please just hold your  
5       questions until the end. We will have a little bit  
6       more, maybe, in-depth detail. If you have some  
7       questions on how exactly this is going to work, we'll  
8       go over that. So starting on February 25th -- so, yes,  
9       next week Tuesday -- we're going to be turning off plan  
10      review. What does that mean? You're no longer going  
11      to have access to it after noon. That does not mean  
12      that business stops. You will still send in your  
13      applications. You will still send in your payment.  
14      You will still do the same things that you're doing now  
15      as far as getting the information out. It just won't  
16      be done electronically. You may have to, you know,  
17      take your things to the service location, and they'll  
18      get it processed manually.

19             Invoice pay: If you use our secure invoice pay  
20      process within CMS now, that will be turned off as well  
21      at that time. Again, it doesn't mean that you can't  
22      pay your invoices. You just won't be able to do it  
23      online for short amount of time, again, while we're  
24      transitioning.

25             And then all of the permits that you take to the





1 front counter, they're going to be manually put in, so  
2 most likely going to be easiest for you to just know  
3 that you're not going to get that information right  
4 away, or you're not going to have the capability to go  
5 back to plan review. Again, we're taking steps back to  
6 pretty much how things were done in 2017 and prior.  
7 But that's okay because it's just for a very short  
8 amount of time.

9 So again, during that time between next week, 25th,  
10 and March 26th all of these external-facing  
11 applications are going to be turned off. But again, it  
12 doesn't mean that that work isn't going to be done.  
13 It's just going to be done manually by central office  
14 staff and some of the project staff. So I know with  
15 that there's probably some questions. We may not have  
16 answers to everything right now, but if there are any  
17 questions about this process, what it looks like, what  
18 it entails, please feel free to raise hand.

19 Nobody? Well, okay.

20 Ricky, come on man. Ricky, you're muted.

21 CHAIRMAN HENDERSON: Thank you, Pao.

22 MR. NAIPO: No worries, man.

23 CHAIRMAN HENDERSON: Rick Henderson.

24 So just confirming right here. So during this  
25 timeframe, if I'm hearing it correctly, from 2/25



1 through 3/26 we're going to be rolling back 100 percent  
2 to the 2017 method of permitting, which there is no  
3 electronic, no -- everything is going to have to be  
4 done in person in the office. Did I hear that  
5 correctly?

6 MS. TAYLOR: Yes, or via mail. I'll chime in  
7 here and help Pao. So you can still send in  
8 applications via mail or, you know, payments, et  
9 cetera. You can visit an L&I service location or do  
10 that via mail. But at this time online services will  
11 be turned off as we transition.

12 CHAIRMAN HENDERSON: This is Rick Henderson.  
13 You said "by mail." Not email, but by mail;  
14 correct?

15 MS. TAYLOR: Either -- either will be  
16 accepted.

17 CHAIRMAN HENDERSON: Either will be accepted.  
18 Okay.

19 One more question on this one is, how -- other than  
20 this demonstration right here, how is this information  
21 making it out to all the stakeholders?

22 MS. TAYLOR: Great question.

23 So we just got confirmation of this plan tail end  
24 of last week, so we are working on drafting out  
25 communications now to be sent out. And I imagine we'll



1 be doing that through our newsletter. We'll also be  
2 posting this on the My L&I dashboards. So if anybody  
3 does log in and goes to look through these systems,  
4 they'll have alerts letting them know that they're down  
5 temporarily. We'll be getting this communication out  
6 here today or tomorrow.

7 MR. BROWN: And GovDelivery.

8 MS. TAYLOR: Oh, yes, and GovDelivery.

9 Thank you, Gerald.

10 CHAIRMAN HENDERSON: This is Rick Henderson.

11 One last -- this is one last item, so just to be  
12 clear, this is going to be notification of this being  
13 off on Tuesday of next week. So one week from today.

14 MS. TAYLOR: Correct.

15 CHAIRMAN HENDERSON: And that information  
16 should be going out. So stakeholders are going to have  
17 less than a one-week notice on this one to be aware of?

18 MS. TAYLOR: Yeah, I do realize it is a little  
19 short notice here, but this is just as realtime  
20 information as best as we can give it. So this  
21 decision was confirmed last week after assessing, you  
22 know, all the many parts and pieces that are moving and  
23 how we can smoothly get over to the new system. Not to  
24 go into too far detail, but we really had to assess,  
25 you know, if we've got business running in parallel in



1 one system and also in another, how do, you know,  
2 numbers change, potentially, between invoices, et  
3 cetera. So this will be the smoothest transition for  
4 all customers with the least amount of impact. I know  
5 that it is an impact, of course, to turn off these  
6 online services, but there's many benefits.

7 CHAIRMAN HENDERSON: Thank you.

8 Scott?

9 MR. CLEARY: Scott Clear, MCI.

10 Question: I know there's been discussion on what  
11 the requirements are going to be for contracts. Is  
12 that -- I'd really like to get some clarity on what's  
13 going to be required from companies to submit for the  
14 permit on how much of the contract or what is going to  
15 be required for proof of project and total cost for  
16 that project. Can that -- can you help me understand  
17 that, please?

18 MR. NAIPO: So yes. When we found out, there  
19 was discussion needed further on what exactly was the  
20 department looking for. I know when people looked at  
21 that training that we provided to some contractors that  
22 said, you know, a copy of your contract. The intent of  
23 what we're asking for, what the program is asking for,  
24 is really just the itemized statement that shows, Hey,  
25 this is what we're charging the customer and the



1 breakdown. That is it. We're not looking at how you  
2 do business or anything like that. The elevator  
3 program was just really looking to make sure that the  
4 price submitted on the contract value is what was in  
5 this contract page that they're looking for. As far as  
6 alterations go, they were looking for exactly what the  
7 alteration job is for because they have run into some  
8 instances where an alteration description was written  
9 as such by the person who submitted the application,  
10 but when the inspector got there on site, it was a lot  
11 more work, and they weren't sure that, Hey, did this  
12 actual work get also tabulated into the contract value  
13 that the permit was assessed at and eventually cost to  
14 the contractor as well as the company. So that is what  
15 we got an email back from Gerald and Candice about.

16 But, Gerald, if you would like to speak about it a  
17 little bit more, please.

18 MR. BROWN: Yep. Thank you. Appreciate that.

19 Yeah, I share Scott's concern about, you know, we  
20 don't want to send a whole contract. It's so much of  
21 this stuff is just pages and pages of stuff that covers  
22 their liability and the building owner's  
23 responsibilities and things like that. Basically all  
24 we're looking for is the proof of the contract value  
25 parts and labor. And we're looking for scope of work.



1       And so we just want to see that we're talking apples  
2       for apples and that you have provided some type of  
3       statement or proof of contract value to reflect total  
4       parts and labor, which is what the permit is based on,  
5       and then, like I said, scope of work. And so right now  
6       we -- our tech specialists get, you know, a proposal  
7       for \$230,000 for a complete (indiscernible) with  
8       controller and, you know, door package, all that stuff,  
9       and we get one for \$25,000 the same scope of work. And  
10      it's really not apples for apples, and we've had to go  
11      back. Of course the department has responsibility and  
12      the right to ask for contract value parts and labor and  
13      for proof of it. So basically we're just looking for a  
14      simple parts and labor contract value statement,  
15      something we can go back to, and then, like I said, the  
16      good scope of work. We've had problems with permits in  
17      the past. They only give so many characters to  
18      describe all this work that needed to be done. We've  
19      gotten past that with this new system so you can list a  
20      complete scope of work. A lot of times you have that  
21      already spelled out in your contract and it's simple  
22      cut and paste for the online permitting process. And  
23      so I hope that -- I hope that clears up the concern.  
24      We're not trying to punish everybody for the misdeeds  
25      of a few, but unfortunately it wasn't just a few. It



1 was a bunch. And we're trying to handle this during  
2 the permitting process and so it just becomes second  
3 nature when you file a permit to provide that  
4 documentation from you that this indeed is a \$25,000  
5 job, and we're doing this for that amount of money, and  
6 so the permit generates at the right fee. Because in  
7 the current system, we had no way to go back and add  
8 additional money to things that were discovered on the  
9 site. And so the department's just been experiencing  
10 this loss of revenue, loss of revenue, loss of revenue,  
11 and we're not just talking a few dollars. And so in  
12 designing the new system, we wanted to have a way to  
13 show proof of contract value and scope of work.  
14 Hopefully that answered your question.

15 CHAIRMAN HENDERSON: Scott, you have your hand  
16 up?

17 MR. CLEARY: Yeah.

18 Thank you, Gerald. I think that does. So just for  
19 process and flow, it's my understanding, then, that  
20 this will be taken care of during the permit process  
21 and during the review by your tech specialist so it  
22 would be inappropriate for the inspectors to ask our  
23 customers what the contract value is in the field?

24 MR. BROWN: That is correct. We're not doing  
25 that.



1 MR. CLEARY: Thank you.

2 CHAIRMAN HENDERSON: This is Rick Henderson.  
3 Carl, you have your hand up?

4 MR. CARY: Yeah. Carl Cary.

5 So this copy of the proposal or the contract or  
6 whatever, Gerald, is going to be stored in the L&I  
7 system in perpetuity, essentially?

8 MR. BROWN: Yeah, the contract value, the  
9 stated contract value and the parts -- it's all of our  
10 permitting processes right now. Everything that we  
11 have in our system and everything we will have in our  
12 system is something that somebody could file a public  
13 records request. And we've had people do that. "I  
14 want to see every contract the last five years what the  
15 values were," and went through our process of the  
16 public records request. We're a public agency, and the  
17 work you do is subject to that. So none of that has  
18 changed. All that stays the same.

19 MR. CARY: Carl Cary again. But just to add  
20 so now they could also request a copy of that proposal  
21 or that contract or whatever was submitted --

22 MR. BROWN: We're not asking for the whole  
23 contract, Carl. We're just asking for, you know,  
24 whatever you want to provide us. A signature line with  
25 a total, a statement from you that this is the value of





1 parts and labor. And if it turns out, you know, there  
2 is something, we go back to that document. If we have  
3 to use outside auditors to come in and review this  
4 stuff, that's what we do. But we just want something  
5 clear and concise from those that are filing the  
6 permits, this is the contract value parts and labor,  
7 and this is the scope of work. The contract parts and  
8 labor has been part of the WAC rule and RCW since its  
9 inception, and all permits are based on the price of --  
10 the final price of parts and labor for that contract,  
11 and that's -- that's what we base our permits on. And  
12 some people have taken liberties in their evaluations,  
13 "Well, I'm going to pack this, that, and I'm going to  
14 pack that." It's whatever the bottom line of this is a  
15 \$26,000 job, and this is what we're doing for it.  
16 That's what we're looking for.

17 CHAIRMAN HENDERSON: This is Rick Henderson.

18 So just to summarize that right there is what I'm  
19 hearing, a copy of the contract is not going to be  
20 required. However, a document from the company, be it  
21 a letter or something with an itemization of what the  
22 cost and labor to the building owner, to the customer  
23 is, is what the department is going to be looking for?

