

DEPARTMENT OF LABOR AND INDUSTRIES

STATE OF WASHINGTON

TRANSCRIPT OF PROCEEDINGS

of

ELEVATOR SAFETY ADVISORY COMMITTEE MEETING

Date and Location

May 21, 2013
Tuesday, 9:00 a.m.

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

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

WHEREUPON the following proceedings were held, to wit:

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

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1 PROCEEDINGS

2
3 Opening Remarks

4
5 MR. MCNEILL: Scott Cleary is out of town today and
6 he has asked me to chair. My name is Rob McNeill. I
7 represent the licensed elevator contractors.

8 I would like to welcome everybody to the May Elevator
9 Safety Advisory Committee. We'll first do introductions
10 of the Committee members, and then we'll approve the
11 minutes, and then we'll go on with the agenda that you see
12 in front of you. After the Advisory Committee meeting is
13 over, at 11:00 we will have a shareholders meetings for
14 any other business.

15 So welcome. Would you start with introductions down
16 there, please.

17 MR. WHITED: I'm Jerry Whited with Northwest Grain
18 Growers in Walla Walla. I'm substituting today for Keith
19 Becker who is out of town.

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

22 MR. DAY: Jack Day. I represent the secretary
23 position at the Advisory Committee.

24 MR. LARSON: Swen Larson. I'm an alternate
25 representing labor.

1 MR. McNEILL: Rob McNeill. I represent licensed
2 elevator contractors.

3 MR. GAULT: David Gault. I represent the ownerships.

4 MR. MUNN: And I'm Dan Munn. I represent the
5 architect and engineering.

6 MR. McNEILL: So the first order of business is to
7 see if there are any comments regarding the minutes from
8 the February meeting. Any comments? I need an approval
9 of the minutes of the previous meeting, please, from the
10 Committee. Skip is approving. And a second?

11 MR. LARSON: Second.

12 MR. McNEILL: Swen is second. Very good.

13 We will now turn this portion of the meeting over to
14 Jack Day with his report.

15 MR. DAY: To start off with, the first bullet item is
16 the replacement of the Advisory members. The Advisory
17 members, we're replacing Bill Watson and determining for
18 the person who is representing the Category 01 licensed
19 elevator folks. It has been determined that Skip Buntin
20 will take the place of Bill Watson for authorities having
21 jurisdictions and that Charlie Val will retain his
22 position as representing the Category 01 licensed elevator
23 mechanics. That will be represented soon on our Web page
24 as well.

25 ///

1 Chief's Report

2
3 MR. DAY: And the chief's report. In your handout
4 turn to the second to the last page. And as of last time,
5 we tried to do this a little bit different and give you a
6 bar graph instead of a whole bunch of little tiny numbers
7 that are difficult to read. This is our track record
8 going back from July to current here in April. In blue it
9 is how many annual inspections are scheduled for that
10 month, in red how many annual inspections were actually
11 performed, and green is all the other inspections:
12 accidents, technical, new installations, alterations.
13 This gives you some idea where we're at today with this
14 current scorecard -- or with our current workload.

15 I do want to make mention that as of the other day in
16 the House and Senate bills for the budget, the inspectors'
17 positions still remain. So five additional inspectors are
18 still out there; however, we've got to wait until session
19 is over to know if we're actually going to be receiving
20 five additional inspectors. This should help catch up to
21 the gap that you see between the blue and the red.

22 Turning to the next page, accident counts per
23 quarter, and the last page which is a graphical
24 representation of that, you'll see that we're still
25 challenged greatly by escalators, no-fault. There's quite

1 a few of those. These involve people not holding the
2 handrails, falling over their luggage or carts. A lot of
3 them at malls or at the airport.

4 Are there any questions on the scorecard portion of
5 this report? Let's move on.

6 The MCP record series, as many of you know, there was
7 a requirement to have an MCP -- current, up-to-date,
8 code-compliant maintenance control program in place
9 May 1st. And as of this date there remains only one
10 company that has one. We've been working diligently with
11 many other companies, but there are still many companies
12 that have not come forward asking for any assistance from
13 us. And we would be glad to help them in any way we can,
14 recognize, understand and decipher some of the code that
15 they may not realize, recognize or totally understand.

16 So if anybody has any questions about the maintenance
17 control program, what I would like to do is stay late
18 today. If you would stay late, those that have questions,
19 I'll be happy to go through anything that you have.

20 However, there's also a section of what we need to do in
21 regards to the other companies that -- I'm talking about
22 A17.1 equipment. So those of you that are concerned with
23 A18.1 equipment, please don't be at this moment. We're
24 talking about A17.1 equipment. And now we have companies
25 that we're addressing outside of the new installations

1 that are out doing annual maintenance, examination and
2 safety tests. And those folks are not immune from having
3 to have an MCP. You have to have it.

