

DEPARTMENT OF LABOR AND INDUSTRIES

STATE OF WASHINGTON

ELEVATOR SAFETY ADVISORY COMMITTEE MEETING

TRANSCRIPT OF

PROCEEDINGS

VIA MICROSOFT TEAMS VIDEOCONFERENCE

Pages 1 to 108

November 16, 2021

Taken Before:

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ATTENDANCE

Elevator Safety Advisory Committee

- Scott Cleary -- ESAC Chair, Mobility Concepts
- Ricky Henderson -- ESAC Vice Chair, TKE
- John Carini -- Sound Transit
- Carl Cary -- Lerch Bates
- Jim Norris -- IUEC Local 19
- Lyall Wohlschlager -- Mobility Concepts of Idaho
- Brian Thompson -- AEGIS Engineering
- Garry Wood -- Exxel Pacific General Contractors
- Jan Gould -- City of Seattle
- Duane Leopard -- City of Spokane
- Mandi Kime -- AGC of Washington

ADDITIONAL SPEAKERS

- Paoakalani Naipo -- L&I
- Melissa Eriksen -- L&I
- Alicia Curry -- L&I
- Annette Taylor -- L&I
- Matthew Erlich -- L&I

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1 BE IT REMEMBERED that on Tuesday, November 16,
2 2021, at 9:00 a.m., before Connie Church, Washington
3 State Certified Court Reporter, residing at Montesano,
4 authorized to administer oaths and affirmations pursuant
5 to RCW 5.28.010, the following proceedings were had, to
6 wit:

7 ESAC INTRODUCTION

8 WELCOME - INTRODUCE COMMITTEE

9
10 MR. CLEARY: All right, everybody. Everybody,
11 welcome to -- I'd like to welcome everybody to our fourth
12 and final ESAC quarterly meeting of the year. It went by
13 pretty quick, but it's been a pretty painful year I think
14 across the board for everybody. So as with '20, I'm
15 going to be happy to see '21 go. Hopefully '22 will be a
16 better year.

17 With that, I'd like to introduce myself. I'm Scott
18 Cleary. I'm the chair of the ESAC committee, advisory
19 committee. I represent the 270, exemption-from-licensure
20 stakeholders, as well as residential and commercial
21 accessibility 18.1 equipment. And I appreciate everybody
22 being here.

23 With that, Ricky?

24 MR. HENDERSON: Morning, everybody. This is
25 Rick Henderson. I'm vice chair of the committee, holding

1 the ad hoc representative position. I'm an IUEC elevator
2 mechanic and work for TK Elevator as a product
3 specialist.

4 Go ahead.

5 MR. CLEARY: Thank you.

6 Brian Thompson.

7 MR. THOMPSON: Yeah. Brian Thompson, with AEGIS
8 Engineering, representing architects and engineers.

9 MR. CLEARY: Thank you very much.

10 Jim Norris or Patrick?

11 MR. NORRIS: Jim Norris, elevator mechanics,
12 licensed to perform all types of conveyant work.

13 MR. CLEARY: Fantastic.

14 John, building owners? Carini?

15 MR. CARINI: Yes. Good morning. My name is
16 John Carini. I'm with Sound Transit, and I represent the
17 building owners and managers.

18 MR. CLEARY: Thank you.

19 Mandi Kime?

20 MS. KIME: Good morning, everyone. My name is
21 Mandi Kime. I'm the director of safety services for AGC
22 of Washington, Associated General Contractors, and I
23 represent CAT 4 temporary rack and pinion hoists.

24 MR. CLEARY: Thank you.

25 Jan Gould, City of Seattle?

1 MS. GOULD: Yeah. Jan Gould, strategic advisor,
2 code specialist for the City of Seattle, ad hoc -- excuse
3 me -- AHJ member.

4 MR. CLEARY: Yes.

5 Lyall Wohlschlager?

6 MR. WOHLSCHLAGER: Morning. I represent the
7 exempt-from-licensure folks, also the residential
8 elevators and commercial accessibility lifts as an
9 alternate representative.

10 MR. CLEARY: Thank you.

11 Carl Cary?

12 MR. CARY: Good morning, Carl Cary. I am a
13 vertical transportation consultant for Lerch Bates. And
14 on the ESAC, I am the alternate for building owners and
15 managers.

16 MR. CLEARY: Thank you. Gerald's not going to
17 be able to make it today, so I think double duty for Paoa
18 and Melissa.

19 So with that, Matt Kowalski? Matt?

20 MS. ERIKSEN: He -- maybe he's not with us
21 currently.

22 MR. CLEARY: Okay. We'll go there. Duane --

23 MS. ERIKSEN: He's a program manager for the
24 City of Seattle, alternate for AHJ.

25 MR. CLEARY: Been a great help.

1 Duane Leopard?

2 MR. LEOPARD: Hi, everybody. This is Duane
3 Leopard. I'm the City of Spokane alternate on this fine
4 ESAC committee.

5 MR. CLEARY: Thank you very much. Good to have
6 you.

7 Ed Frysinger? Is Ed on?

8 Okay. Garry Wood?

9 MR. WOOD: Good morning, everyone. My name's
10 Garry Wood. I work for Excel Pacific, and I represent
11 registered general contractors.

12 MR. CLEARY: Thank you.

13 Is Dermott on? And we already talked about --

14 MR. HENDERSON: He won't be with us today.

15 MR. CLEARY: Okay. And we already talked to
16 Jim.

17 Is Duke Davis on?

18 Okay. With that, we're going to kind of talk a
19 little bit about format. Basically, you know, we're
20 going to go through the agenda. We can have a little bit
21 of questions and open dialogue, but we'd like you to wait
22 to the end of each of the topics before we get into too
23 much dialogue to make sure that we can get through
24 everything.

25 So with everybody's indulgence, please make sure

1 that you're on mute, so we don't have the background
2 interference.

3 And I appreciate everybody's participation. It
4 really does make a difference to have an engaged group of
5 stakeholders. It's extremely important.

6

7 COMMENTS REGARDING & VOTE ON AUGUST 2021 MEETING MINUTES

8

9 MR. CLEARY: Okay. So I'd like to open this
10 meeting and talk about any comments on the August 2021
11 meeting. Is there any questions at all about anything
12 that was in the meeting minutes?

13 Okay. With that, I'd like to have a motion to
14 accept the minutes from the August meeting.

15 MR. HENDERSON: Motion to accept.

16 MR. CLEARY: Do I have a second?

17 MR. NORRIS: I'll second.

18 MR. CLEARY: Okay. Any comments at all?

19 All in favor of adoption, aye.

20 (Affirmative responses.)

21 MR. CLEARY: Anyone against?

22 (No response.)

23 MR. CLEARY: Melissa, go ahead.

24 MS. ERIKSEN: I'm not against. You want to
25 finish that and then call me?

1 MR. CLEARY: Okay.

2 All right. So we're able to go forward so --

3 MS. ERIKSEN: Thank you.

4 So I just want to give a brief reminder -- this is
5 Melissa -- that when you speak, because this is being
6 recorded and our court reporter doesn't know everybody
7 yet, it is easy for the video for her to see your name;
8 however, it's -- if she's typing, it might not translate,
9 so before you speak, if you could please identify
10 yourself, especially if you're not on video. It's really
11 hard to tell who's chiming in. If you just say your name
12 and then your comment, it'll be easier for her.

13 MR. CLEARY: Yes. I apologize for not saying
14 that. Yeah, please -- this is Scott Cleary. And this is
15 the first time with this -- with our new court reporter,
16 so let's really help her out. So that's a good comment.
17 Sorry.

18 All right. With that, we need to move on to the
19 chief's report. Who's going to be -- Melissa, who's
20 going to be doing the chief's report?

21

22 CHIEF'S REPORT

23 SCORECARD & ACCIDENT REPORT REVIEW

24

25 MS. ERIKSEN: That's me. Okay. So, hi, I'm

1 Melissa. I'm stepping in for Gerald, so I'm going to try
2 and do my best here. I'm going to switch my screen, so
3 I'm going to take the agenda off really quickly, and here
4 I'm going to pull up our score card. This is statewide.
5 It's for the first quarter of our 2022 fiscal year, and
6 it shows that -- this gray line is what we have --
7 annuals due, which means this is when they were inspected
8 last, this orange line says which annuals were completed,
9 and this green line shows all of the other inspections
10 that we've had done.

11 So first quarter we're -- we're definitely getting
12 there. We had some vacations and trainings and
13 everything, so I'm looking forward to seeing how the rest
14 of the year plays out.

15 And then switching screens, this is our chart of
16 accidents. We have -- this blue line is an elevator
17 accident that's being investigated. We've had two
18 elevator accidents completed that were unfortunately
19 rider error, not conveyance error. And we've got four
20 escalator accidents that are being investigated. So
21 that's where we're at with that.

22 MR. CLEARY: Melissa, Scott Cleary, questions on
23 the one fatality. Do we know when that investigation's
24 going to be public or is it going to be on that one?

25 MS. ERIKSEN: It depends on what you mean with

1 that. What I can tell you is that our inspector
2 completed his report to his ability, so that report has
3 been completed. We do not post reports, so it's not just
4 there to be shared; it was not found to be conveyance
5 error. It was also not found to be rider error.

6 So what I do know is that our -- or not our but the
7 police investigation hasn't been completed yet so there
8 might be more to come with that. Our accident report has
9 been publicly -- or has been requested through public
10 records.

11 MR. CLEARY: Okay. Thank you.

12 MS. ERIKSEN: But we're no longer working on it.

13 MR. CLEARY: Okay. Perfect.

14

15 A17.1 2019 & A17.3 UPDATE

16

17 MS. ERIKSEN: Okay. So moving on, I'm only
18 going to speak briefly about -- sorry -- switching
19 through screens -- about the A17.1 and A17.3 updates just
20 to say that there's a lot of questions about when these
21 are going to come into effect and last I head, because
22 they are tied in with rule adoption, it is going to be
23 sometime next year in 2022.

24 Are there any very simple questions about that?

25 MR. CLEARY: Yes. Scott Cleary. Now, I know

1 there has been sort of a plan put together by Gerald and
2 your organization to start to implement 7. So is it my
3 understanding that that's -- the inspectors aren't doing
4 17.3 until next year on annuals? Is that correct.

5 MS. ERIKSEN: That is correct. There -- so what
6 I can tell you is that there are . . . Gerald, as the
7 program manager, has made some changes as to how he would
8 like the program to move forward when it comes to doing
9 the A17.3 inspections. We are talking about that
10 internally.

11 And what it comes down to with this decision and
12 other decisions made is that, A, public safety is what
13 we're looking at. We are also looking at the best
14 feasibility. There's a cost to it, there is time
15 committed to it, and what we don't want to do is turn
16 things upside down. So there is more information
17 regarding that; however, Gerald is making those decisions
18 as to what's best for our stakeholders and the program.

19 MR. CLEARY: All right. Well, that's helpful.

20 MS. ERIKSEN: Cool. So before we move on to --
21 to help buy some time, but it's going to -- it's going to
22 help future conversations. I briefly want to make sure
23 that everybody knows how to access our website. Our
24 website was a major point of our meeting a couple
25 meetings ago, as it should have been, because it's our

1 introduction to you guys to where you guys find
2 information. So though it's not complete and because the
3 website is a work in progress as things change, I wanted
4 to, A, make sure that you know how to access the website
5 and where you can go for information.

6 We are quick to tell you, "Yeah, it's on the
7 website," or "You can just go to a page," but if you
8 don't know how to find it, that means nothing to you. So
9 a quick tutorial is if you go on lni.wa.gov, this is what
10 you see.

11 To find the elevator page, you go to "Licensing &
12 Permits," and it brings you this drop-down. You click on
13 "Elevator," and then it gives you this list. If you
14 click on "Building Owners & Property Managers," you have
15 this quick list of the things that you can do.

16 Update forms are one of our most popular. Filing
17 for an extension request is very popular. Here is where
18 you can -- you or anybody can join our program e-mail
19 list. That's where I don't flood your e-mail with spam,
20 but when we have information to send out from the
21 program, that's how you receive it. So if you're not on
22 our e-mail list, I ask that you go to this link. It asks
23 you for your name and your e-mail. And then you get to
24 choose what you want, what's important to you. So you
25 click on "Elevator." If there's something else, you

1 click on that, and you're done.

2 Forms -- forms is on everything. It's really
3 important. This has been updated to only apply to
4 building owners. And in a little bit, we'll be talking
5 about rule development.

6 And whether you're a building owner, a mechanic, a
7 contractor, this form -- this rule development form is on
8 each of your guys's list. This is what you're going to
9 use to submit for a rule change. It's got all of the
10 other forms for contractors, licensing and exams.

11 Contractors has the biggest form list because of
12 everything that you guys do for us, and it has been fixed
13 to only apply to you.

14 Mechanics, a lot of work has been done on the
15 mechanics list. And you have the -- the getting your
16 mechanics license, and each of these are tabs that you
17 can click on. Renewing your list, you'll see that
18 there's a "Continuing Education" tab here. And you can
19 also click on "Continuing Education Classes," and you now
20 have an updated list that is no longer containing a bunch
21 of expired courses. So this is here for you.

22 And then "About the Elevator Program," if you click
23 on "Elevator Safety Advisory Committee," that's -- this
24 is the X on the map. It's where you're at. It says what
25 we do, it says when our meetings are, and it gives you

1 who your representatives are.

2 What is important for this is that, as a
3 stakeholder, the committee members are here representing
4 you. So if you have questions, if you have concerns, if
5 you have celebrations and you don't know who to go to,
6 you can go to this list, and it has everybody's phone
7 numbers and e-mail addresses so you are able to get ahold
8 of them.

9 It's got "Elevator Inspectors & Staff," which is one
10 of the biggest things that was talked about. Now I don't
11 know who to get ahold of. So here's a beautiful map of
12 our state, and it is broken down how you can get ahold of
13 whomever you're looking for. This list is updated. And
14 we listened to what you wanted, and it also has people
15 specific working schedules.

16 What I would like to say for the inspectors is if --
17 if you're in Region 1, which is Everett up to Canada, if
18 you don't -- like these are your Region 1 inspectors.
19 You can reach out to them. It also has who the
20 supervisor is. Feel free to reach out to the supervisor
21 for your region and say "I need an inspector," "I have a
22 question," whatever it is. So there's that.

