

**FLORIDA DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION**

MEETING OF THE

ELEVATOR SAFETY TECHNICAL ADVISORY COUNCIL

Thursday, November 4, 2021

COMMENCING AT 9:00 AM

HELD AT:

VIA TELECONFERENCE

REPORTED BY:

Jane Heneghan, FOR THE RECORD REPORTING, INC

CALL TO ORDER

The Elevator Safety Technical Advisory Council meeting was called to order on November 4, 2021 at approximately: 9:01 a.m. by Tim Newton, Chair.

Members Present

Tim Newton, Chair

William Snyder, Vice Chair

John Antona

James Yohn

Chris Prather

Members Not Present

Jerry Wooldridge

John Barnott

Others Present

Michelle Haynes: Bureau Chief, Bureau of Elevator Safety

Josh Phillips, Deputy Chief, Bureau of Elevator Safety

Brenden Doherty, Deputy Director, Division of Hotels and Restaurants

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

Ryan Pace, Government Operations Consultant

Alan Hutto, State Inspector, Bureau of Elevator Safety

John Hofbauer, State Inspector, Bureau of Elevator Safety

Nick Ortiz, Miami-Dade County

Joey Gan, City of Miami Beach

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

Mr. Newton acknowledged guests in attendance and called for acceptance of minutes for the July 4, 2021 meeting.

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

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

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.

Bureau of Elevator Safety Report- Michelle Haynes, Bureau Chief

Chief Haynes reported on the Bureau of Elevator Safety is fully staffed. Chief Haynes stated that the reading of the Statement of Purpose is to remind Council members and listeners of the Council's purpose for existence.

Administrative Update:

Chief Haynes reported on the current fiscal year 2021-2022, the bureau has 61,700 plus conveyances currently licensed, with a little over 82 percent of these licenses current. Chief Haynes further stated that, over 98 percent of the state's Certified Elevator Inspectors have received at least one oversight monitoring for the year.

Chief Haynes stated licensed elevator professionals, cc holders CETs and inspectors are encouraged to complete their required annual CEUs early for their continuing education credits.

Chief Haynes further stated citations will be issued for expired credentials after the first of the year.

Rule Report:

Chief Haynes stated the division has the sump pump alarm systems. Chief Haynes stated the bureau will seek to restrict installation of alarm equipment in the designated elevator spaces for new installation of alarm equipment in designated elevator spaces for new installs and alterations that affect the pit. She further stated that the rule has undergone some language

modifications that require it to be reposted into Rule Development. Chief Haynes stated the reposting has not occurred to date. Chief Haynes further stated there are other minor administrative rule changes to make forms user friendly, the forms that are affected are the variance request form and the citation form. 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 has no legislative updates.

Mr. Newton inquired if the industry should fall back on the precedent that the Bureau had in allowing the sump pump alarms until such time as the rule inclusion. Chief Haynes stated the rule has not been adopted and she recommends that people be proactive in being in compliance with the Bureau. Mr. Newton further inquired if there is one installed in the place that was previously approved by the Bureau in the hoistway it would not be a violation because it is has not been included in the rule. Chief Haynes stated that is correct, currently there is no adopted rule for it and there would not be a citable violation.

Industry Update

Building Design Professional: Represented by Jerry Wooldridge. Not present.

Building Owners and Managers: Represented by Chris Prather. Nothing to discuss.

Elevator Service Companies: Vacant.

Labor: Represented by James Yohn. Mr. Yohn stated that it was brought to him by labor about licensing issues and fraudulent license. Mr. Yohn inquired if the Bureau had received letters from International regarding this matter. Chief Haynes stated we received a complaint from one of the prominent elevator unions and the complaint is being investigated by our agency and other interested parties. Chief Haynes further stated the investigation is ongoing and there is nothing to report as far as the investigative results. Mr. Yohn inquires if there were any updates

on the issues in Miami from the airport regarding the switches and so forth being jumped out on escalators. Chief Haynes requested Mr. Nic Ortiz with Miami Dade County to provide an update. Mr. Ortiz stated there is nothing new and the last incident was December 18th. The incident was discovered by his inspector and it was addressed. Nic further stated they found no similar incidents since at the airport or any other county property.

Local Government: Represented by John Barnott. Not present.

Manufacturing: Represented by Tim Newton. Nothing to discuss.

Private Inspections: Represented by William Snyder. Mr. Snyder stated he talked with people and they are very happy with the license renewal. Once they get all their documents and continuing education, it goes through pretty quickly.