4 So a discussion -- I'd like to have a short
5 discussion on what the Advisory members believe our
6 actions should be come July 1, 2013, in regards to the
7 companies that do not have an MCP, a code compliant MCP
8 after July 1, 2013.

9 MR. LARSON: I would like to go on record as being
10 opposed to any more extensions. I came to a lot of these
11 meetings, and I've seen it postponed time after time after
12 time. At some point it becomes a question of credibility
13 with not only the Advisory Committee but with the State,
14 with us with our members. I'm not going back and giving
15 them another day because they're just looking at me and
16 shaking their head and wondering what's happened. I think
17 it's important for the citizens of this state with the MCP
18 adopted, it's in code and I think it needs to be enforced.

19 MR. DAY: Thank you, Swen. Anybody else?

20 MR. McNEILL: I think that the purpose of the
21 Advisory Committee is to keep the public safe and the
22 companies need to follow the codes to make sure that we're
23 complying. I also believe that they need to reach out and
24 get any help to get it done as soon as they can. It's a
25 huge task, and there's a lot of moving parts to it that

1 smaller companies or even major companies may have
2 difficulty with. But the end result here is to improve
3 public safety so we don't have any life-threatening
4 accidents. So I'd like it done as soon as possible with
5 help from L&I.

6 MR. GAULT: I would also say that no matter what the
7 size of the property is as compared to large or small,
8 that everybody is treated. I realize some of the smaller
9 properties don't have as large of contracts, but we need
10 to ensure that no matter whether it's commercial hotels,
11 small industrial or whatever the type of building is, that
12 they're all treated the same in providing them. I realize
13 there's a priority where there's more people, but they
14 still have to be compliant across the board.

15 So I would like to see that the elevator companies
16 who haven't provided the MCPs do so or it now becomes a
17 problem for the ownership when we get fines or whatever
18 that may happen. And that will be shared and directed
19 towards the elevator company because of their failure to
20 perform and provide the MCP that they're required to
21 provide. So just make sure we're treating everyone the
22 same and that the owners are listened to when you need to
23 provide that.

24 So I know it's a new program to be implemented, but we
25 need to make sure that that is enforced.

1 MR. BUNTIN: I would also offer up my time to assist
2 Jack in sitting with the companies and working on the MCP
3 program with you to help facilitate getting this done.

4 MR. DAY: Thanks, Skip.

5 So again, I would like to have a workshop -- comments
6 from the group.

7 UNIDENTIFIED: I can't recall the proper procedure.
8 Do you take comments from the group at this state or is it
9 just board discussion?

10 MR. DAY: At this phase, I wanted to see what -- the
11 Advisory Committee, what their position was.

12 UNIDENTIFIED: Can I just ask for a point of
13 clarification, Chief? Was the discussion you're having
14 about the requirements put in place on May 1st or is this
15 a distinct separate category applying to other type of
16 work? Or is this the same MCP we've been talking about?

17 MR. DAY: It's exactly the same MCP with no real
18 difference here. This situation here is May 1st was
19 drawing the line in the sand for new installations, having
20 it for the new installation. That accounts to about 200,
21 250 conveyance installations a year in the State of
22 Washington so far. There are about 14,800 others that
23 also have to have an MCP. So July 1st this discussion was
24 about the rest of this.

25 UNIDENTIFIED: Thank you. That helps.

1 MR. DAY: And it's strictly down the line of the
2 inevitability that our resource here will be running
3 around giving an owner a civil penalty for something that
4 they have little control over when an elevator company
5 doesn't even have a code compliant MCP to deliver to the
6 poor owner. And at this stage it's inevitable that we
7 must pursue this so it's not an indoctrination of the
8 owners only, the 8,000 some odd owners that get to fulfill
9 this role without the assistance of the elevator company
10 that's licensed in the State of Washington.

11 So from everybody's comments here, the intent for us
12 and for me gathering this information is to develop an
13 action plan as soon as I get back. The action plan I'll
14 share with the group for comments. And then after that,
15 we need to get it out to the population, okay?

16 MR. GAULT: I have a question in general with the
17 noncompliant companies. What has been their hindrance in
18 doing it? Have there been stumbling blocks understanding
19 or has it been we don't have time?

20 MR. DAY: Some of all of that, yes. That has been my
21 experience so far in reviewing maintenance control
22 programs. I'll run across where they started, tried and
23 got lost but never called to ask for any clarification.
24 I've run across they didn't even read 8.6, they don't know
25 what's in it, and everything in between where they started

1 and not applied the resources to get it finished. It's
2 been a gambit of issues including some folks that have
3 absolutely never contacted us about it.

4 MR. GAULT: But you have -- in the initial stages,
5 did you not put a template on the Web site that they could
6 start from?