24 MR. BROWN: Typically the last page of the  
25 contract is "We're going to do it for this price.



1 Here's my signature. There's your signature." That's  
2 all we're looking for. We're not looking for the whole  
3 thing. We're not looking for your products you're  
4 selling. We're not looking for any of that. We're  
5 looking for "this is what it cost." And then typically  
6 in contracts, they have a scope of work, like, we're  
7 doing this, this, this, and this with this amount of  
8 money, and cut and paste that as the end of your work  
9 description for your permit.

10 And Rebecca put a thing on there on how to apply  
11 for a permit and install a new conveyance that may  
12 clear that up on how -- what that looks like on the  
13 portal, which will be very helpful to you.

14 Very quickly, what we're looking for something that  
15 we can hang our hat on when your job becomes an issue  
16 from another stakeholder, or whatever, we can show we  
17 did our due diligence, you did your due diligence.  
18 This is a statement. This is what we charged for this  
19 work, and this is the work we did. That's all we're  
20 looking for, the statement and the rule and the  
21 statute, the rule and the law.

22 CHAIRMAN HENDERSON: One other point of  
23 clarification.

24 Lyall, I see your hand up there. I'll get to you  
25 just one second. I had just one more follow-up for



1 Gerald on this one.

2 And I know this question has come up several times  
3 in the past where sometimes, depending upon the job --  
4 it doesn't happen very often, to my knowledge, but it  
5 does happen where the contract that the elevator  
6 company may have the total value of that may also  
7 include other trades' work. Like, if there's  
8 electrical work being required that's not conveyance  
9 work, that they become the contractor and subcontract  
10 that out, but they become -- that's the total value,  
11 becomes part of the total value of the contract.  
12 Sometimes the contract may also include the cost of a  
13 year's maintenance involved in it, which maintenance  
14 doesn't require permitting. Is there any methodology  
15 that we currently have to strike out the line items or  
16 part of the contract that's not required to have a  
17 permit, or is that required to be a part of the permit  
18 cost, that -- that work done by others or work that  
19 would typically not require a permit?

20 MR. BROWN: The part about hiring an  
21 electrical sub to install and disconnect pipes and wire  
22 and all that other stuff, our -- our inspection always  
23 starts at the disconnect so we have to look at it  
24 anyway, so it is covered work, it's under the  
25 conveyance work. As far as drilling a hole or any of

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1       that other stuff, those -- that's also provided for the  
2       conveyance. We are just interested in providing a  
3       contract value, frequent contract value for what has  
4       transpired for the value of the work and the scope of  
5       work that you have. And if that's part of the scope of  
6       work, that's part of the value of the contract.

7               CHAIRMAN HENDERSON: So the permit cost would  
8       include cost of materials and work that would typically  
9       not require a permit is what I'm hearing.

10              MR. BROWN: Yeah. You know, a lot of times,  
11       you know, historically in the past the companies have  
12       slid a five-year contract under the -- you know, into  
13       the installation contract and things like that to give  
14       a discount on the price and all that. And, yes, that  
15       is not considered to be, you know, something we pull a  
16       permit for. It's your service contract. But the  
17       majority of everything else that we're seeing isn't  
18       that. In fact, every one that we've had a challenge on  
19       never included drilling a hole or never included a  
20       service contract. We're talking about people that went  
21       out and wrote down three things, and we show up and  
22       they did ten, and they have a permit that shows the  
23       value of the three things. And that ship's sailed.  
24       We're not doing that anymore.

25              CHAIRMAN HENDERSON: Totally understand that



1 aspect of it, Gerald. But it does leave the question  
2 in my mind of we're now requiring permits for  
3 non-permit required work, potentially.

4 MR. BROWN: Like I said, I just want to see  
5 the scope of work and what you're charging parts and  
6 labor for that scope of work, and that's what the  
7 contract value is. And that's why you're going to make  
8 a statement that will hold up in a state investigation  
9 to show that that's exactly what we did. This is what  
10 we provided L&I. This is the work we did. It's  
11 permittable work, and this is what we did and how we  
12 did it. That's what I'm asking for is contract value  
13 and scope of work.

14 CHAIRMAN HENDERSON: Lyall, you've had your  
15 hand up for a while. Sorry. Go ahead.

16 MR. WOHLSCHLAGER: Yeah. Lyall Wohlschlager.  
17 Is there going to be a minimum budget cost where  
18 this is going to apply? In our particular case, we do  
19 a lot of residential stair lifts, which, you know, are  
20 typically a lot of times under \$5,000 and we don't even  
21 have proposals or estimates that are signed off by a  
22 contract -- excuse me -- a customer because they are a  
23 stock item. So are you asking that we could just  
24 certify that that's what we sold it for? Because we  
25 won't have any documentation signed off by a consumer



1       that that is the agreed price.

2               MR. BROWN: We -- we have to have something  
3       that -- what you charged them for it would be the  
4       contract value and the work you did. And I understand  
5       that the chairlift industry moves fast and furious, and  
6       a lot of times it's done off of stock that's in the  
7       van, so to speak. You get out there and get it in so  
8       we can get grandma home from the hospital. And I'm not  
9       trying to delay that process here. But what I am  
10      saying is I'm asking for a fair permit value for the  
11      work performed. That's what we're asking for.

12             Does that answer your question, Lyall? I know  
13      we're not talking apples for apples for, you know, a  
14      big commercial job compared to a stair chair.

15             MR. WOHLSCHLAGER: Lyall Wohlschlager.

16             I'm not sure that it answers it. It seems to me  
17      when I fill out the permit application, I'm attesting  
18      to the fact that I sold the stair chair for 4,500  
19      bucks, and so that's my signature, and that's my  
20      attestation that that's what it cost. So I don't know  
21      that I -- I create another piece of work -- piece of  
22      paperwork and submit it is anything more than already  
23      what's on the permit app. That was my concern.

24             MR. BROWN: Well, like I said, I'm trying to  
25      put in some standard on permitting just like the code



1       says. The code says that permits are valued on parts  
2       and labor. And if that's what you've been doing,  
3       fantastic. We're just asking that part of this permit  
4       application -- and like I said, please, please, go  
5       through and review the information that Rebecca put in  
6       the chat and at least look at what it is so we can come  
7       back and have another conversation. But no, you got a  
8       great point, and I appreciate that.

9                   MR. WOHLSCHLAGER: Thank you.

10                   CHAIRMAN HENDERSON: Thank you, Lyall.

11                   Carl?

12                   MR. CARY: Yeah, two questions. I just wanted  
13       to confirm when this new process is effective. Is it  
14       after the system goes live?

15                   And then I just wanted to clarify Ricky's point  
16       about when he's talking about turnkey, like,  
17       modernizations, alterations, stuff like that where  
18       we're covering the cost of -- or we're including the  
19       cost of fire alarm. We're including the cost --  
20       they're going to get their own permit. We're including  
21       the cost of electrical. They're going to get their own  
22       permit, of, you know, pit sealing or -- you know, or  
23       stuff that people are going to do that's all in our  
24       price. And looking at the wording of the WAC, it says  
25       for labor and material, total cost of conveyance



1 operation and the labor to install or alter. That's  
2 not -- that's not labor or -- that's a separate thing,  
3 at least in my mind, so I wanted to clarify that.

4 MR. BROWN: Yep. That's based on parts and  
5 labor. You present what you are charging the customer  
6 for billable work or permit work, and that's -- that's  
7 the fair contract value. That's all we're looking for.  
8 Does that make sense, Carl?

9 MR. CARY: Carl Cary.

10 I mean, not really. So I guess let me just sum it  
11 down. So can we back out the related work cost from  
12 the total cost when we submit for the permit and  
13 provide you documentation as such?

14 MR. BROWN: If it's -- we only sell permits  
15 for conveyance work. How does that sound, Carl? They  
16 seal a pit, they go through and do injections, and  
17 you've got a guy's time tied up and spotting the car  
18 and putting it on (indiscernible) and coming back out  
19 and inspecting it, turning it back on, that's what  
20 you're charging a customer for.

21 MR. CARY: Thank you.

22 CHAIRMAN HENDERSON: This is Rick Henderson.  
23 Scott, you have your hand up?

24 MR. CLEARY: Scott Cleary, MCI.

25 I understand why you're doing this. But if there's





1 waste and fraud, then there should be some sort of an  
2 audit mechanism within this to where you can audit the  
3 records. And if you do find fraud, something should be  
4 punitive then. I think that there's a lot of waste and  
5 fraud that we're finding out in government and  
6 everything else across the board, so audit. And then  
7 use the ability to remove people's licenses for  
8 cheating. I just don't like the broad brush against  
9 everybody. I would welcome an audit of our company on  
10 what we paid for permits and what our job costs are.  
11 So I just hope that's -- you know, that's part of the  
12 calculus. It's not everybody. It might be a larger  
13 portion. And I understand that it hurts everybody when  
14 you lose revenue. But there should be some sort of  
15 audit mechanism.

16 MR. BROWN: Thank you.

17 MS. TAYLOR: This is Nicole Taylor again. I  
18 do have a couple more slides here to finish off this  
19 presentation.

20 Our next ask, of course, is just to help spread the  
21 word. We've been trying to make contact with many  
22 thousands of people across the state for the last  
23 couple of years and make sure they're aware this new  
24 system is coming. If you could please just make sure  
25 that your customers or other folks that you're



1 interacting with that use the system are aware that  
2 this is coming, that would be great. Again, you can  
3 point them to the [lni.wa.gov/cmp](http://lni.wa.gov/cmp) for them to find all  
4 of the necessary information and how to sign up, et  
5 cetera.

6 And then lastly we have just a quick pulse survey  
7 that we're going to toss into chat. Carissa just put  
8 that in chat. Thank you, Carissa. So if you all could  
9 just take a few moments and fill that out for us, it  
10 would just help us ensure that we're continuing to meet  
11 your needs as we get closer to our go-live here. And  
12 that's it for us.

13 Any other questions or comments in regards to the  
14 new CMP system?

15 MR. BROWN: I have a quick comment. I would  
16 like to congratulate our CMP team. We have got the  
17 top-shelf people out of all the IT departments in the  
18 state combined. We have got the right people working  
19 on this project for us. They are doing an awesome job.  
20 And seriously, these people know I'm almost ready to  
21 hire them for inspectors. They took such a deep dive  
22 into the code and forms and everything. No, I'm  
23 serious. We've got some really wonderful people here.  
24 And when you call and ask questions or send requests to  
25 this team, you're going to get the straight scoop.



1       You're going -- they understand the talk, and they  
2       understand what the walk looks like to make this  
3       happen. So kudos to them. They're doing a great job.  
4       And everybody should feel comfortable that we got the  
5       right people at the right place doing the right thing.  
6       Thank you.

7               MS. TAYLOR: Thank you, Gerald.

8               And thank you to the team.

9               Back to you, Ricky.

10              CHAIRMAN HENDERSON: Thank you, Nicole.  
11       Appreciate that. And I again just voice Gerald's thing  
12       there. Appreciate everybody's work on that. Looking  
13       forward to the final product.

14              Next item on our agenda here is our follow-up for  
15       the divisional leadership on A17.3 inspection. The  
16       department has put out a letter to the ESAC for review  
17       for an A17.3 policy statement, which would effectively  
18       suspend a portion of A17.3 until the next code adoption  
19       cycle. The ESAC committee members have had a chance to  
20       review this letter.