23 We're going to do a lot of talking about rules and
24 policies, and this is where that tab is. This first
25 "Laws and Rules" will show you our laws which are 70.87,

1 our rules which are 296-96 WAC.

2 You click to the "Rule Development" page, and it
3 gives you -- Alicia's so good about sending me the
4 information. It gives you everything that's happening,
5 everything we're going to talk about. We work really
6 hard to keep you informed. So if you ever have a
7 question, this is where you go to find that information.

8 Our last tab is for mainly the contractors. It's
9 the plans and permits. You can go here and get that.
10 We've -- we've tested the calculators. The calculators
11 are working. It's got the permit form on it.

12 There's been a lot of work. Again, there's a lot of
13 work to go, but I want you to know that we did hear you,
14 and the website has been updated a lot to meet your
15 needs.

16 Questions?

17 Scott.

18 MR. CLEARY: Very good. I mean, this is a great
19 start. I know this has always been kind of a -- we've
20 brought this up, and it really looks like we're going in
21 the right direction.

22 The only thing I didn't see, and I might have just
23 missed it, is a plan -- or policies that are in existence
24 in TCs. Is that on there somewhere, too, that we can
25 pull up to make sure?

1 MS. ERIKSEN: For sure.

2 MR. CLEARY: Okay.

3 MS. ERIKSEN: So here on -- on the "Elevator
4 Rules & Policies," there's a "Policy" tab. Right now the
5 only policy we have are the -- is the education policy.
6 And for clarification, it's the standing education policy
7 that was done in 2012. Once -- if the education policy
8 is updated, as being done through our subcommittee, it
9 will be replaced with what becomes official. Right now
10 this the official policy.

11 MR. CLEARY: Okay. I have another question, but
12 I'm going to let Jan go ahead.

13 MS. GOULD: Where are your technical bulletins?

14 MS. ERIKSEN: I'm so glad you asked. I was
15 hoping that it was a completely different question, so
16 that I could quickly remember.

17 So locations -- please be right. Oh, yeah, look
18 here. So when you go to "About the Elevator Program,"
19 and you go to the bottom tab for "Publications," boom,
20 here you go: "Technical clarifications." Here they are.
21 It's also got safety publications and our still-standing
22 performance study that was done in 2016.

23 Scott?

24 MR. CLEARY: Melissa, what happens -- now
25 there's a couple policies that are just not there. When

1 they go . . . When do they sunset? How do they sunset?
2 And how do you notify the stakeholders. I'm talking
3 about the VPL policy that's no longer there, but was
4 never -- I wasn't aware that it went away.

5 Can you help me with that, understand that?

6 MS. ERIKSEN: Unfortunately, I don't know which
7 VPL policy you're referring to.

8 MR. CLEARY: It was the one that allowed for
9 residential battery-operated ones to be plugged in with a
10 cord up to 12 feet. And that was in effect for a while,
11 and now it's -- it's non- -- it's gone.

12 So when -- who sunsets them? And what -- do we know
13 what the public notice on that would be? Would that be
14 on the -- on this website too eventually?

15 MS. ERIKSEN: All right. So thanks to Paoa. He
16 has written down that question, and we will get an answer
17 and send it out. What I will tell you, because that is a
18 great question, it will be discussed at our February 2022
19 ESAC so that everybody has that, and it is on record for
20 everybody to go back at.

21 To -- to answer something I heard you ask as well,
22 moving forward, when something changes or when something
23 goes into effect or when -- basically, when we need our
24 stakeholders to know something, those messages will come
25 out on our gov delivery list, which is the e-mail list

1 that I briefly spoke to you about before, making sure
2 you're signed up for.

3 So that is our best way, aside from these ESAC
4 meetings, to reach our stakeholders as a whole so, again,
5 the importance of making sure that you're signed up for
6 our gov delivery list.

7 MR. CLEARY: Outstanding.

8 MS. ERIKSEN: Carl?

9 MR. CLEARY: Carl?

10 MR. CARY: Yeah, Carl Cary. There's still --
11 I'm sorry. Technical clarification 20-03 is still
12 missing from that list. Do we have a date on when that's
13 going to be added?

14 MS. ERIKSEN: I don't know yet. When we are
15 able to find out, we'll add that to his list. And when
16 we're able to find out, I will make sure it's added. And
17 since I send out the e-mail messages, I will make a point
18 to send it out that way.

19 MR. CARY: Okay. Thank you.

20 MS. ERIKSEN: Carl, can you please restate your
21 question?

22 MR. CARY: Yeah. So TAC -- or technical
23 clarification 20-03, that's the big one that refers to
24 sump pump testing. It's still not listed on that
25 technical clarification publication list that you're

1 showing right now on your screen.

2 MS. ERIKSEN: Thank you.

3 Are there other questions about the website?

4 MR. CLEARY: Like I said . . . Scott Cleary. I
5 just want to reiterate that this is quantum leaps at
6 where we were. And you've done a really nice job, you
7 and the state and Paul, to get this up and running. It's
8 going to be very, very helpful because especially now
9 when we're going through another code cycle and, you
10 know, making sure that everybody understands and has a
11 mechanism to get this information is really helpful.
12 Thank you.

13 MS. ERIKSEN: Great. Thank you.

14 All right. Not seeing any other questions, I'm
15 going to go back to our agenda. I think I've made up for
16 some time there.

17 MR. CLEARY: No. It's all good information.
18 It's really good.

19 So with that, we're going to move on to legislative
20 updates, rule updates, and that's going to be Alicia.

21

22 LEGISLATIVE UPDATES

23 RULES UPDATE

24

25 MS. CURRY: Good morning, everybody. Alicia

1 Curry. I am the division's -- excuse me -- the field
2 services and public safety division's rules coordinator.
3 So I help the elevator program with the rulemaking
4 process, and I'd like to give everybody an update today
5 on rulemaking. We have started the rulemaking process
6 for coded option for elevator. We filed what we call a
7 CR-101 document on October 19th, and that document is
8 notice to everybody that we are starting the rulemaking
9 process.

10 The primary driver for the rule making is to replace
11 the 2016 ASME A17.1 code with the 2019 edition, as well
12 as we are going to be considering other changes to the
13 rules. I know there was some talk about possibly
14 updating some other codes as well as making updates again
15 to some of the rules, housekeeping changes, et cetera.

16 This rulemaking does exclude proposals for rules
17 that have fees in them because we -- as you all know, we
18 are in the process of doing a fee increase so we have
19 those rules with fees open in another rulemaking, but we
20 will be considering changes to all of the other elevator
21 rules.

22 The proposal period began November 1st, and it --
23 the submittal period is through December 17th. You will
24 see if you go to -- actually, go into the CR-101 document
25 itself, that it says the proposal period is from

1 November 1st to November 30th, but we are extending that
2 because we had some delays in getting the messaging out.
3 So we're extending that through December 17th. And then
4 we're also going to be accepting TAC applications between
5 that time period as well through December 17th.

6 All of the information is on the elevator program's
7 "Rule Development" web page. As you can see there, it
8 looks like Melissa has it up.

9 And, Melissa, I did notice when I went on the web
10 page, that the link -- there's no link to the elevator
11 program's rule making process document for the
12 instructions and also to the form, so we need to get that
13 corrected.

14 But if you do go to the elevator program's "Rule
15 Development" page, it has everything there. It has the
16 date. As I mentioned, we will get the rule development
17 form, the link on there for you, so you can just go
18 directly to it. It gives you the address for where to
19 send, you know, proposal forms to and how to submit them.
20 You can submit them by e-mail, or you can mail them to
21 the program, or you can send them by fax as well. As
22 well as we will have instructions on there for how you
23 can complete the proposal form. It's -- if you remember,
24 I'm sure you all have looked at it in the past. That is
25 the elevator program's rulemaking process document. It's

1 got the flow chart at the top. It's got the timeline in
2 it, and it's got the specifics about the TAC as well as
3 how to submit proposals.

4 And as I mentioned earlier, we are making
5 improvements to that document to try to make it a little
6 more user-friendly for everybody. It is still a work in
7 progress, so we will continue, you know, to work on it,
8 but I'm hoping for this rulemaking that the changes we've
9 made will be, you know, more helpful for everybody.

10 One of the things that we, you know, added to that
11 document was an example of how to submit a proposal
12 because I know, you know, folks were kind of struggling
13 with, you know, how to complete the proposal, how to
14 actually, you know, show the language changes and that
15 sort of thing. And I know there was some concerns during
16 previous rulemakings that proposals were rejected because
17 they were not completed right. So we did make some
18 improvements for this go around as far as the
19 instructions and giving an example of kind of what --
20 what a completed proposal looks like.

21 It also has the rulemaking documents. If you go to
22 the web page, you can see there's the CR-101 proposal for
23 everyone. And the filing timeline for the rules, this
24 timeline that is on here right now, it is a tentative
25 timeline. It's what we're looking at at the moment. We

1 plan to hold a technical advisory committee meeting in
2 January of 2022. We're looking at holding a special
3 elevator safety advisory committee to review proposals in
4 February 2022. And as Melissa mentioned earlier, I
5 believe the program is looking at possibly a three-day
6 meeting for each of those. And then we've got a public
7 hearing tentatively scheduled for July and then adopting
8 the rules in October with an effective date in November.

9 And after talking with Gerald, I know we want to try
10 to have these rules in place kind of as soon as we can,
11 so if we can make adjustments to that timeline to, you
12 know, speed up the process, we're more than willing to
13 definitely try to do that and take a look at that once we
14 have an idea of what the language looks like, you know,
15 how many proposals we're going to get, you know, whether
16 we need a cost-benefit analysis and, you know, how
17 extensive that is, et cetera.

18 And did you want me to go ahead and give another
19 overview of the rulemaking process, Scott?

20 MR. CLEARY: Yeah. I would appreciate that,
21 Yes.

22 MS. CURRY: Okay. So just to give everybody
23 that wasn't able to attend at 8:00 this morning an
24 overview of the rulemaking process. And this is, you
25 know, specific also to the elevator program's rulemaking

1 process. But the first step . . . I like to think of
2 the rulemaking process really in three main steps.

3 The first step is what we call filing a CR-101. And
4 I'm sure all of you have seen that document before and
5 seen the messages come across for rulemaking. And that
6 document is filed with the office of the code revisers.
7 It is the notice to everybody that we are considering
8 rulemaking and giving a description of what changes we
9 may be considering as well as what -- what rules we're
10 opening up.

11 And then the elevator program -- we accept proposals
12 from the elevator program from a certain specific
13 timeframe which is listed on that CR-101 document. As I
14 said before, the proposal period as well as the TAC
15 application period is between November 1st through
16 December 17th. We will accept applications and proposals
17 during that time.

18 Then we will hold the technical advisory committee
19 to review those proposals and to provide recommendations
20 to us on proposals that, you know, should move forward or
21 should not move forward. And then those proposals go
22 forward to the elevator safety advisory committee for
23 their review and recommendations to us on proposals that
24 should move forward.

25 We then put together the draft language. We will

1 share that draft language with everybody. The draft
2 language will be posted on the elevator program's rule
3 development page once we get closer to that stage.

4 And then from there the next step is to go to what
5 we call filing the CR-102 document and that is the
6 proposed rules. Those -- the language is the rule
7 changes that we are proposing to make. It starts the
8 official public comment period. As well as we hold
9 public hearings for testimony on the proposed rules.
10 From there, we compile all of the comments we get and
11 provide formal responses to those comments.

12 And then we file what's called the CR-103 document,
13 and that is to adopt the rules. That's really the final
14 rules. And then, of course, we have an effective date
15 for when those rules will go into effect, which is at a
16 minimum of 31 days after those rules are adopted.

17 Does anybody have any questions for me or . . .

18 MR. CLEARY: Alicia -- go ahead. Who's
19 speaking? If you have questions, please put your hand
20 up, so I can get you in an orderly fashion so that would
21 be very helpful.

22 Thank you, Alicia. Like I said, this process is our
23 second iteration like this here is really helpful to have
24 this. And I know we're all looking forward to Melissa
25 going through, you know, how to do that -- kind of the

1 minutia of what we're going to be doing, so I appreciate
2 it.

3 Anybody that's got any questions, please contact
4 Alicia. She's very, very helpful in having everybody
5 understand the process.

6 MS. CURRY: Yeah. And if anybody, you know,
7 still has questions about how to complete a proposal or
8 you're not sure, you know, please feel free to reach out
9 to me any time. Please feel free to reach out to Melissa
10 or Paoa. We are happy to help anybody, you know, fill
11 out that proposal form.

12 MR. CLEARY: Outstanding.

13 So the next up, if no one has any questions, is fee
14 increases.

15 We're going to skip over that and have you talk
16 about rule submittal instructions, Melissa.

17 MS. ERIKSEN: No. Annette's here, so we're
18 going to let her go into that, and then -- and then I
19 will do some more talking.

20 MR. CLEARY: Oh, outstanding.

21 Welcome, Annette. I'm glad to have you here, and
22 you're up.

23 MS. TAYLOR: Thanks, Scott. I see that you're
24 trying to skip over me, but I appreciate Melissa saying
25 no.

1 MR. CLEARY: Well, with that, would you please
2 introduce yourself?

3

4 FEE INCREASE

5

6 MS. TAYLOR: Absolutely.

7 So good morning, everyone. Annette Taylor. I am
8 the deputy assistant director for field services and
9 public safety. And the elevator program reports up
10 through me at the Department of Labor and Industries.
11 Thank you for having some time with you today to talk
12 about various topics that -- I'll be talking about some
13 on behalf of Gerald, as he is not with us today in this
14 meeting, and some as an update for some work that we've
15 been doing in partnership with Scott and others.

16 Let me just start with the fee increase. This also
17 -- having this conversation about the fee increase, also
18 I want to have the conversation about the conveyance
19 management system project going on because the two are
20 connected. And just for everyone's awareness, a fee
21 increase is done every fiscal year based on the fiscal
22 growth factor that is set by the Office of Financial
23 Management. And the elevator program has not
24 historically done fee increases fiscal year after fiscal
25 year. Although the law gives us the ability to do that,

1 the program has not historically done that. We are
2 starting a new process in which we are pursuing fiscal
3 growth factor fee increases year after year until we can
4 stabilize the program and the fund because the elevator
5 program is in a dedicated fund as well.

