

1 DEPARTMENT OF LABOR AND INDUSTRIES

2 STATE OF WASHINGTON

3  
4 \_\_\_\_\_  
5 TRANSCRIPT OF PROCEEDINGS

6 of

7 ELEVATOR SAFETY ADVISORY COMMITTEE MEETING  
8 \_\_\_\_\_

9 Date and Location

10 February 18, 2014 L&I Tukwila Training Room  
11 Tuesday, 9:00 a.m. 12806 Gateway Drive  
12 Tukwila, Washington  
13 \_\_\_\_\_

14  
15 BE IT REMEMBERED, that an Elevator Safety Advisory  
16 Committee Meeting was held on the date and location as set  
17 forth above. Those committee members present were: Scott  
18 Cleary, Robert McNeill, Skip Buntin and Keith Becker. The  
19 Department of Labor and Industries was represented by Jack  
20 Day, Chief Elevator Inspector.

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

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

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- Attachment A Open Items from November 2013 Meeting
- Attachment B Proposed Code Review Subcommittee of  
The WA Elevator Advisory Committee

## PROCEEDINGS

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## Introductions/Purpose

4

5 MR. CLEARY: Let's get started. I want to start out  
6 with introductions and then we're going to talk a little  
7 bit about purpose, then we'll go into the chief's report.

8 I'm Scott Cleary with Mobility Concepts. I represent  
9 general contractors, residential elevators and commercial  
10 accessibility, and I'm the chair.

11 MR. BECKER: I'm Keith Becker, Pacific Northwest  
12 Farms Co-op. I represent owner-employed mechanics exempt  
13 from licensing.

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

16 MR. DAY: Jack Day, chief elevator inspector, State  
17 of Washington representing the secretary.

18 MR. McNEILL: Rob McNeill, Kone Elevator Company  
19 representing licensed elevator contractors.

20 MR. DAY: Who are we missing? Please get that in the  
21 record.

22 MR. CLEARY: We're missing Charlie Val, David Gault  
23 and Dan Munn.

24 Basically we want to talk about purpose and intent  
25 and what the Advisory is responsible for. The purpose of

1 the Advisory Committee is to advise the Department on the  
2 adoption of regulations that apply to the conveyances;  
3 methods of enforcing and administrating the elevator law,  
4 Chapter 70.87; and matters that concern the industry and  
5 that affect individual installers, owners and the  
6 operators that use the conveyances.

7         There are some requirements by statute for this  
8 meeting. It's got to be two hours or less. So a lot of  
9 times we can't get very in depth, so it's very important  
10 that any questions that get asked at this that don't get  
11 answered, that you guys submit your questions to one of  
12 the representatives or myself to try to get them answered.  
13 Because a lot of times we just don't have the time to go  
14 in depth on those.

15         And it's really important that we get agenda items  
16 sent to us because by statute we cannot discuss things  
17 that aren't on the agenda in depth, and we must have the  
18 agenda done and out two weeks before the meeting. So it's  
19 really, really important that if you need things to get on  
20 there, you get ahold of a representative or myself or Jack  
21 and see if we can get it incorporated into the agenda.  
22 Because by statute we can't talk about it and discuss it  
23 in this meeting. We can in the stakeholders meeting  
24 afterwards, but we can't at this meeting.

25         Now, one other thing. It's really important that

1 when you ask questions that you state your name and  
2 affiliation for the record. It was brought to my  
3 attention via the minutes that a lot of times that's not  
4 happening. So if you go back and read the minutes  
5 afterwards, you don't really know who's asking the  
6 questions and who they're affiliated with.

7 With that, are there any questions on the minutes  
8 from our November meeting? I actually had an individual  
9 bring some questions to me, so I know some people are  
10 reading them. And it's refreshing. So some good  
11 questions. If you read the minutes, you find something  
12 that doesn't make sense, get it to me. I'll do my best to  
13 get it answered and we'll go on from there.

14 So if there's no question on the minutes, I motion  
15 that they're adopted as printed. Do I hear a second?

16 MR. BECKER: Second.

17 MR. CLEARY: All in favor?

18 All: Aye.

19 MR. CLEARY: Again?

20 ALL: Aye.

21 MR. CLEARY: So they're going to be adopted as  
22 printed.

23 Are there any questions on the purpose for the  
24 Advisory or procedures on how to make it efficient? We'll  
25 talk a little bit more about that when we get into some

1 subcommittee questions on how they're formed and really  
2 what the purpose of those are.

3

4 Chief's Report

5

6 MR. CLEARY: So with that, I'd like to start with the  
7 chief's report. Jack Day.

8 MR. DAY: Good morning, everybody. Everybody staying  
9 dry or trying to? I think for me I really want to start  
10 with a safety tip, and what I've noticed is a lot of  
11 puddling on the roadways. A tremendous amount. So it  
12 would be advisable to slow down. Hydroplaning based off  
13 your tires and the weight of your vehicle contributes a  
14 lot to accidents. So please slow down. How many miles an  
15 hour, Keith -- five? -- were you going over the pass?

16 MR. BECKER: Five and ten.

17 MR. DAY: Five and ten. But he made it, and that's  
18 the important thing.

19 For the scorecard, please turn to one of the latter  
20 pages. Inspection scorecard, that's what it's titled.  
21 What this is is a running history of how we do our  
22 inspections, how many we've done and how many we've done  
23 on time.

24 The State of Washington, for the last several years,  
25 has been short inspectors, and thus you see some dismal

1 numbers. But I do want to speak to the fact that we've  
2 hired five new elevator inspectors. They are under  
3 training currently. We still have two more vacant  
4 positions to hire. So a plug, if anybody knows anybody  
5 interested in becoming an elevator inspector, please go to  
6 L&I's Web site, Find a Job at L&I.

7 In that, we do expect our numbers to significantly  
8 start changing, but not for a few more months yet. We  
9 have to get the folks trained and then we should see a  
10 turnaround.

11 Turn to the next page, which is our accident count.  
12 Basically, we're looking at the 2014 first quarter, and  
13 this wrapped up the 2013 fourth quarter as well. Those  
14 numbers were added or updated to this report. The others  
15 are significantly the same as they were last time.

16 One of the things to notice is we keep having a  
17 continuous struggle with escalator accidents not at fault,  
18 although I would point everybody to a recognition that it  
19 has gone down over the last year. I attribute some of  
20 that to some outreach efforts that's been going on, and I  
21 hope they continue with even better results. If anybody  
22 wants to become involved with the outreach, please see me  
23 after the meeting.

24 Any questions on the chief's report? Hearing none,  
25 I'll turn it back to you.

1 MR. CLEARY: Okay. We're going to move on then now  
2 to fee increases.

3 MR. DAY: Fee increases. As hopefully everybody is  
4 aware, there's a fee increase that's going to happen. It  
5 will happen April 1st of this year, and it's a 13.1  
6 percent increase. To see the rules for this, they're on  
7 our Web page, the same place the other rules are at under  
8 Find a Rule, all policy, procedures, right there you can  
9 download those fees. I also have posted some samples here  
10 on this agenda, so it gives you an idea what the fees will  
11 change to. Again, they're going up 13.1 percent.

12 I believe the fees that are not going up are civil  
13 penalties. They're remaining the same. Everything else  
14 is going up 13.1 percent.

15 Any questions on the fee increase? April 1st, that's  
16 when it will happen. Permit fees, those will be affected  
17 as well for elevator companies. Owners, it's the  
18 operating certificate.

19 MR. CLEARY: Any questions? None? Okay.  
20 Maintenance control program, MCP.

21 MR. DAY: I might as well just keep going until I'm  
22 done here.

23 MR. CLEARY: You're in the 9:10 to 9:20.

24 MR. DAY: Also on our Web page, which is a link here,  
25 is to view a list of companies with a code compliant MCP,

1 meaning their MCP was reviewed and authorized for use.  
2 Sometimes this is a confusing state because we didn't  
3 authorize every single -- review every single solitary  
4 piece of equipment that an elevator company would have.  
5 That is not what we did. We reviewed the basics to ensure  
6 that the premise that the basic procedure behind a task  
7 was understood and clearly stated in the review process.  
8 That way when they did pick up some other piece of  
9 equipment that didn't get reviewed, they know exactly how  
10 to write the procedures for them.

11 The State is not intending to go through and review  
12 everybody's MCP at that level of sitting in front of a  
13 group of inspectors and elevator companies for each task.  
14 We expect the companies to produce the task as that piece  
15 of equipment is recognized as meeting that criteria  
16 outlined in 8.6. So again, it was a basic exercise to  
17 ensure companies knew how to do that. The expectation is  
18 they keep them up.

19 MR. CLEARY: Now, is that going to be the  
20 responsibility of the inspector, to get some eyes on that  
21 when things change or equipment changes in the field?

22 MR. DAY: No. The responsibility is squarely with  
23 the elevator company and their elevator mechanics.  
24 Elevator mechanics recognizing that this procedure won't  
25 do the basic requirements of the code, it's their

1 responsibility. It does not fall to the State to tell you  
2 every time that your MCP instruction is wrong. You should  
3 be able to figure that out on your own. If the State's  
4 involved with your MCP and requests information, then that  
5 means we have found something wrong with it. But this is  
6 not our intended way of working this. We want you all,  
7 elevator companies and elevator mechanics, to recognize  
8 when a procedure is wrong.

9 We went through this process with almost all of you.  
10 Not all. There's some that are beginning the process  
11 today. This afternoon I invited other companies that do  
12 work outside of A17.1 and A18.1 to sit with me to coach.  
13 And we have a few folks that that's going to happen with  
14 this afternoon to help them understand what a procedure is  
15 and how it's supposed to be written in order for it to  
16 meet A17.1.

17 So when we do find something wrong, it's basically a  
18 premise outlined in WAC, one of the draft rules. We'll  
19 send you a letter in writing indicating what we need to  
20 see or what is wrong, and then after that, basically  
21 there's a 15-day response with a 30-day expectation that  
22 you have it fixed. So we have a timeline set in place  
23 once we find it wrong.

24 But it basically behooves each one of you to review  
25 your MCP documentation for completeness and correctness.

1 The State doesn't want to be your everyday go-to and  
2 go-for for a procedure that a licensed elevator company  
3 should and ought to know how to do.

4 Does that answer that question?

5 MR. CLEARY: Yes.

6 MR. DAY: Or did I miss it?

7 MR. CLEARY: No.

8 Any questions on that? Okay. 90- and 360-day  
9 penalties.

10 MR. DAY: This is just a reminder that the State of  
11 Washington, and I've reminded everybody for quite some  
12 time now, that we are doing the 90-, 180-, 270-, 360-day  
13 civil penalties. This is the penalty amount after 90,  
14 180, 270, 360. The State of Washington has been doing  
15 this now for four months. The other day we had over 500  
16 90-day civil penalties out there, and then the other day  
17 we had 31 180-day civil penalties still that were issued.

