

DEPARTMENT OF LABOR AND INDUSTRIES
STATE OF WASHINGTON

ELEVATOR SAFETY ADVISORY COMMITTEE MEETING

TRANSCRIPT OF PROCEEDINGS
VIA MICROSOFT TEAMS VIDEOCONFERENCE

February 15, 2022

Pages 1 through 106

Taken Before:

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ATTENDANCE

Elevator Safety Advisory Committee

| | |
|--------------------|--|
| Scott Cleary | ESAC Chair, Mobility Concepts |
| Ricky Henderson | ESAC Vice Chair, TKE |
| Gerald Brown | ESAC Secretary, Chief Elevator Inspector for WA State |
| Carl Cary | Lerch Bates |
| Jim Norris | IUEC Local 19 |
| Lyall Wohlschlager | Mobility Concepts of Idaho |
| Brian Thompson | AEGIS Engineering |
| Garry Wood | Exxel Pacific General Contractors |
| Jan Gould | City of Seattle |
| Mandi Kime | Associated General Contractors of Washington |
| Duane Leopard | City of Spokane |

ADDITIONAL SPEAKERS

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

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1 BE IT REMEMBERED that on Tuesday,
2 February 15, 2022, at 9:00 a.m., before ANDREA L.
3 CLEVINGER, CCR, RPR, the following proceedings were had,
4 to wit:

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ESAC INTRODUCTION

9 MR. CLEARY: Okay. Guys, I'd like to
10 thank everybody for participating and showing up to our
11 elevator safety advisory committee meeting, the first one
12 of 2022.

13 And I'd like to introduce myself, Scott Cleary. I'm
14 the owner of Mobility Concepts. I am the chair. I
15 represent the exemption from licensure under the 270
16 statute, as well as commercial and residential 18.1
17 equipment and residential elevators under 5.3.

18

INTRODUCE COMMITTEE

19

MR. CLEARY: So with that, Ricky?

20

21 MR. HENDERSON: I'm Rick Henderson. I
22 hold the vice chair position ad hoc representative.
23 Licensed elevator mechanic in Washington. TKE employee
24 and member of the Local 19.

24

MR. CLEARY: Thank you, Ricky.

25

Gerald, your mic is off.

1 MR. BROWN: I'm Gerald Brown. I'm the
2 chief elevator inspector for the state of Washington, and
3 I'm also serving as the secretary on the ESAC. Thank
4 you.

5 MS. ERIKSEN: Garry.

6 MR. WOOD: Good morning, everyone.
7 Garry Wood, Exxel Pacific.

8 MS. ERIKSEN: Brian.

9 MR. THOMPSON: Brian Thompson, of
10 AEGIS Engineering, representing architects and engineers.

11 MS. ERIKSEN: Janet? Jan. My gosh.
12 I'm so sorry.

13 MS. GOULD: Jan Gould, City of Seattle
14 elevator programs strategic code advisor.

15 MS. ERIKSEN: All right. Jim?

16 MR. NORRIS: Jim Norris, representing
17 licensed elevator constructors, and Local 19 member.

18 MS. ERIKSEN: Mandi?

19 MS. KIME: Mandi Kime, director of
20 services, Associated General Contractors of Washington,
21 and here I represent licensed elevator contractors,
22 specifically Cat 4.

23 MS. ERIKSEN: Lyall?

24 MR. WOHLSCHLAGER: Lyall Wohlschlager.
25 I represent those that are exempt from licensure and also

1 accessibility equipment and residential elevators as the
2 alternate.

3 MS. ERIKSEN: Duane?

4 MR. LEOPARD: Duane Leopard,
5 representing the City of Spokane.

6 MS. ERIKSEN: Carl?

7 MR. CARY: Good morning. Carl Cary,
8 vertical transportation consultant for Lerch Bates, and
9 representing building owners.

10 MS. ERIKSEN: That's everyone.

11 MR. CLEARY: Okay, everybody. Now we
12 can go forward.

13 I want to, again, thank everybody. Please keep your
14 mics off during the meeting. Raise your hand if -- once
15 we have some discussion on things and we can go forward.

16 COMMENTS REGARDING & VOTE

17 ON NOVEMBER 2021'S MEETING MINUTES

18 MR. CLEARY: So with that, I want
19 to -- is there any -- do we want to have some discussions
20 about last fall's minutes? Is there any comments or
21 questions regarding the minutes from our last meeting?

22 With that, I'd like to call for a vote to accept the
23 meetings [sic] without any exceptions.

24 MS. GOULD: Jan Gould. Second.

25 MR. CLEARY: All in favor, please say

1 Accident pending, that's four on escalators. No fault
2 were two. That is the totals for the first quarter.

3 We have -- let's see. So the first number was the
4 elevator accidents, and the second number, of course, was
5 the escalator accidents, as you can see on the screen.

6 I believe that concludes my report.

7 MR. CLEARY: Is there any questions or
8 clarifications from any of the ESAC members on this? All
9 right. Not hearing any, we're going down the schedule in
10 the agenda.

11 So next up is Alicia Curry, legislative updates on
12 the rulemaking process.

13 With that, welcome, Alicia.

14 LEGISLATIVE UPDATES

15 MS. CURRY: Good morning, everybody.
16 Alicia Curry, field services and public safety. I am the
17 rules coordinator for the division, as well as the
18 legislative coordinator for the division.

19 We have one bill that affects elevators that is
20 still moving forward. It is SHB 1971 concerning
21 installation inspection testing and maintenance of smoke
22 control systems and fire dampers, smoke dampers, and
23 combination fire and smoke dampers. Looks like it is in
24 the House.

25 I see they made another amendment this morning, and

1 I'm going to go ahead and turn this over to Gerald and
2 Paoa to kind of give some background in how this bill
3 affects the elevator program.

4 MR. BROWN: Thank you. Paoa, did you
5 want to give the recap, or I can? It's up to you.

6 MR. NAIPO: I'll just go over it
7 really briefly. So the main intent of this is for --

8 MR. CLEARY: Paoa, you want to
9 introduce yourself, please.

10 MR. NAIPO: Oh, sorry. Paoakalani
11 Naipo, Department of Labor & Industries elevator program,
12 program specialist.

13 So this piece of legislation, the intent behind it
14 is to create a standard of installation, inspection, and
15 maintenance for, like Alicia said, fire and smoke
16 dampers, combo dampers, and the like.

17 For those in the elevator industry, you know that if
18 a hoistway has some sort of fire or smoke dampers, that
19 that's part of Category 1 testing as it is.

20 And the work that this bill is trying to complete is
21 pretty vast, in that the work within the hoistway could
22 be on a very small percentage, but because of codes that
23 the elevator program has adopted, indicates anyone
24 outside of elevator personnel being able to gain access
25 to the hoistway.

1 And within this legislation verbiage, there isn't
2 anything that states it as such. It's a pretty broad
3 statement that whoever they deem has the training to
4 become this type of inspector, their job is to inspect
5 all of these smoke and fire dampers.

6 And we believe it's a very big safety risk and
7 safety issue for that person or possibly the riding
8 public because those in the elevator industry know that
9 those fire and smoke dampers also work in conjunction
10 with the elevator, and if this person or inspector does
11 not know how those two things interact, that when the
12 damper opens, the elevator is supposed to do this, you
13 could be testing that, yes, the damper is open, but the
14 other part of that test is what is covered under our
15 Category 1 test.

16 So there may be some emergency rulemaking done that
17 we'll be part of, but I'm still reviewing the current
18 rewrite that just got sent to us just here about five
19 minutes ago. And we'll see further what the impact is
20 going to be at that point, I guess.

21 Is there any questions regarding this?

22 All right. Thank you very much, everyone.

23 MR. CLEARY: Thank you, Paoa.

24 Gerald, do you have any more comments on that?

25 MR. BROWN: No. The -- a lot of

1 this -- a lot of this bill was just for the increases and
2 some other things dealing with dampers. This comes up --
3 it's come up in a previous year's legislation where
4 they're talking about these dampers. And I brought up
5 the concern that inside the hoistway had not been
6 addressed, even though, like Paoa said, it's a very small
7 portion of what they do.

8 The aspect for safety and now they're talking about
9 creating a special license for those people that test
10 these dampers, and they wanted -- had reached out to us
11 on today's ruling that -- what our input would be for
12 that.

13 And, of course, our main primary focus on that is to
14 have licensed elevator mechanics present and having them
15 gain access via the standard methods of gaining access to
16 car top for a non-elevator contractor would be under the
17 supervision of an elevator contractor.

18 So -- and that was mainly it, and that's -- and
19 that's what our main focus will be to -- to do that.
20 We're not going to provide training on how to access the
21 hoistway or anything for them, but our stance is for
22 safety and to have those that have specialized life
23 safety training to be present when they have to access
24 hoistways.

25 Thank you. That's pretty much it. That was our

1 goal, was to make sure we didn't allow them to put
2 themselves in harm's way, so --

3 MR. CLEARY: Brian Thompson?

4 MR. THOMPSON: Yeah. I'll just
5 piggyback on this. So the HP 1971, its main purpose, as
6 I understand it, is to fix some issues with the
7 certification that's prescribed currently in
8 RCW 19.27.720, Part 1.

9 And I think there is some confusion as to its
10 implications. The language with regard to damper testing
11 is basically duplicating standards that are already
12 referenced in the state WAC for fire code and damper
13 maintenance. And one of those provisions is that, where
14 concealed, there's not a requirement for visual
15 inspection.

16 So I think it would be fairly easy for the elevator
17 division to conclude and even for the State building code
18 council, who is tasked with implementing this, to
19 conclude that those dampers that are located in a
20 hoistway are concealed and, therefore, would be exempt
21 from the testing that's included under this.

22 So there's -- that's what I have to add.

23 MR. CLEARY: Okay. Scott -- who is --
24 Jan, go ahead.

25 MS. GOULD: Brian, do you know who

1 submitted the bill?

2 MR. THOMPSON: It was authored by the
3 Washington State Association of Fire Marshals. At the
4 public hearing, there was quite a bit of industry
5 discussion on it, and there was more people interested in
6 talking, myself included, who were not given time due to
7 the number of public input that was desired, so I
8 provided a written comment.

9 I think there's a number of amendments that need to
10 be made to the bill in order to comply with WAC because,
11 I'll just offer, as written, I think it conflicts with
12 RCW 19.27.020, so I'm hoping that the legislatures will
13 resolve the language as needed.

14 MR. CLEARY: Thanks, Brian. I just
15 want to remind everybody, when you go ahead and ask your
16 question or are called upon, please state your name and
17 affiliation, please.

18 So is there any more comments or anything else that
19 has to do with the legislative -- Alicia, do you have
20 anything else you'd like to add?

21 MS. CURRY: Not for the legislative
22 piece.

23 MR. CLEARY: Okay. Jan, do you have
24 another question or just didn't put your hand down?

25 MS. GOULD: Sorry. Jan Gould. My

1 mistake.

2 MR. CLEARY: Okay. With that, we're
3 going to move on to points of discussion, and we're going
4 to talk -- I'm going to talk about the three and a
5 quarter four update rule and recall.

6 So for people that aren't aware of the
7 residential -- on residential swing doors, they can --
8 Consumer Product Safety Commission has been looking at --

9 MS. CURRY: I'm sorry to interrupt
10 you, Scott. Did you want me to give the rulemaking
11 update?

12 MR. CLEARY: Oh, yes. Please. It's
13 not -- yeah. Please do. Sorry.

14 RULEMAKING UPDATE

15 MS. CURRY: That's okay. So the
16 elevator program has two rulemakings in progress right
17 now. We have the fiscal growth factor increase of
18 5.79 percent for fiscal year 2022, and we are preparing
19 to adopt those rules today. So we would be filing the
20 CR 103 today to adopt the ruling with an effective date
21 of March 18th.

22 And then we are also considering starting a second
23 fee increase for the rulemaking program, which would be
24 17 -- a 17 percent increase, and that is to help fund the
25 Conveyance Management System, the new system that we're

1 looking at.

2 And I know Annette is going to be giving a CMS
3 project update here later around -- well, looks like
4 right after me.

5 Annette, did you want to speak more about the fee
6 increase for the 17 percent then, or do you want to talk
7 more about it now?

8 MS. TAYLOR: I'm happy to do whatever
9 flows best, Alicia. So if you want me to do it now, I'll
10 introduce myself and talk about that, or I can wait until
11 I give an update from the project.

12 Which flows best for you?

13 MS. CURRY: You know, either way,
14 Annette.

15 MS. TAYLOR: Why don't I just jump in
16 real quick.

17 CMS PROJECT UPDATE

18 MS. TAYLOR: Annette Taylor, deputy
19 assistant director, field services public safety and
20 Labor and Industries.

21 Alicia is referring to another fee increase at
22 17 percent. I don't believe this is the first
23 conversation that we brought forward with regard to a
24 17 percent fee increase, but some of you might be new to
25 this meeting, so I'd like to just take a moment and go

1 through that and talk about what that looks like in the
2 future as well.

3 So the legislature gives us the authorization to
4 spend the money in the dedicated account that supports
5 the elevator program. They do not give us the money.
6 They give us authorization to spend the money.

7 And so many of you know -- and I'll go through CMS
8 project update here in a little bit, but many of you know
9 that we are in the process of bringing a vendor onboard
10 to build a new Conveyance Management System.