6 So the one reason for the fee increases where we're
7 going to pursue three fee increases over the next three
8 fiscal years is the conveyance management system is a
9 solution that all of you or most of you have participated
10 in in helping us to understand the needs of our external
11 stakeholders and the requirements of the system based on
12 how you, as a customer and a stakeholder, would want to
13 utilize the system in addition to our staff, our elevator
14 inspectors, our admin staff.

15 Today's system was built in 2006 or thereabout.
16 It's a system that doesn't support the work that the
17 staff are doing today. It's a system that doesn't
18 support what your needs are as customers or stakeholders
19 today.

20 And so in order for us to pay for the system, we are
21 using money in our dedicated fund that we've been
22 allocated to use by the legislature. And part of that is
23 also increasing our fees based on the fiscal growth
24 factor and beyond so two comments today for the
25 conversation is our first fiscal fee increase, and you

1 heard Alicia provide an update on the rules. All of our
2 fee increases go through the rulemaking process, and this
3 first fee increase is going to be what we call the fiscal
4 growth factor, and that's 5.79 percent fee increase.

5 The next fee increase -- and again, that's to cover
6 the cost -- you know, the increasing costs of our
7 program, the work that we do and the costs it takes us to
8 do the work. And part of that is the systems that we
9 utilize. So the first one is the fiscal growth factor
10 5.79. The next one is going to be above the fiscal
11 growth factor, and I've been discussing this. I brought
12 this up I think before at one of the ESAC meetings, that
13 we are going to go higher than a fiscal growth factor fee
14 increase. And in doing so, that's going to allow us to
15 have the 3.5 million dollars that we need to build this
16 new technology solution for both the internal
17 stakeholders, our staff, and our customers who use the
18 system for conveyances.

19 So the next fee increase will be beyond what we call
20 the fiscal growth factor. It'll be 17 percent. And,
21 again, that is going to help us pay for the cost of doing
22 business in the program, but it's also going to help pay
23 for the cost of the new system.

24 So before I go on any further with this and give you
25 just a little bit of an update on the system, are there

1 any questions about the fee increases?

2 Okay. Let me just give a quick update on the
3 conveyance management system because we are -- that is --
4 those two are connected, the fee increase and the new
5 case management system. So, again, the work that we're
6 doing here is to update the current conveyance management
7 system so that there is the ability to -- I froze up
8 there a little bit -- so that we want to acknowledge that
9 the current conveyance management system just doesn't do
10 what we need it to. It doesn't do it for our inspectors
11 and our stakeholders as well.

12 And so what we've done . . . Some of you have
13 participated in meetings a couple years ago where you
14 told us what you need in the system as a customer and as
15 a stakeholder. We took that information while working
16 with our internal staff to develop what we call user
17 stories. And what that does is helps us to understand
18 what we need in the system so that when we bring a vendor
19 on board that we are very clear about what we want that
20 vendor to build for us.

21 We have a request for proposal going out on
22 December 1st. That request for a proposal will allow
23 vendors to apply to interview with us, with the agency,
24 to determine who we would like to select to build that
25 new solution for us. And there's a lot of information

1 that goes into that expectations about what we need in
2 the system. Then those vendors give us an opportunity to
3 hear from them that they can meet those expectations,
4 they can meet the timeline and they're able to build us a
5 solution.

6 So that document is going out on December 1st, and
7 we're planning to select a vendor by February of next
8 year, so February 2022. So in the meantime, IT and
9 elevator programs and others, they're continuing to work
10 on the conveyance management effort. We meet -- some of
11 us meet weekly. Some of us meet monthly. I'm the
12 executive sponsor of the project that's going forward, so
13 I have a lot of interaction with our IT staff and our
14 stakeholders. But there's been a tremendous amount of
15 work done to identify what the requirements are and what
16 the needs are. So that's a little bit about the fee
17 increases and an update on the conveyance management
18 system because there is the integration between the two
19 because part of the fee increase is going to help us to
20 pay for that solution.

21 Any questions?

22 MR. CLEARY: Annette, this is Scott.

23 MS. TAYLOR: Go ahead, Scott.

24 MR. CLEARY: Maybe I just didn't hear. When do
25 you think this will be online? Or when is your

1 anticipated online and go with the new system?

2 MS. TAYLOR: March of 2023.

3 MR. CLEARY: Okay.

4 MS. TAYLOR: And we will be negotiating with the
5 vendor that we select. We'll be negotiating the training
6 component of it because we know we need to train our
7 internal staff, but there will also need to be training
8 for our external customers who use the system. So part
9 of the conversation with the vendor that we select to
10 build the solution for us, we will also have -- we'll
11 also have the conversation about the training component
12 of it so that our customers who use the system will know
13 how to do that.

14 MR. CLEARY: Thank you.

15 MS. TAYLOR: Any other questions on the fee
16 increase and conveyance management system update?

17 MR. CLEARY: Okay. Seeing none, Melissa.
18 Thank you, Annette.

19 MS. TAYLOR: Thanks, Scott.

20

21 RULE SUBMITTAL INSTRUCTIONS

22

23 MS. ERIKSEN: Great job.

24 Okay. So, again, I'm Melissa. Now we are talking
25 about rule submittals and TAC applications. So it would

1 help if I picked the right tab. This is what your rule
2 development form looks like. As Scott has said and
3 others have said earlier, what we do not want is for the
4 work that you did in submitting a rule form be thrown out
5 needlessly. We know and we appreciate the time that is
6 spent in doing so. So what I'm hoping is that this
7 explanation helps. And as stated, if you ever have
8 questions, please reach out and let us know. We are
9 happy to help you.

10 So as I pointed out before, on the website, this
11 form will be added to the rule page. And right now it
12 can be found in the form section of the building owner,
13 the elevator contractor and the elevator mechanic form
14 pages. It's called "Elevator Rule Development Form."
15 And what you need to know is that you need one form per
16 submission. That means that per WAC entry you would like
17 to change, you need a separate form for.

18 Please leave the proposal number blank. That's
19 something that we're doing internally. That's nothing
20 that you need to figure out or fill in.

21 Here it tells you how do you get the form to us.
22 You can mail it in. This is our address. You can send
23 it that way. An easy way, you can e-mail it to us, and
24 please e-mail it to our general e-mail which is this
25 address. If you need to fax it in, this is our fax

1 number, and you can get it to us that way as well.

2 Something I'd like to say is: Please choose one
3 method to send it in to us. No need to do multiple
4 methods. That'll cut down on any confusion.

5 This next section is for your information. We would
6 like to know who you are. So please put your name. And
7 if you're representing a company, put down what company
8 you're with. The date is the date that you're writing
9 this. Your e-mail address so that if we have questions,
10 if we need to reach you, this is how we can get to you.
11 Your phone number, fax number, if there's a reason for us
12 to fax it back; otherwise, your e-mail and phone number
13 is appropriate enough. And then your street address,
14 this can be your company if you represent a company.
15 This can be your personal address. So we just -- we need
16 to be able to contact you if we need to, and that's why
17 this information's here.

18 It's important to note that in the gray section in
19 the next few parts, it tells you what to do exactly as
20 I'm going to show you. So for the proposal, please
21 provide the WAC rule number. That's going to start with
22 296-296-whatever follows. Use an underscore. If you're
23 not word savvy, if we take this and we write -- to
24 underscore you're going to take the language that needs
25 to be underscored which is the language that you want

1 inserted, so what wording is missing that you would like
2 to see put in. You highlight that section, right click,
3 you can click that down arrow. What you're looking at is
4 format text. And you're looking for subscript. No.
5 You're not looking for that.

6 UNIDENTIFIED SPEAKER: Strike through.

7 MS. ERIKSEN: No. This is for underscore.

8 I'm so sorry. Okay. Let me get back to that.

9 MR. NORRIS: Melissa, see where it says
10 "Arial 11" at the top up there in the ribbon?

11 MS. ERIKSEN: Yeah.

12 MR. NORRIS: That U with the underline on it,
13 there you are.

14 MS. ERIKSEN: The underline. Who'd have
15 thought? Thank you, Jim.

16 So highlight and underline, and that will let us
17 know that that's the language that you want added. If
18 it's language that you want deleted, again, already
19 language that's there that you don't think should be
20 there, you can highlight it and click on this ABC with
21 the line in the middle, and that shows us that you want
22 it taken out. So we'll do -- there will be an example
23 here shortly.

24 Moving forward, statement of the problem and
25 justification. We need to know why you feel it's

1 important this -- this change is made. So if the line
2 says that "Right now all elevators should be orange," and
3 you make your changes up top that say that "All elevators
4 should be orange," and you strike it through and you
5 underline it saying that "It should be purple," then down
6 here, you're going to say why elevators being purple is
7 important and why we need to make sure that that language
8 is changed to reflect that.

9 Moving forward, that's the form. That's what we
10 need you to do. When we get these submissions and they
11 go forth through the tech and they go through our special
12 ESAC meeting, your information that you put here is
13 what's discussed, and it's your case to be made as to why
14 these changes need to be made, and that's what's voted
15 on.

16 Are there any questions?

17 MR. CLEARY: Melissa?

18 MS. ERIKSEN: Scott, yes.

19 MR. CLEARY: Scott Cleary. Like I said, this
20 was kind of the Achilles heal last time, so this is
21 really important. I think you explained it well, that
22 how you fill these out is how it gets presented to the
23 TAC to vote on. And the more context and justification
24 you have, the easier it is for the members to understand.
25 Because you gotta remember you're seeing it from a unique

1 perspective that not maybe the rest of the members of the
2 TAC see it as, so it's incumbent upon you to give a
3 really good justification. The better the justification,
4 the easier it is to vote on it. So it's incumbent upon
5 whoever's doing the proposal to really give a good
6 justification.

7 MS. ERIKSEN: Absolutely. Thank you for that.

8 MR. CLEARY: And thank you for doing that.

9 MS. ERIKSEN: Yeah. For sure.

10 I'm not seeing any other questions. And if you do
11 have questions, if you're filling this out and you're
12 like, "Oh, my gosh, I don't know how," you can also reach
13 out to us through this e-mail or through our personal
14 e-mails and say, "Quick, how do I . . ." We are happy to
15 help you.

16

17 TAC APPLICATIONS

18

19 MS. ERIKSEN: Moving on, TAC applications. So
20 this is the form that Alicia alluded to earlier. Here.
21 So our rulemaking process, what this is telling you is
22 that when there are changes to be made, you submit them,
23 we vote on them and it goes through the entire process
24 that she talked about with the CR-101, the CR-102 and the
25 CR-103. She did a fantastic job explaining it. I'm not

1 going to mess up the great work she did.

2 Here, again, are the dates for the timeline moving
3 forward. These are here. These are also on our website.
4 This form will be on our website today or by the end of
5 this week, so you'll have this referenced for yourself.

6 The stakeholder rule changes really goes over what I
7 just described. These are your rule change development
8 forms, again, how to do it, when they need to be received
9 by. Please note that it is a time restraint thing. They
10 must be received by midnight on -- our 11:59 on
11 December 17th, not sent by and we'll receive it
12 afterwards. We have to have it received by that time.

13 Here is -- sorry, if I'm scrolling too fast.

14 Here is an example, a much better example than I
15 provided you. This is what the form looks like blank.
16 This is an example of what the form should look like
17 moving forward. Again, don't worry about the proposal
18 number. That's done internally.

19 You please put your information, the WAC number and
20 reference for what you're wanting to change and then
21 write it out. This WAC starts with "Handrails are not
22 required." The strike through means that's wording that
23 you do not want to see in there. The underlining means
24 that's new verbiage that you're wanting to add. And then
25 your statement of why, put something there. Please don't

1 get caught up with making sure that you sound a certain
2 way. That being said, please make sure that your reason
3 is laid out there.

4 Paoa?

5 MR. NAIPO: I just want to make sure that we
6 don't underestimate that second part regarding the
7 statement of problem and justification. This truly is
8 what we're going to use to enforce it: What's the true
9 intent behind the change in this verbiage. And as we
10 review it and we read your intent, if -- as I'm compiling
11 these for the TAC, if I need any help, you know, trying
12 to wrap -- or exactly what you're trying to get with the
13 change, I'll definitely contact you. But as well, that
14 is what we're going to use for the justification of
15 moving forward with this as well. And so if while we're
16 reading that justification and intent, it could open up
17 to . . . You know, you were fixated on this one WAC, but
18 because of your true intent behind what you included that
19 we need to make outside that one WAC that you were
20 proposing the changes. So please make sure that you try
21 to tell your story as best as possible so we understand,
22 again, really where you're coming from and the want. I
23 really appreciate it. Thank you.

24 MS. ERIKSEN: Thank you.

25 All right. Moving forward, the TAC. So, again,

1 stands for technical advisory committee. This will be
2 our third year having a TAC. Basically what it is -- and
3 I'm not going to read this. You can read this. But I'll
4 summarize it for you. It is a make up of the elevator
5 industry. It includes the program. It includes other
6 AHJs being the City of Seattle, the City of Spokane. It
7 includes our testing laboratory, our fire marshal, union
8 companies, not union companies, mechanics, our building
9 owners, our property managers. It is a complete
10 representation of the industry to go over the rule
11 submittals to make sure that moving forward, the process
12 helps us come to a point of safety.

13 We need your -- how do you apply? That's the
14 biggest question that I keep getting: "Melissa, I can't
15 find the application." That's because there's not an
16 actual application. What do I need from you? I need
17 your letter of intent. It's basically a cover letter
18 like you would send with a résumé saying what you have to
19 bring to the table to be the best representative for your
20 part of the industry and why you're the candidate that we
21 choose. Those cover letters or letters of intent are all
22 reviewed and used to make sure that we have a balanced
23 TAC, and those get e-mailed to our general e-mail. That
24 is -- that's coming.

25 So I'm not going to scroll back really fast. Those

1 letters of intent get sent to our general e-mail:
2 elevatorsect@lni.wa.gov.

3 The process: The TAC makes recommendations on the
4 proposals. It's to address a critical life or safety
5 need, to address a policy or statute, to make sure that
6 everything is fair, to make sure that everything is
7 represented, even the unique issues, and also to correct
8 something that might have been left out or just needs
9 changed because the times have changed. This is to help
10 create our living document, make sure that it is
11 representative of our current situation.

