

**FLORIDA DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION**

MEETING OF THE

ELEVATOR SAFETY TECHNICAL ADVISORY COUNCIL

WEDNESDAY, MARCH 4, 2020

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:

JESSICA RENCHEN, FOR THE RECORD REPORTING, INC

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

Tim Mowrey

John Barnott

James Yohn

Jerry Wooldridge

John Antona (By Phone)

Members Not Present

Chris Prather (Excused)

William Snyder (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

Tracee Strohman, Administrative Assistant III, DBPR, Bureau of Elevator Safety

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

Chris Macduff, State Inspector, DBPR, Bureau of Elevator Safety

John Hofbauer, State Inspector, DBPR, Bureau of Elevator Safety

Scott Crowl, State Inspector, DBPR, Bureau of Elevator Safety

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

Daniela Radneva, DBPR, Bureau of Elevator Safety

Lee Alley, IEVC, Local 124, Pensacola, FL.

Reginald Martin, Service Operations Manager, Thyssenkrupp Elevator

Lawrence Taylor, Schindler Elevator

Dylan Isenberg, National Elevator Industry, NEII

Chris Strawn, Elevator Safety and Technical Services

Lee Rigby, Elevator Safety and Technical Services

Wayne Ernst, KONE Elevator and Escalator

Russ Larson, Otis Elevator

Kelsey Pruitt, Administrative Assistant I, DBPR, Bureau of Elevator Safety

Nick Ortiz, Miami-Dade County Office of Elevator Safety

Brenden Doherty, Hotels & Restaurants

Marc Drexler, General Counsel's Office

Greg Levenson, Local 71 (By Phone)

Scott Hollister, EIWTF (By Phone)

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

Mr. Newton called for acceptance of minutes for the July 23, 2019 meeting.

MOTION: Mr. Mowrey 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 roles and duties for the Division's Senior State Inspectors.

Administrative Update:

Chief Haynes reported on the current fiscal year 2019-2020. Last week we had the highest number of active elevators on record: 56,617. Our compliance rate is 94.2 percent for licensed conveyances which is a marked increase compared to this time last year. She stated that there are 3,259 delinquent elevator licenses. She further stated that, 86 percent of our state certified elevator inspectors have been oversighted by a state monitor. We've issued 106 administrative complaints and 1,399 citations for delinquent licenses.

Chief Haynes gave an update regarding a discussion from the last meeting on the topic of the bureau's goal of developing automated reports to give quick statistical reporting on various topics. Our Bureau of Field Services has been working on this endeavor. Application processing times, renewal status, and oversight statistics are currently in place and are being fine-tuned. That information is part of the CLICK program that provides statistics immediately. We're still working on violation reporting data analysis.

Chief Haynes stated 549 accidents have been reported to the division, mostly escalators and moving walks, which is a typical number. We see that 35.9 % of routine inspections have failed compared to 27.6% in the last reporting period.

She went on to say that bureau inspectors have performed 915 inspections, including oversight compliance monitoring inspections as well as accident and complaint investigations.

Chief Haynes discussed elevator licensing process time. Applications take one to three days to approve with about a one week total processing time from arrival at the mail central intake unit. There was a slowdown around the holidays.

Chief Haynes continued, saying expedited permits are handled on a case-by-case basis without complaints. Problems are quickly resolved when we are contacted by industry representatives. Also notable is the new online form for registered elevator companies to submit notice of Initial Acceptance Inspections.

Rule Report:

Chief Haynes stated two recent rule changes were discussed in the last meeting. The bureau updated the Maintenance Control Program, (MCP), checklist, and offers a courtesy review of MCP prototypes. Proper guidance will ensure uniformity of regulation throughout the state.

Chief Haynes further stated that there was another rule change to update the DBPR Form 7025, application for elevator change of ownership and certificate of operation. Changes were made to make the application easier to fill out and reduce mistakes.