7 MR. DAY: Uh-huh.

8 MR. GAULT: So, I mean, that's where -- I'm not
9 understanding why that's been said. What's the hindrance
10 of getting it done if the template is there and it has to
11 be just tweaked for each site?

12 MR. DAY: The template is there for a sample, and
13 it's the beginning layout. And yes, it has to be
14 customized according to what they do business maintaining.

15 MR. GAULT: Right.

16 MR. McNEILL: I think the big challenge for the
17 companies and representing the companies is the template
18 is great for the inspections; it's the procedures manuals
19 that are very difficult and are going to be different for
20 each company to complete. And it's a much bigger animal
21 than I think any of us expected when we looked at the
22 amount of procedures and the detail of procedures that
23 need to be outlined to properly complete the requirements
24 of 8.6. That's a big challenge for the companies.

25 MR. DAY: Procedures?

1 MR. McNEILL: It's a tough one, and it's going to
2 take a lot of effort and resources from each company to
3 get it done, and I don't think that anybody expected the
4 amount of work that it really requires.

5 MR. DAY: So it's the procedures as well. The
6 procedures aren't on our Web site at all. Each company
7 has to devise those. There's no way a jurisdictional
8 authority can have procedures for the myriad of different
9 types of equipment out there and keep up with it as new
10 equipment comes in. The manufacturers and specialists in
11 this industry that are performing this work must come up
12 with those procedures.

13 From the audience, are there any questions that need
14 to be clarified or that I could further explain or the
15 group could further explain? Okay.

16 I won't bore everybody with reading this section on
17 page 2 that continues to page 3. It is in regards to MCP
18 record series. Please read that at your leisure.

19 I want to move next into penalties: 90, 180, 270 and
20 360. Do you see on page 3 our intention is to reinstate
21 these civil penalties on or about July 1, 2013? Here's
22 another thing that was extended because it was intended
23 that this happen actually a year ago; however, our system
24 was not functioning correctly and until here recently
25 began to function.

1 There's been some major issues with MCP and a few
2 manpower issues that our office has prevented this from
3 actually being initiated in the time that our system was
4 repaired. However, those are being overcome and we have a
5 confidence that July 1, 2013, that we will initiate the
6 civil penalty process.

7 Does anybody not understand the 90, 180, 270 and 360
8 civil penalty process after reading the statements below?

9 MR. GAULT: Is that per conveyance --

10 MR. DAY: It is.

11 MR. GAULT: -- or is it per building?

12 MR. DAY: Per conveyance. We base this on history.
13 We've never done it per correction so we're not going to
14 do that. We're going to just keep it as we've done per
15 conveyance.

16 MR. GAULT: I'd like one other clarification. So
17 after 90 days, does that really mean that you started in
18 July, that you can't get the 90-day fine until
19 October 1st? I'm just trying to make sure I understand --

20 MR. DAY: Correct.

21 MR. GAULT: -- that that's when the -- after 90 days
22 that's when the first kick comes in.

23 MR. DAY: Yes, yes.

24 Update on adoption of ASME. I received back some
25 updates from the code reviser's office. I finished those

1 updates middle of last week, Wednesday. They are being
2 collected to be sent back to the code reviser's office.
3 Once that happens, it will be called a CR-102 and then
4 we'll know the rest of the dates to fill in for the
5 language and adoption and those kind of things. So when I
6 know this for sure, I will send it out through our
7 listserv so that everybody will know when these dates are.
8 I'm guessing that it's going to be the end of December.
9 But again, until I have clear instruction, then I will be
10 able to give you guys clear instruction. So again, the
11 102 should be going out very soon, and from that we'll
12 know the corresponding dates for public review and that
13 kind of information, okay?

14 You'll see on page 4 I have question marks. CR-102
15 should be this month. I don't know the rest of those yet.

16 That completes the chief's report. Are there any
17 questions? Hearing none, I'll give it back to Rob.

18
19 Old Business

20
21 MR. McNEILL: Thanks, Jack.

22 Old business, the first item in old business is a
23 report on the testing of fire alarm initiation devices and
24 SCOPE. That is Dave and my subcommittee.

25 We had some really good collaboration and some very

1 good conversation about the codes and how to integrate the
2 FAID requirements into the elevators. It's a very
3 difficult area to look at because of the separation of the
4 fire department and the elevator codes. And we're finding
5 as we have these discussions that one size doesn't fit all
6 because of the different needs and challenges of the
7 different buildings, whether it be hotels and condos with
8 high occupancy or hospitals or industry such as Boeing,
9 commercial facilities. So we're continuing to go through
10 it. We've looked at the code.

11 The members of the committee are Pat Dylan with
12 Simplex who has contributed a lot on the real life fire
13 testing; Dave Beste with the City of Bellevue Fire
14 Department; Dave Spafford with the City of Seattle
15 elevator inspectors; George Wangersky with Boeing. I'm
16 probably not pronouncing George's name right. Where's
17 George? Hey, George. I couldn't see you behind there.
18 And Dave Gault with the Fairmont.