12 So like I shared earlier, we have two ESAC members
13 who are nonvoting. It'll be Scott and Ricky, our chair
14 and co-chair. We'll have a fire marshal representative,
15 a labor -- elevator labor representative, a grain
16 industry representative. From the program, there will be
17 a supervisor, a technical specialist and two inspectors.
18 For the city regulator it's going to be representatives
19 from the City of Seattle and representatives from the
20 City of Spokane. There will be an ASME code panel member
21 on the TAC, an engineer, someone from a testing
22 laboratory, general public member. As I said, if you
23 were in our stakeholder meeting, that is anyone. That is
24 a homeowner, that is . . . That general public member is
25 anyone. So if you're looking at this list, and you're

1 like, "Well, I don't fit into one of these," this can be
2 you. It has three elevator mechanics, three elevator
3 contractors and three building owners. Building owners
4 can also be property managers. So that's it.

5 Questions about the TAC?

6 Again, this document will be on the website for your
7 review. I know I probably went through this really fast,
8 but it will be there for you to have on your own.

9 MR. CLEARY: Melissa, that -- this is Scott --
10 very helpful. I think this kind of gives everybody
11 the -- kind of the oversight, and it's a great
12 opportunity to participate and be heard. The state does
13 a really good job of taking what's proposed and running
14 it through not only the TAC but the ESAC before it's
15 proposed up. And I think we've got a commitment from
16 L & I that if it gets through those two committees and
17 it's fair and reasonable, that your guys are going to
18 accept it; correct?

19 MS. ERIKSEN: Correct. Correct. Thank you for
20 that clarification.

21 All right. Moving on. "CPH Industry," Annette's
22 going to talk about that.

23

24

25

1 totality of the statute, ANSI and what we've done in the
2 past, looking at the totality of it, it is we -- under
3 the authority, we should be inspecting the construction
4 personnel hoist.

5 Those of you who aren't aware of the history of it,
6 we ceased the inspection of that hoist in 2019. But
7 since then, we have spent a lot of time with external
8 stakeholders who have politely disagreed with that
9 decision and have said, "No, the agency has statutory
10 authority to inspect those." And so we spent, again, a
11 significant amount of time going through that with our
12 legal advisors, again, with the associated general
13 contractors and a lot of work with them. And we have
14 come to the conclusion that we will begin inspecting
15 those hoists immediately.

16 So the -- actually, the document is written. Again,
17 we're going to make sure that everything in there is
18 accurate for the communication because we'll be sending
19 it out far and wide, so we're just going to take one last
20 opportunity to take a look at it to make sure that both
21 AGC approves of the communication, to make sure we've
22 clarified everything; moving forward, that we can answer
23 the question of "Why did you do it?" "Why did you stop?"
24 "And why are you doing it again?" We want to be very
25 clear about that messaging.

1 And understanding that moving forward, if another
2 chief were to sit in this seat or somebody else were to
3 sit in this seat, that that decision is not going to be
4 made again, that this decision is in place and it will
5 stay in place. So and we agree. Labor and Industries,
6 of course, public safety, our number one goal and
7 priority, so we are happy to finally get this moving
8 forward.

9 I know there's been many on this group that have
10 been waiting for us to come to this decision and get this
11 communication out. And like I said, we are there, and
12 I'm happy to report on that and want to thank everyone
13 that has been patient with us, who has been involved in
14 the process of working with us, answering our questions,
15 helping us to navigate down the path where we needed to
16 get to by being available to us for meetings and things
17 like that. I can't say enough how much I've appreciated
18 the partnership from everyone that has stepped in to help
19 us with this conversation and making sure that we are
20 moving forward in a way that somebody can't step in and
21 change that path again.

22 So with that, are there any questions with regard to
23 construction personnel hoists?

24 MR. CLEARY: Annette, this is Scott. What --
25 you say it's going to start -- be effective immediately.

1 What about the units that are -- may be in place that
2 don't meet the minimum requirements of 10.4.

3 MS. TAYLOR: Well, that's what we're working
4 with -- I actually was working with Paoa last week or the
5 week before and Gerald. Some of those are the great
6 questions that have come up, such as we're starting from
7 this point forward on the requirements because we don't
8 feel that it's in the best interest to penalize somebody
9 who was not required to pull a permit to have us do this
10 inspection.

11 But we have inspectors out on job sites, we have
12 DOSH inspectors out on job sites, the Division of
13 Occupational Safety and Health, we have our inspections
14 out on job sites, and if we see that any of these are not
15 operating properly or unsafe, we're going to stop them,
16 and we're going to address it immediately.

17 So we're not going to just allow the ones that are
18 operating now in an unsafe manner. If somebody sees
19 something, say something. Report it to us, right? If we
20 see it, we're going to address it. So, you know, we're
21 starting from this point forward requiring the permits
22 and requiring the inspections and doing the work that's
23 necessary, but we're not going to penalize those who had
24 not had that requirement for the last couple years, but
25 we are going to pay attention. If they're unsafe, we're

1 going to address the safety of those immediately through
2 our processes that we would normally do.

3 Paoa, is there anything you would like to add to my
4 answer for Scott's question? Or Melissa?

5 MR. NAIPO: No. I believe you covered
6 everything we had pretty much gone over as far as what
7 the possibilities are and what our reactions are to them.

8 Like she said, the big thing is we don't want to
9 penalize those who had been working under the previous,
10 you know, definition, but at the same time when we need
11 to go out there and this is an unpermitted conveyance
12 that we are now . . . You know, it was installed, and
13 we're doing a jump on trying to figure out what does it
14 look like to make sure that, you know, during that jump
15 inspection we can also make sure that, "Hey, this has
16 been running safely, it was installed correctly without
17 it having a permit pulled" and the like, but just, again,
18 making sure the safety aspects are there for not only the
19 operators but the riders of those conveyances as well.

20 MR. CLEARY: Thanks.

21 Mandi?

22 MS. KIME: Thank you. I just wanted to say a
23 couple of things. First of all, thank you for moving on
24 this. It's important work. It's been a long time
25 coming, and we appreciate the effort. I think that there

1 is --

2 MR. CLEARY: Mandi, could you introduce
3 yourself, please, for the record.

4 MS. KIME: Oh, I'm sorry. My name is Mandi
5 Kime. I am director of safety at AGC.

6 I think it's been long time coming, and I think
7 there's an opportunity here for the Department to
8 communicate with the CAT 4 folks directly and explain how
9 you plan to implement this. It's one thing to put out a
10 message and say, "Oh, effective immediately," and get
11 everybody scrambling; it's quite another to step forward
12 and explain basically what you just said, Annette, and
13 insure that those people doing CPH work understand what
14 the intentions are and how this will be rolled out
15 because every iteration of us almost getting to this
16 point, the communication from the department has left
17 everyone reeling and very concerned.

18 So I applaud the effort on the Department's part. I
19 applaud this particular technical clarification and
20 finding a manner for which this progress to be done. But
21 I think communication is critically important here and we
22 have a lot of CAT 4 folks that have a really bad taste in
23 their mouth right now. They're very, very frustrated, so
24 much so that I'm twisting arms trying to get people to
25 come and participate in these meetings with me because of

1 how much effort we and they have put in to get nowhere.

2 So, again, hats off to you all for making this
3 progress. But I would invite you to come and actually
4 fully explain this, not just shoot me an e-mail with the
5 language saying effective immediately but actually do
6 some outreach to this stakeholder group. It's important.

7 UNIDENTIFIED SPEAKER: Thanks, Mandi. I
8 appreciate those comments, and you're absolutely correct.
9 And so one of the things that I think Melissa will take
10 back with Gerald and the supervisors is how we're going
11 to do that immediately. Again, you're right. It's --
12 you know, putting a communication out is one thing but,
13 you know, understanding the CAT 4 licenses and the work
14 there and the requirements and things and that we need to
15 get this out step by step, that's the next number one
16 priority.

17 And so, Melissa --

18 MS. KIME: Also as a point of just respect for
19 this group and everything that they've done, that
20 communication should go out before the announcement goes
21 out.

22 UNIDENTIFIED SPEAKER: Yeah. So I think we'll
23 be . . . Matthew and Melissa and Paoa will be working
24 together in Gerald's absence to put that together to get
25 that out and then communication to follow that.

1 So, Melissa, if you could put that on your agenda
2 for us to discuss after this meeting so we can get a plan
3 in place and share that, I'd appreciate it. Thank you.

4 MR. CLEARY: All right. Any other questions on
5 this subject? Outstanding.

6 All right. Jan Gould, City of Seattle. We're going
7 to talk a little bit about your Chapter 30 and what you
8 guys got going on in the city of Seattle.

9
10 CITY OF SEATTLE CHAPTER 30 UPDATE (PERMITTING/IMPLEMENTATION)

11
12 MS. GOULD: Yup. I'm going to share my screen
13 here. And I have just a small, quick little takeaway,
14 and Melissa is going to drop this into the chat. So
15 what's most important for us is we go by the issuance of
16 the construction permit for a project. So these dates
17 are the dates that we adopted the 2015 building code and
18 subsequent ASMEs and WACs. And then the March 15th,
19 2021, for Seattle building code 18, SEC, Seattle
20 electrical code 2020, the 2019 ASME, the 2017 A18 and
21 the 2000 -- oh, I've got this wrong. Sorry. It's the
22 2017 A17.6, so that's wrong. And we also adopted Part C1
23 Material Lifts, the 2018 version.

24 And we added a huge new section: Section 3011. It
25 used to be about a page and a half. And it's retroactive

1 requirements for existing elevators. It exists -- it's a
2 compilation of WAC 2007 Part D and 2018 WAC Part D, where
3 they had made some additions.

4 And then in -- under New Installation Construction
5 Standards 3016.5, this should have a W next to it because
6 it was a WAC rule or Washington state rule where if
7 handrails are -- they're not required but if provided,
8 they need to meet the A117.1. And I see that the state
9 is proposing to have language specific to handrails, so
10 when we do our next code adoption, we will follow suit.

11 In the city of Seattle, we can't make any
12 substantive changes between code adoptions. We can only
13 fix mistakes, and that's called an errata. So we can't
14 adopt a standard or additional requirements between our
15 adoption dates.

16 And then 3016.6 is the elevator emergency
17 communication system for the deaf, hard of hearing and
18 speech impaired, and we had a reference in there to ASME
19 2019 2.27.1 where there are additional requirements for
20 that. And, again, this is a WAC rule that we've turned
21 into our city rule 3016.7.1, Inclined stairway chair
22 lifts. Private residence incline chair lifts require a
23 17-inch clearance of -- in the folded position.

24 And 3020.4.1.1 Maintenance access, this is a
25 summary -- it's not the entire language: Provide and

1 maintain a clear, permanent and safe access to machines
2 and control rooms. Because one of our biggest problems
3 is things stored in front of the elevator machine room or
4 control room.

5 3020.5 is Working clearances. No changes there, but
6 we do have additional working and electrical clearances
7 in Seattle electrical code under 620.5, so now there's a
8 cross-reference for additional requirements.

9 And 3020.6, Location of main line disconnects, this
10 is language that was added from WAC Part C 2018. The
11 language you can find on our website under Chapter 30.
12 It's a read-only. To buy it, I think it's like \$9.00.

13 And then, again, 3020.6 is out of a WAC rule 2018,
14 Location of main line disconnects. Oops. Too far.

15 And then 3020.7 Machine rooms or control rooms for
16 private residence, we added the requirement for an access
17 panel and the size when there is a machine and brake in
18 the hoistway. And then we have the exception for machine
19 room. You do not -- under the 2018 building code, you
20 are no longer required to have a dedicated elevator
21 machine room. But we did add the language for a safe,
22 clear access to location of machinery equipment.

23 And we made amendments to 5.3.1.6 in the 2019 ASME
24 where it for the first time has language for control and
25 machine rooms. They're not required. It says "where

1 provided."

2 And under 3020.8 we added Labeling: "Elevator
3 Equipment Room or Machine Room, Authorized Personnel
4 Only, No Storage." And if there's any doors preceding a
5 machine or control room, they need to have a sign also.
6 It doesn't -- it just needs to say "Elevator Machine
7 Room" or "Equipment room," "Not For Storage" and
8 "Authorized Personnel" in one-inch letters with a
9 contrasting background. And if elevator companies are
10 used to using the state's language, we don't have a
11 problem with that.

12 And under Section 3023 Pits, we removed the language
13 for the 18 by 18 sump hole, and we are -- we no longer
14 amend ASME A17.1.2.2.2.5. So and in the 2019 ASME, the
15 language has changed for the sump pump or drain required
16 per single hoistway or multiple hoistway.

17 And under 2.2.2.4.5, we've added F and G that aren't
18 in that ASME code where you need to provide an electrical
19 contact if you could be struck by the car or
20 counterweight when either is on a fully compressed buffer
21 and then a signage on the pit door for a walk-in pit. If
22 it's more than one elevator or an elevator in there, you
23 need to identify what elevator or elevator is served by
24 that room in one inch, and it's contrasting background
25 also.

1 And then in Section 3024, the Shutoff valve -- this
2 is a WAC rule -- "it may require two" language added from
3 the 2018 WAC rule.

4 And under 3028.5, Firemen's emergency operation
5 quarterly testing requirements.

6 And then under Section 3029, under the 8.6 part of
7 ASME, all the requirements lie in there. In ASME now,
8 some of those can be maintained electronically. We have
9 language under all these sections that say to provide a
10 hard copy of all records on site.

11 So that's pretty much the major changes to
12 Chapter 30.

13 We did -- but it's really important when on an
14 alteration permit, if there is no -- if there is no
15 construction permit attached to it, then we go by the
16 issuance of the alteration application. And we adopted
17 the 2018 Seattle building code on 3/15 of this year.

18 And one note to make: If an elevator -- if they're
19 not doing a major mod, if they're just doing -- if
20 there's never been an elevator or they have a princess
21 type phone and they're adding an ADA phone, we are not
22 requiring just for a phone addition to meet the new
23 requirement of the emergency communication for the deaf
24 and hard of hearing. It's incredibly expensive. So
25 that's our decision in the city. But on a major mod that

1 falls under the 2019 ASME, that communication system
2 would be required.

3 MR. CLEARY: Thank you, Jan.

4 MS. GOULD: Yeah.

5 MR. CLEARY: Any -- any questions for Jan?
6 Okay.

7 MR. CARY: I've got one. Carl Cary.

8 Hey, Jan, I was checking the chat. Are you going to
9 provide that document to us?

10 MS. GOULD: Yes. Melissa, I sent her two
11 versions, and she's going to provide you with the latest
12 version of it, yes.