21              And I'm just going to go ahead -- for the ESAC, I'm  
22       going to do a quick review of the letter. I'm going to  
23       share my screen real quick for this one so that  
24       everybody can see it. And this letter came from Brian  
25       Hornback, Deputy Assistant Director, and the subject



1 was the A17.3, 2015 safety code for existing elevators  
2 and escalators. And without getting into reading every  
3 word of the policy statement, unless the committee here  
4 would like for me to. I believe the committee has had  
5 a chance to review it.

6 Go ahead, Scott. I see you have your hand up.

7 MR. CLEARY: Yeah, I'd like to have -- I'd  
8 like to have -- Scott, MCI. I'd like to have it read  
9 on public record, please.

10 CHAIRMAN HENDERSON: Okay. So this is dated  
11 February 24, 2025. It's addressed to the ESAC  
12 Committee. It's from Brian Hornback, Deputy Assistant  
13 Director in Field Services and Public Safety, and the  
14 subject is Labor & Industries policy position on A17.3,  
15 2015 safety code for existing elevators and escalators  
16 enforcement. "Title: Policy for enforcement of  
17 American Society of Mechanical Engineers, ASME, A17.3,  
18 2015 safety code for existing elevators and escalators  
19 enforcement."

20 "Introduction: Elevator stakeholders have raised  
21 concerns about the cost and other impacts of the  
22 adoption of A17.3, 2015 and confusion on how now  
23 expired timelines impact compliance under WAC  
24 296-96-23000. The department has reviews" -- excuse  
25 me -- "the department has reviewed the history of



1 incidents and existing rules and determined that  
2 additional review of the ASME A17.3, 2015 requirements  
3 is appropriate.

4 "The department, under law, has authority to do  
5 this work under the following: RCW 70.87.110 allows  
6 the department to modify or waive requirements whenever  
7 any requirements are shown to be impracticable, such as  
8 involving expense not justified by the protection  
9 secured when the equivalent or safer construction is  
10 secured in other ways. RCW 70-87-020 has additional  
11 allowances for the program to allow exception by policy  
12 to ensure that all conveyance be reasonably safe to  
13 persons with the provisions of this chapter by  
14 applicable statute, orders, and rules of the  
15 department.

16 "Policy Statement: This policy establishes L&I's  
17 complete suspension of the enforcement A17.3, 2015.  
18 The agency using an exception available under law for  
19 this policy. This policy will remain in effect from  
20 2/24/25 until the department adopts later versions of  
21 elevator code through the rulemaking process. While  
22 the department works on rule updates adoption, this  
23 exception policy provides proven safe minimal  
24 expectation for compliance.

25 "Responsibilities of Inspectors: For conveyances



1 required to comply with ASME A17.1, 2000 and later,  
2 inspectors will use the ASME A17.2 inspection guide.  
3 Because it's an inspection guide, inspector site  
4 corrections from A17.1. For conveyances required with  
5 code years earlier than ASME A17.1, 2000, inspectors  
6 will use Appendix A. The appendix represents a  
7 selection of older rules the department has elected to  
8 enforce while updating rules."

9 This is Brian Hornback, Deputy Assistant Director  
10 of Fields Services and Public Safety. The department  
11 also provided an Appendix A for review, which were --  
12 which is what is referenced here within the letter.

13 With that reading, any questions on the letter from  
14 the committee?

15 I'd like to open it up. Do I have a motion for the  
16 committee to move this to vote and to move on to  
17 approve?

18 MR. WOOD: Ricky, this is Garry Wood. I  
19 motion to move it forward, please.

20 MS. GOULD: Jan Gould --

21 MR. CLEARY: This is Scott Cleary. I second.

22 CHAIRMAN HENDERSON: So I have a motion and a  
23 second for a vote. So could I see a raise of hands  
24 from all the committee members or alternates if the  
25 committee member -- their main is not present to move



1           this --

2                   MR. CLEARY: Ricky, you want to ask for --  
3           Ricky, you want to ask for discussion?

4                   CHAIRMAN HENDERSON: Thank you.

5                   Before we move for a vote, do we have discussion?  
6           So if you would lower your hands until we -- do we have  
7           any motion for discussion?

8   (No response.)

9                   CHAIRMAN HENDERSON: Hearing no motion for  
10          discussion, moving on to a vote to move forward to --  
11          for that just to the department to Brian for approval?

12                  So, Scott, do you want to go on record as a no on  
13          the vote?

14                  MR. CLEARY: No, sir.

15                  CHAIRMAN HENDERSON: With that said I show the  
16          motion -- the vote is approved to move this forward to  
17          the department.

18                  Can't believe there was no discussion at all on  
19          that.

20                  I see Brian has his hand up.

21                  MR. CLEARY: We've had -- we've had a year of  
22          discussion.

23                  CHAIRMAN HENDERSON: True.

24                  So, Brian, go ahead.

25                  MR. HORNBACK: Brian Hornback, Department of



1 Labor and Industries.

2 That was kind of what I was going to point out. I  
3 want to thank the committee. So you all recognize the  
4 struggles we've had getting this thing done. And  
5 you're absolutely instrumental in doing it. Ricky, you  
6 did a phenomenal job with technical writing to help us  
7 get it right and get ESAC's voice heard in itself. I  
8 just want to say thank you. You know, I know -- I know  
9 exactly how valuable you were in getting it done, and I  
10 appreciate it. Thanks, everyone.

11 CHAIRMAN HENDERSON: This is Rick.

12 Thank you, Brian.

13 One other follow-up on this one. I know that while  
14 this letter was addressed to the Elevator Safety  
15 Advisory Committee, my understanding is that there's  
16 going to be some additional information going out to  
17 the stakeholders letting the stakeholders be aware of  
18 this.

19 Do we have any kind of a timeline or the layout of  
20 that when that's going to be coming forward?

21 MR. HORNBACK: I don't have anything I can  
22 share with you today.

23 Gerald, do you -- do we need to finish that up  
24 internally before we have something to share?

25 MR. BROWN: Can we just get a -- redraft that





1        wording into the policy and post it on our website and  
2        send it out GovDelivery to the over 4,000 people that  
3        are on there and get it to the ESAC and the inspectors  
4        and everybody involved. And the policy will be drafted  
5        in such a way so you can share it with your customers  
6        and things like that and people inquiring about it.  
7        That's -- that's the only change, is we're just going  
8        to change it from a letter to the ESAC to other  
9        department policy. And it's -- we're not anticipating  
10       any wording changes or anything like that. But on the  
11       policy, we'll have the policy in an Appendix A so  
12       everybody's looking at the same thing, apples for  
13       apples all the way across.

14                    CHAIRMAN HENDERSON: Thank you, Gerald.

15                    Thank you, Brian.

16                    MR. HORNBACK: And, Ricky, my request is to  
17        have that happen by Monday. So that's our plan.

18                    CHAIRMAN HENDERSON: Scott, I see you have  
19        your hand up.

20                    MR. CLEARY: Yeah, thanks.

21                    I just want to reiterate leadership, you've done a  
22        great job in bringing this through.

23                    The other question is, is has this been vetted by  
24        your AAGs? We've never heard anything. I know we're  
25        not supposed to ask that question because they only



1 give guidance to you. But I want to make sure that's  
2 been done.

3 And what happens to any of the old write-ups? Are  
4 they just dissolved that were -- that have been written  
5 up for quite a period of time? Just curious.

6 MR. BROWN: Anything that falls outside of the  
7 pre-existing Part D, which is basically what Appendix A  
8 is. Appendix A is -- is -- it cites the current Part D  
9 what we updated from those old rules. And the body of  
10 the old rules are things that these units have been  
11 subject to for the last, you know, 20, 30 years. So  
12 nothing has changed. So if there's any penalties or  
13 anything out there that are specifically designed for  
14 lack of compliance to anything that's outside of  
15 Appendix A or this policy, that will be reviewed and  
16 taken care of because we're not here to perpetuate any  
17 ill feelings about this. And so we will -- we'll  
18 address those as they become brought to the department.  
19 It's the right thing to do.

20 CHAIRMAN HENDERSON: This is Rick Henderson.

21 Thank you, Gerald.

22 Brian?

23 MR. HORNBACK: Yes. Brian Hornback.

24 Gerald, if you would, I think we need to take a  
25 look at what kind of communication needs to go out



1 based on Scott's question to anyone who has a current  
2 write-up of some sort out there that feels like it's  
3 pending so our stakeholder -- communication to  
4 stakeholders, whether it's something separate that can  
5 go on listserv or whatever to those folks that might  
6 have something pending or whether it goes on our  
7 website that clearly states what we're doing with this.  
8 Let's make sure we include that in the communication.  
9 Thank you.

10 MR. BROWN: It will be part of the top policy  
11 clarification for the building owners.

12 Will that take care of what you're talking about,  
13 Scott?

14 MR. CLEARY: Yeah. And is there any penalties  
15 that have been paid in the early days? So that would  
16 be a good thing to figure out, is anything -- has  
17 anything punitive been sent out and paid in the early  
18 days? Because this has been going on for many years.  
19 So just curious on that.

20 MR. BROWN: Yeah, we'll have to look at that,  
21 and it will be on a case-by-case basis to make sure  
22 it's not. A lot of things in A17.3 are duplicated in  
23 A17.1, and so you have to run it across somebody's desk  
24 to review, "Yes, it is an A17.1. It appears A17.3."  
25 You know, we're not talking -- you know, we get down to



1 the nitty-gritty of this is definitely 2015 standalone  
2 "I had a penalty for it, and I want a refund." I mean,  
3 that's the clear-cut case there. But the things that  
4 are duplicates, then it's a code thing and it's a life  
5 safety thing the building owner needed to correct  
6 anyway. So that's why it takes so many to review it.  
7 That of course would be me.

8 MR. CLEARY: Thank you.

9 CHAIRMAN HENDERSON: Rick Henderson.

10 One quick follow-up on that one, and I know -- I  
11 think it was spoken earlier that this is going to be  
12 going out on listserv and also the website. But I know  
13 there are some challenges with the website right now,  
14 technical. And not all of our stakeholders are out  
15 there signed up for listserv.

16 MR. BROWN: The listserv has basically  
17 redubbed GovDelivery program, and so that was just --  
18 they were just combined, and it's now GovDelivery. And  
19 the individual notifications to those groups are --  
20 that's why we always encourage people -- if you look in  
21 the chat right now, Mandy Erlich put a way on there for  
22 anybody who's on here that's not getting those  
23 GovDelivery notices, please sign up so you can get  
24 those and share those. You can forward those to your  
25 customers. This will be in there. Please get --



1 please get signed up on that. It's also on the website  
2 of how to sign up. We'd encourage everybody to do  
3 that. And encourage the building owners, too, so they  
4 know what's coming their way.

5 CHAIRMAN HENDERSON: This is Rick Henderson.

6 I wholeheartedly agree with Gerald on that one to  
7 encourage all of the stakeholders, building owners to  
8 get signed up for that GovDelivery system. But I know  
9 there are a lot of people who don't. They just don't  
10 like to get that email inbox inundated with that.

11 Is there -- and with the challenges that we  
12 currently have with their website, is there any kind of  
13 a timeline on when this will be updated on the web  
14 site?