19 So we're at the point where we're looking at the
20 sample on the MCP of firefighter's emergency operation
21 logs and determining how we can integrate what we're going
22 to recommend to the Advisory Committee in August. So we
23 will continue to work on that. Anybody is welcome. There
24 is information on the Web site. We have meetings the
25 second Thursday at 8 a.m. via Live Meeting.

1 So if you want to get involved, please do. Everybody
2 that has contributed has really added a lot, and I'm sure
3 there's a lot that we haven't discovered yet.

4 That's it for FAID.

5 MR. DAY: Any questions for the FAID committee?

6 MR. McNEILL: The next committee is Keith Becker's
7 committee, machine room enclosure and access.

8 MR. DAY: I can speak to that if you would like.

9 MR. McNEILL: Sure.

10 MR. DAY: My name is Jack Day. I am part of the
11 subcommittee for existing machine room enclosure and
12 access.

13 The committee had been working and looking at some
14 DOSH access requirements. So we've been reviewing DOSH
15 codes for ladders, permanent ladders, permanent stairs,
16 permanent platforms and that kind of thing. So we've
17 become fairly familiar with the DOSH codes. And a little
18 change of direction through Keith was to take the current
19 access codes out of A17.1 and start a process of adding to
20 or taking away from A17.1 access to machine room space,
21 the criteria in A17.1 for existing equipment to come up
22 with a minimum criteria based upon what we know access for
23 DOSH -- that DOSH has for ladders and platforms for a
24 minimum requirement and combine that into the A17.1 and
25 make a minimum standard. That's what's going on right

1 now. The process just began by looking at A17.1 and what
2 to keep and what to take away and what to add, again, for
3 a minimum requirement for existing equipment. This is not
4 for new. This stuff goes into WAC D for existing
5 equipment access. And that's where that committee is at
6 right now.

7 Any questions? Hearing none, back to you, Rob.

8 MR. MCNEILL: The next committee report is on the
9 point of sale inspections of residential elevators.
10 That's Swen.

11 MR. LARSON: We've had two meetings so far. And at
12 the first meeting we made a list of people that we thought
13 were the stakeholders in this. We'd like to get input
14 from all of the stakeholders. We have some time before
15 this goes into the legislative process so we really want
16 to kind of talk to everybody that has a dog in this fight.
17 And in the near future we'll be speaking with the real
18 estate community, probably the real estate commissioner
19 and some of the other groups who we've identified that are
20 stakeholders.

21 One of the things we've been doing is compiling a
22 list of accidents in this category of conveyances. And
23 what we found so far, the people that are injured or
24 killed are primarily children followed by the elderly, and
25 the other people who fall in there, the handicapped

1 people. They're the most vulnerable in our societies, and
2 they need some protection.

3 These accidents rarely make it out of a local news
4 cycle. They're hard to find. One or two people injured
5 or killed at a time doesn't make national news, but we're
6 compiling that information for everybody to inspect.

7 We expect with the growth of this market that these
8 accidents are going to go up. I mean, it's a matter of
9 logistics. The residential market is far less regulated
10 than the commercial market. People can put anything they
11 want into their homes, and I don't have an issue with
12 that. But when they sell it to somebody else, then
13 they're projecting that risk onto them.

14 I was at a code committee recently and I ran into
15 Dotty Stanlaske. She's the head of NAESA now, and she was
16 chief elevator inspector back when they had an 8-year-old
17 kid killed in an elevator accident. And she wrote a
18 letter at that time, and I've got it and I'll read it real
19 quick. It's addressed to Charlie Val and it's dated
20 August 2004. "The department commends building trades and
21 their efforts to develop and present legislation that will
22 require homeowners to disclose the presence of a
23 conveyance in their home upon resale of their property.
24 As a condition of this disclosure, I would suggest that
25 there also should be a requirement for that selling

1 homeowner to provide documentation that the conveyance has
2 been inspected per Chapter 70.87 of the RCW. As you know,
3 an 8-year-old boy was recently crushed to death on an
4 illegal home elevator less than three weeks after he and
5 his family moved into their new residence in Stevenson,
6 Washington. This child's death most likely could have
7 been prevented had appropriate legislation been in place.
8 On behalf of Director Paul Krause, I am offering the
9 department's assistance to aid you in developing and
10 presenting this legislation. The department is eager to
11 see the legislation presented during the 2005 legislative
12 session to ensure that another tragic accident like this
13 does not occur."

14 And I asked her if she would still stand behind that
15 letter or issue another one under her name, and she said,
16 "Absolutely."

