

**FLORIDA DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION**

MEETING OF THE

ELEVATOR SAFETY TECHNICAL ADVISORY COUNCIL

TUESDAY, JULY 23, 2019

COMMENCING AT 9:00 AM

HELD AT:

DIVISION OF HOTELS & RESTAURANTS

BUILDING C, CONFERENCE ROOM # 107

2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399

REPORTED BY:

JEFFREY R. BABCOCK, FOR THE RECORD REPORTING

CALL TO ORDER

The Elevator Safety Technical Advisory Council meeting was called to order at approximately: 9:00 a.m. by Tim Newton, Chair.

Members Present

Timothy Newton, Chair

William Snyder, Vice Chair

Tim Mowrey

John Barnott

James Yohn (By Phone)

Jerry Wooldridge (By Phone)

Members Not Present

Chris Prather (Excused)

John Antona (Excused)

Others Present

Michelle Haynes: Bureau Chief, DBPR, Bureau of Elevator Safety

Josh Phillips, Deputy Chief, DBPR, Bureau of Elevator Safety

Kela Bishop, Office Manager, DBPR, Bureau of Elevator Safety

Tosha Jones, Administrative Assistant III, DBPR, Bureau of Elevator Safety

Roy Finklea, State Inspector, DBPR, Bureau of Elevator Safety

Greg Illig, State Inspector, DBPR, Bureau of Elevator Safety

Alan Hutto, State Inspector, DBPR, Bureau of Elevator Safety

Daniela Radneva, DBPR

Steven von Bodungen, Director, Hotels & Restaurants

Nick Ortiz, Miami-Dade County Office of Elevator Safety

Stephanie Raucci, Manatee County

Maureen Snyder

Andrew Stevenson, Hotels & Restaurants

Marc Drexler, General Counsel's Office

THE MEETING WAS OPENED WITH A ROLL CALL AND A QUORUM WAS ESTABLISHED.

Mr. Newton called for acceptance of minutes for the April 3, 2018 meeting.

MOTION: Mr. Snyder made a motion to accept the minutes.

SECOND: Mr. Mowrey seconded the motion and it passed unanimously.

Mr. Newton called for acceptance of minutes for the November 27, 2018 meeting.

MOTION: Mr. Snyder made a motion to accept the minutes.

SECOND: Mr. Barnott seconded the motion and it passed unanimously.

Bureau of Elevator Safety Report- Michelle Haynes, Bureau Chief

Chief Haynes reported on recent staff changes and available vacancies for the Division's State Inspectors.

Administrative Update:

Chief Haynes reported on current compliance rates. She stated that as of July 1, 2019, the division had 2,289 delinquent elevators. She further stated that, so far this year, 35.9 % of initial routine inspections have failed compared to 27.6% in the last reporting period. She also stated that for the 2018/2019 fiscal year, 1,380 citations were issued, mostly for delinquent licenses, and 133 administrative complaints were issued by the division. Chief Haynes stated that so far this year, there have been 787 accidents reported to the division. She stated that bureau

inspectors have performed 636 inspections, including 330 oversight and compliance-monitoring inspections.

Chief Haynes discussed with the council, the process of applying for an expedited permit. It was requested by the council that information on how to get an expedited permit be placed on the department's website.

Rule Report:

Chief Haynes reported that the Division has submitted a Notice of Rule Development for 61C-5.0015 FAC, to extend the code compliance date with maintenance control program. She stated the purpose of this is to provide needed guidance to the industry prior to implementation of the maintenance control program's requirement. The comment period has closed, but it has not yet been adopted.

Chief Haynes reported that the Division has submitted a Notice of Rule Development for 61C-5.006 FAC, to adopt the updated form DBPR HR-7025, Application for Change of Owner and Certificate of Operation. She stated that there were changes made to the font and layout in order to make it more user-friendly and to eliminate the errors that people make when they're completing the application.

Chief Haynes provided an update on the sump pump rule, 61C-5.010 FAC. She stated that the purpose of this rule was to clarify where the sump pump alarm system may be installed and that the Division was not in a position to adopt the rule.

After discussion, council decided to table the discussion.

Legislative Session:

Chief Haynes stated that there are no relevant legislative updates.

Industry Update

Building design professional: Represented by Jerry Wooldridge. Nothing to discuss.

Building Owners and Managers: Represented by Chris Prather, not present.

Elevator Service Companies: Represented by Tim Mowrey. Mr. Mowrey stated he wanted to discuss the MCP requirement. After a brief discussion, no action was taken.

Labor: Represented by James Yohn. Mr. Yohn stated that construction is booming in the State. He asked that everyone keep safety in mind.

Local Government: Represented by John Barnott. Nothing to discuss.

Manufacturing: Represented by Tim Newton. Mr. Newton stated that his only topic for discussion was the MCP acceptance and enforcement.

Private Inspections: Represented by Bill Snyder. Mr. Snyder reiterated the need for clarification on sump pumps and MCP's.

Public: Represented by John Antona. Not present.

Old Business

Inspection requirement for detection devices

Mr. Newton stated that Miami-Dade sent out a letter regarding the inspection requirement of fire detection devices. He stated that the fire alarm people test the devices annually. He further stated that elevator code requires only simulation of those devices. Mr. Ortiz and council discussed the need for code interpretations. Mr. Snyder recommended the Bureau reach out to inspection committees for further discussion before a determination is made.

Everyone discussed the need for consistency between the private sector, State, and local AHJ.

Monitoring Inspections

Mr. Newton asked if there is a procedure in place for resolving violations that inspectors disagree with from monitor's inspections. Chief Haynes stated there is not at this time but the Bureau does have a contract with an elevator expert if there is a need for a 3rd party person to intervene with disagreements regarding code interpretations. Mr. Mowrey states the main area of concern is with Broward County contracted jurisdiction inspectors and monitors.

Everyone again discussed the need for consistency between the private sector, State, and local AHJ.

After discussion, Chief Haynes stated that if any issues arise, everyone can reach out to her and each case will be evaluated.

Private Residence Elevators and 2-Stop Exemptions

Mr. Snyder stated there are two issues that the council needs to re-visit. He stated the first is a need for Initial Acceptance Inspections to be performed on private residence elevators and the second is the 2-Stop Exemption. Mr. Snyder stated that he is an advocate for safety and code compliance and believes that the Bureau needs to continue pursuing these topics in the interest of public safety.

After discussion, the following action was taken.

MOTION: Mr. Snyder made a motion for the Bureau of Elevator Safety to work to eliminate the 2-stop exemption and require inspections on 2-stop elevators.

SECOND: Mr. Mowrey seconded the motion and it passed unanimously.

MOTION: Mr. Snyder made a motion for the Bureau of Elevator Safety to work to eliminate the exemption for private residence elevators and require an Initial Acceptance Inspection be performed.

SECOND: Mr. Mowrey seconded the motion and it passed unanimously.

New Business

Mr. Snyder asked for the status of previously proposed Building Code revisions. He stated the recommendations were forwarded to the Building Commission. Mr. Newton asked that Mr. Barnott's organization's building official bring up the topic with the Building Officials Association of Florida.

Council will address at next meeting. No further issues to discuss at this time.

Upcoming Meetings

Mr. Newton stated they will discuss the two motions that passed at this meeting.

The Council discussed the date of the next meeting: Tentatively scheduled for January 28, 2020 in Reedy Creek, Florida.

ADJOURNMENT: There being no further business to come before the Committee, the meeting was adjourned at approximately 10:56 a.m.