15 MR. BROWN: Yes. Yes, we'll get that done as  
16 soon as we can. It's just that Mandy and Melissa were  
17 the -- were the website people that contacted and got  
18 things done. And right now we're shifting that around,  
19 and we're borrowing another program's website update  
20 people to help us out in the interim. We're making  
21 progress on getting some staff in that will have that  
22 assignment full time. I commend Brian in the  
23 leadership for making that happen so we have another --  
24 hopefully, have another three in the office. Becky has  
25 really helped out as admin. I've got another person



1       that's helping out as administrative assistant for me  
2       until we can address that issue. We're still -- we're  
3       still pulling rabbits out of the hat to help the  
4       program, but we really appreciate. And they're going  
5       above and beyond to make sure we get additional staff  
6       and inspectors. So my hat's off to the hard work that  
7       they're doing for us.

8                   CHAIRMAN HENDERSON: Thank you, Gerald.  
9       Brian?

10                   MR. HORNBACK: Yeah, this is Brian Hornback.

11                   I'm going to try to give you a little shorter  
12       answer. Gerald, I appreciate all the information you  
13       provided, but Ricky asked for a timeline. So what I'm  
14       going to tell you is that we've identified somebody  
15       that can do this for us. So we'll make sure that as  
16       soon as -- as soon as it goes final, we'll get it on  
17       the website within a day or two of that. So I do  
18       understand it has to be filed with the office of the  
19       code revisor. I'm still learning a little bit because  
20       normally I rely on the chiefs to do the policy  
21       statements. So I'm learning a little bit about what  
22       the process looks like. I expect that within a day or  
23       two of being -- call it's final version -- that we'll  
24       have it on the website.

25                   CHAIRMAN HENDERSON: Appreciate that, Brian.



1 With that said that brings us a little bit past our  
2 10:30 scheduled break time. So let's take our break,  
3 and I'll see everybody back here at 10:45. Thank you,  
4 everybody.

5 (Brief break taken.)

6 CHAIRMAN HENDERSON: Coming back from our  
7 break. 10:45 on the agenda brings us to the chief's  
8 report, Scorecard and Accident Review. Gerald, are you  
9 able to present on that?

10 MR. BROWN: I am. I am. It's the same  
11 information on a different form that it has all the  
12 same information. The one that we're used to seeing is  
13 to be updated so we can start using the old format  
14 again. But for now this is the information that would  
15 normally go into it. So we're going to go with what we  
16 have.

17 Thank you, everybody. I'm the chief elevator  
18 inspector, and the part of the program I'm talking  
19 about how we're doing on inspection scheduling and the  
20 things that we've accomplished.

21 What this shows is in the previous fiscal year, we  
22 show that we did a total of 20,972 inspections that  
23 were scheduled, we actually accomplished 14,471. That  
24 puts us at a 69 percent completion ratio. This was  
25 prior to the current report. We have a 50 percent



1 target date by the state, state auditor's office, that  
2 we try to at least get half of them done. And so what  
3 this shows is what they consider to be on time was  
4 6,140. That's 60 days that's noted above. So we were  
5 about 42.43 percent, which is pretty close to half of  
6 them getting done what they consider to be on time.

7 And so now we're going to go down here and look at  
8 the statewide numbers. Basically, what we're talking  
9 about is the last quarter of 2024. And so this is  
10 October, November, and December. And so this shows  
11 that like in October we had 1,977. We actually got out  
12 and got 1,298 done, which is 65.66 percent. On time of  
13 that was 701. So that puts us at about 54 percent. So  
14 anything over 50 is (indiscernible). In November we  
15 had scheduled 1,564. The actual was 920, and which is  
16 about almost 58.82 percent. 511 were on time. And  
17 55.54 percent was complete. And so in December,  
18 similar numbers, we had 700 -- or 1,781 that were  
19 scheduled. 1,043 were actually accomplished. That  
20 puts us about 58 percent of them being done on time for  
21 that 60-day window of having them done from when they  
22 were done the previous year. It shows to be about  
23 47.46 percent at the 495. So the total for the quarter  
24 is, out of the 5,022 that were scheduled during that  
25 quarter, we did 3,261, which is about 61 percent. And





1 then on time was 1,707. And so 52 percent were done on  
2 time.

3 Is there any questions about -- this breaks -- the  
4 rest of the graph just breaks it down by region and how  
5 they were -- what their numbers looked like  
6 individually, but I'm just trying to get a statewide  
7 breakdown.

8 Scott?

9 MR. CLEARY: Couple of questions. One is,  
10 does this account for the ones that haven't been done  
11 for years? And what is the status of the grain  
12 industry inspections that have been halted for many  
13 many years?

14 MR. BROWN: I don't have the breakdown on the  
15 grain industry. I do have a breakdown for what we're  
16 behind for scheduled annals, which they would be  
17 included in. And I'll show you that chart here in just  
18 a minute. Thank you for asking, though.

19 MR. CLEARY: You're welcome.

20 CHAIRMAN HENDERSON: This is Rick Henderson.

21 I see Garry has his hand up.

22 MR. WOOD: Just a quick question. Thank you.

23 Gerald, it shows target at 50 percent. My question  
24 is why the target is 50 percent and not 100 percent,  
25 which is what RCW requires. Who sets the 50 percent



1 goal?

2 MR. BROWN: That was part of the audit.  
3 That's what the state auditor's office always asks us  
4 about is how are you doing on the 50 percent? On the  
5 old chart, it showed that squiggly yellow line that ran  
6 through it. That's the target of the 50 percent. And  
7 remember, where it says scheduled, the current system  
8 that we have, every inspection generated its own new  
9 inspection ticket on the anniversary date of the last  
10 inspection. And so that's where we get this schedule  
11 to actual what the inspectors went out and did based on  
12 the scheduled inspections. And so on the scheduled  
13 inspections, which like I said was pregenerated, that's  
14 where the state auditor's office wanted us to at least  
15 show how we're doing on a 50 percent ratio, and that's  
16 a number they picked.

17 The new system will generate reports that are  
18 probably a lot more accurate and easier to get to than  
19 these. Trust me, this was a hunt-and-peck with many  
20 people helping me out to getting this information.

21 CHAIRMAN HENDERSON: Duane, I see you have  
22 your hand up.

23 MR. LEOPARD: Actually, I kind of wanted to  
24 compliment the state because the reports we've seen in  
25 the past were kind of dismal. I don't even think they



1 hit 40 and 50 percent in the past. So my applause goes  
2 out to them for getting as much as they've done  
3 already. I know it's tough when you're shorthanded,  
4 trust me, all too well. So anyway, to inspectors and  
5 everybody out there, I think you've done a great job of  
6 moving forward and getting caught up. That's the way I  
7 look at it and that's my perspective of this report.

8 MR. BROWN: Thank you. I appreciate that.

9 Like I said we've had some pretty dismal in the  
10 past. As the inspectors get out and do more than it's  
11 just expected, when they get out and do more than just  
12 the scheduled, eventually this number will rise. But  
13 having more boots on the ground is really going to help  
14 that. And that's the goal of leadership is to get all  
15 the positions filled.

16 Scott?

17 MR. CLEARY: Scott, MCI.

18 Here we go. You know, this just kind of reinforces  
19 Damon's perspective about being understaffed. Only I  
20 think in the world of government can you have a mandate  
21 to do 100 percent, get your target at only 50 percent,  
22 and have a hard time meeting that goal. It's just --  
23 you know, I look at this, and I get frustrated as a  
24 taxpayer and also as a stakeholder. You know, we could  
25 never -- as companies we could never perform at 50



1       percent.  If I only want to pay 50 percent of my  
2       permits or only show up for 50 percent of my  
3       inspections, that would be unacceptable.  So this just  
4       reinforces where the culture and the system has to  
5       change to get the right tools to be able to meet your  
6       statutory mandate.  And that's not 50 percent; it's 100  
7       percent.  So I just think this kind of reinforces that  
8       earlier presentation.  And you can understand why  
9       stakeholders and customers are frustrated when we're  
10      held to a level that the state itself doesn't hold  
11      itself to.  I apologize for going on with this, but  
12      it's just frustrating.  This hasn't changed for years  
13      and years and years.  I've been part of ESAC since '07  
14      and been doing business for over 30 years.  And we've  
15      never been able to come close to what the RCW mandates.  
16      So I think Brian and all the upper management needs to  
17      really look at what's holding them back.  And I think  
18      culture just as much as anything else.

19               MR. BROWN:  Thank you, Scott.

20               Ricky, you're on mute.

21               CHAIRMAN HENDERSON:  Thank you, Gerald.  
22      Appreciate that.

23               This is Rick Henderson.  Just wanted to reiterate  
24      and enforce what Scott said, I think, you know, goes  
25      back to what Damon has presented on earlier prior to



1 the meeting. And also what Gerald said, you know,  
2 getting more boots on the ground is going to help this.

3 But I also just wanted to look at that if I'm -- if  
4 I'm looking at the chart there correctly. So looking  
5 for just the second quarter, scheduled was 5,322.  
6 Actual was 3,261. So within that third quarter, 61.27  
7 percent of the scheduled elevators were actually  
8 inspected. Of those -- of that 61 percent, 1,707 were  
9 done within the 60-day window timeframe. So the 52.35  
10 percent is kind of like the -- it's the 52.35 percent  
11 of the 50 percent, if I'm -- because of the 1,707 done  
12 on time, that was out of the 5,322 scheduled to be done  
13 on time. Is that -- am I understanding that chart  
14 correctly?

15 MR. BROWN: Yeah. Out of what was scheduled  
16 and what was actually inspected. And out of the  
17 actually inspected, what actually clicked off 30 days  
18 before and 30 days after the one-year anniversary date  
19 of the last inspection. That's the 60-day window there  
20 at 50 percent, how many of them are pretty current to  
21 being inspected every year as the -- as the design of  
22 trying to get them on a current schedule. Like I said,  
23 all these numbers, they do show that we're out in the  
24 field, we are inspecting. We have got a whole team of  
25 people that want to get 100 percent. We've got a whole



1 team of people that care that those other routes are  
2 empty, and they try to do everything they can to help  
3 out to get things done. In the meantime taking care of  
4 the immediate business needs of turn-on and acceptance  
5 inspections keep the industry moving, they're carrying  
6 all this weight on their shoulders, and it's very  
7 taxing. And it's very heartfelt when I see their  
8 dedication in these meetings, and you hear the -- you  
9 know, and their frustration why they can't get their  
10 whole route done and they can't accomplish the tasks  
11 that are at hand. But, yes, you're right, that does  
12 show that we are having a pretty good percentage of  
13 them done on time, and it's just -- we're not dealing  
14 with 100 percent success rates, you know, where all  
15 these numbers would all look really different  
16 (indiscernible) chart to show you the backlog.

17 CHAIRMAN HENDERSON: This is Rick Henderson.

18 Any other questions for Gerald on this from the  
19 group, from the committee?

20 (No response.)

21 CHAIRMAN HENDERSON: With that said -- Rick  
22 Henderson here -- you mentioned that we're going to be  
23 getting back into the charts and graphs like we used to  
24 see.

25 MR. BROWN: Right.



1                   CHAIRMAN HENDERSON: Do we expect to be able  
2 to have those available to us for the next quarterly  
3 ESAC?