11 And that -- that -- there's a cost of doing that for
12 the technology, for the vendor, for the work that needs
13 to be done. And the dedicated account known as a 21V
14 fund, we have to use the funds within that account.

15 We don't have access to funds in any other accounts
16 that will help us to pay for this technology solution.
17 So the way we're able to do that is through fee
18 increases.

19 Historically, we would only do what we call a fiscal
20 growth factor fee increase, which is set by the Office of
21 Financial Management in the state, but in this particular
22 case, the cost of the solution is going to be a total of
23 3.5 million to bring the solution, to build it, and bring
24 it onboard.

25 We've already paid for components of this solution,

1 so it's not -- we don't have 3.5 million remaining to pay
2 for this solution, but we do have additional costs that
3 will continue to -- will continue to pay out as we
4 finalize the solution, so we are going to be doing a new
5 17 percent fee increase to help -- to help provide that
6 financial stability for that solution.

7 In return for that, in fiscal years 2024 and 2025,
8 we are not going to do fee increases in the elevator
9 program so that it actually balances out, but we needed
10 the money sooner than '24-'25 fiscal years because we
11 needed to pay for the remaining cost of the solution in
12 this biennium, so the '21-'23 biennium.

13 So that's why we're doing a 17 percent now, and we
14 will pause fee increases for 2024 and 2025.

15 Any questions?

16 Thanks, Alicia.

17 MS. CURRY: Thank you, Annette. I
18 appreciate that update.

19 And we are looking at starting that rulemaking for
20 the 17 percent around March 22nd, so it would begin right
21 after the FY '22 fee increase takes effect, and we would
22 expect the 17 percent fee increase to go into effect in
23 August.

24 MR. CLEARY: Alicia, I know -- go
25 ahead. Sorry.

1 MS. CURRY: Nope. Go ahead. I was
2 going to move on to the coded option.

3 MR. CLEARY: Okay. Before that, can
4 you just -- this is -- kind of lends into that.

5 I know we've talked about it before, but if you
6 could quickly give us an overview of the CR process so
7 everybody that may have not heard it before understands
8 what CR-101, -102, -103 means and kind of the -- how it
9 fits into the flow of what we're doing.

10 MS. CURRY: Sure. Absolutely. I can
11 give a quick overview of the rulemaking process.

12 So the rulemaking process, I think of it in three
13 stages: the CR-101 stage, the CR-102 stage, and the
14 CR-103 stage.

15 The CR-101 stage, which you'll see a formal document
16 come your way when we file the CR-101, this is the actual
17 document that we file with the code revisor's office. It
18 has a stamp on there with a WSR number.

19 That is basically the notice to everybody of
20 possible rulemaking, lets everybody know, you know, what
21 changes we're going to be considering, you know, what
22 rules we're going to be looking at to possibly make
23 changes to.

24 And the second stage of rulemaking is what we call
25 the CR-102 stage, and I'm going through this very

1 other question is, where does public comment fit into
2 this? How and where are they decided that the meetings
3 are going to be and what does the State do with the
4 comments that come back from public comment meetings?

5 MS. CURRY: So the CR-102, once we
6 file that, that begins the official public comment
7 period. I will schedule a public hearing. We send out
8 notice to everybody. The proposed rules are available,
9 when the public hearing date is going to be, the date and
10 time of the public hearing.

11 It's available on the elevator program's rule
12 development page. I mean, you can also go to the code
13 revisor's section of the website as well to get that
14 information. It's on the agency's rulemaking activity
15 page.

16 And there's a window or a time frame that, you know,
17 the public stakeholders -- everybody can submit their
18 comments.

19 And then once we receive all of those comments,
20 Gerald will go through, review all of the comments, make
21 decisions/determinations on maybe additional changes
22 might be needed, or, you know, why we may not be able to
23 make a particular change based on a comment.

24 And so he makes those decisions at that stage, and
25 then, once those decisions are made, we put together what

1 we call a concise explanatory statement, which is also
2 available on the website for those that want to read it.
3 It has all of the comments from the written comment
4 period, as well as the Department's responses.

5 And I know you had asked -- oh, go ahead.

6 MR. CLEARY: Go ahead. Sorry. Sorry.

7 MS. CURRY: Oh, I was just going to
8 say, and I know you had asked during the last meeting
9 about discussions about public comments and the
10 Department's responses and -- before we were to adopt the
11 rules. And it's my understanding, Scott, that there's
12 nothing that prevents you guys from having those
13 discussions with Gerald.

14 MR. CLEARY: Okay. And I think the
15 last thing I'm curious about, what triggers and who
16 decides what triggers business impact studies based on
17 what's going to be adopted or what's being proposed?

18 MS. CURRY: So once we get final draft
19 rule language, the language goes to our economist. Well,
20 first we identify, you know, what rules we believe are
21 significant, what costs might be involved.

22 And then those rules go to our economist for
23 analysis, and we make determinations on whether we would
24 need what's called a cost-benefit analysis or a small
25 business economic impact statement, depending on what

1 those changes are to the rules.

2 And our economists actually draft the CBA and the
3 SBIS, which, of course, is draft at this stage, and then
4 we file the CR-102 and the proposed rules.

5 The draft cost-benefit analysis or small business
6 economic impact statement is available to everybody to
7 review, if they want to review that. It's, again -- we
8 post it on the agency's website for everybody so you guys
9 can take a look at it. You can review it.

10 And then, of course, if we make, you know,
11 additional changes to rule language, you know, after the
12 public comment period, you know, based on stakeholder
13 comments or maybe there's another reason why a change had
14 to be made, we will update that cost-benefit analysis, so
15 that, that way, when we get to the final stage of
16 rulemaking, the adoption stage, when we file that
17 cost-benefit analysis, small business economic impact
18 statement is final. And, again, we post that on the
19 agency's website so everybody can take a look at it.

20 MR. CLEARY: What's the trigger? What
21 happens if there is an impact to small business or this
22 comes out with a negative or positive decision on does it
23 impact it or not? How does that slow up or what does
24 that do to the process for adoption?

25 MS. CURRY: Well, we do fully analyze

1 the costs. I'm assuming that would be something that we
2 would -- I haven't had that come across, but I'm assuming
3 that we would be looking at those impacts and making
4 decisions.

5 I mean, are you talking about if it was something
6 absolutely huge?

7 MR. CLEARY: Correct. Yeah.

8 MS. CURRY: Yeah. I'm assuming that
9 we would be having considerations based on, you know,
10 what the analysis is on those impacts and making
11 decisions on whether that rule should be adopted or not.

12 Hopefully we would have some idea before, you know,
13 we get to that stage, on whether it's going to have this
14 massive impact.

15 MR. CLEARY: And, I guess, "massive"
16 is subjective, so how is -- how does it get vetted and
17 how does it get brought out to the stakeholders?

18 A lot of people don't and haven't navigated the
19 website to get this or does it go on a Web server or
20 what's -- what's the process for that?

21 MS. CURRY: Are you talking about
22 like -- well, the cost-benefit analysis is available to
23 everybody even in draft format. So everybody would have
24 the ability to be able to look at it and to read it.

25 And, of course, if anybody had any concerns, you

1 know, we would definitely want them to comment on that.

2 Does that answer your question?

3 MR. CLEARY: Yeah. Kind of. But what
4 triggers massive or a little impact or a large impact or
5 no impact and who -- who looks at that and who makes that
6 decision?

7 MS. CURRY: I'm assuming it would
8 be -- well, the economists are the ones that actually do
9 the analysis, the full analysis, and then we get, you
10 know, the draft, of course, and we look at it.

11 But I'm assuming, Annette, it would be you and
12 Gerald that would be having discussions if there was
13 something that was going to be a major significant
14 impact; correct?

15 Annette, are you there?

16 MS. TAYLOR: Sorry. I was answering
17 Tammy Fellin on the bill that we were just talking about.

18 Can you restate the question, please?

19 MS. CURRY: Sure. So if there was
20 some major significant impact to businesses that was
21 discovered, you know, when we did the cost-benefit
22 analysis, I'm assuming it would be you and Gerald that
23 would be having those conversations surrounding that,
24 correct, before we were to move forward with adopting
25 that rule?

1 MS. TAYLOR: Yeah. And, actually,
2 Gerald and I have had conversations like this on other
3 rules that have been adopted.

4 (Technical interruption.)

5 MS. TAYLOR: Somebody needs to mute
6 their mic.

7 Yes. The answer to the question is yes. We would
8 have that conversation. Gerald is -- I know on many
9 occasions he's been very aware of the financial impact to
10 a code adoption and has made efforts to have those
11 conversations before moving forward with the process.
12 So -- and I know there's a couple instances where that's
13 happened already.

14 So we would continue to do that. Gerald would bring
15 that forward. We would have that discussion, you know,
16 understanding what our stakeholders are telling us. And
17 then if -- if, in fact, we can move forward with it, then
18 I think we do that in coordination with the stakeholders
19 it's impacting.

20 And I think there's been occasion where Gerald was
21 so concerned with that, he did not adopt certain aspects
22 of a code because there was going to be a significant
23 financial impact.

24 MS. CURRY: And I know we did do that
25 in the past, like with one of the code adoptions where we

1 did pull out the rule to actually do a separate
2 rulemaking because of the impacts to small businesses,
3 yeah, before -- right before the final adoption.

4 MS. TAYLOR: Right. And, Alicia,
5 before you go on, can I ask a follow-up question from
6 Brian Thompson who was talking about 1971 and you said
7 that it conflicts?

8 Did you say conflicts with 020 or 720 when you were
9 referencing your comments?

10 MS. CURRY: I think that Gerald or
11 Paoa --

12 MS. TAYLOR: No. But Brian made a
13 comment in the meeting. I wanted his interpretation. I
14 don't remember him saying 020 or 720.

15 MR. THOMPSON: Right. Thank you.
16 Brian Thompson. It was RCW 19.27.020, Subpart 1,
17 Subpart 2, Subpart 4, and Subpart 6.

18 MS. TAYLOR: Thanks.

19 MR. BROWN: Brian, could you put that
20 in the chat for everybody? Thank you.

21 MR. CLEARY: All right. Alicia,
22 anything else? I appreciate you indulging the questions.
23 Thank you.

24 MS. CURRY: Sure. So just to get into
25 the coded option rulemaking, that is still moving

1 forward. That rulemaking is taking a look at adopting
2 new safety codes, making updates, other housekeeping,
3 other rule changes.

4 The TAC meeting was held February 8th through the
5 10th. That went well. We had quite a large number of
6 rule changes. I believe it was a hundred and something.
7 So those have been vetted through the TAC.

8 The next step is for ESAC review of the rule
9 changes, and that special ESAC meeting is scheduled for
10 March 8th through the 10th. So that's the next step as
11 far as the coded option process.

12 And I know I saw somebody in the chat was asking if
13 we were still looking at adopting those changes in
14 November. I have not adjusted the timeline for coded
15 option. It's still -- we're expecting to, you know, file
16 the proposed rules to begin the public comment period in
17 June and adopt the rules in October with an effective
18 date of November 4th.

19 We should know more in May if there may be any delay
20 in timeline, but right now we are still on the same
21 schedule and moving forward, you know, as quickly as we
22 can on the coded option.

23 MR. CLEARY: Thank you. Any questions
24 for Alicia or Annette?

25 I also want to talk a little bit about the TAC and

1 maybe have Paoa say a couple things. I just want to
2 thank Paoa and Melissa for setting everything up. I know
3 Paoa has spent a lot of time reconciling the proposals.

4 And unlike last time, all the proposals made it in,
5 and they weren't -- they weren't cut out because of
6 incorrect format. So that was very, very, I think,
7 helpful, to let people know their input is valuable, but
8 it took a lot more time than we anticipated.

9 And, Paoa, if you want to give a quick little
10 overview of the TAC, I'd really appreciate it.

11 MR. NAIPO: Paoakalani Naipo.

12 Yeah. Just a quick overview. So we have roughly
13 about 108 became -- 109 proposals submitted. We were
14 able to get to I think it was 103 of those. So we have
15 another six that will need to be vetted by the ESAC.

16 I don't quite remember what the percentage is, as
17 far as pass to fail, but a lot of the stuff did pass,
18 with understanding of the intent behind what the, you
19 know, change was for, but they also wanted to make sure
20 that some edits were done.

21 So we took down a lot of notes on what people's
22 topics of issue were with some of these changes, and
23 those will have to be vetted and amended as well at the
24 ESAC level.

25 Unfortunately, because of the breadth of the

1 workload that we had -- I was optimistic that we would be
2 able to get to it, and, unfortunately, we weren't.

3 So, again, one of the things that we didn't have the
4 time to do was vet and codify the changes between A17.1,
5 '16 to '19, and 18.1, '17 to 2020.

6 So, again, that workload will be pulled onto -- or
7 put onto the ESAC. We did let the TAC members know that,
8 if there are any issues on any of the WAC changes that we
9 did not get to, as well as their issues in the code
10 comparison that was provided to them, that they get ahold
11 of their ESAC representative and let them know their
12 issues with this, so they can carry that onto the
13 decisions when we meet with the ESAC here at the
14 beginning of next month, as well as those who are not --
15 who participated in the TAC but were not actually part
16 of -- not represented on the ESAC.

17 They were given clarification as well, that they be
18 able to reach out to the chair and vice chair if there
19 were any issues that they felt they had with what was
20 left to review.