17 I think probably we're going to have a lot of buy-in
18 on this. It protects the seller. They don't want to get
19 sued if something happens. It protects the real estate
20 agency. It just looks like common-sense legislation.

21 Our next meeting will be June 26th at 8:00 at
22 5009 Pacific Highway East, Fife, Washington, Unit 20. And
23 certainly, you can call me if you have any questions.
24 We would like any input that anybody has in this matter.
25 So once we get something in place, it serves everybody.

1 Thank you.

2 MR. McNEILL: Any questions for Swen? Comments?

3 MR. DAY: About how many people are on your
4 subcommittee?

5 MR. LARSON: I think there are six or seven.

6 MR. DAY: Six or seven.

7 MR. LARSON: Yeah.

8 MR. McNEILL: Do you have a good representation of
9 installers and --

10 MR. LARSON: Yes. We have --

11 MR. McNEILL: What's the mix? The mix is good?

12 MR. LARSON: Yes. The union, nonunion people that
13 are primarily in the residential. We have Dave Spafford
14 sits on it, some code authority people, Chris Rivera
15 [phonetic] is our recording secretary, and certainly we
16 would like any input anybody has.

17 MR. DAY: I have one comment. I've fielded a few
18 questions so far since this subcommittee began that this
19 was primarily a union-driven thing in order to promote
20 more jobs. And it is far from that. I hope others can
21 see past this and recognize the intent of this has nothing
22 to do with the union and promoting jobs but it has
23 everything to do with saving a life. That's all it has to
24 do with. So for the group, I don't know how else I can
25 rest those folks assured that just because Swen is

1 chairing this doesn't have anything to do with the unions
2 wanting to place more people to work.

3 Do you have any more to comment on something down
4 that line?

5 MR. LARSON: Yes, I do.

6 Our portion of work that we do in the residential
7 market is extremely small. I do see a safety need here,
8 and hopefully people can see it, too. Just recently there
9 was an accident in Montana where a gentleman, who had been
10 mayor of the city and also been a representative in their
11 legislature, was killed on this type of conveyance.
12 Again, the people that are impacted by these types of
13 accidents are the three that I said: the children
14 primarily, elderly and the disabled. That's my dog in the
15 fight.

16 MR. DAY: Okay. Any other questions?

17 MR. McNEILL: No other questions, we'll move on to
18 enforcement of MCP per 8.10. That's Jack Day.

19 MR. DAY: 8.10 -- which I kept this in here from last
20 February's meeting just to reiterate. Enforcement of MCP
21 per 8.10, because it's an acceptance test, does not leave
22 out the criteria to have a code-compliant elevator. It's
23 required at acceptance. So I want to reiterate that so
24 that it was clear. I don't want to beat this dog to death
25 about the May 1st, but I do want everybody to recognize

1 and understand 8.10 also includes alterations, just FYI,
2 and that needs to happen for those as well.

3 But I don't want to stop short here, because as I
4 started off this morning, it also needs to happen for the
5 annual and the maintenance criteria, all the other A17.1
6 pieces of equipment out there. And a lot of people get
7 caught off guard when we start talking about A17.1 pieces
8 of equipment. And that is dumbwaiters, it is residential
9 elevators, it is special-purpose elevators. All those
10 items are listed. All those types are listed in 8.6.
11 They're all there.

12 What isn't in there is vertical platform lifts;
13 incline chair lifts, both commercial and residential.
14 What isn't in there is belt man lifts. Those are the
15 things that aren't in there. Temporary construction hoist
16 for personnel, those aren't there.

17 But I would also like to say when you turn to each
18 one of those codes, A90.1, A10.4. A18.1, each one of them
19 also have maintenance requirements in them. They are all
20 there. So those of you that maintain that kind of
21 equipment, please do not ignore this fact. They're there.

22 Are there any questions in regards to -- again, I
23 just want to keep asking. Any questions in regards to
24 8.10 or 8.6?

25 MS. GILLESPIE: Just so I'm clear, are you talking so

1 there should be an MCP in place for dumbwaiters?

2 MR. DAY: Yes, yes. If you turn to 8.6, after you
3 get through the hydraulic section, we'll give you a list
4 of other equipment. And there's probably a dozen -- a
5 dozen in there of other types of equipment that's also
6 regulated through A17.1; therefore, they specifically
7 point to a maintenance control program.

8

9 New Business

10

11 MR. McNEILL: We can move on to new business. We're
12 a little ahead of schedule today.

13 The first item of new business is the purpose and
14 scope on subcommittee for Part B permits. And that is
15 Bryan Wheeler.

16 MR. DAY: Is Bryan not here? Is there anybody here
17 from that subcommittee? Nobody? I don't know where it's
18 at so I can't comment on it.