4                   MR. BROWN: Yes. Yes, I'm going to go through  
5 and update that chart so we can see that. It's the  
6 same information. It's just a bar graph.

7                   We were talking about overdue annual inspection  
8 report. And this is for this same time period that was  
9 ran yesterday. But this shows by region number of  
10 overdue inspections on units we consider to be active.  
11 These are things that show up on the inspector's list.  
12 So this is by region. And this is the statewide  
13 overall overdue active inspection list is 6,684. This  
14 represents what our backlog is. And so when you look  
15 at the total number of inspections, the 20,000 you can  
16 see that the number that we're short is pretty much  
17 probably six and a half routes that aren't currently  
18 being covered. So this is -- this is the impact that  
19 we see.

20                   Any questions?

21                   CHAIRMAN HENDERSON: Quick question for you,  
22 Gerald. This is Rick Henderson. So when we say  
23 "overdue," does this -- what constitutes overdue? Is  
24 that more than three months?

25                   MR. BROWN: Past 60 days since the last



1 inspection.

2 CHAIRMAN HENDERSON: Thank you.

3 This is Rick Henderson.

4 Duane, I see you have your hand up. And then  
5 Scott.

6 MR. LEOPARD: Thank you, Gerald. Gerald, how  
7 many estimated total elevators does the state have on  
8 record?

9 MR. BROWN: 20,073, I believe.

10 MR. LEOPARD: So if I'm reading this chart  
11 right, then, the inspections total that are behind are  
12 6,684?

13 MR. BROWN: That's for this quarter. Please  
14 understand that was up until October, November,  
15 December of 2024. All these reports are generated on  
16 that timeframe.

17 MR. LEOPARD: All right. Thank you.

18 MR. BROWN: Since that period of time. I can  
19 only report on the past ones because I don't have  
20 statistics in for the present one.

21 MR. LEOPARD: I'm just looking at these  
22 numbers. So me, again, I gotta say the state's doing a  
23 pretty good job of keeping up. You know, once you get  
24 the people filled, these numbers will go way up, I'm  
25 sure. I know that in the past they had almost a full





1 complement of inspectors, and they were working pretty  
2 hard and they were catching up.

3 MR. BROWN: Oh, absolutely.

4 MR. LEOPARD: So, you know, again I gotta hand  
5 it to your guys and your staff to -- even with these  
6 numbers it's amazing.

7 MR. BROWN: Yeah, even with three openings,  
8 which is two to three people out is pretty much hiring  
9 retirees, right? So I know that our goal is to have  
10 everybody. Thank you, Brian. Our goal is to have  
11 every position filled and everybody out inspecting. So  
12 that will help all of this. It takes a little bit of  
13 time. If I hire somebody today, before we can release  
14 him out, it takes about two months of code training,  
15 process training, doing evaluations of tech specs by  
16 inspectors. We have a whole process for onboarding new  
17 candidates that's worked on very hard to get us so when  
18 we actually pull the trigger and turn them loose on the  
19 public, we've got somebody that knows how and what to  
20 write and things like that. We still work with them  
21 for a period of time afterwards. We constantly have  
22 training for our inspectors. Try to get the right  
23 things cited and the right times.

24 MR. LEOPARD: Something, too, I noticed here.  
25 How many new installation and alterations inspections



1 are they also performing? If you're like me, you're  
2 probably kind of busy in that department too.

3 MR. BROWN: Yeah. Kind of give you an idea,  
4 just looking at permits themselves, the way our permits  
5 are processed through, we have some -- this is  
6 something I generated yesterday, and this is for this  
7 same quarter from October to December of 2024. Minimum  
8 number of days is what this talks about on our  
9 turnaround time on permits. Elevator install permits,  
10 the minimum number of days was two. The maximum number  
11 of days was 66. And this is the 66 comprises stuff for  
12 back and forth with people trying to finally turn in  
13 their documents. A lot of people file permits with no  
14 documentation for the tech spec to review that's just  
15 kind of like a place holder to them. So but normally  
16 it's a 30-day number on all this stuff. Average number  
17 of days from complete determination to decision is 13,  
18 which is substantially less than 30 days. And total  
19 number of permits is 828. So 828 defines during that  
20 time period new and alteration inspections. And  
21 permits, hoist permits, and then variants on hoist  
22 permits. So just to kind of give you a quick overview  
23 processing time. Our tech specs are very busy during  
24 that time period, there's a couple of holidays in there  
25 too. So that doesn't help because they're either not



1 processing or the companies aren't getting the stuff in  
2 because they're out. So that's all part of this  
3 process.

4 Scott?

5 MR. CLEARY: I got a couple of comments. One  
6 is, if that number is correct, that 6,684, on an  
7 average of three inspections a day -- I know things  
8 vary between traveling distance -- that's still 22 --  
9 2,228 days even to get caught up. So one is, since we  
10 don't know if these numbers are completely real  
11 because, you know, grain industry and -- how come the  
12 state just does not zero out and start with a clean  
13 slate starting that no past dues, and then start  
14 putting a plan together with not only staff but  
15 figuring it out how you start from a baseline of zero?  
16 Can anybody show to me and prove to me that these  
17 numbers are actually accurate?

18 MR. BROWN: This is -- this is just processing  
19 permits. I'm sorry. This is a permit report.

20 MR. CLEARY: No. I'm talking about -- I'm  
21 talking about the annals. Right? So annals are  
22 supposed to be done once a year. And I know they're  
23 broken up. But no one can -- no one I can see can give  
24 me an answer of how many are we behind? Which ones are  
25 behind? Which ones are the oldest? Are they two



1 years? three years? five years? I know some in the  
2 grain industry are even more than that. So does any of  
3 this make any sense? Why can't you just zero out and  
4 start new so you got really good numbers and it can be  
5 tracked?

6 MR. BROWN: Well, I don't have the luxury to  
7 zero things out. We do have policies in place to  
8 inspect the oldest stuff first, especially --

9 MR. CLEARY: But you don't. But you don't.  
10 That's the whole thing is no one can -- there's no  
11 priority list that I know of that prioritizes ones that  
12 haven't been seen for multiple years. Right? So --

13 MR. BROWN: But we actually do have that  
14 practice in place, Scott. The guys have been  
15 instructed for the last few years on doing the older  
16 stuff first. Pick a day of the week to do nothing but  
17 older stuff. We had some opportunities to present a  
18 list of the things that were old back from 2017 moving  
19 forward. There was, I think, three or four thousand.  
20 We ended up with about 618 left before that overtime  
21 program went away because of budget restrictions. We  
22 were -- we did make a big dent in our backlog --

23 UNKNOWN SPEAKER: Blah, blah --

24 MR. BROWN: -- policy and practice to take  
25 care of this stuff.



1 Candice?

2 CANDICE (LAST NAME UNKNOWN): Yeah, this is  
3 Candice. I put in the chat a while back, Scott, that I  
4 am more than willing to show you guys -- this is not  
5 the time and place because it's very detailed on what  
6 it is that we do. I'm more than happy to show you guys  
7 what list we go out of and how we do things at the  
8 weekly ESAC meeting, if that's what you choose. But,  
9 you know, this is really not the time and place to show  
10 you how all the work -- you know, what we do, all the  
11 intricates (phonetic) of what it is that we look for.  
12 But we do have a system in place. We go through it.  
13 The supervisors and I go through the backlog list. The  
14 inspectors are told to do the oldest one first. So  
15 there is something in place. And like I said, I can  
16 provide all this information for you at your choosing,  
17 but this is really not the time and place to do it.

18 MR. BROWN: Thank you, Candice.

19 MR. CLEARY: Okay. Yeah, thank you. That  
20 would be helpful. I appreciate it. Thank you.

21 MR. BROWN: This is our standard accident  
22 pending report. The upper portion shows number of  
23 elevator accidents pending and final count. That's  
24 this little low bar over here. And then for some  
25 reason, the number of escalator accidents showed up on

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1 the next page. So there's nine pending, eight that  
2 were declared no fault, and zero on accident count at  
3 fault. This is where -- the at fault, it's like  
4 operator error. And the majority of these are 100  
5 percent of -- you know, they're looking at videotape.  
6 They're looking at the statements from any witnesses,  
7 from the people that were injured to determine what  
8 went wrong. And typically it's, "Well, I had luggage  
9 in both hands, and I tipped back," you know, that kind  
10 of thing. And so it's really sad. They're really  
11 dangerous. People that aren't familiar with escalators  
12 on this call, next time you ride one, hang onto the  
13 handrail and reach forward and with the palm of your  
14 hand gently touch the nose of the step that's in front  
15 of you and feel just how sharp it is and how much  
16 damage that does when that's sliding past you or that  
17 you hit when you fall on it. Escalators is something  
18 that I think we all wish we could un-invent, but there  
19 again that ship sailed. So we always have a large  
20 number of escalator accidents over elevator accidents.  
21 And the majority of the elevators accidents we have  
22 shown are there again at no fault. Very few times do  
23 we have accidents that are caused by the elevator  
24 itself. And usually if it is, it's like a levelling  
25 problem on an existing unit that we find has low



1 maintenance records and things like that. So it really  
2 does make a difference when the elevator mechanics are  
3 allowed to get out to their jobs and get things taken  
4 care of.

5 Matthew has just posted some interesting things.  
6 He sends me different articles on elevator/escalator  
7 accidents around the country, around the world. But  
8 most of the terrible, horrific accidents we see on this  
9 equipment overseas is because they're not necessarily  
10 following the regular ASME standard, ISO section for  
11 escalator and moving walks. And so you have to keep  
12 that stuff in mind when you're watching those horrific  
13 videos. Yes, we do have problems here. Yes, we do  
14 have maintenance issues. We finally wrote down that  
15 escalators are supposed to have annual clean-downs,  
16 annually, which is, you know, something that happened  
17 in the last update October 1st of last year. And so  
18 hopefully we're seeing the companies budget more time  
19 to get their staff out to do these clean-downs.

20 So that's pretty much it on the accident injuries.  
21 I know I went way over on my time.

22 Any other questions?

23 (No response.)

24 CHAIRMAN HENDERSON: Appreciate that, Gerald.

25 Rick Henderson.



1           Hearing no questions on that one, I'd like to move  
2           on to the next item, and that is on our legislative  
3           updates. We don't have a -- we encroached a lot on the  
4           time here, but is Alicia available, Alicia Curry, to be  
5           able to give us a legislative update?

6           ALICIA CURRY: Good morning. Alicia Curry.  
7           I'm the FSPS senior policy manager.

8           SHB 1183 and SSB 5156 are the only two bills this  
9           session that really involve the elevator program. And  
10          I don't really have much more to share, Ricky. I think  
11          you did a great job of leading the conversation this  
12          morning on those bills unless there's something you  
13          want to talk about more.

14          I know there's the hearing coming up, and Gerald  
15          provided that information, as well as I provided the  
16          bill pages for everybody so they can access those and  
17          get the committee materials, see when the hearings are.  
18          The bill language is on there.

19          Is there anything more we want to discuss on those?

20          CHAIRMAN HENDERSON: With that said, just open  
21          this up to everybody in the group. I see Jan's got her  
22          hand up.

23          Jan, go ahead.

24          MS. GOULD: Jan Gould, City of Seattle. So  
25          what is your feel on these? Is this going to pass or





1 is this -- do we have strong enough opposition to stop  
2 this?