18 The important thing here is I don't know how elevator  
19 companies are receiving this information from the owner  
20 because we send it to the owner, but to stay abreast of or  
21 to try and encourage your owners to get you abreast of  
22 these corrections sooner rather than later. Because some  
23 of this is you didn't get those corrections until two  
24 weeks before their due date. I've seen that happen.  
25 So just to be aware, elevator companies out there, do your

1 best with your sales staff to encourage your owners to  
2 submit that in a timely fashion.

3 Any questions on civil penalties? You guys are a  
4 quiet group.

5 MR. CLEARY: Okay. We'll just move on to legislative  
6 activities.

7 MR. DAY: There are two bills in the legislation  
8 right now that will affect the elevator division. One is  
9 House Bill 2145. It was originally intended to remove  
10 dumbwaiters completely from the annual inspection  
11 requirement. It has subsequently been changed currently,  
12 and it states that as long as dumbwaiters don't have a  
13 correction in a two-year period of time, then they will go  
14 to an annual inspection every other year. And that's  
15 currently what it says.

16 The other thing that's within that is that the  
17 elevator inspector shall give ten days advance notice and  
18 scheduling for an inspection of a dumbwaiter. So those  
19 two things are in that bill.

20 Any questions on that bill?

21 MR. CLEARY: If that does come to fruition, then will  
22 that impact getting things scheduled on other equipment  
23 through inspectors?

24 MR. DAY: It could. We probably have to look at this  
25 in the way that we currently have in the WAC, not in RCW.

1 We have in the WAC a seven-day notice for new and  
2 alterations. So if the dumbwaiters in effect are longer  
3 than that, that might -- that has a potential to interrupt  
4 some --

5 MR. CLEARY: And by definition, annuals take  
6 precedent over new turn-ons?

7 MR. DAY: Annual inspections are a mandatory  
8 requirement. New and alterations are not a mandatory  
9 requirement. Turning back to the scorecard, you see we  
10 need to put more emphasis on our annual inspections. So  
11 yes.

12 Any other questions on 2145?

13 Hearing none, 2146. 2146 reduces the appeal bond.  
14 Initially this was set up to be 10 percent, no more than  
15 \$100 for an appeal. And subsequently it's been changed to  
16 be no more than \$100 for an appeal. And the concern there  
17 is it could be frivolous appeals.

18 That's it.

19 MR. CLEARY: Any questions on that portion?  
20

21 Old Business

22  
23 MR. CLEARY: With that we're going to move into old  
24 business. And with great pleasure, I'm going to announce  
25 that we're going to be able to kind of come to fruition

1 and put the testing of the FAID, fire alarm initiation  
2 devices -- Rob's going to talk a little bit about it, but  
3 I think we're going to be able to get this off old  
4 business as of today. So thank you. It's been on there  
5 for a while. So Rob McNeill.

6 MR. McNEILL: The FAID subcommittee has a  
7 recommendation for the Elevator Advisory Committee. We  
8 will send our final draft to you, Jack, and then you can  
9 post that accordingly so everybody can see it. But I'll  
10 just give you a quick overview.

11 On page 4 there's a very nice overview of what the  
12 responsibility and what the committee was looking for. So  
13 rather than read that part, I'll just let you take a look  
14 at that, and then I'll get into the rest.

15 I do want to say that the FAID committee spent an  
16 awful lot of time of this. I don't believe that we, or at  
17 least myself, understood how complex this issue was and  
18 how many moving parts there were.

19 So during the course of several years, we went  
20 through many, many, many different codes, many, many  
21 different issues within cities within the state and within  
22 different types of equipment and technology. So it wasn't  
23 a really simple issue. And my recommendation to anyone  
24 that will be chairing a subcommittee is to make sure that  
25 anything they have to look at as a team to collaborate and

1 put forth a recommendation, do something that is easily  
2 chewable, something that you can chew in a quick bite  
3 rather than have it drag on forever. I'll go ahead and  
4 get into our report now.

5 The committee members included representatives from  
6 commercial, hotel, fire agencies, fire testing and  
7 inspection agencies, elevator contractors, elevator  
8 inspectors and industrial applications. The members  
9 included Pat Dylan from SimplexGrinnell; Dave Beste, City  
10 of Bellevue Fire; Dave Gault, the Fairmont Hotel; Dave  
11 Spafford, inspector with the City of Seattle, elevator  
12 division; George Wangersky with Boeing; and myself. The  
13 diversity of the subcommittee brought a great amount of  
14 knowledge and experience for the committee to utilize and  
15 review the FAID testing.

16 Over the last several years the subcommittee has met  
17 to understand the various codes and requirements for FAID  
18 testing. They reviewed the IFC code, the NFPA 72 code,  
19 NFPA 25 code, NFPA 2008, WAC and ASME 17.1 codes related  
20 to elevator machine room testing, pressurization and  
21 firefighters emergency service operation, testing the  
22 hoistway, the comprehensive binder of separate forms  
23 required in the City of Seattle for testing. All written  
24 comments from the public and interested parties were  
25 considered and reviewed as part of the process.

1           The challenges were large due to the age of  
2 buildings, different systems within buildings, varying  
3 levels of technology and the enforcement of codes varying  
4 from area to area.

5           The other challenge was many low-rise buildings had  
6 limited resources to upgrade to newer systems. Some older  
7 buildings didn't have sprinklers or heat detectors. Old  
8 style heats can't be tested and old fixed temperature  
9 heats are a challenge.

10          It was found that many areas within the state do a  
11 very good job of testing. The City of Seattle has the  
12 most comprehensive testing requirements found within the  
13 state of Washington while other cities weren't as diligent  
14 in the annual testing of systems and firefighter emergency  
15 operation. Some of the large industrial sites manage  
16 their testing with in-house resources that small  
17 individual buildings or owners can't afford.

18          The group investigated where and how to capture the  
19 successful completion of the testing and third-party  
20 verification of all systems by different contractors.

21          So that's a quick overview for you of what we did.

22          The subcommittee makes the following recommendations.  
23 These were unanimous recommendations, I'd like to add.  
24 Confidence testing for smoke detectors, confidence testing  
25 for heat detectors and shunt trip devices, confidence

1 testing for pressurization of the hoistway should remain  
2 with the fire testing companies, certified alarm  
3 technicians or technically competent individuals that  
4 presently perform the testing. Elevator companies should  
5 assist in the testing where required.

6 Building owners must utilize the MCP 8.6.11.1  
7 firefighters emergency operation log to capture the  
8 testing. The log covers all aspects of firefighter  
9 service operation required by ASME and Washington code for  
10 smoke and heat detector testing. Each trade that was  
11 involved with the testing must sign off on the work  
12 performed on the MCP form provided by the elevator  
13 contractor located in the elevator machine room.

14 The FAID subcommittee also recommends that FAID  
15 testing be completed with all confidence testing to save  
16 time and keep costs down for the owners and managers of  
17 the buildings.

18 So those are our recommendations in an overview for  
19 the Advisory Committee.

20 Yes, sir?

21 MR. DAY: Your last sentence, recommends that the  
22 confidence testing be in conjunction with? Is that what  
23 you meant?

24 MR. McNEILL: Yes. Just to save money so owners and  
25 managers don't have to bring people out twice to --

1 MR. DAY: Does that mean that the elevator mechanic  
2 including the Category 01 Phase 1 and 2 is there at the  
3 same time as the alarm company or the owner doing the  
4 FAID? Is that what you mean?

5 MR. McNEILL: As well as the pressurization and the  
6 testing of the smokes. So it's kind of a one shot.

7 MR. SPAFFORD: A lot of companies are already  
8 performing keyswitch testing throughout the year, thus one  
9 time a year that the elevator company could get involved  
10 would be during the confidence testing with all the  
11 systems involved.

12 MR. DAY: Are you guys recommending that we require  
13 that? Because today we don't require it.

14 MR. McNEILL: I don't know if we can require it if  
15 there's an overlap between agencies there, but we  
16 recommend that it would be in the best interest of the  
17 owners and managers to keep costs down.

18 So I will send this final draft to the Committee  
19 members, and then L&I can review it and determine what  
20 they want to do.

21 MR. DAY: Okay. I have a few other questions, but I  
22 want to leave it up to other folks to ask. Any questions?

23 So I have one. If we're going to follow this and  
24 recommend that this be done, how would we communicate that  
25 to the building -- for us, there's over 8,000 owners, or

1 around 8,000 owners, 17,000 buildings. Probably  
2 three-quarters of those are affected with fireman service.  
3 And recommending that the elevator company line up with  
4 the alarm company in Okanogan and Walla Walla, it's bigger  
5 than a breadbox. It's bigger than the city. It's much,  
6 much bigger. So how would we do that?

7 MR. McNEILL: One way we could do that is through  
8 your Web site where you have news and information. And  
9 you can put a news and information bulletin out on FAID  
10 testing as well as the recommendations of L&I. I know  
11 that as a contractor, I use that site extensively to see  
12 what's new and what we may have missed as a company. We  
13 definitely hope that other people are using it as well.

14 MR. DAY: Would it be possible for you to include  
15 that in your documentation that you're going to send me?

16 MR. WHEELER: Sure. Let me make a note and we'll be  
17 happy to do that.

18 MR. DAY: You had mentioned something else, that it  
19 would be more economical in your report. How so? Or does  
20 it state in your report how it would be more?

21 MR. McNEILL: It doesn't, but I can tell you from the  
22 elevator side if we have to provide labor after hours to  
23 customers more than one time, it's going to cost them a  
24 lot more with the travel time and so forth for our  
25 technicians to go out and assist and then go back and

1 assist again. And if they're there to do the fire service  
2 testing at that time and they find something minor that  
3 they can correct right there, hopefully they can go on  
4 with their confidence testing, sign off on the fireman's  
5 emergency services portion and continue on.

6 MR. DAY: So it would be basically to fix the problem  
7 while the alarm company is there, to recognize the problem  
8 and fix it while they're there instead of there being a  
9 problem with one side or the other and then having to come  
10 back.

11 MR. McNEILL: Right.

12 MR. DAY: So it's to avoid a second trip when there's  
13 a problem with either the elevator system or the alarm  
14 system? Okay.

15 MR. McNEILL: And ideally, for instance with  
16 pressurization, the owner or manager would be contacting  
17 everyone ahead of time so the elevator companies could be  
18 checking the doors and making sure they're working  
19 properly prior to the testing.

20 MR. DAY: Thank you. The reason I'm asking all these  
21 questions is because I'm going to have to be answering  
22 them, too. A bunch of them.

23 MR. McNEILL: We'll give you a little more detail.

24 MR. DAY: Okay.

25 MR. CLEARY: Any questions on that? Okay. The last

1 time you'll be seeing that on old business.

