

**FLORIDA DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION**

MEETING OF THE

ELEVATOR SAFETY TECHNICAL ADVISORY COUNCIL

Wednesday, July 27, 2022

COMMENCING AT 9:00 AM

HELD AT:

VIA TELECONFERENCE

REPORTED BY:

Adieren Narro, APEX REPORTING, INC

CALL TO ORDER

The Elevator Safety Technical Advisory Council meeting was called to order on July 27, 2022 by William Snyder, Vice Chair.

Members Present

Vacant, Chair

William Snyder, Vice Chair

James Yohn

David Alekna

Stephen LaRocca

Members Not Present

John Antona

John Barnott

Others Present

Josh Phillips, Chief, Bureau of Elevator Safety

Kela Bishop, Deputy Bureau Chief, Bureau of Elevator Safety

Brendan Dougherty, Deputy Director, Division of Hotels and Restaurants

Ryan Pace, Government Operations Consultant, Bureau of Elevator Safety

Alan Hutto, State Inspector, Bureau of Elevator Safety

John Hofbauer, State Inspector, Bureau of Elevator Safety

Kevin Heling, Wurtec

Nick Ortiz, Miami-Dade County

Allen Morris, Miami-Dad County

Joenathan Muhammad Irby, Broward County

Bruce Horn, Otis Elevator

Lawrence Taylor, Schindler Elevator

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

Mr. Snyder acknowledged guests in attend and called for changes and acceptance of minutes for the February 2, 2022 meeting.

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

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

Statement of Purpose- Kela Bishop, Deputy Bureau Chief, 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- Josh Phillips, Bureau Chief

Chief Phillips reported on the Bureau of Elevator Safety is fully staffed. Chief Phillips 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 Phillips reported on the previous fiscal year 2021-2022, the bureau had 62,812 conveyances licensed, with 95.04 percent having a current license. Chief Phillips further stated that, 93.8 percent of the state's Certified Elevator Inspectors who submitted inspection reports during the fiscal year received oversight monitoring.

Rule Report:

Chief Phillips stated the sump pump rule has been withdrawn. Chief Phillips stated the bureau is working on a couple new rules regarding the adoption of the accident form and defining the term accident. Chief Phillips 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. He further stated the bureau is in the early steps to develop rule language for key boxes.

Legislative Session:

Chief Phillips gave a legislative update, stating the Bureau has no legislative updates.

Industry Update

Building Design Professional: Vacant.

Labor: Represented by James Yohn. Mr. Yohn stated the State of Florida is still going crazy with construction, elevators, escalators and so forth being installed. Mr. Yohn further stated along with that everyone is rushing to get the door lock monitoring in and they are having problems getting materials; so therefore, some of the guys are being laid off of work. Mr. Yohn stated that he is resigning from council and is officially retired from the elevator trade.

Local Government: Represented by John Barnott. Not present.

Manufacturing: Vacant.

Private Inspections: Represented by William Snyder. Mr. Snyder stated a lot of inspections are taking place as this is a busy time of year because everyone that procrastinated is now trying to get their company to perform tests and inspectors to perform an inspection before crunch time. Mr. Snyder further stated that he went out and done some inspections, which he don't do a lot of anymore. But other than that we still strive for safety and we will continue to do that.

Public: Represented by John Antona. Not present.

Elevator Service Companies: Represented by David Alekna. Mr. Alekna stated the only thing that he has is from the his comment from the last meeting about pit access, and with the help of Bill he was able to find out from the code committee that they are already working on some additions to the code for requirements for pit ladders that will include one of several methods to make pit access safer. Mr. Alekna further stated there are several methods proposed between pressure switches, between movement of the ladder by weight, but it is something that is being worked on by the code committee.

Building Owners and Managers: Represented by Stephen LaRocca. Mr. LaRocca stated just trying to get property managers in line with codes, with the DLM issues currently, get them up to speed and get everything budgeted for next fiscal year.

Old Business

Key Boxes

Chief Phillips stated the bureau is going to go ahead and start writing the rule language based on the point papers and discussions that were had on several of the previous ESTAC conference calls.

