

**FLORIDA DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION**

MEETING OF THE

ELEVATOR SAFETY TECHNICAL ADVISORY COUNCIL

THURSDAY, MARCH 4, 2021

COMMENCING AT 9:00 AM

HELD AT:

VIA TELECONFERENCE

REPORTED BY:

DEBORAH ALFFF, FOR THE RECORD REPORTING, INC

CALL TO ORDER

The Elevator Safety Technical Advisory Council meeting was called to order at approximately: 9:03 a.m. by Tim Newton, Chair.

Members Present

Timothy Newton, Chair

William Snyder, Vice Chair

Jerry Wooldridge

Tim Mowrey, Sr.

James Yohn

Members Not Present

Chris Prather (Excused)

John Barnott (Excused)

John Antona (Excused)

Others Present

Michelle Haynes: Bureau Chief, Bureau of Elevator Safety

Josh Phillips, Deputy Chief, Bureau of Elevator Safety

Kela Bishop, Senior Management Analyst II, Bureau of Elevator Safety

Steve von Bodungen, Director, Division of Hotels and Restaurants

Marc Drexler, Division of Hotels and Restaurants, General Counsel

Alan Hutto, State Inspector, Bureau of Elevator Safety

John Hofbauer, State Inspector, Bureau of Elevator Safety

Chris Macduff, State Inspector, Bureau of Elevator Safety

Michael Garcia, State Inspector, Bureau of Elevator Safety

Vincent Jiminez, State Inspector, Bureau of Elevator Safety

Nick Ortiz, Miami-Dade County

Joey Gan, City of Miami Beach

Greg Levenson, IUEC Local 71, Miami, FL

Lee Alley, IUEC, Local 124, Pensacola, FL

Chad Waters, IUEC Local 49, Jacksonville, FL

Ryan Pace, Government Operations Consultant, Bureau of Elevator Safety

Kendall Thompson, Assistant Licensing Manager, Division of Hotels and Restaurants

Daniela Radneva, Division of Hotels and Restaurants

Eric McClaskey, IUEC, Director of Codes and Standards

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

Statement of Purpose- Kela Bishop, Sr. Management Analyst II, Bureau of Elevator Safety

Mrs. Bishop read the standard purpose and role of the ESTAC as specified in Florida Statute.

Mr. Newton acknowledged guests in attendance and called for acceptance of minutes from the March 4, 2020 meeting.

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

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

Bureau of Elevator Safety Report- Michelle Haynes, Bureau Chief

Chief Haynes stated that the Statement of Purpose is a new feature to remind each Advisory Council member of their position's responsibility as specified in statute.

Administrative Update:

Chief Haynes reported on the current fiscal year 2020-2021. The bureau has a total number of active elevators in Florida at 60,863 as of February 24, 2021, with 91.67 percent of licensed conveyances in compliance. This represents a marked decrease over progress this time last year, which saw a compliance rate of 94.2 percent. The decrease is attributed to the shutdown spurred by the pandemic. Chief Haynes stated that there are 4,777 elevators with a delinquent

license as of February 24, 2021. She further stated that, over 95 percent of the state's Certified Elevator Inspectors have been oversighted by a state monitor, which is a nine percent increase over last year's productivity. The bureau has issued 172 administrative complaints and 1,095 citations most for delinquent licenses at the time of the meeting.

Chief Haynes also provided 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 readily available in the app, with more work being needed to provide instant reporting on violation statistical analysis.

Chief Haynes stated 229 accidents have been reported to the bureau, with the majority associated with escalators and moving walks, a decrease of about half from this time last year. The bureau saw a slight decrease in elevators that failed their routine inspection, dropping to 39.4 percent from 35.9 percent since the last reporting. Bureau Inspectors have performed 902 inspections, including oversight, compliance monitoring, accident and complaint investigations. She also relayed that elevator related applications are being processed within one to two days of receipt by the processing team.