2 The next one is existing machine -- oh. Sorry.

3 MS. BREWER: Can I go back to the legislation and ask  
4 a question?

5 MR. CLEARY: Yes.

6 MR. DAY: You can.

7 MS. BREWER: I know there's another bill relating to  
8 the whistleblower protections that labor is pushing, and  
9 it's Senate Bill 6046. And it's alive. So I was just  
10 wondering --

11 MR. DAY: Is it for electrical?

12 MS. BREWER: No. It's elevators.

13 MR. DAY: It has elevators in it?

14 MS. BREWER: There's two bills. There's an elevator  
15 bill and --

16 MR. DAY: I did not know that, Christine. What was  
17 the number?

18 MS. BREWER: It's 6046.

19 And so we've looked at it and Tom McBride with the  
20 association. And anyway, it makes some technical  
21 corrections to the dates, but it's a follow-up from the  
22 legislation that passed in 2012. So anyway, just put that  
23 on your radar. But I think also just a request that maybe  
24 the Elevator Advisory Committee that you guys have in  
25 November to ask anyone that's in attendance if anybody's

1 planning to introduce legislation just because it sort of  
2 caught us off guard. And Charlie and Swen are testifying,  
3 and they're the ones pushing the bill. So I just think it  
4 would be a good -- you know, to have them update in  
5 November if they're going to introduce a bill just to give  
6 us a heads-up so we know, you know. We can talk to them  
7 beforehand.

8 MR. DAY: That would be nice to know. I don't want  
9 to make it a mandatory thing because some folks don't want  
10 to tell us, but of course it would be nice to know.

11 MS. BREWER: It would be just because I think we  
12 either testify against or maybe we can go in and support  
13 it, if we could work together. I mean, we're going to  
14 find out. Anyway, that's just --

15 MR. CLEARY: That's what was done last time. Because  
16 it was brought up and we discussed it on a couple  
17 different occasions for that exact thing for do we support  
18 it or we go against it. So I haven't heard about it  
19 either. So thanks for bringing it up.

20 MS. BREWER: Yeah.

21 And then on the other two, I was just asking, Jack,  
22 did you guys request those? Or were those -- because  
23 Representative Condotta is the sponsor of both of them, so  
24 I was just curious.

25 MR. DAY: No, we did not.

1 MS. BREWER: Because the one relating to dumbwaiters,  
2 I just checked the status and it hasn't moved, and today's  
3 the cutoff at 5:00. So I'm just saying that I'm not sure.  
4 But the appeal bond bill did move across from the House to  
5 Senate.

6 MR. DAY: Did it?

7 MS. BREWER: Yeah. And it passed unanimously. It  
8 hasn't been scheduled for a hearing.

9 MR. DAY: Thank you.

10 MR. CLEARY: Yeah. Thank you very much.

11 MR. DAY: I have to refrain from commenting on those,  
12 just inform you of those. Thank you very much, Christine.  
13 And I didn't know about that one.

14 And you're right. If somebody's going to do a bill  
15 proposal, it would be great -- that either had the support  
16 or didn't have the support, either way, it would be good  
17 to know for the Advisory on what's going to happen. And I  
18 thought it was just electrical. I didn't know it had us  
19 in it.

20 MR. CLEARY: No further questions, then we're going  
21 to go ahead and move to Keith Becker talking about  
22 existing machine room enclosures and access to machine  
23 rooms and spaces.

24 MR. BECKER: We're not nearly far enough along to say  
25 this will be the last time this shows up on the list, but

1 we are continuing to work on it.

2 MR. CLEARY: Can you give just a brief overview of  
3 what your subcommittee is, please.

4 MR. BECKER: As Rob was saying, these subcommittees  
5 are interesting -- it's an interesting process because  
6 you're trying to bring enough people together to have some  
7 intelligent conversations on these issues. But the  
8 subcommittee we're working on is for means of access.  
9 Right now the WAC's are fairly vague on existing  
10 elevators, manlifts, grain industry, passenger lifts on  
11 means of access to the machine spaces, machine rooms,  
12 control spaces, control rooms. Our intent was to clear  
13 this up with one document that can give some guidance to  
14 the inspectors, the maintenance crews, the repair crews as  
15 to how to access these areas.

16 Our scope was to develop machine room space and  
17 control room space access requirements for existing  
18 buildings and structures to ensure safe access to these  
19 areas for maintenance, repair and inspection. Our intent  
20 was to utilize existing WAC's or ASME requirements rather  
21 than develop our own. The trick is to get these  
22 all-encompassing. As we know, simpler is better, so we  
23 can have a two-page document instead of a two-chapter  
24 document to take care of this. It would be nice.

25 We're utilizing ASME A17.1-2010 Section 2.7.3, access

1 to machine spaces in machine rooms. This takes into  
2 account a lot of new conveyance installations and more  
3 concern about existing safe access and maintaining this  
4 access in a safe means. And we pretty well got a  
5 document. I believe we're getting very close. We're  
6 going to -- we will probably try to run this -- well, we  
7 will run this through our subcommittee one more time  
8 before we put together a document to pass out to -- we'll  
9 probably send -- I'm hoping to send it out to Mike Wilson  
10 to look at. I'm hoping to get Jack Day to look at it  
11 before we make sure we've covered everything, and then  
12 hopefully we'll have something to present to the group.

13 I think that's where we're at.

14 MR. CLEARY: Jack?

15 MR. DAY: So, Keith, what you're trying to fix is  
16 issues with access to the machine room or machine space,  
17 control space where it's unsafe conditions is what  
18 you're --

19 MR. BECKER: Or maintaining what's there in a safe  
20 means.

21 MR. DAY: I'll give you folks a couple of examples of  
22 the issues. Last week we were dealing with an access to a  
23 machine room, a building that was built in the early  
24 1970s, and the access to the equipment is through a  
25 scuttle hole in the roof. You have to go into a closet

1 and climb an 18-foot ladder straight up, push open the --  
2 push the access hatch open and climb onto the roof  
3 carrying your tools and everything else with you as you  
4 go. This is a -- this is where the potential problem is.  
5 This started out with a couple problems from the City of  
6 Spokane. This is where this began with not having minimum  
7 access to the machine room where the mechanic and the  
8 inspector both have to put a ladder up -- lower the car  
9 below the top floor level, lower the car, grab a ladder,  
10 put it at an angle in the hoistway and climb up the ladder  
11 on a 45-degree angle to push open a scuttle hole to get  
12 into the machine room.

13 We also have another case where we have to exit the  
14 top floor fire escape, climb up a vertical ladder with no  
15 safety support on the outside of the building, go onto a  
16 sloped roof that has no guards to access the machine room.  
17 Not only are we having to do this, but so are the elevator  
18 mechanics having to do this. This puts our folks -- both  
19 our folks into dangerous situations, and it needs to be  
20 fixed before we have a serious accident or incident come  
21 forward. Most of us are smart enough to know when to stay  
22 away from those areas, but sooner or later it becomes a  
23 demanding thing to have to get to those spaces.

24 So those are the concerns that we're trying to fix --  
25 or that subcommittee is trying to address in getting safe

1 and convenient access to all machine room spaces or  
2 control room spaces.

3 MR. BECKER: We're not recommending in some cases  
4 that we go to the extent of stairways into some of these  
5 access areas, which is required on most of our newer  
6 installations, realizing that there are only so many  
7 things you can do on existing structures. But in the same  
8 respect, ladders that are permanent, ladders or accesses  
9 that are permanent and safe, they have all the safety  
10 features that are available. We've got cages, we've got  
11 platforms -- rest platforms where we can and where they  
12 need to be. We've got platforms, railings, toe boards.  
13 We've just got access into these areas in a safe means  
14 across the roof. There has to be a way to take care of  
15 these areas. Leaning ladders into a hoistway, there has  
16 to be a better way. It's just I don't believe even as  
17 owners that we can expect that this is something that is  
18 acceptable. It's just in 21st century stuff, we've got to  
19 be able to bring some of these -- some of our expectations  
20 to a higher level, and there's got to be a way. So, I  
21 think, we're hoping not to create a lot of hardships, but  
22 we realize that we have to create something safe.

23 MR. CLEARY: Keith, I know you've got a lot of unique  
24 situations with the handpulls, especially the ones that  
25 are outside. Are you guys looking at how you get to the

1 pulley assemblies for handpulls and is that something  
2 that's going to --

3 MR. BECKER: I guess the interpretation on a handpull  
4 manlift in the grain industry, all there is is a shiv at  
5 the top with a set of bearings, and the cable rides over  
6 the top with a counterweight on one end, a cab on the  
7 other side. There's no breaking, there's no equipment, no  
8 machine. But it is an area that has to be inspected. It  
9 has to be maintained.

10 I guess the only question we have is if that area is  
11 defined as a machine space or not. We believe it should  
12 be treated as a machine space, and so it should have all  
13 the attributable access: permanent ladder, permanent  
14 platform to access it. Typically there's nothing there.  
15 It's eight or ten feet above the work floor or probably  
16 ten feet above the top work floor and it's accessed with a  
17 ladder. And some of the grain elevators, you're doing it  
18 with a -- you're pulling a ladder up, a portable ladder  
19 and leaning it up against that area to get up there and do  
20 inspections. It's not a safe way to do it.

21 So if, in fact, it is part of the machine space, then  
22 it will be covered in what we draw up. If it's not, then  
23 we need to look at that area separately and get it  
24 addressed.

25 MR. CLEARY: Jack, how do you define that pulley

1 assembly on the handpulls?

2 MR. DAY: It's a maintenance space. As with what  
3 A17.1 would say, it would have to have proper, safe and  
4 convenient access, so being a maintenance space, similar  
5 to what you guys might run across with the machine or  
6 deflector shivs overhead.

7 So today we try to limit that. If you're going to  
8 access it from the car top, per se, it would be no more  
9 than 6'6" or else you would have access to it from outside  
10 the hoistway. But that's what's in today's code.

11 There are struggles with existing buildings, their  
12 design, how they were constructed. So it's really not a  
13 one-size-fits-all for the equipment going back to 1970 and  
14 older.

15 MR. WHITED: Question on that. We don't have any  
16 problem with electrical manlifts. Those are taken care of  
17 in our industry. It's the outside rope-pull manlifts that  
18 we deal with that have this problem.

19 And so the Washington State code on L&I allows you to  
20 access any point on that elevator if you've got a ladder  
21 there and a cable restraint that you could go up, commonly  
22 called a "lad" system, and you're hooked to that "lad"  
23 system and you can go up to it.

24 So that's what we want to know from our industry is  
25 can we use that to safely satisfy this requirement of

1 accessing that head pulley that's outside by using that  
2 "lad" system as a tie-out point to climb the ladder that's  
3 stationary, hooked to the machine.

4 MR. DAY: I don't know. Is that part of what you  
5 guys are reviewing?

6 MR. BECKER: Again, I guess the definition of that  
7 space and being in the machine space control space, we  
8 hadn't included maintenance space. I mean, those are  
9 areas -- something we can drive this thing in a little bit  
10 different direction. This is an area that we -- Jerry and  
11 I are in the grain business, and we have conveyances that  
12 we have to address. Anytime you're working on or you're  
13 on a ladder, you're supposed to maintain three points  
14 contact. Whether the "lad" system can be one of those  
15 points of contact, I'm not sure it can. If you've ever  
16 tried to work off of that type of system, it's extremely  
17 difficult.