21 So with that, I thought it was very successful,
22 especially being in a virtual environment, went a lot
23 smoother than I thought it possibly could have. So
24 just -- I think it was just the workload that I
25 underestimated for our group to be able to accomplish in

1 that amount of time.

2 Thank you very much.

3 MR. CLEARY: Yeah. Thank you, Paoa.

4 I think, you know, we spend a lot of good time discussing
5 a lot of things, and I know we got a lot of wordsmithing
6 to do, but I think what was put forward was a lot of
7 effort and time on everybody's part. So I want to thank
8 you, everybody.

9 So any questions on the TAC or rulemaking process?
10 If not, we'll move on to points of discussion.

11 NEEDED POINTS OF DISCUSSION

12 3 1/4 AND 4 UPDATE

13 MR. CLEARY: Okay. I'll get back into
14 the three quarter and four update. So the stakeholders
15 that are involved in the residential elevator market are
16 familiar with this. Basically that has to do with how
17 the swing door on elevators -- how much room is left on
18 the seal when the door is closed.

19 The State has always been very proactive, and we've
20 always licensed elevator -- residential elevator
21 contractors, and you got to pull permits and go through
22 an acceptance test.

23 So we've always -- in the State have always adopted
24 the three and five rule, which means when the door --
25 hallway door is shut, the back of the door is no more

1 than three inches away from the edge of the pit and no
2 more than five inches away from the cab gate.

3 So for people that don't know, over the years, there
4 has been -- most states -- to my understanding, there's
5 only seven states at a state level that actually regulate
6 residential elevator installations, and about 14 that
7 have some sort of regulations, either like the city L.A.
8 or the city of Miami had their own municipal codes.

9 So we've always been installing the three and five
10 in our state. And unfortunately, a lot of the states
11 that aren't regulated, especially in rentals, there's
12 been some accidents and children have been hurt, killed,
13 and severely -- severely injured on the east coast,
14 mainly Georgia and North Carolina.

15 And what happens is that there is enough room for
16 children with the right size cranium to be able to get
17 shut behind the door. It locks up. The elevator thinks
18 everything is fine. It takes off. And so that then has
19 really been a big concern.

20 So basically in 2017, the ASME committee for 5.3
21 changed the setbacks to three quarter and four. So that
22 means the back of the door now can be no further away
23 from the edge of the pit than three quarter; no more than
24 four from the gate.

25 The big concern has been the elevators that aren't

1 regulated, that don't meet the three and five. There's
2 been no accidents that I know of, and I've been pretty
3 much involved in a lot of levels through AMI and through
4 the manufacturers that have been hurt or injured on three
5 and five.

6 So with -- the Consumer Product Safety Commission
7 back in July of '21 issued a warning to the industry,
8 saying that they recommended, after these accidents and
9 after finding out what caused them, that all rental
10 properties that don't meet the three quarter and four,
11 that they take them out of service.

12 So some of the -- some of the manufacturers have
13 been proactive. There's six of them that have been
14 working on it, Otis at home, Thyssen, and then lately the
15 feds came back and made it -- had an agreement with the
16 industry that -- that everybody, including existing
17 elevators, would meet the three quarter and four.

18 So Savaria, Garaventa, Inclinator, and Bella all
19 entered into an agreement that they would work with all
20 their dealers, no matter what the status of the
21 State's -- the HJ's requirements are for licensing or for
22 what code they're in, that all existing elevators in the
23 United States, they want to meet the three quarter and
24 four.

25 So the agreement with the four -- at least the four

1 and Otis at home, they were going to supply space guards,
2 half height space guards, for everything that was three
3 and five to bring everything into 2017 5.3 and newer
4 three quarter and four requirements.

5 And that's pretty big because the feds subpoenaed
6 all the records from all the manufacturers, and there's
7 close to, I think, 500,000 residential elevators in the
8 United States.

9 And, Paoa, you can help me with this, but I think --
10 what do we have? -- close to 3,500 in the state of
11 Washington?

12 MR. NAIPO: Thirty-five, yes, hundred
13 that could possibly be impacted by this, yes.

14 MR. CLEARY: Correct. Well, and
15 basically, you know, we adopted the State, saying we --
16 the State adopted the three quarter and four rule back in
17 October 1 of '18 when they adopted and codified the 2017
18 17.1, which included 5.3 in this requirement.

19 So we've been -- since then, the last three years,
20 four years, we've been working towards the three quarter
21 and four, but we still have quite a few of existing
22 elevators that don't meet the three quarter and four.

23 So the agreement with the manufacturer is -- the
24 ones that conjoined with this is that they'll work with
25 other dealers, but the feds said, "Well, we want to know

1 who your dealers are. We want" -- there's a whole
2 procedure put in place to how you notify your customers,
3 and there's a whole process that you got to get back to
4 the manufacturers.

5 And then every two weeks, those manufacturers have
6 to send a report back to the CPSC, saying what's being
7 done, what's the status, or what dealers are doing it,
8 what dealers aren't.

9 And then what states have been working on this --
10 because the states, they don't see a lot of activity to
11 upgrade just the three quarter and four. The feds have
12 said that, then, they will go and talk with governors and
13 that stuff to make sure that they're compliant with it
14 too.

15 So it's a pretty big deal because there's just a
16 huge amount of them in the United States, and there's
17 quite a few in the states -- or in this state, so it's
18 pretty important.

19 We were pretty good because we've always been three
20 and five, but now we need to bring everything to three
21 quarter and four.

22 And the State has been pretty proactive. I'll have
23 Jim talk a little bit. We've been working on the
24 technical clarification, and the State going to be doing
25 a press release to the stakeholders that, you know,

1 Gerald and Annette can talk a little bit to.

2 But, you know, any child that gets hurt is just not
3 acceptable, and so we got to do the right thing.

4 This brings up some concerns with the rental
5 markets, and we have had some meetings. There's been a
6 subcommittee that Jim has chaired that talks about, you
7 know, what do we do with rental properties, no matter if
8 they're vacation rentals or just regular rentals? Do you
9 lose your exemption in 305 of RCW, which is the statute
10 70A.305 that you lose your residential exemption when you
11 rent it out to the world?

12 So that's being looked at, and, Gerald, you can
13 probably talk a little bit, if you would, on what's in
14 that to add clarification, which does talk about vacation
15 rentals and what needs to be done.

16 We've been working really hard for eight to nine
17 years to try to get point of sale inspections on -- on
18 conveyances of all types. And you got to get a gutter
19 inspection, you got to get a pest inspection, but no one
20 has been required to do an inspection on existing
21 conveyance residential equipment.

22 And I think it's time that that's done because, once
23 the State has the final inspection, they're never back
24 out to look at things, unless the owner requests that
25 from the State.

1 And the 305 exemption allows anybody that they
2 choose to work on this equipment, and a lot of times
3 things are jumped out, and we need to find a way to
4 protect the public -- the buying public to make sure they
5 get a piece of equipment that is safe and compliant.

6 So with that, Gerald, would you like to talk a
7 little bit on the State's position and what you've been
8 working on as a TC and the press release by Matthew? If
9 Matthew is here, that would be great to hear from him
10 too.

11 MR. ERLICH: Gerald, why don't you go
12 ahead.

13 MR. BROWN: Okay. Thank you.

14 The information that I submitted to Matthew for the
15 information release from the program is based on our -- I
16 wrote a technical clarification for in-house program and
17 then also a letter of information that's going to be the
18 basics of that. But in that, it describes -- and if I
19 could take just a minute and read the recommendations
20 that we had.

21 At the conclusion of -- the first part of the letter
22 talks about the old code, the new code, what the
23 distances look like, what the remedies are for the space
24 guards and those things.

25 And then the latter part of the letter that it

1 concludes with is, "Immediate action required. The State
2 of Washington elevator program is calling for all
3 homeowners of older prior to 2018 private residence
4 elevators with a gap greater than three quarters of an
5 inch to either relocate the hall doors closer to the edge
6 of the hall threshold or install space guards on the
7 inside of the elevator swing doors for their conveyances.

8 "These may be able to be obtained through the
9 original contractor for minimum cost, perhaps no cost,
10 depending on the company that installed it. If the
11 original elevator company can't be located, reach out to
12 a licensed elevator contractor ensuring your private
13 residence elevator is safe with the proper space guards.

14 "We further would call for hall -- for all
15 homeowners with small children immediately refrain from
16 using the residence elevators until the space guards are
17 installed. Homeowners who lease out their homes online
18 vacation rental sites and have older prior to 2018
19 private residence elevators should immediately disable
20 those elevators until space guards are installed. This
21 is necessary for the life of -- safety of children that
22 may accompany families in any of these residential
23 vacation properties.

24 "There's also a strong recommendation that all
25 private residence homes have elevators -- that have

1 elevators installed have them inspected for the presence
2 of the required elevator hall swing door space guards
3 prior to resell of the property.

4 "The state is -- records of residential properties
5 with elevators that had installation permits for it
6 inspected. Unfortunately, not all builders or homeowners
7 follow prescribed codes, which may have left even further
8 space for the children to be trapped and injured.

9 "This is why point of sale of private residences
10 with elevators need to be inspected for life safety
11 issues which includes elevator halls, swing door
12 spacers."

13 And this information is in for Matthew, and he will
14 draft the actual release of information to go out to our
15 stakeholders and businesses. And we are going to put
16 this information in a mailer out to all of the
17 homeowner -- the last addresses and homeowners' names
18 that we had will be going out via L&I's mailroom, so they
19 will get this notice sent out to them.

20 And so we are trying to be very proactive for life
21 safety, especially for children, and that's -- that's the
22 State's strong stance. We -- we would really appreciate
23 any support and further endorsement from the ESAC along
24 these lines.

25 And that pretty much sums up the Department's view

1 of these -- of this serious life safety issue.

2 MR. CLEARY: Thank you, Gerald.

3 Matthew, do you have any idea when that news release
4 is going to be -- we're going to be able to get that out?

5 MR. ERLICH: I don't immediately.
6 From a communication standpoint, we're trying to make
7 sure that, first of all, it's plain talk, and, secondly,
8 that it -- that it puts -- sending it out by a news
9 release, whether that's the best way to do it. There may
10 be other ways we'll do it as well, like over social
11 media.

12 So we have some noodling going on there.

13 And I'm Matthew Erlich, E-r-l-i-c-h, public affairs
14 unit with L&I.

15 MR. CLEARY: Thank you, Matthew.

16 Is there any questions on this at all? Okay.
17 Thanks.

18 With that, I would like to move on to CPH
19 Category 4, industry update with Gerald.

20 MR. BROWN: Yes. I'll start this off
21 and then pass it along for some other further comments.

22 MR. CLEARY: Gerald, one second.

23 Bob, do you have a question?

24 Sorry, Gerald.

25 MR. MCLAUGHLIN: Yeah. I'm having a

1 little mic trouble here. Can you hear me?

2 MR. CLEARY: Yes.

3 MR. BROWN: Go ahead and state your
4 name, Bob, for the court reporter.

5 MR. CLEARY: All right. I think Bob
6 is having some problems. We can get back to him in a
7 little bit.

8 So with that, go ahead, Gerald.

9 CPH (CATEGORY 4) INDUSTRY UPDATE

10 MR. BROWN: Okay. On the CPH update,
11 we're getting close to discussions with Mandi Kime from
12 AGC's office and the CPH industry. We're currently
13 working towards successful rejoining of CPH licensing
14 permitting and inspections to return around early fall.

15 This is a joint venture with the State and AGC,
16 working on this together and continue to do so.

17 We've got some good information in there for that
18 news release. The State is anxious to get going on this.
19 It is really wonderful that this industry is still
20 following along guidelines of voluntary inspections, and
21 they're doing a great job with that, and we really
22 appreciate that.

23 We are trying to conclude some -- educational
24 committee convenes to be able to make sure we have that
25 information in place.

1 And we really appreciate the partnering with -- with
2 our stakeholders and especially more specifically the AGC
3 Mandi Kime.

4 Mandi, would you like -- do you have anything to add
5 to that?

6 MS. KIME: No. I mean, I mentioned
7 earlier during the -- kind of the open forum before this
8 meeting started that, while it sounds like there's
9 progress being made and the Department has got a plan for
10 a press release, and we've seen a preliminary version of
11 that press release, our stakeholders are still kind of
12 sitting in a holding pattern that we've been in for a
13 couple of years.

14 And so there's still some frustration. There's
15 still some anxiety over how this is going to play out.
16 So getting that press release ready, letting us kind of
17 have those conversations between the Department and the
18 Cat 4 stakeholders will be really critical to this
19 rolling out as promised. So we're anxious to get there
20 and see that progress actually happen.

21 MR. CLEARY: Mandi, can you state your
22 name and affiliation, please.

23 MS. KIME: Sorry. Mandi Kime, AGC of
24 Washington.

25 MR. CLEARY: And, yeah, we've been --

1 like you said, this has been in discussion for a while,
2 and this is one of the things we're working on in the
3 curriculum too, for the endorsements because it comes
4 back to tying in what can 04s -- can they work on 03
5 stuff? Now they can, but they're not qualified to work
6 on special purpose elevators.

7 So it's really important that we get this curriculum
8 subcommittee for education and that stuff handled out
9 because it's really important to how you guys are going
10 to do your business.

11 MS. KIME: There's layers to it,
12 Scott, and I appreciate that. This is Mandi, with AGC
13 again.

14 There's layers to it in the sense that there's
15 action needed, not just in this press release and issuing
16 of this technical clarification from Gerald, but there's
17 also issues that need to be addressed with regard to the
18 education policy and, frankly, the testing.