13 MR. CARY: Awesome. Thank you.

14 Oh, Melissa, did you have something to say? Sorry.

15 MS. ERIKSEN: Sorry. Melissa. I was just going
16 to say that I have been trying to put it in the chat. It
17 is not allowing me to attach the file, so I'm going to
18 send it out via e-mail.

19 MS. GOULD: Jan Gould. Thank you, Melissa.

20 MR. CLEARY: Any more questions on Chapter 30?

21 Okay. Hearing none, we're going to talk about the
22 demarcation agreement, and that's going to be Annette.
23 You're up.

24

25

1 LINE OF DEMARCATION

2

3 MS. TAYLOR: Thanks, Scott.

4 All right. So we're talking about the demarcation
5 point. We've also titled this for the last two years the
6 drive isolation transformer issue. But we have been
7 working for -- I don't know -- a better part of a couple
8 years. I have to -- I just . . . First, I want to say
9 thank you so much to Scott Cleary. He has been at the
10 forefront of this conversation literally day in and day
11 out for almost the last two years. He's been
12 coordinating this conversation with other stakeholders in
13 this group and in the industry where it's been very
14 important to bring those stakeholders into the
15 conversation. He chaired a subcommittee with
16 stakeholders from this group to discuss this. And that
17 on top of the running his own business to put, you know,
18 food on his table and keep his staff employed to put food
19 on their tables. So I just -- I can't thank you enough,
20 Scott, for all of your work. It's been -- for those of
21 you who probably know but don't know, it's been evening
22 calls between the two of us. It's been early morning
23 calls between the two of us. It has been, you know, a
24 lot of ups and downs and going back and forth and working
25 with . . .

1 Yeah, Keely, you're laughing because you get it,
2 right? So thank you.

3 But it's been a lot of me having two programs
4 internal to L & I to bring together with some agreements
5 and some consistency to move forward with this. And I
6 will say that didn't go without its own internal
7 challenges. I won't say it, but I'm saying it because it
8 most certainly did, and so but that's my job. Scott will
9 tell me that that's my job to work that out and make it
10 happen, and he's absolutely right.

11 So, you know, with all of that, this work was really
12 important to do because I know we're landing in a place
13 where we were since 1997. We are going to continue
14 doing -- you're going to continue doing what you've been
15 doing since 1997. But what came out of this two-year
16 process -- I have to keep saying that -- is some clarity,
17 right?

18 Scott agreed there needs to be some clarity in some
19 certain areas. And Scott and Gerald are going to be
20 working with all of you to gain the clarity and the
21 training and some work that didn't really -- was not
22 really outlined in the 1997 agreement about this -- the
23 demarcation point. You know, building the diagram to
24 have a very clear visual about the demarcation point, not
25 only for the elevator industry but for the electrical

1 industry, especially for the inspectors and the
2 electrical program across the state, right?

3 And as we on-board new staff, which we have in both
4 of these programs and we continue -- we will continue to
5 do that, we will need this documentation. So we've got
6 three documents that we want -- that are done, that --
7 they're completed.

8 The only document that has a draft watermark on it
9 is the communication because we -- Matthew and I
10 finalized the communication that we're going to send out
11 to all the stakeholders in the elevator industry, all the
12 stakeholders in the electrical industry. We didn't
13 remove that draft watermark yet because we just wanted to
14 make sure that Scott saw all three documents, Scott
15 approves based on all the conversations he was having
16 with his subcommittee, he was having with us, he was
17 holding us accountable to the commitments that we were
18 making. And Scott is not shy about that, and so you're
19 not going to get anything past him. You literally will
20 not get anything past him, which I appreciate because
21 it's not about getting anything past anybody; it's about
22 doing the right thing and getting it out there and being
23 very clear about expectations. These three documents do
24 that.

25 And so we have that. I'm so, so, so excited. I'm

1 not going into year 2022 with this conversation on the
2 table. I'm excited to go into year 2022 with this
3 conversation behind us, and we know what's going on. So
4 I will be requiring the electrical chief to send out all
5 three of these documents, the communication, the
6 demarcation diagram and the memorandum of understanding
7 of how we're going to do this work to all of his staff
8 and all of the -- and Matthew will help to make sure that
9 the communication gets out to the electrical stakeholder
10 because Matthew is a whiz at understanding who our
11 stakeholders are in our public safety programs because he
12 supports all of our public safety programs. So that will
13 be the requirement.

14 And then the electrical chief can bring it up at the
15 supervisors -- electrical supervisor meeting that they
16 have on a monthly basis, but they will have all three of
17 those documents.

18 I will ask Gerald to do the exact same thing. He
19 will be sending out these documents through -- all of
20 these communications to all of our stakeholders that are
21 impacted by this. He will be providing training and
22 these documents to all of his elevator inspectors across
23 the state as well.

24 And so that's the path moving forward. That
25 expectation will go out by the end of this week to both

1 public safety chiefs moving it forward, and I will work
2 with Matthew to get draft watermark off the communication
3 document. Just -- we just again left it on there just to
4 make sure that Scott was aware.

5 The electrical industry also played a critical role
6 in this, working with Jason Jenkins and Dave Meyers. And
7 what I was very happy with is that they recognize that
8 this is the important work and the path to move forward.

9 And, again, but Scott has made some commitments
10 through his work with Gerald in the ESAC committee. And
11 I know that all of those commitments will be met because
12 Scott has never not met a commitment that he's made.

13 So now we're going to where we were, you know, a
14 couple years ago. But, again, it was -- I think it was
15 important to go through this process because there was
16 some clarity that we were able to receive through these
17 conversations, recognizing some other areas where there
18 is some work to be done and that the elevator program is
19 willing to work with Scott and the committee to get that
20 done and moving it forward. So we will also be
21 presenting this to the electrical board. Jason Jenkins
22 is the chair -- the chairman of the electrical board. So
23 with him in agreement with this, we will make sure that
24 it is presented to the electrical board as well. And
25 that's -- that's how we're moving forward with this.

1 I know Matthew shared those three documents, but he
2 shared it in the early part of the meeting, so I don't
3 know if we need to share those documents again and go
4 through them a little bit, Scott, or if that's not
5 necessary, so I'll pause there.

6 MR. CLEARY: Yeah. I think it's not necessary,
7 but I'd like to make it very clear that this was a total
8 group effort. Everybody -- this is the first time I've
9 ever seen everybody, all the stakeholders within the
10 elevator industry, really work together, come together
11 and make some really tough decisions and really work
12 through things. So I appreciate what you said about me,
13 but I'm just a small part in all this compared to all the
14 help I got. Ricky's been really good, you know, Jim and
15 James and Jan and everybody else that's really stepped up
16 to help. It's like at times trying to herd feral cats,
17 and actually, we were able to do it. So my hat's off to
18 everybody that participated. The ESAC has been very
19 helpful, so I appreciate the kind words. It hasn't been
20 easy. You've -- you stepped up, and I've held you
21 accountable, and a lot of times it's not always the best
22 conversations, but you've come through.

23 So putting this to bed now and not kicking the can
24 down the road is going to be extremely important. But
25 also we've still got a lot of steps to do. I mean,

1 getting training out to the inspectors, electrical and
2 elevator. And then we've still got 26 electrical
3 jurisdictions that are running amuck.

4 And I know, Jan, we've talked a little bit about the
5 City of Seattle and some of the challenges that you have
6 with the electrical.

7 So we've still got a lot of work to do. But being
8 able to put this, you know, kind of past the finish line
9 before the end of the year has been really, really
10 helpful, and I appreciated you forcefully at times, you
11 know, getting things done, and you haven't minced words
12 and it shows that work can be done. I really won't be
13 happy until it's out with no draft on it, and it really
14 goes out in the ether where it belongs because it's
15 really caused some problems with mechanics and companies
16 and inspectors, so having clarification is really going
17 to be helpful.

18 And I want to thank you and Gerald. You know,
19 Gerald was -- you know, really stepped up. He took a big
20 beating a lot of times, but he was steadfast. He did a
21 great job, and I've always used this word "leadership,"
22 and he showed leadership and you have too, so -- and then
23 Matthew kind of comes in and cleans all the things up and
24 does it in a really good way, so he's really been
25 valuable. And Corky and everybody behind the scenes,

1 it's been a really group effort so with that, I just want
2 to say thank you.

3 MS. TAYLOR: Thanks, Scott. That's really kind
4 of you to say. Yeah. You know, we haven't minced words,
5 and I appreciated, you know, being able to have those
6 conversations after hours and before hours and things
7 where we can just say what we need to say, however we
8 need to say it and nobody's offended by that. And that's
9 helped get this through the process as well.

10 And like I said, I will have an e-mail out by the
11 end of this week to the public safety chiefs with the
12 three documents with my expectations about the training
13 of staff and rolling this out and making sure that . . .

14 Yeah, Christine, you said is there an effective date
15 on the MOU? I would need to bring it up.

16 But I think, Matthew, if you can unmute, did we put
17 a date on that MOU? I think --

18 MR. ERLICH: We have not yet because we were
19 pending when the message would go out. So it would
20 probably go out -- when it goes out with the message,
21 there'll be a date on the agreement.

22 MS. TAYLOR: Yeah. So that would be this
23 Friday. That's a great question, but, yeah. Okay.

24 And then -- and, again, I will -- this will be sent
25 out with expectations, and then I will be following up

1 with both the public safety chiefs to make sure that the
2 scheduled training has -- is going forward with the staff
3 in the two industries for our inspectors out in the field
4 and things like that. So I'll be following up with them
5 to understand what their -- what their process will be to
6 make sure that this is rolled out to their staff and that
7 the training's been done.

8 MR. CLEARY: Annette, what is -- I think it
9 would be good to have Matthew bring those up really
10 quick, but what is the plan of action for those outlying
11 jurisdictions, the small little municipalities that have
12 their own electrical which we're running into continuous
13 problems with what they're requesting and their
14 demarcation? Do they have an obligation to -- I know
15 City of Seattle and Spokane have said they'll step up and
16 they'll abide by, and I think that's fantastic with this
17 agreement. But what -- is there leverage that the state
18 has with those other programs that haven't been part of
19 this but have been a problem?

20 MS. TAYLOR: Well, I'll need to ask both the
21 public safety chiefs, Gerald and Wayne, to -- you know, I
22 don't know -- in the law, I don't know specifically if
23 there's some reference in the law that requires them to
24 be as good or better than the state agency like it is
25 with OSHA and DOSH, or Division of Occupational Safety

1 and Health. So I'll need to -- while Matthew's bringing
2 that stuff up, I'll need to ask those questions. Because
3 that's a good question, Scott. If we get consistency,
4 you know, across the state, but we still have some
5 jurisdictions that are not consistent with us, that's
6 just going to continue to bring this conversation up over
7 and over and over again. And so we need to -- I don't
8 know if it's going to be a meeting with those
9 jurisdictions to talk with them about this or if it's
10 going to be some other path forward to get those
11 jurisdictions to understand our position and our
12 expectations. That'll be a conversation that I'll need
13 to have with both Gerald and Wayne.

14 Oh, so they fall in electrical, not elevator. So I
15 guess I'm having the conversation with Wayne.

16 MR. CLEARY: And it might be helpful for you to
17 explain to everybody that the electrical inspectors don't
18 report to the chief; they report to the RAs which report
19 to you.

20 MS. TAYLOR: No.

21 MR. CLEARY: And that's been kind of a
22 disconnect.

23 MS. TAYLOR: Yeah. So we work in an environment
24 that's known as a matrix environment. And Christine is
25 all too familiar with this because she worked at the

1 agency and probably is all too familiar with sometimes
2 the struggle in which a matrix environment can present to
3 us.

4 So all the elevator inspectors report up to Gerald,
5 and Gerald reports to Annette. The electrical inspectors
6 in the field report to a regional administrator that runs
7 that regional field office. That regional administrator
8 actually reports to my assistant director, Steve
9 Reinmuth, so -- but Steve and I are in a double box where
10 we both manage the entire division together, so it's
11 really -- everybody reports to Annette and Steve. And so
12 where we have potential disconnects or we have additional
13 partnering and work with is our regional administrators,
14 who those supervisors and staff report to.

15 So what we do is we build our partnership with them
16 by bringing them on board early into our discussions. A
17 lot of the times those regional administrators ask our
18 chiefs to just make the decision, and they will honor the
19 decision and make sure the staff are doing the work that
20 needs to get done. But it does take a little more time.
21 It takes a little more work. Because we do have to build
22 our partnership which we have a great partnership with,
23 but we have to on-board another group of individuals to
24 understanding the issue and the resolution and why it's
25 important for us to make sure that resolution is in place

1 and adhered to.

2 So it can be -- I'd say sometimes it can be
3 challenging, but it really just takes a lot more effort
4 and communication, and we usually get there.

5 So Matthew has here -- he has two things on
6 the . . .

7 Oh, go ahead, Scott.

8 MR. CLEARY: One is that we're still seeing
9 stickers being misapplied as late as yesterday.

10 MS. TAYLOR: Yeah.

11 MR. CLEARY: And I want to make sure that, I
12 know, Jan, you know, that you get some kudos because
13 you've worked really hard, and integrating the City of
14 Seattle into this is really important. And she's played
15 a critical role, as well as Spokane, to get this done, so
16 thanks for your help on this, Jan.

17 MS. TAYLOR: Yeah.

18 MS. GOULD: Jan Gould. Thank you.

19 But my hat is off to Scott. I -- the effort and
20 energy he has put into getting this resolved is -- you
21 know, it's invaluable.

22 MS. TAYLOR: Yeah, and the --

23 MR. CLEARY: Thank you.

24 MS. TAYLOR: As early as -- you know, as late as
25 yesterday, as early as yesterday, I'm addressing a

1 sticker that -- an electrical sticker that was put on
2 conveyance equipment, and that's a no, no. That's an
3 absolute no, no. And that's -- I sent a note this
4 morning that that's an expectation that that
5 communication goes out from the public safety -- from the
6 electrical chief that stickers -- electrical stickers
7 will never be placed on conveyance equipment, and that
8 that needs to get out right away because I'm not sure why
9 this is happening right now, but it needs to stop.