18 MR. CLEARY: Jack?

19 MR. DAY: Where I usually go to get this question  
20 answered is to DOSH, Department of Safety and Health, and  
21 what they allow and what they don't allow. So that's  
22 where -- and that's where I'll be checking, you know:  
23 what we've done, does it meet the minimum requirements of  
24 Washington's OSHA program or not. Because we can't go  
25 less than. We always have to equal it or be more.

1           So I don't know the answer to your question, but I  
2 would like it to be addressed as part of the access to the  
3 space with this group, if it can. If it can't, then it  
4 would be a separate question, and I would take it to DOSH  
5 and see.

6           MR. WHITED: Can we ask the Committee to get this  
7 done to give us an answer as soon as you can? We're  
8 working on this stuff trying to get it done.

9           MR. DAY: If you want it, as soon as you can, send me  
10 a letter. I'll take it to DOSH and I'll ask them. Send  
11 me some pictures.

12          MR. CLEARY: And, Keith, you can help with that, too,  
13 since you represent the grain. Or myself, whoever.

14          MR. DAY: Okay.

15          MR. BECKER: So do we classify that space differently  
16 than a machine -- do we classify it as a maintenance  
17 space? What would you --

18          MR. DAY: First and foremost, it's where your machine  
19 is at. Whether it be a handpull machine or not, that is  
20 where -- that's where the work is taking place. That's  
21 where the conversion of energy is happening. So initially  
22 I would right up front say, okay, it's not got an electric  
23 motor, but it has the other components right there on it,  
24 missing the electric motor. The person, the body  
25 themselves are the means of propulsion. So I would

1 classify it as the machine space.

2 MR. BECKER: I mean, if it is part of the machine --  
3 you know, the document we're putting together will address  
4 that if we determine that that area is machine space,  
5 machine -- you know, on existing structures, then it is  
6 documented -- or is in the document at this point, and it  
7 would require ladders, platforms, railings, cages besides  
8 the permanent access. And so at this point, it is  
9 included if it's -- my only question was the definition of  
10 that area and if we can define it as machine space.

11 MR. DAY: I would initially say so. What does the  
12 group think?

13 MR. CLEARY: Yeah.

14 MR. BECKER: Does a dumbwaiter work that way? I  
15 mean, does it --

16 MR. DAY: A hand-powered elevator or a hand-powered  
17 dumbwaiter would be somewhat --

18 MR. BECKER: So that area is a machine space. And  
19 then it should make it fairly simple.

20 MR. CLEARY: Also, I understand the sense of urgency  
21 on this when it comes to the maintenance that's going to  
22 be required or has been required and will be looked at  
23 now. So it's something I think we need a quick answer to.

24 Any other questions on that?

25 We're going to move forward then. Thanks, Keith.

1           We were going to have an overview from Swen Larson on  
2 the point of sale. He's not able to make it today and he  
3 doesn't have representatives, so we're going to have to go  
4 by that. Also, Bryan Wheeler -- sorry.

5           MR. DAY: I have a question.

6           MR. CLEARY: Go ahead.

7           MR. DAY: More of a statement. This overview process  
8 on point of sale, we did receive some questions from a  
9 concerned stakeholder, I believe, on this particular  
10 subject. So I would like it if we read those questions  
11 and then pass them along to the chair of that  
12 subcommittee. Do you have them?

13          MR. CLEARY: I have them.

14          MR. DAY: Do you want to read them or do you want me  
15 to?

16          MR. CLEARY: Whatever you want to do.

17          MR. DAY: You read them. I'm going to give them  
18 to --

19          MR. CLEARY: This came back to my -- the gentleman  
20 that read the minutes and came back with some very good  
21 questions. And that's one thing that we're going to --  
22 we're going to try to incorporate in further meetings is a  
23 section, 10 or 15 minutes that we're able to go through  
24 some questions and get some answers that really aren't  
25 answered in this Body and in this meeting. And these came

1 from Mr. McLaughlin, and we had talked about these a  
2 little bit.

3 Do you want me to read these questions? Do you have  
4 them with you?

5 MR. McLAUGHLIN: Do you want me to go through these?

6 MR. CLEARY: Yes.

7 MR. McLAUGHLIN: Yes. I was unable to attend the  
8 November meeting, and the transcript came out after the  
9 December subcommittee meeting. But folks that were here,  
10 you had a pretty thorough discussion on a lot of items.  
11 And in going through the transcript, I compliment the  
12 Committee for your efforts to be inclusive. One aspect of  
13 that that I noticed was that the number of questions being  
14 asked as opposed to the ratio of answers that were coming  
15 from the discussion was disproportionate, in other words,  
16 at the end of the meeting, there were a lot more questions  
17 that were asked than were answered.

18 And going to Item 5 on the list that I sent you, I'm  
19 going to skip around here a little bit, Scott, if you  
20 don't mind.

21 MR. CLEARY: That's okay.

22 MR. McLAUGHLIN: One thing that I did notice is that  
23 the most perceptive question of all that came out was Jack  
24 Day at one point in the discussion he turned around and  
25 addressed the subcommittee and asked for a step-by-step

1 explanation of what the proposed legislation would do and  
2 how would that process work. Now, it triggered for me a  
3 lot of the questions that were in my mind and I hope were  
4 questions that the rest of the committee had. They  
5 included such things as who would do the inspections, what  
6 the timing of them would be, and I'm just kind of looking  
7 at my own notes here to make sure I know what it was that  
8 I was talking about.

9         What happens if a conveyance did not pass the  
10 inspection? That has not received any or very much  
11 discussion at all. What was going to be the standard that  
12 would apply to the inspections that were done at time of  
13 sale? There were a lot of different ideas that were  
14 discussed in the course of the meeting, but not something  
15 that came to a conclusion. I even had confusion going  
16 through the transcript as to whether the home inspection  
17 industry would be doing these inspections. And in the  
18 process of talking to Swen afterwards, I learned a lot  
19 about that whole aspect of it, things that I didn't even  
20 know. Also, Mr. Cleary asked Swen about the number of  
21 conveyances that would be involved on an annual basis and  
22 so on.

23         So there were all of these questions that were  
24 pending, and I had hoped that either in the December  
25 subcommittee meeting or in the events that have happened

1 since then that some of these would be answered, and they  
2 have not.

3 So that was my direction in going with this was that  
4 in order to really treat this with the respect that it  
5 deserves, I think it's very important that this forum look  
6 back periodically at the questions that have been asked  
7 and see whether they have been answered. Because barring  
8 that has not -- or if that does not happen, there is a  
9 real potential of we'll get into a situation we got in  
10 before a number of years ago where the legislature took  
11 the idea, said, "That sounds like a good idea. Go ahead  
12 and pass it," and then handed the whole thing back to the  
13 Department and this Committee and this room.

14 So if these questions are not ironed out either in  
15 the subcommittee or in these quarterly meetings, they're  
16 going to come back. And at that point, there will be a  
17 mandate, and we'll have to figure out a way to implement  
18 them. So I think we could save -- based on past  
19 experience, we could save a lot of time by making sure  
20 periodically that we go through and say, "All right, what  
21 are the open questions? Have they been answered? Can we  
22 get answers?" So that was the purpose of this.

23 The other thing was more of a housekeeping issue.

24 Before I get away from that, have I expressed my  
25 questions here or do you have questions on the questions?

1 MR. CLEARY: No.

2 MR. DAY: It's not a question. It's more of a  
3 statement. I handed the questions off to be recorded, and  
4 before we move past here, I want to state that we should  
5 pass these also along to Swen so that he includes it in  
6 his report for next time when he's here or answered by a  
7 subcommittee.

8 MR. McLAUGHLIN: Why don't I give a copy of these  
9 questions to the court reporter?

10 MR. DAY: I did.

11 MR. McLAUGHLIN: Some of these I have discussed with  
12 Swen. I just thought as a matter of protocol that having  
13 them come from Scott, since this is your committee and I'm  
14 a stakeholder and not a part of the committee, that just  
15 as a matter of protocol it was better to pass the  
16 questions to Scott to give him the opportunity to explore  
17 them.

18 The other item was a matter of protocol more than  
19 anything else, and that is that there were people that  
20 were speaking in favor of this issue at the November  
21 meeting, and there was nothing in the transcript to  
22 explain who they were or what their organization was. I  
23 did ask around to find out what the organization was, the  
24 EIWPF and what its relationship was to the IUEC. It's not  
25 something that I could determine, so I just thought as a

1 matter for future reference that if there are people in  
2 the room that are going to be speaking on an important  
3 issue and they aren't generally known or have not attended  
4 previous meetings, that it might be a good idea to make  
5 sure that as part of that, that either they identify  
6 themselves or that you take the opportunity to ask them to  
7 introduce themselves.

8 And I think that was pretty much it.

9 MR. CLEARY: These are really good. And this is what  
10 we need. We need stakeholder participation. But you and  
11 I talked about it would be nice to get these sooner rather  
12 than later so I can disseminate those to the appropriate  
13 entities to get these questions answered. But good  
14 questions.

15 And the point that keeps coming across, and I think  
16 we're going to talk a little bit about this a little bit  
17 later, is that subcommittees, we've got to make sure that  
18 we define the scope and purpose and don't do it too  
19 broadly. Because it's easy to have some -- to say what  
20 the deliverables are, but how we get there, as we've all  
21 noticed, it's difficult and a lot of layers to the onion.  
22 So questions like this, please get them to me or any of  
23 the committee members as early as possible so we can get  
24 them answered as much as we can.

25 Any questions on that? We didn't talk much really

1 about the scope. And what we're talking about is the  
2 point of sale, inspections of residential at point of  
3 sale. And we've been working on that -- I think the  
4 subcommittee has been for eight months now, going on. So  
5 we're going to try to get that wrapped up, too.

6 The next one is the scope and purpose for the  
7 subcommittee for the Part B permits. We've been on and  
8 off with that for years, but Bryan Wheeler has formed a  
9 subcommittee that's trying to come together with a scope  
10 that would allow like-type alterations and residential  
11 stair chairs and platform lifts to be able to get a group  
12 of permits to allow them to be put in in a very timely  
13 manner without inspections. There's some layers to that.  
14 Other states are doing it. We've been looking at Oregon,  
15 and they have a pretty successful way of doing it.  
16 Unfortunately, Bryan couldn't make it. He got pulled  
17 away. So we'll have a more thorough discussion about that  
18 in our May meeting.

19 Does anybody have any questions or input that I don't  
20 have on that? Anybody in this room that has --

21 MR. McNEILL: I'm on the subcommittee. Bryan and I  
22 talked last month, and I offered to get the minor label  
23 program information from Oregon, which we have now. It  
24 will give us a really good baseline to ask questions like  
25 what is it, what are the labels, what are the inspections,

1 what happens if they don't pass. It gives us a framework  
2 to start and determine what they have that's good and what  
3 we can improve on to help make the unit safer and  
4 inspected quicker.