3 MS. CURRY: I know our legislative director  
4 has been having conversations with, like, the bill  
5 sponsors. I have not been directly involved in those  
6 conversations. We just finished our bill analysis.  
7 Obviously, we have much of the same concerns. The  
8 March 31, 2026, effective date is, you know,  
9 unrealistic. I don't think it would matter what you  
10 did. There's no way to meet that effective date to be  
11 able to adopt rules. We've identified a pretty  
12 significant impact from these bills, but I know we're  
13 still having conversations around it. I can probably  
14 get more information from our legislative director,  
15 Jan.

16 MS. GOULD: Okay. Thanks.

17 Jan Gould again.

18 Have you gone on record as opposed?

19 MS. CURRY: I don't believe that we have  
20 testified on this bill. I know originally the language  
21 was under the state building code statutes. And we  
22 did, as an agency, recommend a technical amendment to  
23 have that language moved to the elevator statutes. But  
24 I know we're having still conversations around, you  
25 know, if we're going to be doing amendments or



1 suggesting an amendment, that sort of thing.

2 I haven't heard anything more, Gerald, as far as I  
3 haven't checked in with Tammy today. But I'm assuming  
4 you don't know anything more either than kind of where  
5 we're at right there.

6 CHAIRMAN HENDERSON: This is Rick Henderson.

7 I guess this is where, you know, there's -- the  
8 ESAC's concern here is obviously, you know, safety  
9 aspects of items. And there just seems to be, for this  
10 bill, it's a trade off of lower cost, less safety, in  
11 my opinion.

12 Any other comments from the committee? Questions?  
13 Hearing none, I'll move to -- oh, Jan, I'm sorry. I  
14 didn't see your hand.

15 MS. GOULD: That's all right. Jan Gould, City  
16 of Seattle.

17 Will our letter be sent to the representatives and  
18 senators that supported this bill?

19 CHAIRMAN HENDERSON: I believe that has  
20 already been done.

21 Is Tom McBride still on the group?

22 But as the ESAC committee, I believe the letter has  
23 gone out to all of the ones on the Senate. I don't  
24 think it's gone out to the House yet. But I believe it  
25 is disseminated out to all the Senate members.



1 MR. BROWN: I don't see Tom on.

2 CHAIRMAN HENDERSON: I think he had -- he was  
3 going to have to drop off a little bit. But I reached  
4 out through Tom to help me out with that.

5 MS. CURRY: And I apologize. I probably  
6 should have invited somebody from GCDE here today to  
7 talk more about where we're at on that.

8 CHAIRMAN HENDERSON: Brian --

9 MS. CURRY: I mean we've definitely shared our  
10 concerns.

11 CHAIRMAN HENDERSON: Thank you, Alicia.

12 Brian, you have your hand up?

13 MR. HORNBACK: Yeah, Ricky, I was -- sorry.  
14 Brian Hornback, Labor and Industries. I was of the  
15 same impression you were that that had been forwarded  
16 to -- to the Senate. And I think that's from our --  
17 our GCDE office let me know that was the case. I  
18 believe it's -- I don't remember who the -- the lady  
19 was on here earlier with Tom that was having a  
20 conversation, the lobbyist that shared that as well.

21 And then just FYI for the committee as a whole,  
22 NEII has reached -- Tom McBride has reached out to the  
23 department. Apparently they used to have a fairly  
24 regular meeting with Joel Sacks, and that, somewhere  
25 over the last couple of years, has -- had died out. So



1       they've asked that we restart that. We'll be meeting  
2       with him on February 27th with Joel Sacks, Steve  
3       Reinmuth or myself. And don't remember if somebody  
4       from GCDE is there or not. But again, we'll be meeting  
5       with them and making sure they're aware that we share  
6       the same concerns.

7               CHAIRMAN HENDERSON: Thank you, Brian.  
8       More comments?

9               MR. HORNBACK: Of, FYI: Gerald will be in  
10       that meeting. I think I left him off.

11       Sorry, Gerald.

12              MR. BROWN: Okay. Thank you.

13              CHAIRMAN HENDERSON: Alicia, thank you very  
14       much for that update. Appreciate it.

15              MS. CURRY: Sure. Do you want me to give a  
16       quick rulemaking update as well for everybody?

17              CHAIRMAN HENDERSON: Please.

18              MS. CURRY: So I know we've been having  
19       conversations, starting back in September, about  
20       starting the coded option rulemaking process, and it's  
21       my understanding that the ESAC members and Gerald have  
22       had conversations at the weekly ESAC meetings about  
23       postponing the coded option rulemaking for a year. So  
24       if the committee is good with it, we'll again revisit  
25       timeline and the plan for that coming this fall.



1           CHAIRMAN HENDERSON: Yeah, I agree with that.  
2           Appreciate it.

3           MS. CURRY: I know it's a large undertaking  
4           and requires a lot of time and resources.

5           CHAIRMAN HENDERSON: Right. And the concern  
6           that the ESAC committee had was that we're currently  
7           resource starved. And that was the concern the ESAC  
8           committee had was with the lack of resources that we  
9           currently have that we didn't want to put forth  
10          something that wasn't deserving of the department just  
11          due to mistakes or errors or omissions just from lack  
12          of -- lack of being able to get stuff done. I'd like  
13          to have the department have enough time to get fully  
14          staffed before we move back into it.

15          MR. BROWN: We're doing some team building  
16          with our new staff. Hopefully we'll have it soon and  
17          be ready to take on the challenge.

18          CHAIRMAN HENDERSON: Thank you, Gerald.

19          MR. BROWN: And then we're going to talk about  
20          the 101 for the fee cure.

21          CHAIRMAN HENDERSON: Sorry, Alicia. Go ahead.

22          MS. CURRY: Oh, that's okay.

23                 Yeah, and I'll let Jan answer her -- or ask her  
24          question first.

25          MS. GOULD: Jan Gould, City of Seattle.



1           Gerald, you mentioned new staff?

2           MR. BROWN: We have an opportunity to  
3           hopefully replace Mandy/Melissa's combined position.  
4           We're trying real hard to make that happen. And as  
5           soon as that becomes apparent, we get through the  
6           hiring process, hopefully we'll be able to bring them  
7           up to speed, the new person up to speed on how we do  
8           what we do so we can tackle this very large rulemaking  
9           we have set out before us.

10          CHAIRMAN HENDERSON: Any follow-up on that,  
11          Alicia?

12          MS. CURRY: Not on the coded option. But we  
13          are also planning on possible rulemaking for fee  
14          increases that would take effect in fiscal year 2026.  
15          It would be, again, a general fiscal growth factor fee  
16          increase to cover the program's operating expenses.  
17          The fiscal year 2026 fiscal growth factor is 6.41  
18          percent, and that is -- the fiscal growth factor rate  
19          is based on the average personal income growth over the  
20          past decade. And I'll provide some information in the  
21          chat, a link to that information about the fiscal  
22          growth factor rates. Tentatively planning to start  
23          that rulemaking process maybe the 1st of April. And  
24          then we would file the processed rules in May with a  
25          possible public hearing in June. And then we would



1 look to adopt the rules in August, with an effective  
2 that's tentative for August -- or excuse me -- October  
3 1st.

4 CHAIRMAN HENDERSON: This is Rick --

5 MS. CURRY: Does anybody --

6 CHAIRMAN HENDERSON: -- Henderson --

7 MS. CURRY: Scott, you have a question?

8 MR. CLEARY: Yes. Probably -- Scott with MCI.  
9 Probably an uncomfortable one. As a stakeholder and  
10 your customer, what do I get when I pay more money to  
11 the state? Do I get extra services? Do I get extra  
12 things done? What do I get every time that you  
13 increase? What value?

14 MS. CURRY: I'm going to let Brian go ahead  
15 and talk on the budget piece.

16 MR. CLEARY: Okay. Thank you.

17 MS. GOULD: Jan Gould.

18 Possible cost of living.

19 MS. CURRY: I mean it's to help --

20 MR. CLEARY: No, but I mean --

21 MS. CURRY: -- us cover the increase in costs  
22 that we have, to cover those expenses.

23 MR. CLEARY: Am I getting more -- am I getting  
24 more services? Am I getting quicker response time?  
25 What am I getting for paying more? Because we've been



1       having increases. And I don't disagree that you need  
2       to be well staffed. But it seems like we're getting  
3       less and paying more. So there's gotta be something in  
4       it that shows value.

5               MR. HORNBACK: So the fee increases -- sorry.  
6       This is Brian Hornback.

7               Scott, the fee increase we're currently proposing  
8       is a -- essentially it's the fiscal growth factor  
9       increase. It's like Jan said, it's the cost of doing  
10      business increase. We've put that off -- or I  
11      shouldn't say we've put that off. We haven't done a  
12      fee increase, I think we're going on three years. And  
13      part of that was a commitment for as -- as the elevator  
14      community approved over a two different year period, I  
15      think it was a 17 percent fee increase as the cost of  
16      putting the new CMP program in place. So we had -- we  
17      had not done a fee increase for the two years of that.  
18      And then I have put -- I've put this fee increase off  
19      for almost a year now due to the fact that we haven't  
20      delivered the CMP on time as we had planned. So we had  
21      put that off in terms -- in terms of didn't want to do  
22      a fee increase when we hadn't delivered. So once the  
23      CMP goes live, that was the intent is to do a standard  
24      cost fee increase. In terms of fully funding the  
25      program or fully staffing the program, that's where we





1 have to get an additional allocation from the  
2 Legislature or ask them for increased allocation  
3 because right now what we're spending is what they've  
4 authorized us to spend. I think we've been -- we've  
5 been here before and had that conversation around that.  
6 The elevator fund, the 21B fund that funds all three of  
7 those programs is allocated a certain amount to spend,  
8 and that's essentially what we're spending now. So in  
9 order to increase that, it's not just about a fee  
10 increase; it's also about getting increased  
11 authorization to spend from Legislature.

12 CHAIRMAN HENDERSON: This is Rick.

13 Scott, you got your hand up?

14 MR. CLEARY: Yeah.

15 Alicia, sorry, I didn't -- it wasn't -- this is  
16 Scott with MCI. I didn't mean to attack you. That  
17 wasn't meant at all.

18 MS. CURRY: No, it's okay.

19 MR. CLEARY: But the question is, is that  
20 going to bring more money in? Because you don't have  
21 dedicated funds. So you're bringing more money in, but  
22 is that going to be able to transfer into getting more  
23 people, more staff, and taking care of it, or is it  
24 just more money going into a pool? Which we have no  
25 control over your budget, and you're saying you got



1 budget shortfalls. You can see our concern when we're  
2 paying the bills. Right? So to me there's gotta be  
3 transparency, and there's gotta be some value in why  
4 I'm going to pay more money.

5 MR. HORNBACK: Understood.

6 CHAIRMAN HENDERSON: This is  
7 Rick Henderson.

8 So, Brian, just to confirm that I'm understanding  
9 that correctly. While we have fee increases going for  
10 the department, those fee increases may not equate to  
11 more money to the department based off of, you know,  
12 the amount of money that you're allowed to have through  
13 a different process. Am I understanding that  
14 correctly?