Legislative Session:

Chief Haynes gave a legislative update, stating the bureau heard about house bill 707 and senate bill 1124 late in the session. The bills repeal the elevator certificate of competency, Florida Statute 399.01 (16). The house bill passed February 26, 2020 and the senate bill was in appropriations as of February 24, 2020. We're monitoring them closely and will provide more information and guidance. There is a copy available and everyone is encouraged to look at it during the break.

There was discussion among Chief Haynes, Mr. Newton and Mr. Drexler regarding the scope, purpose and effective date of the bill.

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 compliance date for the MCP requirement. Chief Haynes stated for the 1998 code it is April 1st, 2020, and 1995 and earlier, October 1st, 2020. Mr. Mowrey also brought up concerns regarding two-stop exemptions not being inspected. Ms. Haynes and Mr. Phillips explained that the bureau is in the data collection phase of assessment and the data is necessary to make a case to the Director. Our Inspectors added two-stops to their duties and we'll see if the violations show that more regulation is needed.

Mr. Mowrey brought up the lack of requirement for residential initial inspections. There was discussion about the previous meeting's motion on the topic, that the building industry supports initial inspections on residential elevators and the need for inspections on the residential and two stop elevators.

Mr. Newton brought up the issue of location addresses being inaccurate and the ensuing escalation that can occur with violations and fines. Chief Haynes mentioned the benefits of industry partners creating online accounts to keep information updated. Mr. Hutto stated that inviting a State Inspector to the initial inspection helps to eliminate wrong addresses associated with the license and in the phone. There was discussion about the initial inspection notification requirement, contact information, and related scheduling changes.

Private Inspections:

Represented by Bill Snyder. Not Present.

Public:

Represented by John Antona. Not present.

Old Business

Mr. Newton stated that old business was already covered. Mr. Hutto added that some local jurisdictions are trying to tie elevator inspections to the insurance and certificate of occupancy for a home and that is effective.

New Business

Maintenance Control Programs and On Site Documentation Requirement

Mr. Newton stated that there are issues involving violations, third party inspectors, and the monitors. The elevator companies expressly added they agree it is an issue and asked how it can be resolved. There was discussion regarding intervals and the applicable statute. Chief

Haynes communicated clearly that she needs to be notified if a cited violation is considered unjustified.

MRL Documents

There was discussion about where MRL documents are to be kept. Mr. Newton finished the topic stating that each manufacturer should send their proposal to the bureau on where they intend to keep the documents.

Door Locking Device

There was discussion on where the key should be kept. Chief Haynes proposed the industry sends feedback to the bureau, the bureau forwards to the council and the discussion will be continued at the next meeting.

Fire Extinguishers, Top Floor Landing

Mr. Newton and Mr. Taylor stated they see no code requirement for a fire extinguisher at the top floor landing of an MRL.

Violation Comments

Mr. Newton stated that violations cited by (state) inspectors should have specific ANSI code reference and only comments germane to the violation.

There was discussion regarding MCP violations, fine amounts being the same for one or more violations, the 90 day correction period, and the bureau's ability to not issue the administrative complaint. Chief Haynes again encouraged the industry to contact her if and when they feel a violation has been cited incorrectly. Mr. Newton also iterated the need for finding an appropriate party for a violation signature. Mr. Finklea informed Mr. Newton that if there is no one on site to sign for a violation, it is sent certified to the mailing address on file. The certified signature date is the start date of the 90 day window. Mr. Newton stated that sufficient clear detail needs to be included with violation comments from all inspectors. There was discussion regarding who should and does receive copies of inspections, including monitored inspections.

Upcoming Meetings

Mr. Newton stated they will continue to discuss the location, securing of documents and the process and The Council will come up with a recommendation before the next meeting.

The next meeting was tentatively scheduled for July 15 or 22, 2020, in Tallahassee, Florida.

ADJOURNMENT: There being no further business to come before the Committee, the meeting was adjourned at 12:01 p.m.