19 And our group actually submitted everything needed
20 to be able to do testing for our folks, and we still
21 don't have that, but we also have gone through the added
22 exercise of helping the Department review all of their
23 existing questions for Cat 4, even though the vast
24 majority of them don't even apply to our work even a
25 little bit.

1 So we've done all of the -- all of the legwork
2 and -- and we're real happy to -- to, you know, continue
3 partnering, but there's also a high level of frustration
4 in the amount of time and effort our stakeholders have
5 put into this to still not be across the finish line.

6 MR. CLEARY: Yeah. I agree. It's
7 been a long process.

8 And just to let you know that -- I think you're
9 aware and everybody else is aware -- there was a proposal
10 that went through on the TAC on doing endorsements for
11 licensing, so that still needs to be wordsmithed, but I
12 think we're moving in the right direction.

13 I think endorsements make a lot of sense when we
14 have really specialized niche markets that are licensed
15 in our state, so I appreciate your effort. Thank you.

16 Any other questions on Category 4, CPH?

17 Okay. Gerald, you're up, upcoming elevator
18 demarcation training.

19 UPCOMING ELEVATOR DEMARCATION TRAINING

20 MR. BROWN: Okay. Thank you.

21 We have -- there are two trainings being given,
22 first at 8:00 a.m. and the second at 1:00 p.m. next
23 Wednesday, which is February 23rd. That's the same
24 training at two different time slot options for the best
25 outreach to get ahold of as many people as we can.

1 Invitations were sent out to our program staff, ESAC
2 members, and all primary points of contact. If someone
3 wants to attend and they haven't received an invitation,
4 they can call Melissa or email Melissa at
5 melissa.eriksen@lni.wa.gov.

6 And she'll put her -- she can put her email address
7 and -- in the comment section on this discussion. So if
8 you need to get ahold of her, she can shoot out an
9 invitation to attend.

10 On that, we're going to be discussing the agreement
11 and the demarcation items, what that looks like. We're
12 going to -- inspections begin and end for electrical
13 department and elevator department, and we'll also be
14 able to clarify, you know, why we're doing this now and
15 the direction that we're heading.

16 This is specifically geared toward our industry
17 under the elevator side. Electrical program will be
18 having their own training for their stakeholders and
19 inspectors based on the same agreements.

20 These can be found on our website, and you should be
21 able to see that back in policies. There's a policy
22 there that talks about the elevator electrical program
23 agreement and dealing with drive isolation transformers.

24 Any questions?

25 MR. CLEARY: Question I have is kind

1 of for Annette. Since both Departments report to you,
2 the question was earlier that is electrical given the
3 same type of training? Is it different? Is it the same?
4 How is it being disseminated to the electrical
5 inspectors? Can you help us a little bit understand that
6 process, please?

7 MS. TAYLOR: The electrical program
8 has a dedicated trainer to the program who will be taking
9 the documents that Gerald is using to train the elevator
10 staff with. They'll be using the same documents to train
11 the electrical staff, and it will be up to the trainer to
12 work with the chief and the two technical specialists to
13 put that training time together for the staff to do that.

14 So they'll be using the same documents in the same
15 picture for the demarcation point and -- but they will be
16 putting together their schedule for the training, and I
17 don't have that date in front of me, so I can't share it,
18 but that's the process they'll be using to train their
19 electrical inspectors.

20 MR. CLEARY: Are you going to audit
21 both of those trainings or have you already audited
22 what's going to be presented?

23 MS. TAYLOR: I'm not auditing those
24 trainings. Gerald has his trainings scheduled for next
25 week. I did not audit the content of his training.

1 But -- however, I will be joining in on the two
2 training sessions to listen in, and I'll handle it the
3 same way with the electrical program as well.

4 I did see -- you know, the expectation is, they do
5 use the same documentation for the training, and I'll sit
6 in on the electrical training just as I've sat in -- I'll
7 sit in on the elevator training, and if something during
8 the training comes up that I have a question about or a
9 concern about, I certainly will be bringing it up during
10 the training.

11 MR. CLEARY: Thank you. As you know,
12 this had been a long, drawn-out process, and it would be
13 nice to bring it to fruition. And like we talked about
14 during all the meetings is training and getting
15 everybody's stakeholders, inspectors, both of your
16 departments onboard to understand this and actually were
17 to place the stickers correctly and everything else, it
18 sure would be nice to have this one here brought to
19 completion and be able to go forward.

20 MS. TAYLOR: Yeah. I couldn't agree
21 with you more, Scott. I mean, you put in a tremendous
22 amount of time. I know a lot of people have, but I
23 couldn't agree with you more.

24 This is -- you know, this is the final -- the final
25 step in completing this process that we've been engaged

1 in for more than a year, you know, possibly close to two
2 years.

3 So, yeah, I just couldn't agree with your comments
4 more, and -- and I will say that -- thank you for
5 bringing that up -- part of their training will be that
6 those stickers are not to be placed on elevator
7 equipment, and, fortunately, we haven't seen that happen
8 in a while, but that is going to be part of their
9 training, to make sure that continues to not happen in
10 the future.

11 MR. CLEARY: And also that the
12 electrical department inspectors don't cite WAC 296-96
13 requirements.

14 MS. TAYLOR: Yeah.

15 MR. CLEARY: That that's also going to
16 be part of the training too?

17 MS. TAYLOR: Yeah. Indeed.

18 MR. CLEARY: Thank you. I appreciate
19 your and Gerald's leadership on this. I know it's been
20 long and drug out, and it's been at times frustrating at
21 best and -- but everybody stuck with -- the industry
22 really came together. Everybody -- doesn't matter what
23 part of the stakeholder you were, everybody worked
24 together and was really a good process for the industry.

25 We can work together when we have things that we

1 really need to do. Then we all kind of go into our own
2 corners after that, but I really appreciated everybody
3 from Labor to the different HJs and all the stakeholders
4 that got involved.

5 It was frustrating but rewarding because we were
6 able to get something worked out, and I think it's a
7 really good agreement, and it kind of takes away all the
8 ambiguities that will help the inspectors and help the
9 installers.

10 So it's really important that this gets out to
11 especially the mechanics and all different levels so they
12 know what's required of them. I think -- you know, I
13 know Scott and Candace are on this, and they are working
14 really hard to make sure that this stuff is put in copies
15 of the demarcation agreement and line diagrams go out
16 with the permits.

17 Can one of you two talk a little bit about the
18 effort that you're making on permits?

19 MR. RUDDER: This is Scott, L&I.
20 Yeah. I've been sending out a copy of the letter with
21 most tractions, and I write down on every -- in every
22 plan that the law -- and then, that way, if there's any
23 questions -- we had a few people come back to us and
24 caught it in the beginning, which is good and made pretty
25 positive comments.

1 So a lot of the mechanics out there didn't know
2 anything about this was going on, so we're just trying to
3 get it out in every plan now and let everybody know.

4 MR. CLEARY: Yeah. Thanks. That
5 would be really helpful. One of the things that came
6 through TAC was a proposal to make sure that points of
7 contacts come to these ESAC meetings, and there's already
8 requirements in place for the points of contact for the
9 companies.

10 And it's their responsibility to understand what's
11 going on at the state level and being able to disseminate
12 it to their staff, their companies, and make sure that
13 they're compliant.

14 So I think you're going to see that coming up in
15 rule, but it's something I think is really important.
16 It's not meant to be punitive. It's meant to be
17 informative and making sure people understand what's in
18 place.

19 And it's really important that the mechanics
20 understand it because they're the ones that are
21 responsible for doing it in the field and that kind of
22 stuff, and it goes back up to the companies and how they
23 design, especially when they're doing mods.

24 So I think we're in the right direction. Training
25 will be the last point. Then we'll see how it works out

1 in the field, but I want to thank you, everybody.

2 So any questions on that at all?

3 Okay. Let's move on.

4 Annette, did you still have some stuff to talk about
5 on CMS, the project update?

6 CMS PROJECT UPDATE

7 MS. TAYLOR: Yeah, I do. And Annette
8 Taylor again, for the record.

9 I'm not sure if we have the project team with us,
10 Mohan, Tamra. I know Matthew is here. I heard his voice
11 a few minutes ago, but I'll call on them in just a
12 minute.

13 But I just wanted to give a Conveyance Management
14 System project update. You heard me earlier reference
15 this system that we're using, the fee increases to
16 purchase.

17 And I'm the executive sponsor of this project.
18 Gerald is also a cosponsor as the elevator chief as well.
19 So he's deep into it with me. And I have appreciated all
20 of that.

21 So we just want to give a little bit of exciting
22 update on the project. You -- you know, most of you are
23 aware that the current system is -- is failing, and it
24 doesn't support the program to do the work they need to
25 do. It doesn't support our customers for what they need

1 from the program.

2 It doesn't meet the requirements any longer, and
3 it's just -- it's just outdated. I think it's -- 2006
4 was the original system, and we all know how quickly
5 technology changes. So that is very old in terms of
6 technology.

7 So can I just see if anybody can unmute? Do we
8 have -- okay. So we have Shelli here. Shelli, could you
9 unmute, state your name for the record and introduce
10 yourself?

11 MS. LACKEY: Sure, Annette.

12 Hi, everyone. My name is Shelli Lackey, from the
13 Department of Labor and Industries. I'm from the
14 enterprise change readiness office, and I am going to be
15 the change management resource for the Conveyance
16 Management System project, making sure that people like
17 yourselves are brought along as the chain -- as the
18 effort continues and making sure that we're continuously
19 seeking and using your input to help mitigate the impacts
20 of the Conveyance Management System as it moves forward.

21 MS. TAYLOR: Thank you, Shelli.

22 Tamra, are you with us?

23 MS. SCHAFER: Yes, I am. Thank you,
24 Annette.

25 I am Tamra Schafer. I'm a senior business -- I'm a

1 senior project manager in the same division with Annette
2 and Gerald, field services of public safety.

3 For the CMS project, I'm the business project
4 manager, so I work very closely with the project team and
5 the business area, so just making sure that the business
6 area -- their voices are heard when it comes to the CMS
7 and the new solution with the project team, and then also
8 listening to the project team and making sure that I get
9 business resources, subject matter experts to be at the
10 table when there's key points in the time of the project.

11 So good morning and thank you.

12 MS. TAYLOR: Thank you, Tamra.

13 Mohan, are you with us this morning?

14 MR. MADHERLA: Yes. Yes. Hey, this
15 is Mohan. I am the project manager for the CMS project.

16 And presently the project is the -- in the
17 procurement phase, and I work with Annette as the BA, as
18 well as the IT and the PMO, and I've been working on this
19 project since last July, and we are in pretty good shape.

20 MS. TAYLOR: Thank you, Mohan.

21 Jeff Clawson, were you able to dial into the
22 meeting?

23 MR. CLAWSON: Yes. I'm here. My name
24 is Jeff Clawson. I'm with ISG. We provide independent
25 quality assurance on the project, so we just continue to

1 provide oversight and give direction where we see it's
2 fit, and we like what we're seeing so far with the
3 progress of the project.

4 MR. MADHERLA: Thanks, Jeff.

5 And, Matthew, why don't you reintroduce yourself but
6 with a flare for your -- your work on the project with
7 us?

8 MR. ERLICH: Should I use a different
9 name? Anyway --

10 MS. TAYLOR: You can as long as you
11 have a flare.

12 MR. ERLICH: A flare. Wow.

13 This is Matthew Erlich. I, as I previously said,
14 work in the public affairs unit for the -- for L&I. My
15 role is to help put together communications on the
16 project so that both inspectors and other staff inside
17 L&I and all of the stakeholders externally are finding
18 out what's going on and making sure that the dots get
19 connected between what's happening with the fee increase
20 and the need for the new CMS, which I think we can all
21 acknowledge.

22 So that's -- that's my role, and I work under
23 Annette on this project. So thank you.

24 MS. TAYLOR: Thank you, Matthew.

25 So we have not ever brought to this committee an

1 opportunity to introduce the project team working on CMS.
2 I know this committee has heard various updates in
3 various stages of this project, but we've never had an
4 opportunity to introduce the project team, so we thought
5 that was an important thing that we could do today.

6 MR. CLEARY: Go ahead. Sorry.

7 MS. TAYLOR: Are you cutting me off,
8 Scott?

9 MR. CLEARY: No. Never. That was
10 unintentional.

11 MS. TAYLOR: Okay. I'm going to hold
12 you to it. I'll take just five minutes and give an
13 update, and then I'll make sure it gets turned back over.
14 But I just wanted to say, in addition to the project
15 managers, the change manager, and communication
16 consultants, we have some business analysts and IT
17 managers that are also supporting this effort in this
18 project.

19 You heard Mohan talk about we have -- we're in
20 procurement. We -- on December 1st, we issued the
21 request for the proposal for the system. The request for
22 proposal details qualifications to the bid, the type of
23 technology that we're seeking, which is something most of
24 you participated in.

25 So you'll recall several years ago that you were

1 asked, as stakeholders, what is important to you to have
2 in a system like this, and there were meetings that you
3 took time out of your busy day running your programs and
4 your companies and so forth to spend time with us, to
5 help us to understand what the requirements need to be,
6 not just from the Department's perspective, but from our
7 customer and our stakeholders' perspective.

8 So, again, thank you for that input and spending
9 your time working with us to get what we need to move
10 this forward.