5 MR. CLEARY: You and Bryan operate down in Oregon,  
6 correct? Have you used that? In Oregon, how does it  
7 work?

8 MR. McNEILL: It works really well. I've met with my  
9 team down there, and we have used it. We use it weekly.

10 MR. CLEARY: Beneficial?

11 MR. McNEILL: Yes.

12 MR. DAY: What I would propose is that we quickly  
13 talk about timelines for this. This type of permitting  
14 will require an RCW change, and you want to set yourself  
15 up so that you're ready for this before January 1, 2015.  
16 And also, you want to set yourself up so that you have the  
17 buy-in of the Advisory membership itself. So if we're  
18 going to do this soon, we really need this thing to move  
19 along at a fairly rapid pace.

20 And again, just to capitalize on Mr. McLaughlin's  
21 statement is get all the information here so questions can  
22 be asked and answered before you propose a bill that  
23 you're not going to get support on.

24 MR. CLEARY: Anything else? Any questions on that?

25 MR. RYAN: I just wonder how that relates to your

1 licensing criteria coming up where Categories 02, 06 and  
2 07 are being looked at to be combined.

3 MR. CLEARY: I don't think that will have -- I don't  
4 know how that will impact that. I mean, obviously what  
5 we're trying to do is streamline and make it more  
6 efficient for licensed elevator companies to be able to  
7 get timely and quick permits. I don't think they'll --

8 MR. RYAN: My concern is I believe 07 is quite  
9 different from 02 and 06 which sounds like the focus of --

10 MR. CLEARY: Yeah. We'll discuss that. We've got  
11 that coming up.

12 Any other questions?

13 Okay. Let's move on to contractor checklist, Jack  
14 Day.

15 MR. DAY: Contractor checklist. You will see the  
16 contractor checklist in your handout. It starts with the  
17 page that has the State of Washington letterhead on it.  
18 And you'll note for the last three Advisory meetings I  
19 have passed this information out to the people here and  
20 through our stakeholder list wanting comments. I got very  
21 few comments in regards to this. Most of them were from  
22 elevator inspectors themselves, very few from elevator  
23 companies to, I think I can state, none, and only a couple  
24 from larger manufacturers which was Boeing, George. And  
25 George had wanted some more detail on it, so we added a

1 little bit more detail. But again, I want to point out, I  
2 haven't received any comments whatsoever from elevator  
3 companies about the contractor checklist.

4 And again, the contractor checklist is to promote  
5 efficiency, to make sure the elevator is going to pass the  
6 first time. You remember a while ago with me saying our  
7 mandate is annual. Our mandate is not news and alts. It  
8 is not. RCW spells out annuals as being our primary  
9 target.

10 We do have to focus our attention on annuals, and  
11 this is to promote the assistance of everybody involved  
12 from the general contractor to the elevator company. And  
13 the ideal situation for this is that when one of the two  
14 entities, whether it be elevator company or general  
15 contractor, recognizes a deficiency, an issue, this is  
16 supposed to promote a call, a phone call, to one of the  
17 technical specialists or to me so that we can handle the  
18 situation before the final acceptance, not during or after  
19 the final acceptance date. So that's the whole intention,  
20 to be efficient with the State's resources and the  
21 elevator companies, your resources. And you all that are  
22 owners, when your timeline is for it to open on  
23 such-and-such a date, you can have assurances or  
24 relatively be assured that it will open on that date.

25 So it's really important for the entire group that we

1 go down this path. Since I haven't heard anything from  
2 elevator companies, I'm assuming that it's okay,  
3 everybody's fine with this process. So the intent will be  
4 next month that I send out a communication through the  
5 stakeholder -- through our stakeholder listserv group to  
6 all the elevator companies informing them that we will be  
7 starting this process and the date we'll start this  
8 process.

9 So this is going to happen. It's going to happen  
10 next month. You'll see a communication with the date it  
11 will start. If you have any questions on this process  
12 before it begins, please contact one of the tech  
13 specialists or myself so that we can go through this with  
14 you. Otherwise, I would assume because it's been done for  
15 over six months now going on nine months, this  
16 communication's going out, that everybody is okay because  
17 I haven't heard anything from elevator companies saying  
18 it's not.

19 I'm going to ask Mr. Wilson, and I have two  
20 supervisors in the back, one is John Cote and the other is  
21 Rich Metcalfe, that they reiterate are staff ready for  
22 this process. Are your staff ready for this process?

23 MR. WILSON: Yes.

24 MR. DAY: So the State is ready. We want to be sure  
25 elevator companies are ready. We don't want this to be a

1 surprise. So we're trying our best to make sure that this  
2 is communicated in a long enough time to make sure it's  
3 covered. I believe it has been. So we're going to look  
4 forward to a higher inspection pass ratio, is what we're  
5 going to look forward to.

6 All right. Thank you for your time. I appreciate  
7 those that did comment. I really do. Thank you very  
8 much.

9 MR. CLEARY: Any questions on that? All right.  
10 We're going to move on to MCP deficiencies and  
11 accountability with Jack and Skip.

12 MR. DAY: Let me get to that page. I'm going to  
13 start off with accountability. Earlier today I spoke  
14 about, and the question was asked, whose responsibility it  
15 is to keep their maintenance control up to date and  
16 correct. The question was asked, is it the State's  
17 responsibility? And I said no. And it is not the State's  
18 responsibility. It is the people who are performing the  
19 work. Whether it be from the grain industry, for the  
20 commercial passenger elevator industry, or it be from the  
21 incline elevator industry, material lift, it's your  
22 responsibility. You're the one that's licensed to do the  
23 work according to the code. We do not see this that it's  
24 the State's responsibility to do it all.

25 In this effect, what's going on is the inspectors,

1 when they're out inspecting and they look at an item on  
2 their inspection checklist and then they look at the MCP  
3 and they see that the task was done on the documentation  
4 but they look and see that the item itself doesn't look  
5 like it was performed to what the code says, they will be  
6 asking for immediate -- immediately to see the  
7 documentation. That's what they will be asking for.

8 When they review that documentation for, say, the  
9 elevator mechanic signed the Category 01 fire service test  
10 and they reviewed the documentation and it says,  
11 "Performed the test according to 'da, da, da, da,'" but  
12 basically key the Phase 1 keyswitch, key the Phase 2  
13 keyswitch and then sign it off, you're done, when the  
14 inspector sees that, he will inform the mechanic. The  
15 mechanic is not going to be punished in any way, shape or  
16 form. This is not the intention to punish anybody.

17 The mechanic will show the documentation to the  
18 inspector. The inspector will realize that that does not  
19 meet the code for that item. The inspector will then  
20 communicate that to their mechanic, and hopefully a  
21 dialogue will begin with the elevator mechanic and his  
22 company. That's the ideal situation, which is exactly how  
23 we would want it to happen.

24 If it doesn't happen, then that information will be  
25 passed along to Mike Wilson and myself. Mr. Wilson is the

1 technical specialist who has been put in charge of the  
2 maintenance program. When Mr. Wilson receives it, he will  
3 send a letter to the elevator company indicating what he  
4 needs to see because he has found an issue. In that, then  
5 they will recognize an issue together hopefully, and the  
6 elevator company will go down the path within the next 30  
7 days of correcting the issue. That's the ideal situation.  
8 That's how we would like it to happen.

9 So in order for it to not be from 27 different  
10 inspectors or -- how many do you have?

11 MR. BUNTIN: 12.

12 MR. DAY: 12. There are 2 in Spokane.

13 The communication is with a single person at the  
14 State, and that single person will communicate it to  
15 whoever is responsible for the MCP for that company.  
16 We'll send that communication to them so that they're  
17 aware and we're aware of a deficiency. This way we don't  
18 have 27 different inspectors going through however many  
19 different mechanics and supervisors getting different  
20 solutions across the state. So we get a solution about  
21 the situation from the responsible party at the elevator  
22 company. Hopefully this streamlines the process so it's  
23 not helter-skelter and that it comes from a single source  
24 to a single source back to a single source.

25 When Mike Wilson gets the answer back, he will

1 assimilate that information to all the elevator inspectors  
2 so that all the elevator inspectors know that the solution  
3 has been made. But also he will communicate to all the  
4 elevator inspectors that there is a problem, and those  
5 will be corrections written as the inspectors go through  
6 their process until it's recognized that it's been  
7 repaired. So there will be corrections made out of these  
8 things as well. That puts it on a 90-day timeline to get  
9 fixed.

10 We're going to try this out and see how it works. We  
11 would certainly love feedback from the elevator companies  
12 in the future. The feedback that we have been getting so  
13 far is that the elevator mechanics believe we're going to  
14 be pulling their license for following the elevator  
15 company's procedure, and that's not what's going to happen  
16 at all. We will not be doing that.

17 But what we will expect is when there's a recognized  
18 deficiency, that the elevator company communicate to their  
19 mechanics what to do about this in the meantime until they  
20 get it fixed. Because we're going to be doing the same  
21 thing with our inspectors, what to do with this. This is  
22 trying to promote efficiency and working back and forth  
23 with a single entity instead of three, four or six  
24 entities out there on the same subject. So that's our  
25 plan for when we find MCP deficiencies and

1     accountabilities.

2             Now I'm going to open the forum up to Skip because  
3     Skip and I have been discussing another issue and it's in  
4     regards to accountability. So I'm going to let Skip take  
5     the podium now.

6             MR. BUNTIN: First off, I'll talk about the MCP's.  
7     Right now in the City of Seattle, to date we're probably  
8     only seeing less than 50 percent on the jobsites. I've  
9     had several conversations with several elevator companies  
10    about this, and I'm hearing the mechanics have them in  
11    their trucks, they just haven't gone onto the site yet,  
12    they're still sitting in our conference room, we're  
13    divvying them out and getting them on-site. Everybody was  
14    aware of this, that they were to be on-site January 1st.  
15    Like I say, we're probably seeing less than 50 percent  
16    on-site right now, and we expect that to improve  
17    dramatically in the next month or so. And if it doesn't,  
18    then we'll have to take a different course of action as  
19    well.

20            And just to reiterate, on acceptance of elevators and  
21    escalators, we would expect to see a company's procedure  
22    for turn-on. And we have not seen this in several cases,  
23    but we are working with the companies. Hopefully they'll  
24    get something shortly. But to date, again, we've not seen  
25    a lot of these procedures available to us when asked.

1 MR. DAY: Mike, John, and Rich Metcalfe, have our  
2 inspectors seen these at turnover?

3 MR. WILSON: I haven't heard anything from our  
4 inspectors about not seeing MCP's on turn-ons.

5 MR. DAY: Please follow up. And we would like to  
6 report back to the City of what we're seeing so that we're  
7 on the same page. Because if we're not seeing them  
8 either, then that's evidence of a problem we have as well.

9 MR. BECKER: Now, on the acceptance, the MCP on-site  
10 during acceptance, now, after acceptance, does that MCP  
11 need -- it's not required to remain on-site?

12 MR. DAY: Uh-huh.

13 MR. BECKER: It is required?

14 MR. CLEARY: Only the logs, right?

15 MR. BUNTIN: There are two things here. There should  
16 be a procedure for acceptance to turn that unit on. There  
17 should be an MCP on-site for maintenance going forward.  
18 So don't get those confused. The procedure, we wouldn't  
19 expect to see stay on-site. That belongs to the elevator  
20 company and that stays with them and the mechanic. But  
21 the mechanic should have that with him when the inspector  
22 shows up to accept that unit. They should also have their  
23 MCP program that will stay on-site. And, again, we  
24 wouldn't expect to see procedures there, just the MCP  
25 chart.