15 MR. HORNBACK: I'm going to -- I'm going to  
16 give you a partial answer, Ricky, based on what I know.  
17 And understand that I have to -- I have to understand  
18 more -- or I have to give you more in future meetings.  
19 So when we do a -- in this case a 6.4 percent fiscal  
20 factor increase, we're doing for all the programs from  
21 the 21B fund, essentially actually of our public safety  
22 programs as a cost of living increase, what I don't  
23 know and the answer I still owe you is that when we do  
24 that 6.4 increase, does that equate to a 6.4 percent  
25 increase in our authorization to spend from



1       Legislature. I haven't -- I haven't asked that  
2       question probably as clearly stated that way. So I  
3       will do that and be able to provide a better answer.

4               CHAIRMAN HENDERSON: I appreciate it.

5               MR. HORNBACK: And, Becky, in the notes, would  
6       you please make sure you've got that as takeaway for me  
7       to get an answer to that question? Thank you.

8               CHAIRMAN HENDERSON: I think that's it. Any  
9       other comments, questions for Alicia?

10                               (No response.)

11               MS. CURRY: And thanks, Brian, for answering  
12       that on the budget piece.

13               CHAIRMAN HENDERSON: This is Rick Henderson.  
14       Alicia, do you have -- as far as your presentation,  
15       do you have anything further?

16               MS. CURRY: Nope. That's was -- that was all.

17               CHAIRMAN HENDERSON: Appreciate that. Thank  
18       you, Alicia.

19               MS. CURRY: Thank you.

20               CHAIRMAN HENDERSON: So next item on our  
21       agenda is report from City of Seattle. Jan?

22               MS. GOULD: Yes. Jan Gould, City of Seattle.  
23       I'm going to speak briefly because we're behind  
24       schedule that our latest elevator admin and director's  
25       rule with Seattle Fire Department and the conveyance



1 program is from 7/2014, so it's outdated. So we're  
2 developing a new one, and it has -- we've already  
3 completed Section 1, which is new installation.  
4 Section 2 is existing buildings with non-FT1-rated  
5 belts requiring sprinklers. Section 3 is existing  
6 buildings with sprinkled hydraulic elevators and  
7 machine room top of hoist and/or pit. Section 4,  
8 existing electric elevators with unsprinklered machine  
9 rooms top of hoistway and pits. Section 5 is hydraulic  
10 elevators undergoing major alteration. And we define  
11 that in the first paragraph of our director's rule as  
12 control or et cetera update -- upgrade. And then  
13 Section 6 is electric elevators undergoing major  
14 alteration. Five and six are not developed yet. We've  
15 got a meeting by the end of this month to -- we've been  
16 very successful of removing sprinklers under major  
17 alterations for hydros ad for electric elevators. So  
18 we'll develop those and present that out. Thank you.

19 And, Jason, do you have some numbers you wanted to  
20 present for annals completed?

21 MR. HOWERTON: Yeah, if we've got time, I can  
22 share with you where the City of Seattle is at on that.

23 CHAIRMAN HENDERSON: This is Rick Henderson.

24 Go ahead, Jason.

25 MR. HOWERTON: All right. Jason Howerton,



1 City of Seattle.

2 So what we have, basically our system is we're able  
3 to look at our inspections, basically, one, updated to  
4 two within one day of our inspections. So you guys can  
5 see this table all right?

6 CHAIRMAN HENDERSON: Not yet.

7 MR. HOWERTON: How about now? You guys see  
8 that all right?

9 CHAIRMAN HENDERSON: It's thinking about it.  
10 There we go.

11 MS. GOULD: There it is.

12 MR. HOWERTON: Okay. There we go. All right.  
13 So basically this just shows, obviously, months,  
14 January through December. And our completion total  
15 conveyances and our completion rates is demonstrated by  
16 this graph over here. Basically, over the last year,  
17 basically we're coming up on two years now that we've  
18 been running about 99 percent completion on all annual  
19 inspections. We do have all of our positions filled  
20 but one. So we have a total of 15 inspectors. So  
21 we're fortunate in that respect that we have people to  
22 cover all of the areas. So yeah, that's -- that's  
23 pretty much where we are.

24 Our accident reports get sent in to the state, so I  
25 think those are accounted for by the state.



1           If there's any questions, go ahead and let me know.  
2       Otherwise, I'll let you guys move on.

3           CHAIRMAN HENDERSON: This is Rick Henderson.  
4       Thank you, Jason.

5           Any questions for Jason on this one?

6                               (No response.)

7           CHAIRMAN HENDERSON: Seeing none, I'm going  
8       to -- City of Spokane update. Duane?

9           MR. LEOPARD: I got a couple of things. After  
10       14 years using the system we call Accela in the city  
11       for permitting everything -- it ties the fire  
12       department together. Police department's in there --  
13       we were changing systems effective July. So my hope is  
14       it's going to be a good transfer. I say that, we've  
15       got an outstanding IT department and full technician  
16       department. There's going to be a learning curve, so  
17       bear with us. If there's problems with elevator  
18       permits, you can contact our permitting department or  
19       you can contact me. I'm looking forward to the change.  
20       It's supposed to make things more user friendly for  
21       field inspectors. When I say "field inspectors," I  
22       mean not just me, the plumbers, electrical, mechanical,  
23       everything, so bear with us. I am looking hopeful that  
24       there will be no hiccups, but experience tells me  
25       otherwise. It's going to be a prototype for a while.



1                   CHAIRMAN HENDERSON: This is Rick Henderson.

2                   It sounds pretty a common theme on that one. I  
3                   don't know if you're ready, but I see Jan's got her  
4                   hand up on that, Duane. Are you ready for questions?

5                   MR. LEOPARD: Just give me a second.

6                   Secondly, we finally have found somebody. The offer to  
7                   the gentleman is going out today. I'm not going to say  
8                   his name because I haven't confirmed the offer has come  
9                   out or anything. I've been sitting in meetings. So,  
10                  yeah, we finally got a second inspector. I've been  
11                  without an inspector for, I'd say, ten months. The  
12                  hiring process is -- it's tough for the city and the  
13                  state. You know, in my case -- I'm sure Seattle and  
14                  the state is the same way -- we gotta go through the  
15                  civil service process. It has to be advertised. We  
16                  had made some changes to the qualifications. We opened  
17                  it up to QEI certified individuals where we were stuck  
18                  with Washington licensed mechanics only. So this last  
19                  go-around, we got, you know, some other decent  
20                  individuals. You know, it's not like -- well, like the  
21                  elevator union, they run down and if things get slow  
22                  and we need to increase our service base, whatever we  
23                  can go hire somebody. The states and the cities can't  
24                  just do that. We're also looking at, you know, old  
25                  mechanics. Most of that retirement base is gone, and



1       there isn't many out there that want to become  
2       inspectors as a second income. It's going to be tough  
3       to get somebody hired, but we finally got one. Now  
4       we're looking forward to having him onboard. I'll make  
5       the announcements, I guess, at the next ESAC.

6               And lastly I'll give a little report. It's an  
7       informal numbers count. Since I've been down to myself  
8       for, I'll say, ten months, I've got, I think, about 15  
9       elevators that were due for inspection in the last part  
10      of '23, and I think about 200 that were due inspections  
11      through '24. We have about 1,300 elevators. So I  
12      don't think I've been doing too bad. Given the fact  
13      that I sit on the ESAC committees, I also do plan  
14      review for high-rise buildings that involves elevators,  
15      at least that elevator section. I've been helping  
16      training the new permitting techs that we've got  
17      onboard. So I don't think we're doing too bad. Once  
18      we get this second guy onboard, I think we're going to  
19      be doing some good catching up.

20             Let's see. Pay increase. Pay increase. Sorry,  
21      guys, we got another one. The elevator section hasn't  
22      had an increase since 2010. So this is just cost of  
23      doing business. Sorry, you're not going to get any  
24      additional services or anything else. But we've got to  
25      be able to pay -- the city at least has to be able to





1 pay for the two elevator inspectors that we have. But  
2 all the departments, plumbing, electrical, everything,  
3 had a slight increase. Again, I think the other  
4 departments have had an increase since 2010. So the  
5 cities and states need to catch up paywise and cost of  
6 just doing business. You know, that's gotta be  
7 understood.

8 Now you got any questions, Jan?

9 MS. GOULD: What operating system, if I'm  
10 using the right term, did you purchase to -- for . . .

11 MR. LEOPARD: I think it's called LAMA.

12 MS. GOULD: Thanks.

13 MR. LEOPARD: Yeah, I'm not sure why we  
14 decided to change. LAMA is supposed to be better for  
15 user interface and a whole bunch of other stuff. But I  
16 haven't gotten into the technical side of things. I've  
17 been working with people to do a good smooth transition  
18 from Accela and still be able to do my reports in the  
19 field. And basically the process will be the same, but  
20 it will be different interface for the users.

21 Any other questions?

22 CHAIRMAN HENDERSON: This is Rick Henderson.  
23 Thank you, Duane.

24 We are running behind schedule here, but I wanted  
25 to -- next up on the agenda, the ESAC subcommittee



1 updates.

2 First on the list is cab interior and alterations,  
3 Jason and --

4 MS. GOULD: Jan Gould, City of Seattle. I'll  
5 be really brief. I gathered some names and email  
6 addresses, and I promise we'll have a meeting for cab  
7 alterations before next ESAC. And if there's anyone --  
8 I have a lot of cab companies' names, and one -- John  
9 from TKE. If there's any other elevator companies that  
10 occasionally take alteration permits out for cab  
11 interiors, I'll drop my email address in the chat. So  
12 please contact me. That's it.

13 CHAIRMAN HENDERSON: This is Rick Henderson.  
14 Thank you, Jan.

15 The next subcommittee status update is on the  
16 conveyance in rental units. This was chaired by  
17 Jim Norris, who has retired from the -- from the ESAC  
18 committee. The report he put forth, and that was from  
19 some discussion that we had in the eight o'clock hour  
20 prior to this meeting, based off of my read of what the  
21 committee came up with in looking at some of the  
22 language, my belief is that that language needs a  
23 little bit of work done to it. And I know Lyall has  
24 put forth some comments on it as well.

25 Lyall, would you like to make any comments or



1 feedback on this at this time?

2 MR. WOHLSCHLAGER: Yes. Lyall Wohlschlager.

3 Yeah, one of my big concerns regarding the letter  
4 was the fact that we didn't define, you know, what kind  
5 of inspections were expected at the time of ownership  
6 transfer. And so I know that I do some of these  
7 inspections currently for homeowner transfers, and it's  
8 a big gray area as to what is necessary and what is,  
9 you know, going to be required by the state if they  
10 approve the process. I think we need more language on  
11 just clearly defining what that inspection process is  
12 going to look like if we go forward. That was my  
13 biggest concern.

14 CHAIRMAN HENDERSON: Thank you, Lyall.

15 And in reading language there, I agree with you.  
16 And there are some other places, I think, that could  
17 benefit from some better language.

18 With that said, any other discussion from the  
19 members reviewing the language on the results of the  
20 subcommittee?

21 MS. GOULD: Jan Gould.

22 Scott, didn't you have -- your hand is raised.  
23 I'll step back.

24 CHAIRMAN HENDERSON: Scott?

25 MR. CLEARY: Yeah, I think that things have



1 changed a little bit over time since the findings came  
2 out, the preliminary findings came out and language  
3 came out with that subcommittee. I think we need to  
4 reconstitute that and look at some of the goals.