11 The bidding period ended on January 26th, so now
12 there is a team evaluating the scoring and -- scoring the
13 bidders, so those who -- who saw the request for proposal
14 wanted to bid on it, thinking that they have what it
15 takes to bring a solution forward to us, they had an
16 opportunity to bid, and now the team is evaluating
17 scoring bidders.

18 So just for a little bit of background on bids, what
19 we're looking for in a bid, we're evaluating how well the
20 solution meets the business needs, the business
21 requirements, the implementation, and service
22 capabilities, the technology capabilities, and the cost.

23 Those are the things that we're looking for. So
24 this process is scheduled to conclude on February 18th,
25 which is this Friday, and the next step is the contract

1 negotiations, and that's scheduled to be completed by the
2 beginning of April.

3 So we have -- we plan to have a vendor onboard in
4 early May to start working through this. One thing that
5 we have to remember is, the procurement process is highly
6 confidential. So if you had any questions around that,
7 we would not be able to answer those today because of the
8 confidentiality of the process itself. So we can't share
9 those details.

10 So the new system is expected to go online in 2023,
11 and this, again, includes secure customer portal for you
12 to manage your account information, submit applications
13 and permits online, and immediate access to inspection
14 results, just to name a few of the benefits of the new
15 system.

16 So there's a lot going on with regard to the system.
17 We -- there is a CMS meeting every week of some sort. We
18 have several stakeholder meetings. We have lots of
19 conversations to make sure everybody is on the same page
20 and that we're able -- we are doing -- we're able and
21 we're communicating appropriately with all of our
22 stakeholders that are across the state that are impacted
23 by this project.

24 One thing that was started with Matthew and Tamra is
25 a monthly newsletter that started last December, which

1 was Volume 1. I think Volume 2 is the draft, is almost
2 complete, and it highlights the key messages and
3 important dates.

4 So I gave a lot of information during this quick ten
5 minutes, but the newsletter will also highlight the key
6 information, messages, and those important dates as well.

7 So if you did not get a copy of it, you can
8 certainly ask Melissa Eriksen to get a copy to you. I'm
9 sure she'd be happy to share that.

10 But what's important is, we don't only want to just
11 communicate regularly. We want to make sure everybody is
12 ready and prepared for this change. The program has a
13 lot of changes they're making to prepare for this going
14 from a paper process to an electronic process, but it's
15 also going to be changes for customers and our
16 stakeholders as well.

17 And you -- Shelli introduced herself a moment ago,
18 and she plays a very important role in helping us prepare
19 for this change, so I'm going to turn this back over to
20 Shelli, and she's going to talk about the change
21 management best practices the project is using and go
22 over a readiness assessment that she created for this
23 project.

24 Shelli?

25 MS. LACKEY: Thank you, Annette. Hi

1 again, everyone.

2 So as Annette mentioned, we are utilizing several
3 best practices in change management, the most important
4 of which I believe is using your input to make sure that
5 the way that this implementation moves forward is --
6 mitigates the impacts to you and your -- the groups that
7 you represent.

8 So in that vein, we want to understand sort of a
9 baseline of where you all are at currently in regard to
10 your understanding of the -- the project, what you
11 understand about it, if you're ready for it, if you --
12 any knowledge gaps that you have or gaps in ability to
13 sort of understand how you need to live in the new system
14 once it's been implemented.

15 And so we're going to be sending you all in the near
16 future a link to a nine question survey called a
17 readiness assessment. And the questions that you answer
18 on this assessment will give us just a baseline feel for
19 how we need to adjust our communications moving forward
20 or any engagements that we have with you in the -- in
21 upcoming meetings, how we talk about the project with
22 you, how we inform you of trainings and such as they --
23 as that time draws near.

24 We will be periodically assessing your readiness as
25 we move forward with -- with this project. The first one

1 is a baseline, and then we'll be doing two more as the
2 project moves forward, one -- one kind of midway through
3 and then one at -- almost when it's time to go live in
4 the new system.

5 Are there any questions about what I've explained so
6 far?

7 Great. So, again, as representatives of important
8 stakeholder groups associated with the elevator program
9 and with L&I, it's important to us to hear from you. And
10 this assessment is one good way for us to do that in a
11 way that allows us to use your input in our future
12 communications with you and our future engagements with
13 you.

14 With that, I think I'll turn it back to you,
15 Annette.

16 MS. TAYLOR: Thanks, Shelli.

17 Before I turn it back to Scott or before he, you
18 know, uses the stick and pulls me off so he can move on
19 to the next part of the agenda, are there any questions
20 from the information we shared on CMS? We went through
21 it pretty quickly, so I apologize.

22 So if there's any questions, happy to answer them
23 now, or if you wanted to send us a note, we'll be happy
24 to get those questions answered and back to you as well.

25 MR. CLEARY: Thanks, Annette. Thanks

1 everybody on the team.

2 My question is, how realistic is the timeline for
3 implementation?

4 MS. TAYLOR: Absolutely realistic. I
5 mean, you have to -- Scott, I think that probably Mohan
6 and others would say, if I said we're going to be
7 absolutely spot on the timeline, they might cringe a
8 little bit because there's always something that could
9 potentially happen that might adjust that timeline ever
10 so slightly.

11 But the reason why I'm so confident with this
12 timeline is because we meet often to discuss this
13 project, where we are in the project, have we hit the
14 deadlines leading up to where we are today, and we have.

15 And so there's a lot of visibility and a lot of time
16 spent on this project, making sure that everything that
17 we're able to move forward/control, we're able to do
18 that.

19 So I'm fairly confident because so far we've been
20 able to meet these timelines and the deadlines, and they
21 have the full schedule set up for this entire project.

22 And if, in fact, there is a delay in a timeline or
23 somewhere there's a delay, we would bring that back to
24 the committee and share that information. Transparency
25 is really important to us with this project.

1 And so if we were -- if we thought we were going to
2 miss a deadline, we'd certainly come back and at least
3 make sure that everyone is aware of it and the reasons
4 why.

5 But so far, this project team has done such an
6 outstanding job of moving this project forward and not
7 missing deadlines and timelines, so, I mean, I could
8 appreciate -- the question is fair.

9 MR. CLEARY: Is there -- what is your
10 plans to beta test or get this out before it goes live?
11 Is there any? Are you going to do a market segment to
12 see how it works in the real world, or is it just going
13 to be a launch?

14 MS. TAYLOR: Well, no, there's going
15 to be a lot of testing involved in this, so it's --
16 testing is factored into the project timeline. So it's
17 not -- we're not just going to launch the project and not
18 take it through its required testing process.

19 So, you know -- and during that testing process,
20 that's going to give us an opportunity to see, is it
21 going to work as we expected it to work? Is there some
22 bugs that need to be worked out, you know, something came
23 up that we didn't expect to come up? But there will be a
24 robust at the time testing period prior to this going
25 live.

1 MR. CLEARY: Is the existing CMS --
2 you know, there's been a lot of time where there's been
3 junk in/junk out.

4 Are you guys finding it problematic to pull out
5 historical information?

6 MS. TAYLOR: I'm not sure that we -- I
7 can -- I can turn that question over to Mohan. I'm not
8 sure that we are in the phase yet where we're pulling
9 information out of the current CMS because our staff are
10 still working in it, and -- but, Mohan, is there -- could
11 you answer Scott's question?

12 MR. MADHERLA: Yes. We are doing data
13 management capabilities. So the information and data
14 that is available in the current system, it will be
15 available in our new system also.

16 So we are not deleting any of those data, so data
17 will be available. So we have all those data management
18 practices in place for this project, yes.

19 MR. CLEARY: So is there a process? I
20 don't know how the -- the SOP or the SOQ is put out.

21 How do you correct problems that are in the existing
22 CMS so they don't get transferred over to the new system,
23 like categorizing lists that shouldn't be in that
24 category and some of the other things that always pop up?

25 MR. MADHERLA: For the -- go ahead,

1 Annette. Sorry.

2 MS. TAYLOR: No. Go ahead, Mohan. Go
3 ahead.

4 MR. MADHERLA: For the existing -- for
5 the existing system, we do have -- we do have teams --
6 team, and they are working on all the fixes, all the
7 fixes and in the existing one.

8 But for the new ones, we will definitely be
9 considering all the fixes which needs to be there for the
10 new ones. Definitely will take care of the bugs or
11 issues for the new -- for the new ones.

12 But for the existing ones, there is a team in place
13 who are working on all the fixes and the new
14 requirements.

15 MR. CLEARY: Well, this comes up --
16 like for the grain industry, there's, you know, on
17 operating permits, there's a lot of missed weights and
18 mischaracterizations of a product.

19 So do you reach out to the holders of the equipment,
20 the owners of the equipment, or how do you glean that
21 information to make sure that it's correct?

22 MS. TAYLOR: So what Mohan is
23 referring to earlier is, there is a team -- IT business
24 team that works together now in the current system to fix
25 those bugs. And so we work through our business partners

1 in the elevator program to understand what those concerns
2 are.

3 The elevator program staff are working with those
4 partners out in the field that have the issues and
5 concerns. They bring that information forward. Partly
6 in this process it comes through Paoa, who then comes to
7 the team that is working in the current CMS that they
8 need to fix a bug or, you know, create something for the
9 program to use until the new CMS comes -- is -- goes
10 live.

11 So it's the -- it's the business area, working with
12 the customer and the stakeholder that brings it forward
13 to the project team that's working on the current CMS to
14 fix any bugs or issues that come up.

15 MR. CLEARY: Paoa, you had your hand
16 up?

17 MR. NAIPO: Annette, this is Paoa.
18 Annette covered what I was going to talk about, so --

19 MR. CLEARY: Outstanding. Thank you,
20 Annette. Thank you, everybody.

21 Does anybody have any questions on the CMS project?
22 That's going to be quite a big undertaking but well
23 needed? Well needed.

24 If no questions, we're going to take a five-minute
25 break. Melissa is going to put up a clock on the screen

1 and please come back at that time. Thank you.

2 (Break from 10:26 a.m. to
3 10:32 a.m.)

4 MR. CLEARY: Welcome back, everybody.
5 Melissa, can you put up the agenda, please?

6 MR. ERIKSEN: Yeah.

7 MR. CLEARY: All right. Thank you.
8 Appreciate -- good conversations. Good meeting so
9 far. Appreciate everybody's input. And let's -- we're
10 going to move on now to the subcommittee status and
11 updates.

12 ESAC SUBCOMMITTEE STATUS UPDATES

13 MR. CLEARY: And I just want --
14 everyone that's on ESAC, I want them to understand that
15 we're going to -- I'm going to call for a vote on the
16 recommendations from Ricky Henderson's subcommittee on
17 MCPs.

18 So he's going to give an overview to make sure
19 everybody understands and gets brought back up to speed
20 what the recommendations are coming out of that
21 subcommittee.

22 So with that, go ahead, Ricky.

23 MCP - POSSIBLE SUBCOMMITTEE CLOSEOUT

24 MR. HENDERSON: Thanks, Scott. This
25 is Rick Henderson, vice chair ESAC.

1 So last year the subcommittee was put together to
2 review the State's request to move away from logs being
3 provided by the State as well as for both category
4 testing and as well as the maintenance requirements.

5 Melissa, could you put the other attachment up,
6 the -- there you go.

7 So scrolling down a little bit, but there's the
8 members of the subcommittee. The date was 6/15/21. We
9 actually met quite a while ago and reviewed it. My fault
10 here. I didn't really push it forward to the ESAC to get
11 it to move forward and -- from here.

12 Scroll down so we can see the review, if you would.

13 So I'm just going to read this for everybody real
14 quick. If anybody has any issues, please let me know.

15 But currently L&I has A17.1 2016 compliant periodic
16 test logs and maintenance logs for the electric/hydraulic
17 and escalators/moving walks available on their website
18 for download and use by owners and maintenance providers.

19 This maintenance and periodic test logs were created
20 originally by the State for their inspectors to have a
21 common form so that, rather than each individual company
22 or owners providing their own document that are
23 different, things were easily -- everything was in the
24 same location when they went to go check for -- making
25 sure maintenance and testing was being performed.

1 With the State form, everything was going to be
2 consistent. What the issue -- what we're finding out is,
3 we're going to be adopting the 2019 version A17.1 coming
4 up pretty soon, and when that happens, the State forms
5 are no longer going to be code compliant.

6 Chief has asked us to move away from a provided
7 State log and return to the national standards, which
8 requires these to be provided by the owner or service
9 provider.

10 And specifically the two items the subcommittee was
11 tasked to review and put forth a recommendation on was on
12 electric/hydraulic elevators and escalators/moving walks
13 because that was the only State forms that were
14 available.

15 And State provided maintenance log for that A17.1
16 86141 calls for this to be on-site, and 86121(a) requires
17 it to be provided by the maintenance provider. Moving
18 forward, State doesn't want to provide this document. As
19 Gerald put it, they're not in the business of creating
20 maintenance logs.

21 2, the State provided periodic test record. Moving
22 forward, State wants -- doesn't want this to be used in
23 lieu of the metal test tag specified in A17.1 86172.

24 So that was sort of the basis of where we were going
25 through. In the discussions that -- in the -- what we

1 found was, the State's maintenance log use in the field
2 was very low. The State didn't have a requirement for
3 this log to be used, and most companies tended to use
4 their own.

5 The periodic test tag -- or excuse me -- periodic
6 test log we found was more widely used because this was
7 approved to be used in lieu of the metal test tag.