1 MR. DAY: The logs.

2 MR. BUNTIN: The logs.

3 MR. CLEARY: The logs.

4 MR. BECKER: So the process is intended -- the  
5 procedures in that MCP -- we don't want those left -- in  
6 some cases, and that would be back in the grain industry,  
7 a lot of people can access that machine space, that we  
8 don't -- because we are exempt from licensing so we don't  
9 have a licensed contractor, licensed mechanic as our  
10 service provider.

11 MR. CLEARY: So you would prove to them you have an  
12 MCP, you have procedures in place. You would just leave  
13 the logs. And then the mechanic, when he comes back, will  
14 do maintenance, would have them with him.

15 MR. BECKER: Our inspection processes are they could  
16 be on-site if you needed, but a mechanic's manual, that  
17 information we don't feel that we want to leave it  
18 on-site, the procedures.

19 MR. BUNTIN: Right. And we wouldn't expect -- but if  
20 we're on-site with the mechanic and we asked him for them,  
21 we would expect him to be able to produce those.

22 MR. CLEARY: But if they leave after the acceptance,  
23 the logs have to be on there that are tailored  
24 specifically for that piece of equipment that just went  
25 through inspection.

1 MR. BUNTIN: Yes.

2 MR. CLEARY: Okay.

3 MR. BUNTIN: The other item is that we're seeing a  
4 lot of folks pulling the records that are on-site and  
5 leaving the new MCP. We expect to see the old charts that  
6 are on the wall to stay as well as any other records that  
7 were there from previous maintenance MCP's, at least going  
8 back seven years is what we had -- you know, beyond that,  
9 that would be up to the owner. And I believe the State  
10 is --

11 MR. DAY: The exact same process. The records belong  
12 to the owner. The records have a retention. The records  
13 stay on-site. The records don't leave. The records do  
14 not leave. And we typically run through a rash of this,  
15 and we have once a year there is somebody that's taken  
16 these off-site so we have to address that.

17 And this gets to the other thing that Skip and I were  
18 talking about.

19 Sorry, Skip. I'm going to jump in here.

20 And typically, if you have a license with us, you  
21 have to have a primary point of contact. And we're trying  
22 to make that primary point of contact -- it was intended  
23 that that primary point of contact is responsible for that  
24 license and be the person that we communicate with. Other  
25 folks come and go and they're not there. This industry is

1 very fluid with somebody being there one day and not being  
2 there the other. The intention of the primary point of  
3 contact is that's the person that -- the individual that  
4 stays there. It's required by law that that individual,  
5 once leaving there, gets a replacement within 90 days.

6 So what we're having trouble with with some companies  
7 is that primary point of contact maintaining themselves  
8 and communicating back and forth with us. And I wanted  
9 and Skip wanted -- Skip, you brought it up, but I agreed  
10 with him -- is that we need to have a dialogue with this  
11 group and the primary points of contact. And if the role  
12 and responsibility isn't defined well enough in the  
13 WAC 296, then maybe we need to go down a path of defining  
14 the role and responsibility of that primary point of  
15 contact. Hopefully I wouldn't find that that's necessary  
16 in the simple fact that that primary point of contact is  
17 who we would deem responsible for communication back and  
18 forth with that particular elevator company.

19 So we're going to require that, and if we continue to  
20 see a problem with it, then we'll be bringing it back to  
21 the Advisory for advice on what we need to do in order to  
22 better define it.

23 MR. CLEARLY: I know we've had some conversations in  
24 the past of some sort of requirement for points of contact  
25 to come to certain portions of these meetings. I think

1 that would be very important to have the points of  
2 contacts from the companies at these meetings to know what  
3 the responsibilities are. I think that's crucially  
4 important because I know a lot of them are out of state  
5 and a lot of them are out of touch. I think that would be  
6 important to look at and see if that's something that  
7 stakeholders think is important. Because I think it is.

8 MR. DAY: It's just that missing link. When we're  
9 trying to communicate to a company and found out that that  
10 person's been gone for six months, or they're out of  
11 state, or they've been told, "Don't worry about it," okay,  
12 so all these things run into a problem when we're trying  
13 to recognize and trying to capitalize on our communication  
14 and to do better at it. And what Skip and I talked about  
15 is we also need it to be reciprocated back from elevator  
16 companies. So those of you that are here, please have a  
17 conversation -- if you're not the primary point of  
18 contact, please have a conversation with them. But if we  
19 continue to see problems, we're going to go down some  
20 avenue to fix it because we do need that communication.

21 MS. BREWER: Do you have a master list that you keep  
22 so just to ensure if I go back to Schindler, tell Phil so  
23 he can just drop you an e-mail?

24 MR. DAY: Phil is the one. Phil's the one.

25 MS. BREWER: Perfect. But, I mean, I guess for

1 others, if they need to check on this, so they just send  
2 you an e-mail? Or how do they communicate back to that?  
3 Or is there a formal form that's on your Web site?

4 MR. DAY: It's actually a formal form, Christine.  
5 And to see who the primary points of contact are, if you  
6 go to find a contractor, the L&I page find a contractor  
7 and you look up the elevator contractors, when you open up  
8 each one, you'll see who it is that's the primary point of  
9 contact for that elevator company. So there's the formal  
10 list. You have to look at it one at a time.

11 Trying to maintain a list, we try to maintain a list  
12 of that and encourage those folks to sign up for our  
13 listserv so that they can see the agendas when they go out  
14 so that if we're having a problem and we need to send a  
15 communication to that company or pick up the phone, that  
16 they're somewhere around and weren't told to ignore the  
17 State or they've left the company or left the State and  
18 they're therefore not responsible in any way, shape or  
19 form for the license in the state of Washington.

20 So we see a problem, and I guess currently I'm asking  
21 the elevator industry to start recognizing it and fixing  
22 it so we don't have to go down that avenue. We're not  
23 trying to threaten anything. We just need that  
24 communication.

25 MR. McNEILL: I think I'm confused and some people

1 may be confused on the timing on the deficiencies, the  
2 30 days and the 90 days. Could you quickly summarize that  
3 again?

4 MR. DAY: Okay. So in one of the WAC's we have  
5 outlined that the process for recognizing and abating an  
6 issue with an elevator company, it's a 30-day timeframe.  
7 The 90-day that I spoke about was the inspector writing a  
8 correction to a customer, to a building owner about a  
9 deficiency in the MCP. That's a 90-day. So if you get it  
10 fixed in 30 days, you should be able to get it fixed with  
11 the customer in 90 days. That should be plenty of time to  
12 get that addressed and taken care of with your customer.  
13 Fix it yourself and you still have two months to get it  
14 fixed with the customer. So I shouldn't see extension  
15 requests for things that had a 30-day timeline to fix it.  
16 Do you follow?

17 MR. McNEILL: Yes. I do now.

18 MR. CLEARY: Any other questions on that? We're  
19 running behind.

20

21 New Business

22

23 MR. CLEARY: We want to move into new business. I'm  
24 going to briefly go through licensing criteria and then  
25 spend a little time on 270.

1           What I'm proposing on licensing criteria is combining  
2 some categories. Right now what we're starting to discuss  
3 and then we'll move on to see if there's enough interest  
4 for a subcommittee to be able to define and talk about  
5 these, but combining Categories 02, 06 and 07. The reason  
6 why those are being talked about being combined, because  
7 they're all residential. Obviously we'd want to move out  
8 the commercial dumbwaiters. There's no differentiation  
9 between residential and commercial dumbwaiters. A  
10 dumbwaiter is a dumbwaiter, but it's usually under the 01  
11 category, so obviously we'd want to move that out of 02  
12 and move that into an 01.

13           Then we're talking about combining Categories 03 and  
14 04 under industrial, combining 08 with 01 under  
15 commercial. And then we still would have 09, which is the  
16 temporary, and that's been kind of re-massaged a little  
17 bit in the new WAC. And what's changed in the 09 category  
18 is now you only can have it for two months consecutively,  
19 30 days off, and then another 60 days, but you only can  
20 have it for up to six times a year on the 09 category. So  
21 that came into effect 1/1/14.

22           So I know there's been -- at times combining these  
23 has been a hot button for a lot of people, so what I'm  
24 looking to do is see if there's enough interest in forming  
25 a subcommittee so we can talk about where one should be

1 and does it make sense to do any combining or how do we  
2 combine them. So I want to throw that out to the  
3 stakeholders and see if there's interest.

4 MR. DAY: Can I add to that before you throw it out?

5 MR. CLEARY: Sure. About testing?

6 MR. DAY: No. About the categories.

7 One of the things we're trying to do is incorporate  
8 the existing national accreditation criteria out there.  
9 There are two entities that have testing. There are two  
10 entities that have training and testing for the bulk of  
11 the industries recognized in these categories we're  
12 thinking about combining. That's either NEIEP, CAT or  
13 CET.

14 And so our interest here is if one of these entities,  
15 NEIEP, CET or CAT, could become the place for training and  
16 the place for testing of a qualified individual, then it's  
17 more streamlined and it's a lot -- it levels that playing  
18 field between one entity of Category 02 and a Category 06  
19 who both basically do a similar piece of equipment. But  
20 the base premise behind this Category 07 is it's a similar  
21 as well piece of equipment, residential incline elevators,  
22 and to get the education from a similar source and/or the  
23 testing for qualifications from a similar source for  
24 licensing.

25 We're also looking at other states and do they have

1 this tremendous number of categories themselves. And I  
2 don't know of any other state that has nine different  
3 categories for licensing of qualified personnel for  
4 maintenance and testing, installation and repair.

5 So that's the motivation behind this is streamlining  
6 the process.

7 MR. CLEARY: And it's been a challenge. Since  
8 licensing came into effect in '04 for all categories,  
9 there's never been a mechanism to get training for those  
10 categories. And so we had a subcommittee back in 2010  
11 that came up with some recommendations to the State on how  
12 to get licensing, how do you get people trained and  
13 licensed and how do you get a standing workforce that can  
14 take loads as they change as the economy changes. And we  
15 found it very difficult with these many different  
16 categories to come up with a way to get training and  
17 licensing for licensed mechanics.

18 And like Jack has said, you know, for nonunion shops,  
19 there are very few programs out there that are federally  
20 accredited, and CAT and CET have been. So we're trying to  
21 combine them so we can shape what can and can't be done in  
22 different categories as much as trying to get enough  
23 training set up so we can get licensed people in those  
24 categories. So that's one of the challenges. It's not to  
25 preclude. It's to include and try to get adequate

1 training and licensing so we can get licensed people to  
2 sit down -- or people to sit down and test for the state  
3 licensing.