MCP document location

Chief Phillips stated right now the bureau will focus on the key boxes, and once the bureau is done with that, then the bureau will move on to rule language for MCP locations.

Alternative Testing

Mr. Snyder stated Kevin Heling will lead the presentation. Mr. Heling provided a brief overview of his background, experience and previous presentations that he performed. Mr. Heling stated that he sent out the presentation that has 94 slides and he would stop at the 30th slide. Mr. Heling stated the additional slides are there to let anyone know and give a chance to look more deeply into the test reports and the kind of data that we get from this system. Mr. Heling conducted the presentation and allowed attendees to ask questions. Mr. Snyder also provided feedback and answered questions during the presentation. There was further discussion about who would be providing the training and how elevator personnel can obtain the certification needed to perform the testing. Mr. Snyder made a motion that the state approve this type of alternative testing. Mr. LaRocca second the motion and the motion passed.

Residential Elevators

Chief Phillips stated think what we were hoping is that it would be something that could be addressed on more of a local county building official level. John hasn't been present on the past couple of calls. I can get with him after to see if he's had any forward movement on any of that. Other than that, if you want the State to move on it, it would take a statute change.

New Business

Tags and Records

Chief Phillips stated we started kind of enforcing that out in the field, that you would need a tag and a record. We then got some communication that disagreed with the way the bureau was

interpreting. And so, what I'm looking for is the council member's opinion, if you agree with the way the bureau is interpreting that section of code, if you disagree, if you have comments or questions. Chief Phillips further stated we would like our interpretation to be approved by the council. Mr. Alekna stated he agrees 100 percent with the State's interpretation and he thinks a lot more needs to be done as far as onsite recordkeeping. Mr. Snyder stated he concurs with what David (Mr. Alekna) said and he further stated that this is at times problematic and it should be permanent records. Mr. Snyder made a motion to accept the language of the state and to move forward with an industry bulletin to all stakeholders. Mr. Yohn second the motion. The motion passed unanimously.

Maintenance Control Programs

Mr. Alekna stated he wants the State to consider the issue in code for onsite record keeping. Mr. Alekna stated he thinks the intent of the code is that if the records are an electronic format that an inspector or technician can access right there on site. Mr. Alekna further stated he does not accept the elevator company's position that you can view it on the portal and it needs to be there onsite. Mr. Alekna stated the code says that trouble calls need to be available upon request and he would say that trouble calls are not part of the maintenance control program other than the work that was performed, if there is a replacement or something. But as far as for an inspector to verify the maintenance control program is being followed, trouble calls are not needed for that but maintenance records are. Mr. Alekna stated that he is asking that the State consider putting out a statement on what is an acceptable electronic format and defining what an acceptable electronic format is for the onsite records.

Mr. Snyder stated he agreed with Mr. Alekna and further stated that the onsite documentation actually should be the owner's property because it stays there even if maintenance providers change. There was further discussion about the maintenance control program documentation ownership, providing a means to view the documents onsite and clarifying the requirements for stakeholders.

Alterations, Permits and 61C-5 Language

Mr. Snyder stated that Chief Phillips asked if it was okay to send out to council members a minor document that he had put together for Chief Phillips. Mr. Snyder stated that he was asked to review something for the Bureau and in the process of reviewing it, he saw that there were some issues with the way some code was being interpreted and used. Mr. Snyder stated he suggested some rule changes to work towards. Chief Phillips asked if any other council members felt the same as there does need to be some items addressed in the way the current rule language is and if they have any comments. Mr. Alekna stated that he thinks that there are some things that go on without permits that he thinks are very dangerous and one of the biggest ones are cab renovations. Mr. Alekna stated that it's a topic that definitely needs some clarification for the interest of the riding public. Mr. Alekna and Mr. LaRocca volunteered to work together with Chief Phillips on new rule language.

New Business

Mr. Snyder stated that there is no new business.

Upcoming Meetings

The next meeting was tentatively scheduled with a proposed date of November 16, 2022, via teleconference.

ADJOURNMENT: There being no further business to come before the Committee, the meeting was adjourned at 10:55a.m.