8 But -- however, the City of Seattle did not accept
9 that. They continued to require the use of the metal
10 test tags.

11 And in discussions with City of Spokane, they voiced
12 their desire to also use the metal test tag and having a
13 consistency across the state. Everybody using the same
14 tag was -- is desirable for consistency.

15 The -- there are two tests on the State's periodic
16 test log and -- that has places to log items that are not
17 on the A17.1 metal periodic test tag. If you look at
18 A17.1, there are certain items that are required to be
19 the test tag.

20 What we found there are two items that are on the
21 test log provided by the State that are not required to
22 be on the metal test tag. And that was a quarterly fire
23 service testing required by the State and the annual fire
24 alarm initiating device, or FAID, testing required by the
25 State. What we found was, historically, prior to the

1 State logs, these were provided by the maintenance
2 provider.

3 The monthly fire service record is an A17.1
4 requirement and was amended by the WAC to require
5 quarterly testing, rather than monthly testing, and is
6 required to be available to elevator personnel in the
7 AHJ.

8 The annual testing of the FAID devices required by
9 the WAC, what we found, while the WAC has a testing
10 requirement, it was found that the typical language --
11 can you scroll down there a little for me there,
12 Melissa -- the language in, quote, The record of the
13 findings shall be available to the AHJ, end quote, was
14 missing from that specific WAC rule, and in the
15 discussion about the location of the quarterly fire
16 service testing FAID log location, and it's something
17 should be added to clarify where it should be located.

18 The consensus was that wording of "a record of the
19 finding shall be available to the 30 having jurisdiction"
20 should be sufficient.

21 And, in summary, the MCP subcommittee agrees with
22 the State's desire to remove the maintenance and test
23 logs that are currently on their website. The big aspect
24 of that is, after the adoption of the 2019 A17.1, the
25 current State logs are no longer going to be code

1 compliant.

2 So the recommendations out of the subcommittee by
3 both email and on their website is that the logs are
4 going to be removed and will no longer be compliant for
5 the A17.1 2019 code.

6 And the scheduling of the adoption and enforcement
7 should be with the beginning of a calendar year to
8 synchronize of the installation of the MCP logs.

9 What happens sometimes in the past, when code
10 addition changes were enforced in the middle of the year,
11 owners had to swap out -- put brand-new logs on that were
12 only six months old.

13 So it's just -- recommendation was try to
14 synchronize it for the installation of the new logs when
15 they were typically going to be installed on the jobs.

16 And the second recommendation is for a scheduled WAC
17 update. The WAC 296-96-00675 should have "a record of
18 findings shall be available to the AHJ" added to the
19 existing language. So that clarifies for sure this needs
20 to be available for the AHJ.

21 That was the end of the NCPC subcommittee
22 recommendations. Just FYI -- Jim? Yes? Jim Norris?

23 MR. NORRIS: I just -- Jim Norris. I
24 just wanted to clarify, when we're talking metal tags,
25 are we talking the four-by-six tag that goes on a

1 controller that has all of the different items you can
2 test, or individual little tag that you hang on the
3 governor and you hang on the releasing carriage, or both?

4 MR. HENDERSON: Just the metal -- big
5 metal tag that goes on the controller -- sorry. Rick
6 Henderson.

7 So, yeah, Rick Henderson. This is only dealing with
8 the big metal tag that goes on the controller that has
9 every category item listed that needs to be tested for
10 that conveyance.

11 So this happened -- the meeting -- the subcommittee
12 convened and did this quite a while ago, and like was
13 mentioned earlier in the meeting, the TAC has convened.

14 And, Melissa, if you have that -- the previous PDF
15 that you had up that -- for the WAC recommendation rule
16 change, this was one of the recommended changes that came
17 in where we appended. We added the wording there so that
18 it met the same requirements as the previous monthly --
19 excuse me -- quarterly fire service testing.

20 And that was "deficiencies shall be corrected," and
21 then "a record of the findings shall be available to
22 elevator personnel and the authority having jurisdiction"
23 was added to the existing paragraph language.

24 And it was also recommended that a line be added to
25 append A17.1 86141 to add, "Record of fire alarm

1 initiating device testing required by 296-96-00675." And
2 this put all of the -- this written record in with all
3 the other requirements.

4 And if we -- I think I have that -- yeah. Perfect,
5 Melissa. Scroll on down so we can see where that got
6 added.

7 So for the on-site maintenance records -- and scroll
8 up just a little bit.

9 So in other records, "The following written records
10 shall be kept on-site for each unit. Instructions for
11 locating the records for each unit for immediate viewing
12 shall be posted on the controller or at the means
13 necessary for test."

14 One of the concerns that Carl brought up in all this
15 is, owners have this -- they don't know -- where is it
16 going to be?

17 And with the introduction of the MRLs coming into
18 play, there's no machine rooms in those. So where are
19 these records going to be located?

20 And the A17.1 covers that in the means necessary for
21 test, and there has to be some type of a panel. Even if
22 it's an MRL, there has to be access to be able to do
23 testing.

24 And at that area, if the instructive logs are not
25 there or this record is not there, then you must have

1 a -- instructions that show where they will be located,
2 instructing the AHJ personnel where to go, to go find
3 these.

4 And I believe this did pass the TAC and move on to
5 the ESAC for voting. So I believe that covered the
6 requirements of the MCP subcommittee that was put forth.

7 Any questions? Comments?

8 MR. CLEARY: Perry, you had a
9 question?

10 MR. MCKENZIE: Yes. Perry McKenzie,
11 elevator supervisor -- inspector supervisor.

12 Is it possible to put after "test tag," "backslash
13 plate" on there? I'm with Jim Norris on that with -- the
14 plates are nice because everything is all on one area.
15 It's right there.

16 But I know that some companies will hang their
17 little tags for the governor and for this or for that or
18 the, you know -- any other type of equipment that needs
19 to be tested, they might hang them off the controller, so
20 they don't always have to be mounted.

21 It's nice if they are, but, you know, they have that
22 option, but it would be nice to have plate -- put, you
23 know, "test tag, backslash, plate" so if they want to use
24 one or the other, then they're doing that, I guess.

25 The other item would be, when companies change their

1 MCPs from year to year, they're not always in the same
2 format and stuff, so the inspectors -- that's one reason
3 why they like the one form, the State form, because
4 that's where they can go and quickly find whether certain
5 things were done.

6 They can verify it through the MCP if they want to
7 go that far or whatever, but when the MCPs change or the
8 order in which the pages are in there, they might be in
9 there, they might not, whatever, it's a lot of, you
10 know -- and we have to deal with every elevator company,
11 not just one.

12 So there is a lot of research that has to go into
13 it, make sure they're all set up the same, and, you know,
14 it just changes from year to year.

15 So that's just a little bit more work, but that's
16 stuff that we can do. It's just something that we see
17 out in the field.

18 So that's all my comments. Thank you.

19 MR. HENDERSON: Okay. So on the first
20 part of it, for the -- I don't think -- I don't think we
21 added any language here that talked about the periodic
22 test tag to any of the rules. We just left that up --
23 straight up as the A17.1 language.

24 The -- let me go back and look and see. So Rick
25 Henderson. Sorry. Vice chair.

1 So I believe, Perry, if I'm following you right on
2 the first one, where you want the language change for the
3 periodic test tag/plate, you were wanting that to be
4 added into a WAC rule?

5 MR. MCKENZIE: Well, I was just
6 wondering if right after "tag," you could just put
7 "backslash plate" in case the company wanted to use one
8 or the other.

9 Instead of just hanging tags everywhere and you're
10 looking at each tag for each individual item, the plate
11 would suffice, and it would list all the testing that had
12 been done, when it was done, that type of thing.

13 It's a little cleaner version, but not every -- some
14 companies just say, "Oh, it says tag." So then they'll
15 put a tag on, you know. They might put the plate hanging
16 down, but they might have a bunch of individual tags.
17 There's a difference between a tag and a plate.

18 So I don't know if that's something worth exploring,
19 that's anything you guys want to do or not. It's a
20 little cleaner version.

21 MR. HENDERSON: Rick Henderson. Yeah.
22 I'll look into that. That would be a -- that could be a
23 standalone TAC proposal going to any of the ESAC members,
24 I think. The -- with this closed out, it doesn't have to
25 wait for this MCP subcommittee at all, especially since

1 none of the WAC rule changes that were recommended here
2 was reflected in any of that.

3 I'd have to look back into the -- that would have to
4 be an addendum to the A17.1 language, I believe, to make
5 that change.

6 And, Candace, I think you -- I saw your hand come
7 up. You have something on it with respect to this?

8 MS. LAU: Yeah. Candace Lau, L&I.

9 Is it -- my question, I guess, is, is it the
10 recommendation of the -- of the MCP committee to only
11 require the tag and not the test log? Meaning, is it the
12 recommendation that we are moving towards both the test
13 tag and the test log, or only the test tag, I guess is
14 the question.

15 MR. HENDERSON: Rick Henderson, vice
16 chair.

17 The MCP subcommittee did not make a recommendation
18 related to that at all. The A17.1 code requirements, I
19 think, are pretty clear on it. They only require the
20 test tag.

21 One of the things about the test logs here we use
22 quite a bit was, the State allowed the paper category
23 test log to be used in lieu of that periodic test tag,
24 but the -- the short answer to your question is, the MCP
25 subcommittee didn't make any recommendation away from

1 what A17.1 currently requires.

2 Yes, Candace?

3 MS. LAU: Follow-up question. So I --
4 I had actually put that in the chat for the City of
5 Seattle and, I guess, the City of Spokane.

6 Is that also their requirement to only have test
7 tags and not the test log? Because there's going to
8 be -- I believe there's going to be a lot of confusion in
9 regards to this subject because, if there's been a long
10 ongoing process that has taken place and -- which is in
11 the beginning, when all this MCP stuff came about, when
12 Jack was here, we saw test logs. We kept -- that's all
13 we saw. We saw test logs and test tags.

14 Then recently, when Dottie was here, the requirement
15 became just test tags. So now that we're -- and -- or --
16 or using that test log in lieu of test tag.

17 So there's been a lot of confusion surrounding it.
18 If we are moving away from the standardized test log
19 that's provided by the State, I think there's going to be
20 a misconception, if this is how we're moving forward, to
21 only require the test tag, that this is really something
22 that needs to be said.

23 It needs to be notified because I don't believe
24 that -- that people are expecting that. That's -- that's
25 my only comment, is that this has to be made clear to

1 everybody, if that is the case, we would no longer have
2 test logs. We're only going to have test tags. That's a
3 huge change in the way we've been doing business.

4 MR. HENDERSON: Who else has their
5 hand up? Jan?

6 MS. GOULD: Jan Gould, City of
7 Seattle.

8 And, Candace, I agree. There's been a lot of
9 confusion. So in the city for the last couple years, if
10 they have the State log, that's fine. And the MCP has
11 repairs, replacements, callbacks for hydro oil usage, but
12 we've always required the test tags.

13 So if someone has some test, you know, on the log,
14 we want it on the tag. That's what ASME requires, but
15 it's someplace.

16 And the problem with the paper, it's just so easy to
17 disappear, where a metal tag is much more durable.

18 MR. HENDERSON: Okay. This is Rick
19 Henderson, vice chair again.

20 Appreciate those comments. And, yeah, there's been
21 a lot of confusion going on here between -- originally,
22 there was a requirement for both the paper log and the
23 metal tag since some -- I think there was some WAC
24 changes of rules with what modified it to where it now
25 just has to comply with A17.1. And my understanding of

1 the current A17.1, when you get an MCP and testing log,
2 it refers you back to the metal tag.

3 So I don't think there is any requirement for a
4 paper log, as far as for the category test requirements.
5 It's -- the requirement is for the metal tag to log it.
6 Nothing to be said that they can't provide it, if
7 necessary -- if they want to. We can do more than the
8 code requires, but we have to do at least the minimum.

9 I see somebody else has a comment, has their hand
10 up.

11 Okay. Rick Henderson, vice chair again.

12 So in response to Candace's -- and I do believe that
13 there is a lot of confusion related to this.

14 Gerald, I guess the question more toward -- toward
15 you is: As part of the notification that we're
16 recommending to go out on the website and by email, could
17 this be something that is clarified at that point in
18 time?

19 MR. BROWN: Yes. We're going to have
20 to make it crystal clear what the expectation is and what
21 the implementation date is, also to let everybody know
22 that you can start using these metal plates and tags.
23 You don't have to wait until that release date, of
24 course.

25 But we're just trying to move away from providing a

1 piece of paper that's going to be outdated on each coded
2 option that changes and stuff.

3 We would rather just be more of a code-based
4 compliance to these things rather than having to depend
5 back on individual WAC rules for policies on paperwork
6 and providing information where the companies already can
7 provide that.

8 So that's pretty much it. Yes. We'll have to make
9 it crystal clear on the notifications that go out.

10 MR. HENDERSON: All right. Ricky
11 Henderson, vice chair.

12 Any other questions, comments related --

13 MR. CLEARY: Scott Cleary, chair.

14 Rick -- Ricky, now, is the intent of the
15 subcommittee and -- to harmonize with all the AHJs?
16 Correct? And I think we have that? Is that true?

17 MR. HENDERSON: Yeah. That is -- if
18 we follow the recommendations of the subcommittee, yes,
19 everybody would be harmonized on the metal test tag.