19 MR. McNEILL: Do we have any other new business that
20 needs to be brought up at this time?

21 MR. DAY: So maybe that's a question for the purpose,
22 the B permits. Does everybody understand what the B
23 permits are for? We're calling them B for lack of another
24 term, but anybody have --

25 UNIDENTIFIED: What are the B permits?

1 MR. DAY: What we're investigating, what this
2 subcommittee has put together to look at are alterations
3 and some new installation work which would be residential
4 incline chairs, for an example, or installation of a
5 two-way communication device or door reopening device,
6 things of that nature. So a combination between some new,
7 simple equipment and some minor alterations out there
8 where a company in good standing -- which that's what the
9 subcommittee also is working on. A company in good
10 standing would be able to pull like a -- for lack of
11 better words because they haven't worked it out, like a
12 coupon book of ten permits for incline -- residential
13 incline chairs. And through that, the Department would
14 inspect one of those, and if found compliant, would also
15 include the rest of those in that booklet as a compliant
16 installation. So similar to that fact with two-way
17 communication, door reopening device and so on.

18 Anyway, they haven't worked out any of those details.
19 But that's what they're working on, some method to be able
20 to take care of the owner in a quick manner that has the
21 Department somewhat in there to go look at it all. As
22 long as this company is in good standing, we can rest
23 assured that the work was done and we do a spot check on a
24 series of. That's what the group is working towards. It
25 will entail an RCW change as well in order to facilitate

1 that.

2 I do know that they would probably like more
3 volunteers. I do know that.

4 UNIDENTIFIED: When are they meeting?

5 MR. DAY: I do not know. I would ask that you
6 contact Bryan Wheeler if you're interested in being part
7 of that subcommittee because they could most likely use at
8 least your opinions, what you think about it.

9 MR. McNEILL: I'm not sure if he's posted anything on
10 the Web site yet. If not, I'll encourage him to talk to
11 Corki and get it posted so you know where the meetings are
12 and when.

13 Any other new business?

14

15 Future Business

16

17 MR. McNEILL: Let's go to future business then.

18 MR. DAY: Part of these future business notes will be
19 determining if it's something that we want to tackle,
20 should tackle or ought to tackle or just leave alone.

21 MR. McNEILL: So the first question is, I guess, do
22 we want to tackle residential maintenance licensing?

23 MR. DAY: Residential maintenance licensing.

24 MR. McNEILL: Do I open it to the Committee --

25 MR. DAY: Yes.

1 MR. McNEILL: -- for your opinion on that? Do you
2 think that's where we should go or is that an area that is
3 out of our area of jurisdiction and authority?

4 MR. DAY: Right now it is out of our area of
5 jurisdiction.

6 MR. McNEILL: Definitely for L&I.

7 MR. MORRELL: Clarification in regards to what it is
8 you're talking about here. I see that Becky Ernstes is
9 not here today, but I think what we're talking about here
10 -- and I'm not sure. I'm asking the question if I'm on
11 the right track that a homeowner or a nonlicensed
12 mechanic, nonlicensed elevator contractor can go and do
13 maintenance on a residential accessibility piece of
14 equipment, and there's no problem with them doing that
15 currently. And so the issue here is whether or not a
16 change should be made requiring people be licensed to do
17 that work. And we are faced, because we're primarily an
18 accessibility residential area, with this issue all the
19 time in terms of a handyman or a homeowner or whatever
20 doing their own maintenance on, let's say, a residential
21 elevator. So is that what we're talking about here?

22 MR. DAY: Yes.

23 MR. McNEILL: I believe so from the last meeting. It
24 is.

25 Jack, go ahead.

1 MR. DAY: So I've had the privilege in the last month
2 and a half to sit with four residential elevator companies
3 to review their maintenance control program. And it's
4 interesting as we go through the uniqueness of that
5 business. It isn't a small feat, and I'm aware it's a
6 relatively small part of our work. It is a pretty
7 important phase of our recognition and safety of these
8 people who use them.

9 What predominantly comes around in the conversations
10 when they're building their processes, their detailed
11 procedures on how to perform, when they walk on a job not
12 knowing who was working on it trying to get it running
13 yesterday before they called you, and what did they do
14 over the last 4, 6, 12 months in order to keep it that
15 way. And they have to basically go through and check
16 every single safety circuit to determine that nobody else
17 has put a piece of wire in the fuse, has jumped out the
18 interlock, has done something to that conveyance to make
19 it unsafe for their workers who are about to try to fix
20 it.

21 So it was very interesting. I just wanted to pass
22 that along how interesting that was, the dynamics. A lot
23 of the rest of you trust that your mechanics, because it
24 was licensed elevator mechanics, that they inherently
25 won't make some of these mistakes. That's somewhat not so

1 altogether, but there is a certain level of standard that
2 those mechanics have reached, and not so with the owner,
3 and not so with others who work on those.