Chief Haynes noted that the department experienced a malware incident in October 2020 that resulted in severely limited access for most of the department, and affected emails, application processing, license and permit generation. She further stated recovery was achieved in stages, and no issues remain that would have an effect on elevator industry processing. Chief Haynes continued, saying expedited permits are handled on a case-by-case basis with no complaints received. She further stated registered elevator companies and professionals should do their part by submitting documents correctly, monitoring employees' work status and maintaining needed credentials and work requirements. She also noted that registered elevator companies are now able to submit their notice of Initial Acceptance Inspections via our website.

Chief Haynes stated the Bureau encourages all elevator owners, registered elevator companies and elevator professionals to set-up an online account with the department and highlighted that online accounts provide increased functionality, online electronic payments, reminders and a host of other features.

Rule Report:

Chief Haynes stated the division has two proposed rule changes that are in the process of being adopted. 61C-5.001 is to adopt and incorporate ASME A17.1-2016, which is the Safety Code for Elevators and Escalators, ASME A17.3-2015, for existing Elevators and Escalators and A18.1-2017 for Platform Lifts and Stairway Chairlifts into rule. She further stated that this rule change also delays required compliance with door monitoring for existing elevators until 2024, a suggestion based on industry feedback. It is anticipated the rule change will be adopted within the next few weeks, with a target date of March 23, 2021.

Chief Haynes further stated that another rule change, 61C-5.007, allows registered elevator companies to provide proof of work experience for applicants through completing an affidavit rather than writing a letter that certifies work history. The use of this standard affidavit will ensure that RECs are able to quickly and easily certify the work experience of professional wanting to work in Florida. This rule change is still in the adoption process with no current completion date.

Chief Haynes stated the bureau is also developing language for two additional rule changes regarding emergency responder two-way radio communications and alarm systems for sump pumps, respectively. In regards to the two-way radio communication, installation of antenna or other non-elevator equipment in the hoistway requires an approved variance. The bureau seeks to provide defined options to elevator owners that will eliminate the need to file a variance if installation occurs according to the options. For alarm sump pumps, the bureau will seek to restrict installation of alarm equipment in designated elevator spaces for new installations or alterations that affect the pit.

Chief Haynes stated ESTAC members are notified of rule activity when initiated and are encouraged to comment and add suggestions as specified during the rule commenting period.

Legislative Session:

Chief Haynes gave a legislative update, stating the Bureau is not aware of any proposed items in the Legislature as of yesterday that will affect its functions.

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 got several complaints from all type of inspectors, state and private inspectors that they're concerned about the maintenance. Mostly maintenance is not being kept up on most of the elevators and that is a critical issue because the problem is we talk about a safety code and it has to be maintained.

Mr. Mowrey further stated the incident that he is concerned with at Miami International Airport.

He stated those apparatuses, elevators, escalators and everything are under disrepair and also it was reported at multiple times safety issues, safety devices were improperly bypassed or just not even being repaired. Mr. Mowrey explained that he gets so many phone calls. Mr. Mowrey asked if Nick wants to respond or anybody else on the committee wants to respond.

Nick Ortiz with Miami-Dade County stated that they are on top of it and are addressing it as best as any authority can. Mr. Ortiz further stated that there are no switches bypassed at Miami International and regular inspections are performed to make sure the switches are all adjusted properly and work, and that all safety devices are operational.

Mr. Mowrey stated that he informs people that call him that Miami-Dade is taking care of the situation. Mr. Mowrey further stated that if you all feel comfortable, we all should feel comfortable.

Mr. Ortiz stated he appreciates the vote of confidence and give them his office number, as they can elaborate themselves as best as possible.

Local Government: Represented by John Barnott. Not present.

Labor: Represented by James Yohn. Mr. Yohn stated the work situation in Florida is still booming. Even though the Covid came along, it did not slow down the pace of the work. The biggest thing we need to remember is keeping the job sites safe, making sure all employees or members are all working safely. This is the most dangerous industry out there and we want everyone going home at night.