Public: Represented by John Antona. Mr. Antona stated he has two small issues. One of them is some complaints about people saying that many times instead of looking at a certificate in the elevator, there is a sign saying that the certificate is available in the office. Mr. Antona inquired if this is a violation. Chief Haynes stated yes and the certificate should be displayed in the frame located in the elevator. Chief Haynes further stated that whoever is making you aware of it should make a complaint with our agency. Mr. Antona stated he has another concern and it's mainly about the door monitoring devices.

Mr. Antona stated building owners are getting proposals from elevator companies to request the change and they are mainly concerned with the amount of money involved to have that changed. Mr. Antona stated he was told it's between \$10,000 and \$15,000 per controller. Mr. Antona further stated the other issue is that sometimes together with the controller activation for the door monitoring devices, they also try to sell them a complete controller change modernization, and that usually amounts to like \$60,000-\$70,000.

Chief Haynes the Bureau received some inquiries about that as well from our upper management and the Bureau was talking with our Contracted Jurisdictions. Chief Haynes stated

Joey Gan with the City of Miami Beach wrote an article for the Bureau newsletter and she asked him to speak to this topic.

Mr. Gan stated he was concerned about this issue and he and Nic Ortiz developed a letter to post on the bureaus website. Mr. Gan stated he reached out to a number of elevator contractors because he was afraid that this is going to turn into a feeding frenzy with everybody running around telling them they have to install the software, when most likely in a number of cases the equipment should already have it depending on the code it was installed at. Mr. Gan stated most building owners and property managers don't realize if their controller has it or not, but anything installed approximately under the 1996 code and up should have had that system in place already. Mr. Antona stated he was basically talking about the hydraulic elevators. Mr. Gan stated the prices are exorbitant; they are \$30,000 per elevator from what he is seeing. Mr. Gan stated that it may be warranted depending on the vintage of the equipment. Mr. Gan further stated that his concern as well as other AHJs is that everybody is just going to be running around telling them that they have to install this software upgrade or modernize their elevators when they may have that system in place.

There was discussion about compliance and to notify the public that if they have installed an elevator that complies with the 1996 codes and after, that they may already be in compliance.

Old Business

ESTAC Current and Upcoming Position Vacancies

Chief Haynes stated ESTAC current and upcoming vacancies advertisements are out in the NAESA newsletter and in Elevator World. Chief Haynes provided information about the vacant ESTAC position and the upcoming expiring dates of the advertised positions. Chief Haynes provided information on where to send a resume or CV if interested in applying or being reappointed to an ESTAC position, and the submittal deadline.

Workgroup Status Update and Discussion

Mr. Newton inquired if anyone in the group has any additional information or any input concerning their group. Mr. Snyder stated he submitted documents on key boxes and the MCP to Chief Haynes. Mr. Snyder further stated that he sent one on alternative testing and also the private residence elevator. Mr. Newton inquired if Chief Haynes or Deputy Chief Phillips had a response to the documents submitted by Mr. Snyder. Deputy Chief Phillips stated the documents provided by Mr. Snyder along with some documents provided by the Bureau's two Senior Inspectors, John and Alan were forwarded to the entire ESTAC group. Chief Haynes stated the ESTAC members should have everything that was sent by any member of the ESTAC that was sent to her. Mr. Newton asked Chief Haynes to resend the information and at the next meeting the ESTAC can review it again.

Chief Haynes asked Mrs. Bishop to read out the work groups and the individuals assigned to each work group. Mrs. Bishop stated the first work group was to address the MCP discussion from the last meeting and the group consisted of Mr. Snyder, Mr. Prather, Mr. Mowrey and Mr. Newton. The second work group was to address residential elevators and the group consisted of Mr. Barnott, Mr. Mowrey and Mr. Woolridge. Chief Haynes inquired if there was anything from the work group. Mr. Newton stated a comment was sent from NEI and he never consolidated it to see where ESTAC was at. Mrs. Bishop stated the work group was to address the key box and MCP location. Mr. Newton stated that Miami-Dade and Miami Beach have had those locations defined and that the MCP location is the area of discussion at this point because with the MRL products there is no machine room to stick them in. There was further discussion about the receipt of information for the work group to review.

Chief Haynes stated that she would gather and disseminate the communication to the members of ESTAC. Chief Haynes further stated that she sent an email regarding the Sunshine Law and that the groups are not able to discuss topics amongst themselves and all communication needs to be through email to her and she would disseminate it back to the groups.

New Business

Electronic Inspection Reporting Process

Deputy Chief Phillips stated the Bureau is looking to develop an electronic inspection reporting process. Deputy Chief Phillips further stated that there were several meetings with the Division Technology to inquire about some different software, upgrades, and developing a standard State of Florida inspection form.

Upcoming Meetings

The next meeting was tentatively scheduled for February 2, 2022, via teleconference.

ADJOURNMENT: There being no further business to come before the Committee, the meeting was adjourned at 9:49 a.m.