4 MR. RYAN: I'm concerned with 07 being lumped in with  
5 the other two. I understand you're trying to lump  
6 residential, but the environments that an RIE operates in  
7 is substantially different than the majority of the other  
8 items that are in there. We've got to put up with  
9 weather, salt air, growth, vegetation and that. I don't  
10 think those other items have to put up with that. The  
11 maintenance that is associated with that is quite a  
12 requirement. We have to always go out and trim the brush,  
13 corrosion prevention and that sort of thing. So my  
14 concern is they're not the same. They shouldn't be lumped  
15 together, from my maintenance standpoint specifically.

16 MR. CLEARY: Well, these are things that a  
17 subcommittee, if that's what we decide we want to do --

18 MR. RYAN: And I think I agreed to be on the  
19 subcommittee at the last meeting.

20 MR. CLEARY: So those are the definite conversations  
21 that need to happen.

22 The other thing that we're trying to do, too, is  
23 we're trying to get reciprocity with other states, and so  
24 we're trying to make our categories so we can have -- you  
25 can bring licensed mechanics in and get reciprocity. So

1 there's a lot of different layers to the onion we're  
2 trying to do. But after this one here, I'll put a list  
3 together after the meeting.

4 Is there enough interest from stakeholders that we  
5 want to move forward on this?

6 MR. RYAN: I'm interested.

7 MR. DAY: We really want to capitalize on the  
8 reciprocity as well. Having to have a Washington license,  
9 having to have an Oregon license, having to have an Idaho  
10 license, it's very difficult for us to get reciprocity  
11 with another state, especially if it has -- NEII is the  
12 only way of getting education and training. But other  
13 states are starting -- now that CET and CAT are now  
14 nationally recognized as authorized apprenticeship  
15 programs, it's going to become easier to invite other  
16 states in or other states invite us in for reciprocity.

17 MR. CLEARY: Bill?

18 MR. MORRELL: Now that the CAT and the CET are  
19 nationally recognized by the Department of Labor, the  
20 National Association of Elevator Contractors had to submit  
21 the step-by-step process of -- and the education criteria  
22 programs. We still -- I went to the NAEC national meeting  
23 to learn how a company such as mine could participate in  
24 those training programs. And it's still a quagmire as to  
25 how somebody could become a supervisor to administer those

1 programs and how an individual apprentice could  
2 participate. And so there is still a lot of understanding  
3 that has to be dealt with before I think you could say,  
4 "Well, there's an avenue there for education."

5 Scott, what's the name of the organization that you  
6 just became a member of their board of directors?

7 MR. CLEARY: AEMA.

8 MR. MORRELL: AEMA. AEMA is the association of  
9 elevator equipment -- what's the acronym stand for?

10 MR. CLEARY: Manufacturers association.

11 MR. MORRELL: They're really quite instrumental in  
12 the NAEC programs, but those criteria are pretty much,  
13 like I said, set in stone because it's all a part of their  
14 certification with the DOL.

15 MR. CLEARY: And obviously, we need to look at that.  
16 I mean, you sat on a subcommittee back in '10 trying to  
17 make sure that we get adequate training or had an avenue  
18 for adequate and easy enough training to be able to get  
19 licensed personnel. So that's something that we need to  
20 look at.

21 Any other questions on that? I'll have a list, and I  
22 want to make sure that everybody -- I already got you.  
23 You can sign up again.

24 MR. RYAN: Andy Ryan.

25 MR. CLEARY: And then I will have a full-scope

1 purpose, and we'll have some things put together by the  
2 May meeting.

3 MR. DAY: Anybody else interested?

4 MR. CLEARY: Anybody else? I'll put a list out.  
5 Please sign up.

6 We're going to need to move on to RCW 70.87.270. For  
7 those that aren't familiar with that, it's exemptions from  
8 licensure for entities in the food products, grain  
9 facilities where energy is generated or industrial or  
10 agricultural processes are performed, that it's not meant  
11 for public use, it's only to access parts of their  
12 equipment. And this law was written in 2003 and it was  
13 adopted in 2004. And I'm going to go through it a little  
14 bit so we can talk a little bit more on it. There's been  
15 a lot of misconceptions on what it says and what it  
16 exempts, and it's really good that we talk about that.  
17 And that really affects Jerry and Keith.

18 The big thing about RCW 70.87.270, exempt from  
19 licensures, A, the conveyance or the conveyances must be a  
20 conveyance other than a passenger elevator to which the  
21 general public has access, must be located in a facility  
22 which agricultural products are stored, food products are  
23 processed, goods are manufactured, energy is generated or  
24 similar industrial agriculture processes are performed.  
25 B, the persons performing the maintenance must be

1 regularly employed by the owner. That means that you  
2 can't just hire -- it can't be a temporary person, it  
3 can't be some other company you bring in under  
4 supervision. They must be employed by the owner or  
5 organization. Must have completed a training described in  
6 the subsection. Must have attended a journey level status  
7 or electrical or mechanical trade. But that's only if  
8 that owner has one put in place.

9       The owner must provide the person specified in the  
10 section with adequate training to ensure that worker's  
11 safety and adherence to published operating specifications  
12 of the conveyance manufacturer and the applicable  
13 provisions of this chapter and any rules adopted  
14 underneath this chapter.

15       And D is the most important part of all this. The  
16 owner must maintain both a maintenance log and a training  
17 log. The maintenance log must describe maintenance work  
18 performed on the conveyance and identify the person who  
19 performed the work. The training log must describe the  
20 course of study provided to the persons specified in the  
21 subsection. That's really important. And so that's been  
22 in place since 2004, but there is new guidance out on what  
23 those training records must look like and how they're  
24 done. And that's driven by the new WAC 2605.

25       And what that does is you don't have -- this

1 industry, and correct me if I'm wrong, doesn't have what's  
2 called the MCP if you're doing your own maintenance, but  
3 they must have training records and logs that have the  
4 same content. And where does that come from? 2605 kicks  
5 handpulls, electricians and special-purpose elevators into  
6 8.6 and 8.11 of the 17.1-2010. And so there's been a lot  
7 of misunderstanding that's going around of what they have  
8 to do and are they exempt. The only thing 270 exempts  
9 them from is having licenses to do their maintenance and  
10 maintenance only. That means they can't do anything that  
11 takes any types of permits and they can't do anything that  
12 a Category 01, Category 05 does. That doesn't mean that  
13 they can bring somebody in, they can stand there and watch  
14 an electrician replace the switch. That's not allowed  
15 either.

16 So my understanding is -- Mike, maybe you can help me  
17 out a little bit on this -- but when the inspectors are  
18 going out, they haven't in the past asked for these logs  
19 or asked for these procedures. That's something now  
20 that's going to be -- the new annuals that are coming this  
21 year, that's one of the things that will probably be asked  
22 is let me see your logs or procedure, the training  
23 documents of the people who are doing this work or who has  
24 signed off on these logs; is that correct?

25 MR. WILSON: That is correct.

1 MR. CLEARY: So things that haven't been asked for in  
2 the past are going to -- new training and that stuff will  
3 be asked for on your annuals and new turn-ons and that  
4 stuff. But you don't have to have an MCP, but you have to  
5 have something that has the exact same thing as an MCP.  
6 You can call it what you want, but it's going to look  
7 exactly like it because you are driven back through WAC  
8 back to 8.6 and 8.11 that has all the content and content  
9 that is needed in that document.

10 Jack?

11 MR. DAY: Also the elevator companies out there that  
12 are being hired to perform the safety test side of things,  
13 when you have an owner that has their own people  
14 performing the maintenance, you should expect to see this  
15 log as well, or your mechanic should, so they know what  
16 has been accomplished on that elevator or other type of  
17 conveyances whenever the mechanic arrives there so they  
18 have some clue that somebody else has been messing with  
19 the elevator. So it's really important for safety as well  
20 and safety of the elevator mechanic who is going to come  
21 on-site.

22 MR. CLEARY: So it's going to be really important.  
23 It's going to be a difficult and challenging year for  
24 everybody with the MCPs out across the industry. So we  
25 really need to make sure that if there are any questions

1 on the 270 that it's brought to the attention of your  
2 representative and get some answers back.

3 So are there any questions on the 270?

4 MR. DAY: Can I speak to this one before you do this  
5 one? Can I do this one, proposed language?

6 MR. CLEARY: Yes. Go ahead.

7 MR. DAY: In the interest of time, we're skipping to  
8 the last item. We'll go back to the previous one after  
9 I'm done here.

10 Proposed language to WAC 296-96-00904, that has been  
11 scrubbed so there is no proposed language that we're going  
12 to be doing for that one. The Department feels that the  
13 device, which was a word left out of the WAC, would be  
14 included in that statement if that device was necessary to  
15 do maintenance or testing or inspections. It's just part  
16 of the whole thing and it rolls in there.

17 The question was answered by the attorney general's  
18 office, and the attorney general's office says no, if a  
19 device is required, then you don't need to put the device  
20 word itself in that section if that's required in order to  
21 do the test or the inspection. It's just part of the  
22 whole. So if a device is necessary to do the maintenance,  
23 the testing or the inspection, then the device must be  
24 on-site, okay? So it's determined that we don't need to  
25 change the WAC for that.

1           Go ahead.

2           MR. CLEARY: So are there any other questions on the  
3 270? That basically affects the grain industry and other  
4 food processors.

5           We are going to move on to the creation and  
6 development of subcommittees and their activities. I'm  
7 going to give a brief overview of what we're looking at  
8 and what needs to -- the content and the way it needs to  
9 follow to form subcommittees. It's been talked about on a  
10 couple different occasions that it's easy to form a  
11 subcommittee, very difficult to get a deliverable. It is  
12 because we don't really well define it and pick a small  
13 pinpoint of what your interest is if it's really hard once  
14 you get into these to wind it down.

15           So basically if a stakeholder feels they have an  
16 interest in a subcommittee on something that has been  
17 brought up, rulemaking or trying to reconcile something  
18 that will affect their industry, they need to bring that  
19 up in one of these meetings and bring it to one of the  
20 representatives or myself. And they need to have a very  
21 specific topic, there needs to be purpose, and we need to  
22 be able to come up with how we do that, what are the  
23 deliverables, what is the timeline.

24           The one thing we've been able to do pretty well is  
25 come up with topics, come up with deliverables, but our

1 timelines have been way out of whack. So we need to  
2 really define those. And I know we've had some  
3 discussions with NEII and some of the other ones on  
4 rulemaking.

5 So one of the questions we want to ask and we found a  
6 great challenge is what is the best way or good way to  
7 start going through rulemaking? We're going to start the  
8 process over again. What do we feel -- we need input on  
9 what do you feel is the best process to go through  
10 rulemaking, looking at the changes, incorporating what's  
11 coming out in '13 and integrating that into the WAC. So  
12 we really need to reach out and figure out how do we want  
13 to do it this time, how can we do it more efficiently. So  
14 that's one of the questions we want to ask.

15 And I know that we've had some entities come up and  
16 want to be part of that and start a subcommittee, and Rob  
17 is going to talk a little bit about that. But it's going  
18 to be really important because we need to do some lessons  
19 learned and we need to figure out how do we get people in  
20 up front more than right at the end. Because at the end  
21 we seem to create a lot of problems when we get a logjam  
22 at the end of it with everybody throwing stuff at us when  
23 it's almost too late to do anything. So we really want to  
24 start this up front and really get people involved early  
25 on in the process.