Manufacturing: Represented by Tim Newton. Mr. Newton stated the delaying the implementation on the existing units of the door monitoring is good thing. Mr. Newton further stated that the industry doesn't have the capability to handle it all in such a short period of time.

Private Inspections: Represented by William Snyder. Mr. Snyder stated there have been a lot of late inspections and people are hesitant to let anyone in a building. Mr. Snyder further stated things are getting better and some improvements should be seen in the statistics.

Public: Represented by John Antona. Not present

Old Business

Mr. Newton asked if anyone had anything to discuss. Mr. Mowrey asked Chief Haynes if the number of elevators 60,863 in the state included Dade County and Reddy Creek.

Chief Haynes stated the contracted jurisdictions are not included, only the ones licensed by the Bureau of Elevator Safety.

New Business

Suggested Rule Change to 61C-5.007

Mr. Snyder stated that he is proposing a grace period of a year to renew a lapsed technician license. Mr. Snyder gave an example of an individual with an illness that resulted in the individual missing the renewal deadline and having to start over to get a license. Mr. Newton stated that he agrees. Mr. Yohn stated that he would like to see it go to at least a year. Mr. Wooldridge stated that he can see up to year, but can't see it going any longer that. Mr. Snyder stated he agrees, no more than a year. Chief Haynes stated after speaking with the technology

department and licensing team, she does not believe the year long time period in the best interest of the department as far as helping to get people processed timely. Chief Haynes further stated that the industry can start to do the continuing education classes early in the year and email that information to the DHR Elevator inbox.

Chief Haynes explained the renewal period runs from October 1 through March 1, and this year the plan is to open it up in September. Chief Haynes discussed the issues related to renewal requirements such as proof of insurance. Chief Haynes stated that the bureau does not want to penalize individuals that have medical conditions, they can contact the bureau directly about their situation. Mr. Newton asked Chief Haynes if the insurance certificate from the elevator company's file could be referenced for the employee's renewal. Chief Haynes explained that the problem is that an individual can no longer be employed by the elevator company and the department wants to have the most accurate information. Chief Haynes reiterated that the department encourages individuals to take their continuing education classes early and renew early. Chief Haynes also mentioned the use of the online account portal to renew licenses and upload documents.

Mr. Snyder emphasized that he appreciate the understanding and wanting to possibly work with someone who had some extenuating circumstances. If it is not something which is more statutory, then it is not really a set process for anyone to understand.

Elevator Key Boxes

Deputy Chief Phillips explained that the bureau is looking for consistency and conformity regarding location of keys and accessibility of keys and wanted feedback from the ESTAC members. There was discussion about the type of key box, the preferred location, the individuals that are authorized to have access to the keys, and having a Florida designated key.

Location of Maintenance Control Program (MCP) Documents

There was discussion about the document holder box style, where MCP documents are to be kept, accessing the documents, and having a Florida key instead of a Region key. Deputy Chief Phillips proposed sending any additional suggestions to the Bureau of Elevator Safety.

General Discussion:

Initial inspections

Mr. Mowery inquired about residential elevator initial inspections. There was discussion on who would take the lead where the key should be kept. Chief Haynes proposed the industry sends feedback to the bureau.

Limited Use/Limited Application (LULA) Lifts

Mr. Newton asked for clarification of installation requirements on a LULA in a commercial building. Mr. Ortiz provided feedback stating they defer to the local Building Official. Mr. Mowrey stated there has to be a key control if it is in a commercial building. There was discussion about the LULA being key operated and the design of the building that they are being installed.

Mr. Hutto stated he wanted to comment about the earlier question about residential elevators.

Mr. Hutto stated in his area the insurance companies require a CO and passing inspection to insure a building, facility or residential home that has an elevator installed.

Upcoming Meetings

The Council will come up with a recommendation before the next meeting.

The next meeting was tentatively scheduled for July 8, 2021, via teleconference.

ADJOURNMENT: There being no further business to come before the Committee, the meeting was adjourned at 10:37 a.m.