10 So I've gotta step out of this meeting at 10:55 to
11 be in another meeting at 11:00, so let me just go through
12 really quickly what's on your screen here. You have --
13 on the left side of your screen, you have the
14 communication that has the draft watermark on it that
15 Matthew -- based on his interaction with the group and
16 understanding, he drafted this communication. It's gone
17 out to Jason Jenkins. It's gone out to Scott. It's gone
18 out to Gerald and Wayne, and everyone has had an
19 opportunity to weigh in on that. Last Wednesday evening,
20 I think it was, Matthew and I went through this
21 communication, looked at the edits from the electrical
22 chief, incorporated the edits or clarified what the
23 message was here. So based on that, it went back out.
24 We've not received any additional edits on this. So
25 based on that, it looks like this communication is no

1 longer in a draft form. And Matthew will now take the
2 water draft off for us and go up to the top and remove
3 the draft -- you know, draft version for comments and
4 things like that and actually set the document up to be
5 sent out as a communication through eGov and listserv and
6 all the other avenues that we communicate with our
7 internal and external stakeholders, so . . . And he's
8 making those changes right as I'm talking, so -- so
9 that's that.

10 The document on the right is the MOU that Matthew
11 put together, and he used a -- what I would say is a more
12 common version of -- or layout of a MOU that we use
13 today. I saw the, you know, the last two versions of the
14 MOU, those were pretty old. And so what Matthew did was
15 he used a more common recent version of an MOU, and
16 that's what you're seeing in here right now. That is not
17 in draft form. That is in final form. He'll do a final
18 spell check, grammar check to get those blue lines off of
19 those areas. What he's asking you by highlighting right
20 there is this middle section is really the expectation is
21 how this is going to work between the electrical and the
22 elevator program. And this along with the diagram of the
23 demarcation point . . .

24 You know, you can look at these documents
25 individually, but you should be looking at these

1 documents together. And that's why I want them sent out
2 together, not necessarily the communication document but
3 this MOU document and the demarcation diagram, those two
4 should be read together so that it's clear what we're
5 seeing in the MOU, they can see it in the diagram. And
6 the expectation I'm going to have for the public safety
7 chiefs is that these inspectors carry these documents
8 with them in their files so that they can refer back to
9 them if they're on a job site and they're unclear about
10 the demarcation point that -- and unclear who is doing
11 what between electrical and elevator that they can pull
12 these documents out and refresh their memory, right?

13 So that's going to be the expectation, to have these
14 two documents with the inspectors. They carry files with
15 them. You know, they have stuff in their car, so it's
16 not like having two pieces of paper is going to be a
17 problem for them.

18 So those were the three documents that Matthew --
19 and I can't thank him enough. Matthew is a communication
20 consultant. He is not an inspector in any of our public
21 safety programs, but he somehow is able to listen to this
22 information, you know, dissect the information, put it
23 into a format that is understandable and accurate. I
24 think his first go at this didn't have too many edits
25 when it came back from Scott or Jason because he was able

1 to -- yeah, he does. He says he doesn't play one on TV,
2 but we're very fortunate to have Matthew doing this work
3 for us to put this in a manner that everybody can
4 understand it.

5 So that's where we are. I'll have the note out by
6 the close of business on Friday to the two public safety
7 chiefs with my expectations. And that's what we're
8 moving forward. And as soon as that note goes out to the
9 public safety chiefs, Matthew will begin sending the
10 communication out via whatever social media or other
11 types of communication channels that we send this
12 information out through for both of the program.

13 MR. CLEARY: Thank you.

14 MS. TAYLOR: Any other questions?

15 MR. CLEARY: Ricky, you're all good?

16 MR. HENDERSON: Yeah. I'm all good. Looking
17 forward to seeing the release.

18 MR. CLEARY: And also a quick little note.
19 Maybe you can touch on this really quick, Annette, before
20 you gotta go is about the existing fines and money paid
21 way back.

22 MS. TAYLOR: I need to do some research because
23 every time I ask the electrical chief, it was "There was
24 no fines paid to the agency."

25 And I'm like, "Well, that's not -- that's not what

1 I'm hearing. That fines were paid. They have not been
2 reimbursed back."

3 And so I'm going to send him a separate note asking
4 him to make sure -- in the same note because it's only
5 going to go to him -- to make sure that I want to know
6 what fines were paid, and I want confirmation that that
7 money was reimbursed back based on those fines.

8 MR. CLEARY: With interest?

9 MR. HENDERSON: I think -- this is Rick
10 Henderson. I think to clarify on that one, I don't think
11 it was the actual fine, but I think it was the
12 challenge --

13 MS. TAYLOR: Oh, okay.

14 MR. HENDERSON: -- funds required for a
15 challenge of it, so it might be a -- you know --

16 MS. TAYLOR: Okay. Thank you.

17 MR. HENDERSON: -- a specific wording thing, but
18 that -- at least for TKE, that was what was going on.

19 MR. CLEARY: Thank you, Ricky.

20 MS. TAYLOR: Thank you. That's very helpful. I
21 think that's probably where the miscommunication is with
22 Wayne, so it's the appeal fee. Okay. Thank you.
23 That'll help me to be clear.

24 MR. CLEARY: Thanks for all your help and
25 support, and we look forward to seeing these documents

1 out. And by the end of the week, that would be really
2 helpful. Thank you.

3 MS. TAYLOR: Yup. Yup. Scott, I just want to
4 make sure when I send these documents out, I'm sending it
5 to -- I'm going to send it to those on the committee that
6 were working with us, so Wayne, Jason, Dave, you, Gerald
7 and then James as well? Is that correct?

8 MR. CLEARY: Yes. Yup.

9 MS. TAYLOR: And then my expectation will be the
10 two industries then forward those communications, those
11 documents, more broadly while Matthew sends out the
12 communication through gov deliver and things like that,
13 and then the two public safety chiefs will be responsible
14 for their inspection teams.

15 MR. CLEARY: Okay. Yeah. I'll get it to
16 everybody on the subcommittee myself.

17 MS. TAYLOR: Okay. Great. Thanks, you guys.

18 I appreciate the time today, being able to get these
19 things done.

20 I just want to remind Mandi that we will get CPH
21 work moving forward. It's a priority. I know Melissa's
22 going to be working with me on that and getting the rest
23 of that CAT 4 work moving forward so that we can get that
24 out as well.

25 MR. CLEARY: All right. One quick question

1 before you -- you've still got six minutes.

2 Jan, do you have any questions for the CPHs at all?

3 MS. GOULD: Not at this time. Jan Gould.

4 MR. CLEARY: Okay. So you had . . . So Annette
5 was able to answer the questions that you had earlier on?

6 MS. GOULD: Yes.

7 MR. CLEARY: Perfect. Okay.

8 Melissa?

9 MS. ERIKSEN: All right. Annette is officially
10 off. She did not have six minutes; she had six seconds.
11 So we're done with Annette.

12 MR. CLEARY: All right. Thank you.

13 MS. ERIKSEN: Our court reporter has asked for a
14 break, which I'm appreciative of, so let's take a quick
15 five minutes, and then we'll come back and talk about
16 subcommittees. Thank you, everyone.

17 MS. TAYLOR: Thanks, everyone. Have a great
18 day.

19 MR. CLEARY: Thanks, Annette.

20 MR. HENDERSON: Thank you, Annette.

21 (Recess was taken.)

22 MS. ERIKSEN: All right. It's 11 o'clock. If
23 you're not back at your computer, please come back to
24 your computer.

25 We are going to move into our subcommittee updates.

1 We are late on that, but I have every confidence that we
2 will catch up to our timeline.

3 So, Ricky, you're first speaking about the MCP
4 subcommittee.

5

6 ESAC SUBCOMMITTEE STATUS UPDATES

7 MCP

8

9 MR. HENDERSON: Okay. Can everybody hear me
10 okay? All right. This is Rick Henderson. So update on
11 the MCP subcommittee. I don't think there's really been
12 any movement from where we were or left off, but just an
13 update on it.

14 We've reached a recommendation that we put to the
15 ESAC that I believe has been forwarded on to Gerald. The
16 topic of it was related to the state logs that's on their
17 state website related to a paper log that can be used in
18 place of the metal tag required by the A17.1. I know
19 City of Seattle hasn't been a -- didn't recognize that
20 they were requiring the metal tags just as the A17.1
21 requires, but the main issue that they was looking at was
22 the fact that the state logs are not going to be
23 compliant with A17.1 2019, when it's going to be adopted.

24 And since we -- the companies already have these
25 logs available to them, and that the state was not going

1 to be updating these logs, that there really wasn't much
2 of a debate. We agreed with the state to remove their
3 paper logs off their websites and to be now compliant to
4 go to the 2019 code when that code is released.

5 Since that has been bumped out to toward the end of
6 2022 probably, the recommendation to remove the logs off
7 the website has been -- you know, whenever the 2019 code
8 is adopted, that's when they'll move away from the state
9 logs. Until then, everything stays the same as it
10 currently is for the state logs, but whenever the state
11 does adopt 2019, we'll move away from it.

12 There was some discussions on some logs for
13 quarterly fire service testing as well as the fade and
14 one of the results out of the committee was a
15 recommendation to a WAC rule modification to verify -- to
16 add language into it that we -- it requires that testing
17 to be recorded for the elevator and AHJ to be able to see
18 on-site. So that is going to be another result, and
19 we're going to be submitting that WAC rule change
20 recommendation shortly.

21 That's it in a nutshell. Any questions?

22 Hey Scott, you're on mute.

23 MR. CLEARY: There we go. Sorry.

24 What's the guidance? Because as you know, most
25 companies are putting together their maintenance

1 schedules for '22. Any guidance that you can give or the
2 state's going to give on that preplanning on
3 implementation?

4 MR. HENDERSON: It was a recommendation that the
5 adoption of this fall into like an annual cycle because
6 it is difficult whenever you're sitting there. This
7 happens like in the middle of the year or you just get
8 all the current logs out there, and then there's a rule
9 change, and it's caught by surprise, and everybody has to
10 update logs because now we're getting 30-day corrections
11 or 90-day corrections because of noncompliant logs.

12 So it was a recommendation at the time that whenever
13 this is adopted, whatever is on-site whenever the rule
14 is, that it's good through the annual year until the next
15 logs are coming in for the next fiscal year, next annual
16 year.

17 MR. CLEARY: Do you think this is going to be
18 addressed through the TAC and obviously for rule?

19 MR. HENDERSON: That one hasn't been discussed.
20 It's going to have to be brought up a little bit, I would
21 think, because we want to make sure that, as we're
22 talking around here, if they do any modifications to that
23 or anything and don't adopt the rule as written in A17.1,
24 it would definitely have an effect on all of the
25 subcommittee findings here and recommendations.

1 I don't know how that would -- and this is back to
2 the question. How does this get documented? How does it
3 get sent out to the public so that we know how it's going
4 to be moving forward? I don't know if it needs to be in
5 rule or just a policy that for whenever this is -- they
6 adopt the 2019, that the existing logs currently on-site
7 will be sufficient through the end of the calendar year.

8 MR. CLEARY: Paoa or Melissa, can you address
9 that? Because that's going to also make a difference on
10 how your inspectors look at these things; correct?

11 MR. HENDERSON: Absolutely.

12 MR. NAIPO: I mean, if something is stated
13 within the 2019 that the checklists need to be, you know,
14 done or that the elevator contractors provide them and
15 we've adopted that code, I don't see that we need to
16 really make any changes to our current WAC or policies,
17 but if it doesn't explicitly say that, then it will
18 something that, you know, we'll probably have to make a
19 rulemaking change of at the time that we adopt 2019.

20 MR. CLEARY: Well, I think Ricky -- and maybe
21 you can help me address this, but if you have this
22 similar requirements with different AHJs within the
23 state, that makes it kind of hard to be consistent, in my
24 view.

25 MR. HENDERSON: Yeah. This is Rick. Are you

1 talking about, Scott, right now where the City of Seattle
2 is 2019 compliant requirement, and currently the state's
3 still on 2016 right now?

4 MR. CLEARY: Correct.

5 MR. HENDERSON: Rest of the state's -- we're not
6 apples to apples here. Yeah, I can see that. And a
7 recommendation that I had going out was that the
8 companies just go ahead and put out their 2019 logs.
9 Pretty much all companies have them. The issue in the
10 past has been that if it was on the log, the inspectors
11 were holding everybody to the letter of the log rather
12 than what the code -- you know, that it was actually in
13 compliance with the code.

14 It's been a . . . Yeah, it needs to be addressed
15 because it was one of those things. If you put out the
16 2019 chart, there's going to be inspectors say, "Well,
17 it's not code yet, but you got your chart on it that says
18 you gotta do it."

19 Well, if you put in the 2016 logs, the logs are
20 going to -- and, you know, the code changes midyear,
21 you've got inspectors that are gonna say, "Well, you got
22 to change your log midyear to be able to comply," for
23 very minor changes.

24 MR. CLEARY: All right. Jan. Then we'll go to
25 Perry.

1 Jan, did you have a question?

2 MS. GOULD: Not a -- Jan Gould, City of Seattle,
3 just a statement. There's a lot of confusion in the city
4 because of the state's not requiring the tag on the
5 controller or the disconnect for testing. And in the
6 city of Seattle, we have an amended ASME. So besides
7 logging it in the MCP or the state's log, you need to
8 have that tag -- permanent tag on the controller with
9 your testing CAT 5 and CAT 1. There's a lot of confusion
10 out there.

11 MR. CLEARY: Okay. Perry McKenzie, L & I?

12 MR. MCKENZIE: Yeah. Ricky, just want to be
13 clear on what you're saying. The testing logs or MCP,
14 what are we talking because if I go out -- if the
15 inspector goes out in April or May and you don't have a
16 2022 MCP on site, are we talking about MCP stuff or just
17 testing logs. And even if it was testing logs, you're
18 saying that the 2021 is good enough through all of 2022,
19 or did I miss something there?

20 MR. HENDERSON: Well, it's both. The state has
21 both kept test logs and maintenance logs on the site, and
22 they're going to be moving away from both of them. But
23 the biggest aspect to it probably is going to be the
24 testing logs, and that's where the -- for the metal tags.
25 Everybody's going to be putting out new logs. The only

1 question is: Are they going to be compliant with 2016
2 code or they going to be compliant with 2019 code?