4 So it was very interesting. I just wanted to pass
5 that along. It was very interesting.

6 MR. MORRELL: Our company policy is that if somebody
7 calls us, whether we installed that piece of equipment or
8 somebody else installed that piece of equipment, or it
9 might have been installed by an Internet company selling
10 direct, that we require a full maintenance on that -- we
11 call it a full maintenance fee or service on that piece of
12 equipment where, in fact, we do go through everything that
13 has to do with that piece of equipment. And we evolved to
14 that because we could go out and fix the immediate
15 problem, and next week we're called back and there's
16 another problem that was unrelated to the first problem.
17 So the only way -- our best offense is a good defense is
18 to go through the entire piece of equipment and then we'll
19 take care of it from there.

20 Any time that we find that somebody else has been
21 working on that piece of equipment, and I can't say
22 universally with all the various different companies we
23 represent, but I know the primary ones that we represent,
24 if somebody else has been working on that piece of
25 equipment, they have actually voided the warranty on that

1 equipment. So until we go through and do that full
2 service and re-establish the warranty on the equipment,
3 they're without warranty.

4 So just other comments in regards to this issue.

5 MR. MCNEILL: Thank you.

6 So in respect to the future agenda, it may be a good
7 idea for each Committee member to reach out to their
8 constituents and get their feel for this and then have
9 Scott, by the next meeting, collect all the information
10 and we can determine if we need to develop a subcommittee
11 to pursue this or not.

12 MR. DAY: I believe so.

13 MR. GAULT: If I could understand that we're dealing
14 with total residential. So it's such a vast -- it's
15 almost who do you reach out to. It's who is involved in
16 residential compliance. And I'm thinking it's the banks,
17 through titles, through sales, through real estate that is
18 a more authority to reach out. Because I wouldn't have
19 any idea who to reach out to to try to get a feedback
20 because it's residential -- residences within the
21 commercial are taken care of by the commercial licensing
22 of the elevator that serves those elevators within that
23 residence that's in a commercial building. I think you're
24 truly speaking a residence that is purely owned on a city
25 block by an individual is what you're defining this to be.

1 MR. DAY: Single-family dwelling.

2 MR. GAULT: Right.

3 MR. DAY: Cut it right to that.

4 MR. MUNN: Can I perhaps ask for a point of
5 clarification? Maybe an opinion, I guess, I'm asking for.
6 I believe we're talking about not necessarily permitted
7 installations but ongoing maintenance. And I'm just
8 curious, what would your opinion of enforcement of that
9 look like?

10 MR. DAY: Mine?

11 MR. MUNN: Yes.

12 MR. DAY: Oh, my goodness. I think mine would
13 basically be that it's maintained by a licensed
14 professional that engages in that type of business that
15 meets a minimum qualification, if we were to pursue that.

16 MR. MUNN: Would there be periodic inspections
17 required of residences to enforce that?

18 MR. DAY: I think this would be premature, but I
19 don't -- but I think it should come from the industry if
20 that's what it's -- would it take that in order to
21 accomplish that.

22 MR. MUNN: I guess that was kind of my question.
23 Would it take some sort of a periodic inspection program
24 like you have for commercial to enforce the requirement to
25 have maintenance be licensed?

1 MR. DAY: I would hope not because that's more
2 people, more boots on the ground. Would it be voluntary
3 compliance that people would do that? Could it be
4 something as simple as the licensed elevator company
5 that's performing that work has delivered such as a
6 device's maintenance control program and they testified by
7 affidavit submitted to the Department once a year for that
8 conveyance that it's being maintained and tested
9 accordingly? I would really rather have that than have
10 inspectors show up at everybody's home once a year. But I
11 don't know if that's what it would take in order to
12 facilitate that.

13 I don't know. So that's my thoughts. But it's still
14 way open. It's way open.

15 MR. McNEILL: My question is: Where is the line
16 between the L&I jurisdiction, the Committee and the
17 legislature? I really don't have a feel for that.

18 MR. DAY: The legislation right now doesn't have it
19 in there. There's a line in RCW that all conveyances --
20 and it doesn't leave residential out of this at all --
21 that all conveyances shall be maintained, examined and
22 safety tested at least once a year. And again, it doesn't
23 leave residential out of it. There's another line or
24 another RCW that restricts the inspection of a residential
25 to when it's new, when it's altered and when there's an

1 accident or by owner's request.

2 So the inspection itself is limited. But as far as
3 the criteria for maintaining it and testing it, that is
4 not limited by the RCW.

5 So it's supposed to be done. And if you think about
6 it, if it is supposed to be done, then, A, is it being
7 done, and is it being done by somebody who knows how to do
8 it?