20 MR. CLEARY: Duane, City of Spokane
21 onboard on this too?

22 MR. LEOPARD: Go ahead. This is
23 Duane, City of Spokane. What was your question?

24 MR. CLEARY: You're in agreement with
25 these recommendations?

1 MR. LEOPARD: Yes.

2 MR. CLEARY: Jan, City of Seattle?

3 Short answer. Good.

4 MS. GOULD: Jan Gould. Absolutely.

5 MR. CLEARY: Outstanding. Ricky, I
6 think we need to open up questions for ESAC members only
7 before we authorize a vote on this to recommend it --
8 either recommend it or don't recommend it for the State.

9 Do you want to facilitate that, please?

10 MR. HENDERSON: Okay. This is Rick
11 Henderson. Not having done this before, Scott, is this
12 just a verbal, where I ask all the ESAC members to -- for
13 questions?

14 MR. CLEARY: Yeah. Just ask for
15 questions.

16 And I'm going to ask Melissa to -- I'll call for
17 votes, for yeas, nays, and abstentions, and we can record
18 it that way, but I just want to make sure that all the
19 voting members are okay with -- don't have any questions
20 on what they're voting for and what this means.

21 And basically this is -- so we either recommend it
22 to the State for, you know, adoption, or we don't.
23 You've put a lot of work into this. You know, there's
24 been a couple other subcommittees over the year run by
25 Leon and one by Leonard, and then you picked up the ball

1 on that.

2 So there is some ambiguity, and it would be nice to
3 get clarification to go forward with, you know, what this
4 has been -- what you guys recommended, but I want to make
5 sure that everybody that votes on it understands what
6 they're voting on.

7 MR. HENDERSON: Okay. So Rick
8 Henderson.

9 So just opening it up for questions just from the
10 ESAC members. Any questions just from the ESAC members
11 related to any clarification we need for an upcoming vote
12 whether to renew this forward to the State?

13 Yes, Lyall?

14 MR. WOHLSCHLAGER: Lyall Wohlschlager.
15 So what's on the screen in front of us is the
16 recommendation from the subcommittee, and it clearly
17 indicates there is not a paper requirement for periodic
18 tests. There's just a tag requirement or plate
19 requirement in accordance with 86172.

20 Is that a correct understanding, Ricky?

21 MR. HENDERSON: Rick Henderson.
22 What's on the screen right now is not actually the
23 subcommittee recommendations. This was a WAC rule
24 recommendation that I put together for changing it, so
25 that adding the requirement for the paper log to be

1 on-site and available to the AHJ.

2 What is currently on-site on the screen right now is
3 the recommendations out of the subcommittee.

4 MR. WOHLSCHLAGER: Thank you.

5 MR. HENDERSON: And what's related to
6 that is recommendation No. 2 for WAC update should have
7 an -- in, quote, a record of the findings shall be
8 available to the AHJ, end quote.

9 And to be clear, this wasn't anything to do with
10 periodic testing, as far as category testing. This was
11 for the FAID testing. The WAC rule didn't have -- did
12 not have the actual wording of a record of the findings.
13 They said it had to be tested, but it was missing "a
14 record of the findings shall be available to the AHJ."
15 Adding that wording matched the quarterly fire service
16 testing requirement.

17 Yes, Scott?

18 MR. CLEARY: Scott Cleary, chair.

19 I just want everybody on the ESAC -- like Ricky just
20 talked about, we're voting on the recommendations. Now,
21 the State still has the ability to either accept or not
22 accept what comes out of the subcommittee, what comes out
23 of ESAC, and some wordsmithing may be necessary.

24 But I just want to make sure everybody understands
25 that what we're going to take a vote on next is the

1 recommendations 1 and 2.

2 Any further questions? If not, I'm going to move
3 that we -- the ESAC votes to accept these recommendations
4 and recommend them to the State.

5 Melissa, can you -- I want everybody to show their
6 hands that are voting, please.

7 Melissa, can you count them.

8 MR. THOMPSON: I second.

9 MR. CLEARY: So all in favor, raise
10 your hand, please.

11 MR. THOMPSON: That was Brian Thompson
12 with the second.

13 MR. CLEARY: Thank you. Perry, you
14 can't vote. Sorry. Okay.

15 All nays that don't want to recommend to pass this
16 up to the State, please raise your hand.

17 All abstain?

18 Melissa, do you have the count?

19 MS. ERIKSEN: The MCP vote, there were
20 nine yeses, zero noes, and no abstentions.

21 MR. CLEARY: Okay. With that, the
22 motion has been approved, and we're going to send these
23 recommendations to the State.

24 So, Ricky, thank you and everybody that's on the
25 subcommittee for their hard work. Hopefully this will

1 make it easy to harmonize with the rest of the AHJs in
2 the rest of the state and give clear guidance to the
3 companies and to the mechanics. Thank you very much.

4 Moving on, we're going to talk about licensing
5 category, education subcommittee.

6 LICENSING CATEGORY, EDUCATION & CURRICULUM

7 MR. CLEARY: There's no new
8 information to read out from the -- our November meeting.
9 We talked a little bit about the importance of being able
10 to meet back in person.

11 There's some things that have come out of the last
12 meeting in November, and it also came up in the TAC, and
13 that's the ability to have endorsements on different
14 categories.

15 So that's going to be one of the major things that
16 we need to do and that we need to fill out. The
17 curriculum requirements and how you obtain that training
18 is something that's really, really important, and that's
19 one of the main goals out of the subcommittee.

20 So any questions on that? It's not a whole lot to
21 talk about, other than our intent -- Melissa, you can
22 help me with this -- is to meet relatively soon, but
23 that's going to be dependent upon, I think, being able to
24 meet in person or do we want to go ahead, if we can't
25 meet in person, to have a virtual meeting?

1 MS. ERIKSEN: This is Melissa. Are
2 you asking for my opinion on this?

3 MR. CLEARY: I'm asking for what the
4 next step is because I don't want to leave this by not
5 doing anything much longer.

6 So my -- I think, as the chair of that subcommittee,
7 I think it's important that we meet preferably in person,
8 but if we can't -- I don't know when this is ever going
9 to end, so it's really important I think that we get some
10 closure on this.

11 So, yes, your opinion, Paoa, because you
12 participated and facilitated, what's the State's position
13 on moving forward?

14 MS. ERIKSEN: So from -- this is
15 Melissa. For my opinion, when we were meeting, so much
16 work got done, so much. And we are seeing the benefits
17 of that work today in different things that are happening
18 around training and the communication and participation
19 in general.

20 So I am in agreement that, with the work that we do,
21 with the amount of the different nuances that we deal
22 with, it does need to be in person. I am confident that
23 we will be able to meet sooner than later. I do not feel
24 that it will be happening in February, possibly March.

25 But, yes, I think that we do -- we haven't stopped.

1 We had great momentum going forward, and I do believe
2 that we need to wait until we can meet in person to
3 finish that up.

4 MR. CLEARY: Is Annette still on?

5 Okay. Gerald, do you have any insight on when
6 things are going to be opened back up or not?

7 MR. BROWN: They have a soft opening
8 of being able to have meetings and stuff on March 15th,
9 but they haven't really carved that in stone. So I think
10 we would have to wait at least until then to be able to
11 say yea or nay on a virtual or in person.

12 It looks like it's heading towards in person that
13 we're able to do that, but right now, I don't have a hard
14 date or a hard answer, as far as on March 15th, that
15 they're actually going to be able to ease those
16 restrictions that we're currently under for
17 State-sponsored meeting in person.

18 MR. CLEARY: Well, and one of the
19 things that's really critical too, that kind of put a
20 kibosh to the TAC in person, was the mask mandate, that
21 we'd have to be masked up for eight hours a day for three
22 days straight.

23 So I think, until that's lifted, especially in King
24 County, if we do up in Tukwila, that's very problematic
25 too.

1 MR. BROWN: Okay. I agree. And
2 there's been some movement on mask mandates. As we know,
3 on the 18th, they're lifting the outdoor mask mandate,
4 and they're under consideration in the governor's office
5 now on indoor mandate.

6 We're going to have to see where that goes. It
7 would sure make it a lot easier to facilitate having a
8 meeting without it, if that's the choice.

9 You can still wear them if you want, of course, but
10 we're moving toward in-person meeting, and I think that
11 we're probably pretty close to that March date, as far as
12 just, you know, for the information we have in front of
13 us at this time.

14 MR. CLEARY: Okay. Thank you. Any
15 questions on the licensing subcommittee?

16 Okay. Next, fire rated door assembly subcommittee.
17 The chair is Brian Thompson.

18 FIRE RATED DOOR ASSEMBLY

19 MR. THOMPSON: Brian Thompson. I was
20 inspired by the recommendation from the MCP subcommittee.
21 Our committee is still gathering perspectives from
22 different stakeholders to come up with our
23 recommendations, so hopefully we'll have that for the
24 next meeting.

25 MR. CLEARY: Okay. Thanks, Brian.

1 Jim, we're going to -- this is kind of ties into the
2 three quarter and four requirement by the feds. I want
3 to talk about the conveyance in rental units.

4 And that -- this is not just elevators. It's VPLs.
5 It's IPLs. It's any regulated conveyance that is being
6 looked at in this subcommittee. So Jim Norris is the
7 chair.

8 CONVEYANCES IN RENTAL UNITS

9 MR. NORRIS: Jim Norris. I'm the
10 chair of the residential subcommittee. Garry Wood is the
11 vice chair. And we've always had meetings with Brian
12 Thompson, Gerald Brown, Matt Kuwalski, Jan Gould, Garry
13 Wood, and Scott Cleary and Melissa Eriksen attended those
14 meetings.

15 So our -- as was stated earlier in the WAC, no
16 annual inspection in operating certificate is required
17 for a private residence conveyance operated exclusively
18 for this -- for single-family use unless the owner
19 requests it.

20 And so our concern is the safety concern, and we
21 have broken it down into two separate areas. One is
22 point of sale of a house. We think that it's appropriate
23 to have a point of sale inspection on a conveyance.

24 We're looking to catch two situations. One is the
25 conveyance that was never inspected in the first place

1 when it was installed, and the other one, that the
2 homeowner has altered to make it run and the incoming
3 owner doesn't have a clue how it's supposed to work and
4 is not aware that it shouldn't run with the doors open or
5 whatever.

6 Our other situation we're looking at is where the
7 house is not used for a primary residence and, you know,
8 currently they're afoul of the law, but how do we -- how
9 do we help Gerald enforce that?

10 I looked at the Redfin yesterday, just a brief look.
11 There were approximately 14 homes for sale in the Puget
12 Sound area right now specifically with elevators,
13 although, like Scott mentioned, we're talking about any
14 type of conveyance.

15 Those homes are typically in the four to six million
16 dollar range, although I did see one for sale down in
17 Steilacoom, and it specifically said in the listing that
18 it is currently a very successful and popular Airbnb.

19 Now, whether or not that B&B had access to the unit
20 or not is unknown because it's no longer listed since the
21 house is for sale, but it would be interesting if it was
22 listed as, hey, this is an ADA accessible house.

23 And I was somewhat amused, slashed, horrified when I
24 was looking at the Airbnb market. There was one house
25 that was listed as ADA compliant, and it was strictly a

1 ramp, but it did mention that the ramp was very steep,
2 and if you needed to have somebody help push you up the
3 ramp, there was an extra fee actually for that. So
4 that's the sort of mentality we're looking at in that
5 environment.

6 So Brian Thompson did an excellent review of the
7 WAC, any changes that would need to be made, to have the
8 point of sale inspection and also to add language that
9 would bolster the WAC's current requirement or current
10 definition that, you know, a private residence doesn't
11 have to be inspected.

12 And so that's stuff we've worked on. This was
13 attempted. I think the point of sale was attempted back
14 in 2014 before I was associated with the safety advisory
15 committee, and I think it did not pass based on the
16 stakeholders from the real estate commission were opposed
17 to it.

18 We've tried to get some other stakeholders involved.
19 We had the insurance commissioner in and talked to us.
20 They were two thumbs up with our goal but said that
21 they're not really in a position to recommend to
22 insurance companies that this would be a good thing that
23 they should back. The insurance companies are -- you
24 know, let the buyer beware type of a situation.

25 So they -- while they approved what we were doing,

1 it wasn't really in their bailiwick to help us. We have
2 not yet reached out to the real estate commission. We
3 wanted to sort of get all of our ducks in line and our
4 powder dry before we made that discussion happen.

5 So with that, we haven't met -- I think our last
6 meeting was in November, and we took a pause for the
7 holidays and the TAC and everything else that was going
8 on.

9 So I think that's sort of a description of what
10 we're working on.

11 Scott, did you want to add into that?

12 MR. CLEARY: Yeah. Scott, chair.
13 Thanks. That was really good.

14 Yeah. One of the most important things for
15 everybody to realize that, to my understanding, all the
16 fatalities and injuries have happened on rentals.

17 Basically they're not being properly trained.
18 They're not being properly regulated because most of the
19 states, especially on the east coast, do not have
20 residential inspections or licensing.

21 So one of the things that the Consumer Product
22 Safety Commission is really honing in on and the State --
23 Gerald and -- has really been proactive on is making sure
24 that we get these looked at, at the point of sale, but
25 also if you change your status and get a business license

1 for that home, then it needs to have -- it needs to be
2 looked at yearly.