3 MR. MCKENZIE: Okay.

4 MR. HENDERSON: Right now, 2016 code is in play.
5 When does the 2019 code come in play? And that
6 transition mark if it comes up in the middle of the year
7 and all the companies have to change logs in the middle
8 of the year, that's a lot of trees to put out there
9 on-site whenever they gotta pull them off again and do it
10 again, so that's just my thing.

11 The coordination aspect, you know, maybe adopting
12 the code toward the end of the year because most
13 companies are putting on next year logs usually around --
14 starting around September, October anyway, so that they
15 can have everything on-site by the first of the year.

16 MR. CLEARY: Well, I would assume there'd be
17 some sort of a grace period between intra-year and the
18 starting of the next year, I would think.

19 Melissa, what's your feelings on that?

20 MS. ERIKSEN: What I know is that in
21 conversations that we have had where Gerald was present,
22 he agreed with what Ricky just stated as far as what the
23 MCP subcommittee came with, that we would . . . Right
24 now the companies have already put out their -- their
25 MCPs, so that's what we're going with since the adoption

1 of 2019 is being pushed out to -- not pushed out, but is
2 set to be adopted towards the end of next year.

3 MR. CLEARY: Okay. Good. Does that help,
4 Perry?

5 MR. MCKENZIE: Yeah, that helps. I just wanted
6 to make sure what we're talking about, and I didn't
7 want -- you know, if you only go to a job once a year,
8 and you go in there in September, and you put your 2022
9 MCP out there, what does the inspector have to do between
10 January and September? He gets there, and he's going,
11 "It's July," and he doesn't see a 2022 MCP, were we
12 talking -- I just want to make sure we're talking about
13 the same thing, that we have to just accept what you had
14 in 2021 and that's good? Or I wanted to make sure I was
15 clear on that, so I think that cleared it up.

16 MR. HENDERSON: Yeah. I'm not saying that
17 there's not going to be a fresh log for 2022 on-site.
18 It's just the -- what's that log going to be compliant
19 to?

20 MR. CLEARY: And I think there'll be -- we'll
21 have some transition things next year, but hopefully
22 everything would be squared away in November of next year
23 so we know what we're doing in '23.

24 Is that your expectation, Ricky?

25 MR. HENDERSON: Yes.

1 MR. CLEARY: Okay. Any -- any other questions
2 on MCPs?

3 Go ahead, Candace.

4 MS. LAU: Hi. This is Candace.

5 So Ricky, a couple of things, Gerald isn't here, but
6 I had thought I heard Gerald mention that -- this is in
7 regards to Jan's statement about the test tags. So we've
8 been kind of back and forth on that, and I thought the
9 last I had heard from Gerald is that we're going back to
10 the test tags and not going with the test logs. So is
11 that a correct statement?

12 MR. HENDERSON: Yeah, this is Rick.

13 Yeah, that is a correct statement. Right now the
14 only thing that's going to be in question is the date of
15 implementation of that. It's not a current requirement
16 that you have to have the metal tag, but whenever they
17 adopt 2019, a point after that, that -- after that
18 adoption time, we're going to -- is going to do it. He
19 said we were going to be keeping the state logs, and
20 they'll still be valid, and the state logs can be used in
21 lieu of the metal test tag that's on -- that's documented
22 on the state test log until it's -- those are no longer
23 valid by the state. And whenever the state says "These
24 are no longer valid," that's when they have -- there is
25 no question; we have to go with the metal test tag.

1 MS. LAU: Okay. So I had a follow-up question
2 on that. So I had heard you say previous to this that
3 we're removing the test log from the website. Have they
4 been removed? And if they've been removed, does that
5 mean we're no longer accepting that then? Or, you know,
6 people are -- that have that test log out already, all
7 they're going to do is make a copy of it, so that's kind
8 of why Jan is saying there's a lot of confusion. There's
9 a lot of confusion amongst us as well because it's been
10 waffling back and forth, so --

11 MR. HENDERSON: Yeah. And I totally see what
12 you're saying, and I agree with you. I mean, everybody's
13 got that form downloaded. Taking it off the website was
14 just a step of, you know, this isn't valid anymore
15 statement. But I believe that there should be either --
16 I don't know if a technical clarification would really be
17 the right thing here or maybe just a policy statement or
18 just a memo of understanding.

19 I mean, this is -- really, it's a -- it's a WAC rule
20 change, and it's a -- wasn't really WAC rule change; it
21 was the only thing we had. It was like a policy.

22 MS. LAU: It was a policy only based on the fact
23 that -- and I had said at that time that we need to
24 either put a policy together or something or write a WAC
25 rule, but we didn't do either of that. And so what was

1 told to me was we wrote it on the actual log itself
2 that --

3 MR. HENDERSON: Right.

4 MS. LAU: -- because the code actually -- the
5 A17.1 code actually allows the AHJ to have a different
6 format. And so based on that A17.1 that says you can
7 have a different format, the Department just writes it on
8 the test log itself: "This is the format that we will
9 approve." And that's what we've done, okay?

10 So now that we're talking about getting rid of it or
11 not using it anymore, we take it off the website, I agree
12 with you, Ricky, that maybe just a drop dead date, you
13 know, would help, by -- you know, on whatever date -- you
14 know, by January 1st, 2021, or by July 1st, whatever -- a
15 drop dead date would really help everyone really to
16 understand when we're going to -- you know, when we're
17 going to stop allowing the test logs in lieu of the test
18 tags. So just by saying, yeah, we're going to get rid of
19 it, it doesn't help the matter because we -- nobody knows
20 when that -- when that is going to start.

21 MR. HENDERSON: Right. This is Rick again.

22 And that was one of the things out of the
23 recommendations from the subcommittee letter out was
24 exact -- let me read it, as it was said.

25 "Recommendations: Notification through e-mail and

1 website that the logs are going to be removed and will
2 not be compliant with A17.1 2019 code."

3 That was the first thing. I think that really
4 addresses part of what you're talking about right here.
5 That needs to be disseminated through e-mail, through the
6 website, either -- a policy would be great. I don't know
7 if that would be appropriate here.

8 And the second recommendation -- second half of that
9 recommendation is "Schedule the adoption of the 2019 for
10 enforcement of the 2019 policy for MCP requirements with
11 the beginning of the calendar year to synchronize with
12 the adoption." So I'm totally agreeing with exactly what
13 you're saying here, that we do something here so that it
14 gets synchronized.

15 MS. LAU: Okay. So --

16 MR. HENDERSON: Okay. Melissa has her hand up.

17 MR. CLEARY: Yeah. Go ahead, Melissa.

18 MS. ERIKSEN: I was just going to say that we've
19 done the work. We had the subcommittee. The
20 subcommittee for MCPs brought forth the recommendation
21 which Ricky just said. Now we, as a program, can
22 absolutely put that on the website. We will take this
23 information and make that happen so that there's no
24 confusion.

25

1 LICENSING CATEGORY, EDUCATION & CURRICULUM

2

3 MR. CLEARY: All right. We're going to need to
4 move this along, but thank you, Candace and Ricky and
5 Melissa. On that, I don't have a lot to go and talk
6 about on the licensing category since we've not been able
7 to meet. And so the status really hasn't changed since
8 the last meeting. Just want to reiterate based that we
9 are looking at the subcommittee has made some
10 recommendations for endorsements, and that has a lot to
11 do with Category 4 and going back under, we're going to
12 be reinspecting those. So getting properly licensed
13 mechanics, which under their category, they're allowed to
14 do special purpose, but they don't do all the other
15 things that are within the special-purpose category. So
16 we're looking at doing an endorsement just for the CPHs.
17 So that's something we're looking at and that's coming
18 out of that subcommittee.

19 Brian, talk a little bit about doors. Then we got
20 Jim on conveyances in rental units, which is really
21 pretty important.

22

23 FIRE RATED DOOR ASSEMBLY

24

25 MR. THOMPSON: Yeah. So Brian Thompson for the

1 fire door subcommittee. The committee members have been
2 assigned to pursue information from different
3 stakeholders, installers, manufacturers of products and
4 other design professionals who may have used the product.
5 So we're in the process of gathering information. Then
6 we're going to meet to compile our notes, so that'll be
7 what we plan to do in this next term.

8 MR. CLEARY: Okay. Any questions on that?

9 Okay. Now we're going to talk about conveyances in
10 rental units. And Jim Norris is the chair of that
11 subcommittee.

12 Jim? You're muted, Jim.

13

14 CONVEYANCES IN RENTAL UNITS

15

16 MR. NORRIS: Sorry. So Jim Norris, chairman.
17 I'm going to call it the residential conveyances, not
18 just rentals which incorporates wheelchair lifts,
19 elevators, stair climbers, inclined elevators, hill
20 trams, et cetera. And our goal is to ensure the safety
21 of residential elevators or conveyances.

22 Currently, all of these units are only permitted at
23 the time of installation. We're looking at two
24 situations that we think these conveyances should be
25 revisited and reinspected. One of them is point of sale,

1 and the other is units that are in nonprimary residences:
2 rentals, Airbnbs, VRBOs, this type of setting. Sort of
3 what we have going for us is the existing language in the
4 RCW, and the WAC clearly defines that a residential unit
5 that's exempt from further examination is one that the
6 person lives in themselves; it's not open to the public,
7 et cetera. So -- but it's not realistic for us to go,
8 "Okay, Gerald, go get them." So we need to get the
9 mechanism in place to bring those into the loop and
10 exactly how those inspections would take place and what
11 the intervals would be and whatnot.

12 Another thing we have going for us is a fairly
13 recent U.S. consumer product safety commission warning
14 letter to all fifty governor's to change building codes.
15 This is a little more specific to residential elevators
16 regarding swing door clearances between the car and the
17 car door. And so these other inspections that we're
18 promoting would help us identify where those are at and
19 would, especially in the case of a sale of a unit, allow
20 the new resident to know that there is a problem if they
21 have small kids with their units.

22 So our goal there is to revise the WAC and policies
23 to reflect what we're trying to do. Committee Member
24 Brian Thompson did an excellent review of the RCW and the
25 WAC, came up with all of the potential language changes

1 that we might need. The committee went through all those
2 and tried to figure out where they would go in the WAC to
3 meet some current restrictions on changing WACs. You
4 can't change language in any section that has to do with
5 fees.

6 We've met with the Washington Office of the
7 Insurance Commissioners. We thought that they might be a
8 partner that would want to say "That's a good idea
9 because you're going to help us reduce claims against
10 insurance companies."

11 We've also met with the Deputy Assistant Director
12 Annette Taylor, Assistant Director Steve Reinmuth, and
13 the Communications Consultant Matthew Erlich sort of an
14 early-level meeting to make sure that, you know, "Are you
15 guys going to be on board with what we're doing and help
16 us proceed in an orderly fashion?"

17 So our goal here is to get buy-in rather than try to
18 get to the point of getting a change in the WAC and wind
19 up with a resistance. We already know who our main
20 opposition is going to be from the last time that this
21 was attempted approximately eight years ago. It was the
22 real estate commission. And we have held off on talking
23 to them until we polish up our -- what we're looking for
24 so we can make sure that they know if they're going to
25 oppose what we're trying to do. They're opposing safety

1 for the children and handicapped basically. So that's --
2 that's our -- that's what we're working on.

3 MR. CLEARY: Jim, I mean, it's good to let
4 everybody know this is predicated the subcommittee on
5 injuries and deaths and mainly of children in rentals
6 across the country. And so, you know, basically
7 everybody who owns a residential conveyance who lives
8 there will not be affected by this.

9 But point of sale is really important because the
10 ability to work on your own equipment or have somebody
11 work on your own equipment is -- it's in the RCW in 3.05,
12 and we don't know who's working on those if they're not
13 getting annuals and they're not getting checked,
14 especially at point of sale, so really appreciate you
15 chairing this.

16 And, Brian, you got your hand up.

17 And on an extra note, anybody needs any -- to
18 understand how to write WAC changes, talk to Brian. He's
19 done an excellent job already on this.

20 So great job, Brian. Go ahead.

21 MR. THOMPSON: Brian Thompson. Yeah. Thank
22 you, Scott.

23 I was just going to offer with regard to the real
24 estate aspect, the language that we are proposing to add
25 with this rule change and the WAC borrows language that

1 deals with point of sale for carbon monoxide detectors
2 and fire alarm smoke detectors that were recently added
3 actually in RCW. So we're using that language to absolve
4 the real estate agents and avoid or attempt to avoid, you
5 know, interrupting a transaction of a home sale.

6 MR. CLEARY: Thanks. I think you gave some
7 really good examples and a pretty good road map. I
8 think, you know, this is the right thing to do. It's not
9 trying to overregulate. It's to make sure we've got safe
10 conveyances. Good example is somebody buys a home
11 because they've got a relative or a loved one or
12 themselves that need vertical access, and it doesn't get
13 checked at point of sale, you get a call a week or two
14 weeks later that, one, it doesn't work. A lot of times
15 we find out that there hasn't been an original permit, or
16 it hasn't been maintained properly. So it's pretty
17 important also to take care of the new end users as well
18 as the safety because that . . .

19 Jim alluded to that Consumer Protection Agency's
20 memo that they sent out to all governor's. And there's
21 about 550,000 residential elevators in the United States.
22 And they would like all of them to meet the 3/4 x 4 rule
23 for swing doors. And that's a huge lift.

24 But the state, you know, when we adopted the 16, it
25 went to 3/4 x 4. So since '18, we've been using that

1 criteria. So there's a lot of emphasis to get this taken
2 care of, these injuries.

3 So, thanks, Jim.

4 And thanks to the state for sponsoring this
5 subcommittee.

6 Any questions on that?

7 Okay. Melissa, take us home on the point of
8 contacts, and then we'll open up the conversation.

9

10 CONTINUED BUSINESS AND AUDIENCE QUESTIONS

11 POINT OF CONTACTS ATTENDANCE

12

13 MS. ERIKSEN: Fantastic. Thank you so much.
14 I'm Melissa.

15 So Point of Contacts, let's talk about it. Every
16 point of contact that I have for our elevator companies I
17 have on an e-mail list. And you guys are all invited to
18 our ESAC meetings. It's really important. And it's
19 important because, like I described earlier when talking
20 about the website, here are your committee
21 representatives, and should you have concerns, questions,
22 need information, you need to give information, that's
23 who you go to.