9 Bill.

10 MR. MORRELL: A clarification on something you said.
11 And I'm going to ask this in the way of a verifying
12 question. As an elevator contractor as our people are
13 licensed elevator mechanics, if somebody should call us
14 wanting maintenance on a residential piece of equipment,
15 accessibility piece of equipment, we are not to service
16 that piece of equipment until it's permitted; is that not
17 correct?

18 MR. DAY: That is correct.

19 MR. MORRELL: That is written someplace.

20 MR. DAY: It is.

21 MR. MORRELL: And we get calls all the time. And the
22 City of Seattle, we can look up online as to whether or
23 not a piece of equipment has been permitted or not, so we
24 know. And in the City of Seattle, there's a tag applied
25 to the piece of equipment when it's inspected. So we can

1 go on-site and we can know whether or not it's inspected.

2 It's a little bit more diffused in regards to the
3 State of Washington. Many inspectors and ourselves and
4 companies, we put a tag on a piece of equipment next in
5 plain sight next to the data code plate that says what the
6 conveyance number was which would be an indication to
7 anybody on that piece of equipment that that's been
8 inspected because there's a conveyance number. But Amy is
9 with me. Can we check the state records to see if a piece
10 of equipment has been permitted? There seems to be a
11 question as to the completeness or incompleteness of the
12 state records as to whether or not we can look up online
13 and that piece of equipment is inspected.

14 MS. CRAWFORD: It's more difficult. And sometimes we
15 have to search through the entire city to see if we can
16 find that address by visually looking at each address in
17 the city that has a permit, or then we call the office.

18 MR. MORRELL: It would be very helpful if the State
19 could be more accurate in their record keeping so we would
20 know.

21 MR. McNEILL: At this time I think the best thing to
22 do is to have any comments from the audience regarding
23 this issue be sent to Scott Cleary as a point of contact
24 so we can determine what we want to develop here. I'm not
25 completely comfortable because I haven't been involved in

1 this to really direct this any further at this point. If
2 we can get comments from the audience, and you can e-mail
3 them in to Scott, we can start developing this and
4 determine what we want to do. It sounds like it's a big
5 issue for your industry, but I don't believe we're
6 prepared to tackle it yet until we get more information.

7 MR. DAY: We'll need more information from
8 stakeholder groups, elevator companies, owners, the mix.
9 We don't want to start this today.

10 MS. CRAWFORD: The biggest hurdle that I can see is
11 the compliance from the homeowners for the financial
12 responsibility of paying for a licensed person to come and
13 do it, especially if they have all the medical bills and
14 things like that that they're also trying to manage. So
15 that is a huge daily constant conversation with our
16 clients in the sense of affordability of trying to get
17 this maintained and taken care of.

18 MR. McNEILL: Thank you.

19 MR. DAY: So that has to be part of the consideration
20 of what it will be or what it could be. But this is where
21 I would hope that those that have those unique pieces of
22 knowledge would be -- if this becomes a subcommittee, that
23 they are a part of it so we can recognize that. But at
24 this point, there is no intention of making a subcommittee
25 until we hear more from you all and others.

1 MR. McNEILL: So in light of that for these other
2 future agenda items -- Scott is not here to talk about
3 licensing criteria, but as stakeholders, if you have any
4 comments on LULA or licensing for wheelchair lift
5 companies or installations, please send them in so they
6 can be distributed to the Committee and then we can start
7 to work on them from there based on your interest in those
8 items.

9 I think that was everything that was on the agenda.
10 Does the Committee have anything else?

11 MR. LARSON: On a trip back East I heard about an
12 accident in Florida where a guy from an ecology company
13 went into an elevator pit to do some cleaning, and I'm not
14 sure what happened. He ended up getting killed in that
15 pit, whether the stop switch didn't work or the oil line
16 failed or what happened. I'm not sure but I just want to
17 point out that those are hazardous locations. We lose a
18 lot of elevator constructors in pits --

19 MR. DAY: Who know what they're doing.

20 MR. LARSON: -- who have had training. So just be
21 aware those are hazardous locations.

22 MR. DAY: Entry in the pit, you must be trained and
23 follow a process; otherwise, it's a place you should stay
24 out of and not go into.

25 ///

1 Conclusion

2
3 MR. McNEILL: So at this time I believe we're done
4 with the regular meeting.

5 MR. DAY: We are.

6 MR. McNEILL: The question I have to the Committee,
7 and I don't know how -- I don't have the bylaws here. So
8 for the stakeholder meeting, we have to wait until 11:00
9 or can we start that earlier?

10 MR. DAY: We can start that in 10 minutes,
11 15 minutes. Your discretion, Chairman.

12 MR. McNEILL: I'm fine with that. I'm sure there's
13 going to be a lot of conversation during the shareholder
14 meeting, I would expect. So unless anyone disagrees with
15 that, let's take a ten-minute break and then we'll start
16 that meeting.

17 (Whereupon, proceedings
18 adjourned at 10:05 a.m.)