5 And then I agree with Lyall. We really need to  
6 look at -- and definitions is really important. And  
7 then making sure that there's equivalency between  
8 what's required in commercial elevators and what would  
9 be required during an inspection or change in status to  
10 a public piece of equipment like for an Airbnb or a  
11 rental property. So I would submit to the chair that  
12 we reopen that and work at -- and get more people  
13 involved and get some language changed a little bit  
14 because I think things have changed since those  
15 recommendations came out.

16 CHAIRMAN HENDERSON: Okay. This is  
17 Rick Henderson.

18 So I have a recommendation for reopening the  
19 subcommittee for conveyances in rental units?

20 Do I have a motion for that?

21 Garry?

22 MR. LEOPARD: Duane Leopard, City of Spokane  
23 so moved.

24 MR. WOOD: Rick, I don't know that it was ever  
25 closed.



1                   CHAIRMAN HENDERSON: I'm not --

2                   MR. WOOD: Because we were talking during the  
3 ESAC the last time Lindsay was talking about sharing it  
4 now that Jim is gone.

5                   CHAIRMAN HENDERSON: And that may be a -- that  
6 is a very good point. Officially I don't believe it  
7 ever was closed, but we do no longer have an official  
8 chair of it.

9                   MR. WOOD: Yes, we do. Lindsay was asked to  
10 take that, and she obliged. She just asked for more  
11 information, which we will be getting to her, but that  
12 was my understanding. Lindsay, correct me if I'm  
13 incorrect. But that was my understanding is that  
14 Lindsay took it on because she took Jim's position with  
15 the IUEC that she was taking on this position as well.  
16 She just needed to get herself up to speed.

17                   CHAIRMAN HENDERSON: This is Rick Henderson.  
18 Lindsay, can you speak to that. Are you  
19 comfortable with running as the chair in this  
20 subcommittee?

21                   MS. LaBROSSE: Yes, absolutely. I just  
22 definitely need -- like, I reached out last week, I  
23 believe, just asking for some history and to get kind  
24 of caught up, but I'm absolutely fine with that.

25                   CHAIRMAN HENDERSON: So with that said, for



1 the rules that we currently adhere -- and Scott help me  
2 out on this one. I don't believe we need any -- do we  
3 need any vote moving forward on this, then?

4 MR. CLEARY: No.

5 CHAIRMAN HENDERSON: All right then.

6 Lindsay, do you have all of the list of members  
7 that were in the previous subcommittee, or I guess in  
8 the current subcommittee for that one?

9 MS. LaBROSSE: No, I have zero information.

10 CHAIRMAN HENDERSON: Okay. We'll get that  
11 information to you, try to if we've got it on -- Jim  
12 was chairing it. And if you would -- if you want to  
13 participate in that, I guess we'll go ahead and just  
14 reach out to Lindsay on that one, give her some help on  
15 that.

16 I saw a hand come up there momentarily ago.

17 MS. GOULD: Jan Gould. That was me. I'm just  
18 going to reach out to Lindsay. Thank you.

19 MR. BROWN: I have a quick comment about this  
20 committee. Initially it -- it serves several purposes,  
21 but I think the first one was at the time of sale of a  
22 residence that has a conveyance in it, we were going to  
23 require basically to be able to witness a turn-on type  
24 inspection where we could see the whole thing work,  
25 carry a load, that kind of thing, because so many of



1       these conveyances, as been pointed out by this  
2       committee before, have been altered or tampered with by  
3       people just to make them run. And now you're going to  
4       buy the house for grandma because it has an elevator in  
5       it, but we don't know the status of it or if it's safe,  
6       and things like that. We were going to try to get an  
7       inspector out to witness the test, not perform the  
8       test, but witness a test. And then also during the  
9       time of that test, we were going to confirm that on  
10      residential elevators existing that they had baffles in  
11      place to eliminate a small child from standing on the  
12      seal between the hull door and the car door and the car  
13      moving with them in there and killing and maiming them,  
14      which is part of a Consumer Product Safety Council's  
15      letter to all the governors, which we responded to. We  
16      had that response on our website. But we were going to  
17      confirm at the time of sale that those -- those  
18      safeguards were in place.

19             And then the additional topic came up about, okay,  
20      they just changed that dwelling from a single-family  
21      private residence elevator where it's just them and  
22      their family using it to we just opened the door to  
23      make it an Airbnb, that type of situation where we had  
24      non-family people in using a conveyance that most  
25      likely have never been exposed to or have a clue on how



1       they work and the dangers they impose. So that was  
2       going to be addressed.

3               Is that a fair assumption of the committee's work  
4       there, Ricky?

5               CHAIRMAN HENDERSON: I'm sorry. What was the  
6       question, Gerald?

7               MR. BROWN: Was that a good recap of what this  
8       committee is going to be doing, is providing those  
9       different points?

10              CHAIRMAN HENDERSON: I believe so.

11              MR. WOOD: That's consistent with what the  
12      game plan was.

13              CHAIRMAN HENDERSON: With that said, Duane,  
14      you have your hand up.

15              MR. LEOPARD: I just want to comment. You  
16      know, we do need to get something going on especially  
17      transition if we can between homeowners. Short story  
18      was I had an electrician come to me and tell me that  
19      there was a elevator in a home that was being kind of  
20      converted to two living levels instead of one that had  
21      a home elevator in it. I went down and checked it. It  
22      was a wooden box suspended from electric chain hoist  
23      that was hooked up to 2-inch, looked like, a schedule  
24      40 pipe across it. The pipe was bending. I got ahold  
25      of the new homeowner and told him he really needs to





1 take that out. And he didn't disagree with me. He  
2 turned it into closet space. But, yeah, we're finding  
3 stuff like this that was installed without any permits  
4 and just over time. And you know, something like that,  
5 we can't let go. So, yeah, we need something somewhere  
6 in there. And I've heard of dumbwaiters that were  
7 installed using --

8 MR. CLEARY: Door openers?

9 MR. LEOPARD: Door openers. Thank you. And  
10 people get hurt and killed with these things. That one  
11 I was thinking of, I know, was in Oregon. But, you  
12 know, the state, I really think we need to do something  
13 at least at transfer. Or especially when people are  
14 renting these out as Airbnbs, they're residents,  
15 they're not long-term residents. They're short-term.  
16 At that point, as far as I'm concerned, it becomes a  
17 commercial elevator and needs to be inspected annually  
18 and tested and everything else. That's all I got.

19 CHAIRMAN HENDERSON: Thank you, Duane.

20 So hearing none on that one --

21 MR. BROWN: Garry has his hand up.

22 CHAIRMAN HENDERSON: Sorry, Garry. Go ahead.

23 MR. WOOD: No worries. Thank you.

24 I was just going to, you know, obviously, agree  
25 with everything that Duane had said. And Gerald's been



1 onboard with that as well as, I think, pretty much  
2 everybody on the ESAC committee. So it's just we've  
3 got a really good starting point from everything that  
4 Jim and the committee had done in the past. And so  
5 it's just a matter of tweaking what we have with a  
6 couple of the items that, like, Lyall mentioned and  
7 Gerald mentioned and such. So I think it can be fairly  
8 quick. Not fast, but quick, if you will, to try to get  
9 something in place, hopefully before the next ESAC  
10 meeting, and we can vote on it because, again, most of  
11 the legwork has been done. It's just a matter of some  
12 tweaking.

13 MR. BROWN: It would be nice to get some of  
14 those changes presented as WAC rule changes on that  
15 form that's on the website for submitting WAC rule  
16 changes. And so that would help facilitate when we do  
17 open up the WAC again to be able to have these pointed  
18 out as specific. You know, I know the committee went  
19 through and picked certain WACs. They just put them in  
20 a form of a letter. But if they could just go through  
21 and fill out the -- the different WAC rules that you're  
22 trying to change or amend with that format, it would be  
23 easier for me to get the reviews done with the state of  
24 "Can we do this, can we do that, what additional  
25 things?" Like I had said, in past meetings I've talked



1 with the director. He's very interested in this  
2 process. He had a few comments. And I will say Joel  
3 is right on top of knowing and providing some really  
4 good feedback already. And so he wanted to know, you  
5 know, what if they don't pass it? Is there a fine or  
6 penalty? Do we need to put that in the rule? Is it  
7 something we can just do in WAC? You know, he had  
8 really good questions. And so we were hoping to at  
9 least get some body of information from the committee,  
10 push that in, find out what the additional tweaks it  
11 needs, back to the committee so they can answer those  
12 specific needs. But right now I got nothing to move  
13 forward or back around. So, yeah, thank you.

14 CHAIRMAN HENDERSON: This is Rick Henderson.

15 Thank you, Gerald.

16 So that is bringing us toward the end of that part  
17 of the agenda. But to just clarify that one, there are  
18 going to be -- that subcommittee is going to be  
19 continuing and is going to update the proposals to the  
20 ESAC committee.

21 Looking at the next item on the agenda, that brings  
22 us to new business and conversation from stakeholders.

23 Any new business being proposed?

24 (No response.)

25 CHAIRMAN HENDERSON: Hearing no new business,



1 open up for conversation from stakeholders.  
2 Clarification on this point. When we get to the  
3 conversation from stakeholders, is this going to still  
4 be recorded on the record?

5 Duane, go ahead.

6 THE COURT REPORTER: Are you asking me, the  
7 court reporter? Wait. Do you still want this on the  
8 record?

9 CHAIRMAN HENDERSON: Hold on, court reporter.  
10 Just to confirm on that one, Janette.

11 Gerald, what's the -- or Scott, what's the past  
12 history on this one for opening up the conversation for  
13 stakeholders from the group?

14 MR. CLEARY: It's been off the record.

15 MR. LEOPARD: Ricky, if you'll let me.

16 CHAIRMAN HENDERSON: Duane, go ahead.

17 MR. LEOPARD: I move to adjourn the meeting  
18 and move on to the open stakeholder section.

19 CHAIRMAN HENDERSON: I have a motion for  
20 adjournment.

21 Do I have a second?

22 MR. CLEARY: Second.

23 CHAIRMAN HENDERSON: Discussion?

24 (No response.)

25 CHAIRMAN HENDERSON: Hearing none, the motion



1 carries.

2 UNKNOWN SPEAKER: We need a vote.

3 CHAIRMAN HENDERSON: Then let's have a vote.

4 Everybody raise your hand for a vote for  
5 adjournment. Motion carries.

6 (Meeting adjourned.)

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CERTIFICATE

I, JANETTE CURLEY, a Certified Stenographic Court Reporter in and for the State of Washington, residing at Kingston, do hereby certify:

That the foregoing proceedings were reported by me and thereafter reduced to a typed format under my direction; that the transcript consisting of pages 1 through 109 is a full, true and complete transcript of said proceedings;

That as a CCR in this state, I am bound by the Rules of Conduct as Codified in WAC 308-14-130; that court reporting arrangements and fees in this case are offered to all parties on equal terms; that I am not a relative, employee, attorney or counsel of any party to this action, or relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That upon completion, the original transcript will be securely sealed and served upon the appropriate party.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of March, 2025.



Janette Curley, CCR No. 2030



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