24 So that's great for the subcommittee; however, for
25 your individual companies, we need to make sure that the

1 information given is disseminated within your individual
2 company. And as a primary point of contact for your
3 company, you're the person that we go to to make sure
4 that that information is given so that your specific
5 company knows what's going on.

6 It's also really important that when, as a company,
7 you have a change in that primary point of contact, that
8 we're notified. It's said that that needs to happen in
9 our law, in rules, and we need to make sure that that's
10 what's happening.

11 I'd like to make sure that it's clear what I'm
12 talking about. For the elevator program, I'm considered
13 a point of contact. Paoa is considered a point of
14 contact. For your specific business, maybe your admin is
15 considered a point of contact. And where that's really
16 important and it's important to know who can be reached
17 out to or what working relationships we have with each
18 other, as a company, you register a primary point of
19 contact for your company that may be different from that
20 person that I identified. So it's really important, as a
21 company, for you to make sure that the person that you
22 put down is someone who's able to be engaged, is someone
23 who has that level of communication with those in your
24 company that the information can be disseminated and also
25 brought forth to whether it's the program or the ESAC,

1 that they're that bridge in the gap between when
2 information is needed, they're there. When somebody
3 needs to be gotten ahold of, they're available. So this
4 is something that is definitely going to have more
5 conversation brought to it. It is something that's going
6 to be more defined in our rules. But as it pertains to
7 the ESAC, because this is where decisions are made and
8 because this is where information is talked about on an
9 industry level, it is important that your company's point
10 of contacts at the very least or a representative thereof
11 is attending these meetings.

12 Scott?

13 MR. CLEARY: Yeah. It's really important
14 because we don't want to get a year or two down the line
15 and then not -- the companies that are doing
16 installations not understand that, you know, this is --
17 it's changed, and it needs to be taken care of.

18 We're going to be going through a whole different
19 code adoption cycle coming up. So we've talked about
20 this a lot. It's really important to be engaged because
21 this is where you have your say. This is where you --
22 you'll understand what is required of you to be able to
23 install and maintain and get an acceptance test on
24 equipment.

25 So without being engaged, you know, a lot of us -- a

1 lot of people don't spend a lot of time on the code
2 because we live a normal life and got a lot of other
3 things that have high priorities, but it is important
4 that you've gotta be code compliant.

5 And making sure that it gets disseminated out, the
6 website, ESAC, can only do so much. It is the
7 responsibility of the companies that are doing business
8 in the state of Washington to stay engaged and then be
9 able to disseminate what the state adopts.

10 Remember we're only an advisory. Unlike the
11 electrical board where they're binding, we just make, you
12 know, recommendations and advise the state. And they've
13 been really good about adopting what comes out of the
14 ESAC. But we, as stakeholders, have a responsibility not
15 only to understand what the requirements are, but to make
16 sure that we're compliant with our own company.

17 So it's really important to stay engaged, and
18 especially we're going up on another code cycle. So I
19 don't know if we're going to do this in rule, I don't
20 know if we're going to do it in policy, but I know it's
21 got the support of L & I, Gerald and up the chain to make
22 sure that, you know, we find a way to stay and keep
23 engaged. And we're -- a lot of people come to these
24 meetings all the time, but there's still a large group
25 that have things to do, but we've still got

1 responsibilities to make sure our companies know what's
2 required of them. So you're going to see some changes
3 coming up, and we want everybody to have a say and
4 participate, but there is going to be some requirements
5 coming. And that's the price of doing business in the
6 state.

7 Anything else, Melissa?

8 MS. ERIKSEN: That was it for me as far as
9 that's concerned, I believe, but unless there's any
10 questions regarding that, we can go to open conversation.

11

12 CONVERSATION FROM STAKEHOLDERS

13

14 MR. CLEARY: Yeah. All right. So this is the
15 time now. We've got 25 minutes or so to open forum to
16 discuss what we've talked about, what's coming up, any
17 questions. Now is the time to ask the questions and see
18 if we can get some answers; if not, we'll be able to get
19 back to people. But now is the time to open it up. So
20 with that, have at it.

21 Nothing?

22 Go ahead, Keely.

23 MS. FRIESEN: Yeah. Hi, this is Keely. I'm
24 just wondering when the next meeting is. Do we know?

25 MR. CLEARY: It's always -- usually it's the

1 third Tuesday of the quarter, so that's going to be
2 February, the third Tuesday in February.

3 MS. FRIESEN: Thank you.

4 MR. CLEARY: And that schedule is always -- it's
5 in the WAC. It's set by -- it's set by rule and statute.

6 MS. FRIESEN: Perfect. That helps. Thanks.

7 MR. CLEARY: Okay. You're welcome.

8 Anything else?

9 Go ahead, Candace.

10 MS. LAU: Hi. This is Candace again. I had
11 another question for Ricky about that quarterly fire
12 service. Can you kind of repeat what you had said about
13 the quarterly fire service? Maybe I misunderstood. Did
14 you mention that being tested and logged online for
15 everyone to view? Is that what you said or did I -- what
16 did --

17 MR. HENDERSON: No. This is Ricky.

18 If I said that, it was a misspeak on my part. No.
19 I said it was the -- we discussed the log required for
20 the quarterly fire service testing as well as the fade
21 testing. What we recommended to do was have a rule form
22 change, rule change for the -- I think it's 00675 WAC to
23 add the requirement into the fade testing, just as it's
24 written into the quarterly fire service testing, that the
25 fade testing be logged and available to the AHJ and

1 elevator persons.

2 MS. LAU: Oh, okay. So just amend what is
3 written there right now to say that it needs to be
4 logged? Is that what you're saying?

5 MR. HENDERSON: Correct. Because right now,
6 that quarterly fire service testing and the fade testing
7 log is part of the state testing log. And whenever we're
8 talking about it, you know, the companies have those logs
9 as well. What we were missing was the WAC requirement
10 that it be available to the AHJ and actually there, you
11 know, in -- and the logging requirement. So we just
12 wanted to add that and get that clarified as well.

13 MS. LAU: Okay. As I'm looking at it, it does
14 say . . . Is it the wording that you guys don't like?
15 Because it does say "Record of the findings shall be
16 available to elevator personnel and the authority having
17 jurisdiction." So you just want to word that a little
18 bit differently or I don't --

19 MR. HENDERSON: No, no. You're looking at
20 Section 7, I think --

21 MS. LAU: Uh-huh. No.

22 MR. HENDERSON: -- in the quarterly. Look down
23 to Section 8 for the fade testing, and you'll see it's
24 missing that last verbiage.

25 MS. LAU: Oh, not the quarterly. Not the

1 quarterly. Okay. I get it. I get it. Thank you.

2 MR. HENDERSON: You're welcome.

3 MR. CLEARY: Go ahead, Bill.

4 You're on mute.

5 MR. SWEPPY: Thank you, Scott. Bill Sweppy with
6 Northwest Grain Growers. I just wanted to kind of put a
7 bug in you guys' ear that something we might be able to
8 benefit from on our side of the industry at least. With
9 the inspection report under -- where it says "Inspection
10 Findings," I think it could be beneficial if we could
11 move forward in such a way to put forth a requirement for
12 the inspector to include some language with certain WACs
13 that are very general, like ride quality, because at
14 least with our elevators, like the special-purpose
15 personnel elevators, their characteristics are that a lot
16 of them are outdoor. And they settle, they move, they'll
17 behave or present symptoms, for lack of a better term,
18 that at other times of the year, they won't, even
19 according to how full the tank of grain is that it's
20 attached to or the temperature and what have you.

21 So what I'm getting at is a we have seen in the past
22 where -- and we worked through it with the inspector, but
23 it presented some obstacles because the inspector just
24 added "car binding during travel." Well, where? And we
25 didn't want to, you know, pencil whip it, so to speak,

1 because when we went back to try to fix the issue, we
2 couldn't find it. It didn't reproduce the symptom for
3 us, so how would we fix it, you know. And we talked to
4 the inspector and eventually got it worked out, but it
5 came to our attention a little later, and the inspector
6 was having trouble recalling exactly -- you know,
7 picturing which elevator it was because we own --
8 what? -- I think 62 conveyances throughout the state, so
9 you know, they're all quirky and different.

10 So I guess I just wanted to offer some input that it
11 might be helpful to move in a direction where description
12 under "Inspection Findings" on the inspection report I
13 think could be very useful for the industry as far as on
14 our end of it to making sure they're compliant and useful
15 and to inspectors' satisfaction.

16 MR. CLEARY: Melissa?

17 MS. ERIKSEN: So I wanted to say thank you for
18 that point. What I will tell you is that on our end,
19 there is a note that the inspectors are encouraged to put
20 when they make a correction and they cite the WAC or the
21 code or what have you, that is -- that goes along with
22 the correction that they found needed to be made, they
23 are able to make a note. And that note is for exactly
24 what you just said, you know. "Okay. Well, here's the
25 WAC. Here's" -- or whatever it is that you say is wrong,

1 now specifically what. It is something that we let them
2 know needs to be made.

3 And we'll just . . . You know, sometimes it's good
4 to reiterate information, so I will make sure that that
5 gets carried forward to the supervisors.

6 MR. CLEARY: I'll make a quick comment and then
7 Paoa. You know, the grain industry's got a huge
8 challenge. I mean, they've got pieces of equipment that
9 were put in by Uncle Louis after World War I sometimes.
10 And I think we're the only state that regulates
11 hand-pulled man lifts, and so they got a counter weight,
12 they got a hemp rope. And it's like he said, weather,
13 ice cold. Most of them are outside. They weigh the bins
14 and fill them, and that changes the geometry. So ride
15 quality creates a really challenge because the ride
16 quality's horrible anyways. I mean, even in the best of
17 times, let alone when their -- things change. So that
18 would be really helpful.

19 I have to say I've been involved with the grain
20 industry now since '12, and they've really stepped it up.
21 And Northwest Grain has done a great job as well as the
22 whole industry of trying to get a round peg in a square
23 hole because these things were never meant to be
24 regulated as conveyances, but we do, and I think they've
25 really stepped up, and the safety's really improved.

1 And I think working together and helping them get
2 some clarity . . . Because you gotta remember this group
3 of mechanics or millwrights are under the 270 statute,
4 which exempts them from licensure as long as they follow
5 the statute. So they're not classic elevator people, and
6 these aren't classic elevators. And so you can't do that
7 overlay on inspections with this group of equipment, so
8 we just gotta look at it more. It's gotten much better.

9 But I agree with Bill is it'd be really helpful to
10 give them a little bit more specificity, so they can go
11 through and take care of it or try to reproduce it.

12 So I appreciate your input, Bill.

13 Go ahead, Paoa.

14 MR. NAIPO: No. I want to say the same thing.
15 I want to thank you for that input, Bill.

16 But I just want to make sure that everyone
17 understands, too, that our inspectors, the intent of them
18 is not to diagnose the problem and give to you the
19 solution to what the problem is. And I understand that
20 this is a very small-niche market, and maybe this is
21 something that we need to work with those stakeholders on
22 finding out how to write a correction correctly for them
23 so that they understand exactly what our inspector saw
24 while they were on-site. Yes, try not to be as general
25 as possible, but also not trying to be as specific

1 because when we go in there and our inspector says, you
2 know, "Bulb is out; you need to replace the bulb." Well,
3 they go in and replace the bulb, and then it's really the
4 fixture. Well, they did exactly what was on the
5 correction report, but instead the inspector should have
6 wrote that, you know, "Per this code, it is not" -- "you
7 know, the light is not" -- "you know, the light is not
8 on" or something like that, so at least it gives them an
9 avenue to find out what the issue is. Is it really just
10 the bulb or is it the ballast or is it there possibly a
11 grounding or some sort of issue?

12 So I just want to make sure that I put that out
13 there, that, again, our inspectors are not meant to go
14 out and give you a punch list and solutions for all the
15 problems; they're just supposed to state what they see.
16 But, like I said, again, understanding that this is a
17 very niche market, and there's a lot of differences that
18 you guys have to deal with. Like Scott said, that these
19 were put in by Uncle Louis after World War I or possibly
20 World War II. We may made need to do with these specific
21 stakeholders write up our inspections a little bit
22 differently, and that is something that we will
23 definitely need to work with you guys on, so I just want
24 to put that out there, that we are willing to work with
25 you guys and figure out how we can communicate exactly

1 what our inspectors find when they're on-site for you,
2 again, not trying to give you the solution to what the
3 perceived problem is, but just, "Hey, this is what we
4 found when we were on-site and what specifically you need
5 or we can provide for you at that time."

6 MR. CLEARY: Thanks. I really appreciate that
7 because most of these are on the east side, sometimes in
8 the middle of nowhere, and it just comes down to the --
9 you know, they want to do the right thing and just making
10 sure that we give them some good guidance.

11 So any other questions on the open format? We got a
12 couple minutes left if anybody's got anything they'd like
13 to bring up; if not, Melissa, close it on out for us,
14 please.

15 MS. ERIKSEN: All right. I want to thank
16 everybody once again for coming. I do appreciate your
17 time.

18 Keely, to be specific for you, I put it in the chat,
19 February 15th. I will see you again there.

20 But, you know, this is really great, and the
21 participation is fantastic. We really do appreciate your
22 participation, because this is not an us show; this is an
23 all of us show.

24 So until then, remember to make sure that you get
25 your rule changes in. If you have questions, please make

1 sure that you contact us because we do want to help you
2 make sure that they are great.

3 If you are interested in participating on the TAC,
4 please get those in.

5 Again, all of our changes are -- or submissions are
6 accepted through December 17th.

7 Thanks for your grace on the website and we are out.

8 Thank you, everybody.

9 MR. CLEARY: Well, one sec. Before we end, I
10 really want to thank -- well, mainly Melissa. She's done
11 a lot of the heavy lifting, and you guys don't know, but
12 we have weekly meetings in between to try to make sure
13 that we come prepared. And she supports all that, and
14 she does a lot of little extra things that really helps
15 me, Ricky and our committees be successful. So if it
16 comes to working the website, she's usually the one that
17 hears -- gets the beating for it, but she's done a great
18 job there. But I just want to reach out and say thanks
19 for all your help because it's -- I couldn't do it
20 without it, and it's really been really a critical role,
21 so thank you.

22 With that, everybody, have a good Thanksgiving, and
23 we'll talk to you soon.

24 (Proceedings concluded at 11:50 a.m.)

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C E R T I F I C A T E

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