3 And I know that may be a heavy lift, but I don't
4 think there's a huge amount of them, but every one of
5 them that's unsafe is a potential for catastrophe, and we
6 need to be very proactive with this.

7 So, Jim, that's very, very important. You've done a
8 really good job. I think we need to reconvene and work
9 with this, especially with the news release coming out
10 with Matthew and the TC that's coming out through
11 Gerald's division, so thank you.

12 Any questions with anybody on that?

13 Okay. With that, we're going to move on to product
14 vetting.

15 PRODUCT VETTING

16 MR. CLEARY: This is something that I
17 know it's been problematic on -- you know, I really
18 think -- and I'd like to have the two tech specialists
19 talk a little bit about this either between myself and
20 Ricky or afterwards.

21 I really feel that, you know, we need to put a
22 process or the State needs to put a process together, I
23 think a subcommittee, to make sure that the manufacturers
24 who are bringing in new products on any different
25 category, as well as the dealers that are trying to get

1 them in the state, we have a well-defined process that
2 can be followed and all the upfront work and engineering
3 can be put together and submitted at one time because I
4 really think doing vetting inspections after it's been
5 permitted in the field is -- you're just asking for
6 disaster.

7 I think all this stuff should be done upfront during
8 the permitting process, and how that's done is something
9 I think we're going to need to work on, but it creates a
10 lot of consternation and ties things up of having them
11 just always done upfront without having a process that
12 really lets that company know what's required of them so
13 it can be put on the list of accepted products in the
14 state. It's code compliant, and that really makes it
15 easier.

16 So the tech specialists don't have to do the
17 vetting, and the inspectors don't have to do it in the
18 field. It can be done -- it would be put on a list
19 upfront, and I think that's kind of the best way to do
20 it.

21 So, Scott, are you on here or -- and Candace? I
22 know the main responsibility lies with you guys. Can we
23 get a little input from the problems that right now --
24 the process or not having a process can be causing?

25 MS. LAU: Yeah. This is Candace, with

1 L&I.

2 Yes. We have -- we don't really have a process. We
3 have a -- I mean, I kind of created a little process
4 where I'm -- you know, I'm asking for certain
5 information, but to the point where you are saying that
6 we need to vet all this stuff and that we -- and I'm
7 paraphrasing. This is what I gather what you just
8 said -- that we're going to vet all this stuff and then
9 we're going to put it on a list and then there's no need
10 for a vetting inspection.

11 I tend to disagree with that because the inspection
12 is a huge part of the vetting process, and I don't know
13 if that's what you said, but I was paraphrasing.

14 And, again, part of our vetting process currently is
15 that we are going to ask the manufacturer which -- how
16 would they like -- after we've gotten all the paperwork
17 and everything looks good to go, we ask the manufacturers
18 which way they would like to do it. Would they like to
19 do, like, a mock inspection at their factory or out of
20 state at an actual place that they're actually putting in
21 an elevator outside the Washington State.

22 If they can provide for that, we can do these things
23 virtually. If they choose to, they can -- if they don't
24 have that option, then they can take out a permit from
25 our department for the vetting inspection and --

1 because -- and we're not going to say that it's
2 completely vetted until we've gone through at least the
3 first inspection.

4 And the reason being is that you can miss so many
5 things on paper that you can catch in the field, and a
6 lot of it is -- as you well know, it's not the conveyance
7 itself either. Sometimes it's -- it's -- it's not that
8 it doesn't meet A18.1 or A17.1.

9 Sometimes it's electrical issues that are not -- and
10 I try to be upfront with all the electrical issues, but
11 we can't see everything on paper.

12 So there are a lot of challenges with the vetting
13 process, and that's kind of all I really have to add. It
14 is a huge burden on -- on us, the technical specialists,
15 because we'll get a -- we'll get a permit, and it's
16 something that's never been installed in the state of
17 Washington, and all of a sudden, we have to drop
18 everything and work on this vetting -- vetting of this
19 equipment because it, you know -- somebody is pushing for
20 it to be installed somewhere.

21 So we try to do these as quickly as we can, but
22 sometimes we don't get the answers from the
23 manufacturers, and then it would -- and it depends on our
24 workload. Right. So we have lots of other things we
25 have to work on at the same time.

1 So there's a lot of challenges and -- and the other
2 challenge is, the companies -- they really don't want to
3 have a guinea pig, for example. If they have to choose
4 something from -- they want to install this new equipment
5 but they don't have a place that they can actually
6 install it, so that we can do a -- like, a mock vetting
7 inspection.

8 So they kind of have to pick a place, and they would
9 have to pretty much tell the homeowner, this is the first
10 of its kind, and it's going to be a vetting inspection.
11 And they don't like doing that because there's a
12 possibility that it may not pass.

13 So there's a lot of challenges. I'm not saying I've
14 got all the answers. I'm just -- you asked what the --
15 what challenges we have, and those are some of the things
16 that -- that I run into when I'm trying to do a
17 vetting -- a vetting -- any equipment really.

18 MR. CLEARY: No. I don't disagree. I
19 think the inspection plays a very important role, but it
20 shouldn't be everything. A lot of the stuff in the
21 engineering and code compliant and all the listings
22 should be done upfront, so I think it's a combination.

23 I agree. It needs to be installed, vetted, and
24 tested. I don't disagree with that. We just got to look
25 at -- I think this is really important, that we get a

1 process put together that works for the companies, the
2 dealers, the State, but most of all, to the end users
3 because relying on not catching everything upfront in
4 catching some of the installation concerns downstream and
5 it fails really puts a lot of pressure on -- and it's not
6 really fair to the owners, the end users.

7 So just I think this is very important, we get a
8 process put together, get all the stakeholders' input,
9 get the State input, and have something that's not going
10 to ever be foolproof, but it's going to take care of a
11 lot of it upfront and make it easier because it's -- I
12 don't think it's really fair for the inspectors. They
13 have to do all the vetting in the field.

14 I think we do some upfront, and then they make sure
15 that everything that was put on the permit and on all
16 these specs that were submitted are actually in the field
17 and they work properly.

18 So really appreciate your input.

19 Gerald? You're muted, Gerald.

20 MR. BROWN: And I was doing so well.
21 No, having the elevator companies involved in the vetting
22 process before they -- before they submit the information
23 is -- is very important.

24 Sometimes they have facilities set up where they can
25 set one up, provide an inspection. We've reached out and

1 made it known that we'd be more than happy to do even
2 just a virtual mock inspection at the factory or wherever
3 they have these things set up to try to eliminate as much
4 as we can, but until you get eyes on them, it's really
5 hard to do that.

6 We have found, in some of our vetted inspections,
7 that the testing labs, these certification companies,
8 that said, "Oh, no. It passes. It does this, this, and
9 this. Everything is according to code," and we go out
10 and we find out that it doesn't necessarily do that.

11 And their response back is, "Well, we don't
12 manufacture to the ASME guidelines. We manufacture to
13 global standard," and things like this.

14 And they're going to tell these distributors and
15 these elevator companies whatever they -- you know, as
16 they present their product for installation of, "Look,
17 we've got 24,000 of these installed in Europe, and
18 everything is just fine, so it must be good there."
19 That's -- that's why we have standards that we inspect
20 to.

21 So there's only so much that the elevator company
22 can do because they're presented with this packet of
23 information and drawings. They submit it to us. There's
24 only so much we can do in comparing, you know, who knows
25 this as far as clearances and code compliance and things

1 like this, the vetting inspection where you can actually
2 see and do what it's supposed to do.

3 They're all very important parts of trying to
4 provide safe demands for the homeowner, yes. It's a --
5 it's a tragedy. You get involved in this and you see
6 something unforeseen, and it's not fair to the homeowner,
7 but we're trying to get these installed and make sure
8 that they're safe.

9 And up to this point, I don't know we've ever had
10 one removed due to, you know, this was unsurmountable
11 problems. We've been able to address those problems.

12 So it's -- it's very important that we -- that we
13 look at this. The -- most of these challenges, of
14 course, are in the residential-type advances found in
15 17.1 and 18.1.

16 But, you know, we have other new products in the
17 commercial market that come out. They probably have a
18 little more obvious standards involved with them that
19 are -- probably fall into somewhat of a different
20 category so we don't as much -- we do vet that
21 information -- that stuff, but we don't have to dig into
22 the detail we do with residential.

23 So thank you.

24 MR. CLEARY: Thank you, Gerald.

25 Candace, you got your hand up again.

1 MS. LAU: Yeah. Candace. Hold on a
2 second. Sorry. Sorry. Candace.

3 As I'm looking at what's up on the screen here, I
4 guess I have a question. It says "product vetting" and
5 then it says "chair."

6 Do you guys -- have you guys formed a committee is
7 my question, I guess, to vet products? Have you
8 volunteered to vet our products?

9 MR. CLEARY: No. But, yeah, we
10 started and -- Melissa, go ahead and -- we're starting.

11 MS. ERIKSEN: So what that is -- and I
12 put something in the chat -- this is a proposed
13 subcommittee that has been talked about.

14 And this is Melissa.

15 It is something that there was a brief meeting on,
16 but, no, not -- it has not started. So this is
17 presenting to you guys the information, what we need,
18 what we're looking at.

19 I put in the chat that, if this is a subcommittee
20 that you are interested on being on, to please email me
21 so that we can get it formed and get started.

22 MR. CLEARY: Correct. Ricky, I think
23 it's important that, you know, you talk a little bit
24 about some of the concerns or some of the things we need
25 to do with the commercial side of the house.

1 MR. HENDERSON: I guess with all the
2 new MCP stuff coming out with the State requiring or
3 allowing MRLs coming into the state, I think it's real
4 critical that they do get a good review either in person
5 or by the companies on how they are all complying with
6 the current codes that are applicable.

7 So I fully support being able to have this all
8 reviewed and approved prior to.

9 MR. CLEARY: All right. Is there
10 anybody that wants to participate and wants to chair,
11 vice chair, put your name in the hopper, and I'm sure the
12 State will select as many people as can possibly be done
13 because I think this affects everybody in the state that
14 does business, especially with new products.

15 So any -- any questions at all? Further questions
16 on that?

17 Okay. With that, we're moving into the audience
18 participation and questionings on anything that we went
19 through or something you'd like to see on the agenda
20 coming up. So with that, I'll open it up to everybody
21 that's on the call.

22 CONTINUED BUSINESS AND AUDIENCE QUESTIONS

23 MR. CLEARY: Go ahead, Bob.

24 Bob, you still having problems with your mic?
25 Sorry, Bob. We can't hear you, so I'm going to move on.

1 I got a question for Bob Oury. I think out of the
2 TAC, you were tasked to come up with some language on
3 material lifts, special application, and that stuff.

4 Where are you with that process? Can you give us
5 just a little bit of insight into what you're doing?

6 MR. OURY: Can you hear me, Scott?

7 MR. CLEARY: Yes, sir.

8 MR. OURY: Yeah. In fact, I will have
9 a draft ready today, and I will send it over to you for
10 review to see if I included everything, but that will be
11 done today.

12 MR. CLEARY: Can you give your name
13 and affiliation, please?

14 MR. OURY: Sorry. Bob Oury, case
15 material handling.

16 MR. CLEARY: Thank you, Bob.

17 Any other questions or any other comments or basic
18 conversation with anybody?

19 Okay. If there's nothing else, I think we're going
20 to finish a little bit early. So I appreciate
21 everybody's participation.

22 Please make sure that you contact your
23 representative on the committee with any questions or
24 requests for agenda items. It's very important that you
25 get -- you're represented.

1 So with that, I'm going to call the meeting to a
2 close.

3 Go ahead, Jan.

4 MS. GOULD: Maybe -- Jan Gould. Maybe
5 I missed it. When are we going to get back to the
6 proposals, the ESAC?

7 MR. CLEARY: Melissa, can you give us,
8 or, Paoa, can you give us some schedule dates, please?

9 MS. ERIKSEN: This is Melissa. Can I
10 clarify your question, Jan? Are you asking when we're
11 going to get the proposals from TAC to the ESAC for you
12 guys to review?

13 MS. GOULD: Yes. And do we have more
14 to discuss? There's a few that we didn't get to.

15 MS. ERIKSEN: Right. So we hope to
16 have that to you probably in the next week or so. Paoa
17 and I are meeting later, as it was explained.

18 We both were taking notes on conversations that were
19 being had, and it's those conversations that are really
20 important to you guys on the ESAC to help formulate
21 language changes and whatever else it is that you need to
22 do.

23 We'll have the conversations and necessary
24 information included. We'll have the specific items that
25 are needing to come to you as the ESAC to review, as well

1 as what that includes, what wasn't gotten to, the few
2 that the TAC was not able to get to, and the A17.1 and
3 A18.1 code changes.

4 So all of that I'm hoping will get to you in the
5 next week, maybe two. I do know that we are expecting
6 the transcript late February, early March before the
7 rulemaking, so we'll get that to you as well.

8 MS. GOULD: Jan Gould. Thank you.

9 MR. CLEARY: Is there anything else
10 with anybody? All right, everybody. Thank you. I look
11 forward to subcommittees getting together and getting
12 things done and appreciate everybody's support.

13 And I guess it's May the next time we're going to
14 have one of these. So thank you, everybody. Have a
15 great day.

16 (Proceedings concluded at
17 11:35 a.m.)

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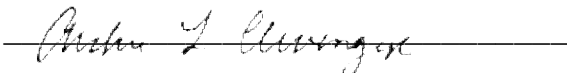
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