1           MR. McNEILL: I've had a constituent NEII come to me  
2 with a proposal for a code review subcommittee to review  
3 the ASME 2013 code and compare it to the Washington codes,  
4 WAC's and policies. They've outlined scope, deliverables  
5 and timeline. So I'm bringing that to the Advisory  
6 Committee.

7           In discussion, part of the issue, and it goes back to  
8 my own committee and Keith's committee, is many of these  
9 committees have so many moving parts you can't get  
10 anything done. If we want to get this done and we have a  
11 timeline of a year or two years, it's not going to be  
12 possible to get it done in that time period, which really  
13 wastes everybody's time and it doesn't get anything  
14 accomplished for the public, the public safety or for the  
15 stakeholders.

16           So with some discussion, I think the best thing for  
17 us to do with this committee is to define some small parts  
18 and bite them off. For instance, maybe it's control  
19 roomless machine rooms and look at that, or the  
20 differences between 2013 and the existing WAC. Pick the  
21 most important topics and then recommend some  
22 subcommittees for that. And I encourage my counterparts  
23 on the subcommittee to do the same with their constituents  
24 so we can come up with some good committees that will  
25 improve safety and streamline the public process as well

1 as the inspector's process.

2 MR. CLEARY: And it's also really important to get  
3 inclusiveness. Because what's really focal and important  
4 to one group might really adversely affect someone else's,  
5 so we need to get a broad spectrum of stakeholders  
6 involved in these subcommittees. Because it's very  
7 important that you get narrowly focused and define what  
8 you want and really don't think about the impacts on other  
9 stakeholders. So that's why it's so important to have  
10 diversity on these subcommittees.

11 Jack Day.

12 MR. DAY: So as the secretary, these are the things  
13 that are going to be outlined or need to be outlined. And  
14 I would be asking that the Advisory team themselves  
15 provide input. But it's the criteria around creating a  
16 subcommittee, which I would speak to the scope. So if the  
17 Advisory team or the State is going to create or have  
18 created a subcommittee, that that subcommittee have a  
19 defined scope so that they work within the scope and not  
20 outside the scope.

21 The next thing is that that subcommittee also devise  
22 a report that is given at the Advisory of what the  
23 subsequent previous meetings were about and where are they  
24 at with their committee. Also that the subchair of that  
25 subcommittee is the defined person responsible for

1 delivering the report.

2 As Scott just said, we want to be sure that all the  
3 affected industries have a chance to be part of that  
4 subcommittee and speak to and address the items the  
5 subcommittee's going through. It can't be a one-sided  
6 subcommittee. It has to be built upon the population that  
7 is being addressed through that subcommittee. And if it's  
8 not, it needs to be recorded that it's not been  
9 represented by a certain entity. So there has to be a  
10 balance there. We want to make sure the 07 for licensing  
11 is covered, that somebody was there. If they have an  
12 interest and it's going to be affecting them, they need to  
13 be there, for an example.

14 So a roster is going to need to be kept. And also at  
15 the end of those meetings, there is a potential for people  
16 to be opposed. And we need the opposing opinion and why.

17 And so some outline structure in regards to these  
18 things needs to be made and delivered for our next  
19 Advisory meeting. And if we're going to set up -- if the  
20 group is going to set up subcommittees, they have defined  
21 roles and expectations.

22 Also at the end of that time period, that information  
23 that we just went through needs to be collected and  
24 published. It needs to be part of the overall why we came  
25 to what decision, what's the reason for it, who opposes it

1 and why. Those things need to be known. Because at the  
2 end of the time period when we're adopting the new WAC,  
3 then becomes, huh, where did this come from? And we want  
4 to stop that. We don't want to have that anymore.

5 So we want to propose responsibility here to  
6 subcommittees, and I'm looking at the Advisory team to  
7 help me come up with those. And I think NEII, who got  
8 involved a few months ago, has put together a pretty good  
9 outline. So that, I think, needs to be shared with the  
10 group.

11 And then also, to end this is that the subcommittee  
12 or the Advisory is to help come up with the language and  
13 not leave it -- if it's going to be a subcommittee's  
14 process, that they also come up with the language or have  
15 a basis to the language so that we can build upon it.  
16 That doesn't mean it won't get changed. It just means  
17 we've got a basis to build upon.

18 Once we have this language, I'm almost done with the  
19 process where I've taken the WAC 296-96, I have  
20 streamlined and it's going to be our draft copy, and it's  
21 going to go on our Web page, and it's going to be there  
22 for everybody to see. So when the FAID information is  
23 delivered, that it gets put in with this draft WAC rule,  
24 this upcoming rule document. It's not going to be the  
25 official thing. It's just going to be a placeholder to

1 see where decisions or wording has changed, that we can  
2 see it on a regular, ongoing basis so that people can  
3 comment on it as it goes. So they're going to get a good  
4 idea what the wording says or is going to be in that WAC  
5 296-96 as we progress through these subcommittees.

6 So I'm almost finished. When I'm finished -- where  
7 it's at right now is creating bookmarks so people can  
8 easily find stuff is where it's at right now before it  
9 goes on, and then what are we going to call it so people  
10 don't confuse it with the effective WAC, the one that's in  
11 effect. We don't want people confusing this one with the  
12 other.

13 So the whole intent is to carry forward what's been  
14 discussed either at the Advisory and decided upon or  
15 subcommittee and decided upon and put it in a draft WAC  
16 with the subcommittee's items behind it somewhere so that  
17 people can reference both things to see what's happening  
18 as it's going on instead of at the end of the whole entire  
19 process, then we roll it into a big ball and go, "Oh, here  
20 you go." So that's the other part of the process.

21 MS. FILLIPS: Jack, is there a place on the State Web  
22 site where this could be posted and accessible?

23 MR. DAY: It's going to be put on L&I's Web site for  
24 Elevators, my Web site for my department. That's where  
25 it's going to be put. And it's going to be put over in

1 the section for rules, law, policies and procedure.

2 That's where it's going to be placed. And when we get it  
3 there, we'll send a communication out to our stakeholder  
4 list on our listserv. I always encourage people to sign  
5 up for that, okay? Always.

6 MS. FILLIPS: So then who's responsible for posting  
7 it on the site?

8 MR. DAY: Me. Secretary.

9 MS. FILLIPS: And it will go up as a draft? It would  
10 be posted as a draft so that it's identifiable?

11 MR. DAY: Uh-huh. Yeah. I'm thinking of changing  
12 the color. I don't want people making a mistake and  
13 saying, "Oh, there's what you said," when that's a  
14 proposal, not a true-to-life WAC.

15 MS. BREWER: From Schindler's perspective, I want to  
16 thank you, Jack. We've been working with you to try to  
17 develop a process beforehand, before the rules go into  
18 effect. I think this came up because of the last round of  
19 rulemaking. And so to have targeted discussions, I mean,  
20 I think from our perspective, not on the entire review,  
21 but there are some key issues that there are disagreements  
22 on, and I think those are where it would be good to focus  
23 our time and energy so we can accomplish something. And  
24 in the end, it is your decision, but I think what we would  
25 like to see is just have those conversations up front in

1 the rulemaking process so we understand your perspective  
2 and then, you know, at least from Schindler's perspective,  
3 we have an opportunity to have a dialogue with you on the  
4 draft language and before the public hearing process. So  
5 appreciate that you're willing to entertain that.

6 MR. DAY: Oh, definitely. Thank you. Yes. We  
7 certainly are.

8 MR. CLEARY: We're running a little bit late. Any  
9 further questions?

10 MR. DAY: I can talk about that some more if you guys  
11 want to ask me after the stakeholder if you need more  
12 clarification.

13

14 Conclusion

15

16 MR. CLEARY: We've got a stakeholders meeting from  
17 11:00 to noon. We can take a ten-minute quick break, if  
18 that would be all right. Then we need to be back in here.  
19 And then from 1:00 to 2:30 there's going to be another  
20 meeting to talk about other entities that --

21 MR. DAY: Outside of A17.1 and A18.1 MCP stuff. It  
22 could be the residential incline folks, we've got some  
23 material lift folks, these kind of things that are outside  
24 of the A17.1. So if you're involved with A17.1 equipment  
25 specifically specified in A17.1, you probably will be

1 bored, but you can stay. I don't care.

2 MR. CLEARY: Any other questions?

3 (Whereupon, proceedings  
4 adjourned at 11:10 a.m.)

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13 Feb 2014

To: Scott Cleary  
Subject: Open items from November 2013 Mtg  
Cc: Ingrid, Andy Ryan at Boeing

Scott,

Thank you for taking my call this morning and discussing the items we see in the transcript that were not answered in the last meeting. This will give you a copy of those questions for your reference.

1. New names from the meeting. I see that Carisa Barrett and Gregg Rogers both spoke and that they list their organization as EIWPF. I don't see that they were ever introduced to the committee and I haven't learned very much about their organization or what its relationship is to the IUEC. Can you fill in that information for us? (By the way, I did meet Ms. Barrett at the December sub-committee meeting but the November transcript had not yet been published so I didn't know that she had attended the November meeting and had spoken).
2. You asked Mr. Rogers what other states had adopted similar laws and he couldn't answer at that time. Has there been follow-up since the meeting to get an answer to this question?
3. Mr. Rogers also referred to "this language" when you asked about other states and other legislation. I'm curious if he is referring to the model law that has been mentioned. Did he give you a copy of that? If it is the basis of a proposed law in Washington I think your committee would want to see it.
4. Toward the end of the discussion (Pages 69 and 70) there is mention of the language of the bill and putting it on the list server. I know the short statement of the purpose of the bill was sent out by email but has the language of the bill itself been published?
5. On pages 50 and 51 Jack Day makes a very concise statement of what he wants to see regarding the implementation steps that will be taken. As you and I discussed this morning it is very easy to state the overall intent of the proposal in 25 words or less. On the other hand there are still many questions of exactly how the final process would be implemented and I believe this is what Jack is asking for. I don't see that those steps have been outlined. The trend of the discussion and the questions that are being asked indicate there are a lot of questions in many minds.
6. It isn't clear from the discussion as to who will do the inspections. The Department? The elevator companies? Some other organization? There was discussion both pro and con regarding the possibility of a company engaged in regular servicing of a conveyance being the one to certify an inspection.

7. What standard will be applied to the inspection? There are many references to the code in effect at the time of installation, but the general discussion shows this remains very much a gray area. Codes change. Interpretations change. I think we all know that lot depends upon the individual inspector. There is also mention of "maintenance, examination, and safety tests." I'm not sure how those fit in.

8. What happens if a conveyance does not pass inspection? I don't see that this has been discussed.

9. How many conveyances do we foresee that will be involved? You and Jack talked about this on page 52 of the transcript. Have those numbers been generated yet?

As I mentioned this morning I think it is better if these follow-up questions come from you but I'm not averse to raising them if you prefer.

Thanks for giving me some time this morning and I'll see you on Tuesday.

Bob

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