

**FLORIDA DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION**

MEETING OF THE

ELEVATOR SAFETY TECHNICAL ADVISORY COUNCIL

TUESDAY, OCTOBER 24, 2017

COMMENCING AT 9:12 AM

HELD AT:

FLORIDA DEPARTMENT OF REVENUE

BUILDING 1, ROOM 1220

2450 SHUMARD OAK BLVD, TALLAHASSEE, FL

REPORTED BY:

TRACY BROWN, ACCURATE STENOGRAPHY REPORTERS, INC

CALL TO ORDER

The Elevator Safety Technical Advisory Council meeting was called to order at approximately: 9:12 a.m. by John Antona, Chair.

Members Present

John Antona, Chair

Timothy Newton: Vice Chair

John Barnott

Tim Mowrey Sr.

Chris Prather (Via Telephone)

William Snyder

Jerry Wooldridge

James Yohn (Via Telephone)

Others Present

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

Courtney Love, Deputy Chief, DBPR, Bureau of Elevator Safety

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

Cindy Ross, DBPR, Division of Hotel and Restaurants

Daniela Radneva, DBPR, Division of Hotel and Restaurants

Steven Von Bodungen, Assistant Director, DBPR, Division of Hotel and Restaurants

Marc Drexler, DBPR, Office of the General Council

Lawrence Taylor, Schindler Elevator Company

Nick Ortiz, Miami-Dade County (telephone)

Greg Levenson, Local 71, Miami, Florida (telephone)

Robbie Stoops, Miami, Florida (telephone)

Tracy Brown, Court Reporter

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

Chair Antona called for acceptance of minutes for the January 13, 2017 meeting.

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

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

Chair Antona called for acceptance of minutes for the June 13, 2017 meeting.

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

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

Bureau Report - Michelle Comingore, Bureau Chief

Administrative Update:

Chief Comingore presented an update on the implementation of iPad based inspection reports and newly updated application forms.

Chief Comingore reported on recent staff changes and available vacancies for the Division's State Inspectors. Chief Comingore reported on current compliance rates. She stated that as of October 10, 2017, the division had 8,582 delinquent elevators and the compliance rate was 84.8 percent. She further stated that license compliance is declining along with an increase in failed routine inspections. Chief Comingore reported that 1,332 citations were issued for delinquent licenses, and 56 administrative complaints were issued by the division. Chief Comingore stated in fiscal year 2016-2017, there were 400 reported accidents and so far this year, there have been 129 accidents reported to the division.

Legislative Session:

Chief Comingore reported that several proposals have been submitted, including conforming elevator and building code permits, eliminating the two-stop exemption, increasing the minimum stretcher size, and acceptable employment verification for the CC license. She stated the Bureau has not received any information on the status of the proposals.

Rule Report:

Chief Comingore also reported on the two rules that have been formally proposed. First one is 61C-5.001 and that adopts the ASME codes concurrent to the Florida Building Code. That was published on October 9th and comments and requests for hearing are due on October 30th. The other active rule right now is 61C-5.001(5). That relates to the MCP documentation being required on site that falls under the ASME code that we are working on adopting. That was formally proposed, published on October 6th, and comments and hearing requests are due by October 27th.

Questions:

Mr. Newton asked if a location address could be changed with an Initial Acceptance Inspection report because the permits are often applied for before a true address is known. Chief Comingore responded that the permit holder can email the Bureau with location address change requests and a State Inspector would be sent to the location to verify and update our records.

Mr. Mowrey asked, out of the 129 reported accidents so far this year, how many have been residential. Chief Comingore responded that the Bureau does not receive any information regarding residential elevators.

Mr. Snyder asked if there will be an iPad app for private inspector to use. Chief Comingore responded that the Bureau wants to develop an electronic inspection means for private inspections.

Industry Update

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

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

Elevator Service Companies: Represented by Tim Mowrey Sr. Mr. Mowrey stated that service as a whole is improving. Nothing further to discuss.

Labor: Represented by James Yohn. Mr. Yohn stated that work is plentiful, accident reporting may see an increase, and pointed out the importance of safety programs and keeping workers safe.

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

Manufacturing: Represented by Tim Newton. Nothing to discuss.

Private Inspections: Represented by Bill Snyder. Mr. Snyder requested clarification on the sump pump rule. Mr. Snyder also requested clarification on the requirements for inspectors who have been monitored and how the monitoring inspection affects the elevator license. Chief Comingore discussed with the Council the pending sump pump rule language, the monitoring response requirements, and clarified that the state's inspections are an order to correct, but do not stop a license from issuing. Mr. Antona asked how the state differentiates between the first and second inspection for administrative actions. Chief Comingore explained how callback inspections will work in the new iPad inspection app.

Public: Represented by John Antona. Mr. Antona presented concerns on behalf of building owners, specifically in South Florida, regarding the different jurisdictions in the permitting process. Multiple members discussed the difficulties with statewide code enforcement consistency between all aspects of the industry. Chief Comingore discussed with the Council the steps taken to establish consistency with State Inspectors, Private Inspectors, and Contracted Jurisdictions.

Old Business

Proposed rule language for code adoption and exclusions:

Chief Comingore stated that comments and hearing requests are due this week for the ASME A17.1-2013, 17.3-1996, 18.1-2008, and the Maintenance Control Program rule.

No discussion or action was taken.

Alternative Test Methods:

Chief Comingore presented draft rule relating to Alternative Test Methods, explained the rule, and requested a discussion regarding alternative testing training requirements.

After discussion, no action was taken.

Direct Supervision:

Chief Comingore stated that the bureau has been unable to develop alternative definition language that would comply with the statute. The bureau requests the council propose new language for the Rule that is compliant with Statute, if it wants the definition changed.

Council discussed the interpretation of the wording, no action was taken.

New Business

Council Operating/Business Procedures

Chief Comingore proposed procedures for the rotation of chair and vice chair positions on the Council and guidelines that the bureau follows.

After discussion, the following action was taken:

MOTION: Mr. Wooldridge made a motion to accept the proposal.

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

Appointment of Chair and Vice-Chair

John Antona relinquished his position as chair but will remain an active member to the end of his term.

Mr. Mowrey nominated Tim Newton as chair and Jerry Wooldridge as vice chair.

Mr. Yohn nominated William Snyder for chair and Jerry Wooldridge for vice chair.

Mr. Barnott motioned for the nominations to be closed. Mr. Mowrey seconded and it passed.

After voting, the following action was taken:

Tim Newton was voted Chair. William Snyder was moved into the vice chair vote.

There was a tie 4-4 for the vice chair position. Mr. Wooldridge withdrew. William Snyder was voted vice chair.

Florida Building Code Revision Recommendations: ASME A17.1, A17.3, & A18.1

Tim Newton nominated William Snyder and John Antona to develop a committee to propose recommendations for revisions. Jerry Wooldridge will also be involved in the committee.

Council may address at next meeting.

General Discussion - Open Forum

Chief Comingore showed a presentation of the Bureau's responsibilities under Florida law and how those laws apply to the codes that are enforced. She brought up the question of whether or not the space containing the electrical equipment for the elevator is a machinery space and whether or not it should be enforced as such.

Laurence Taylor was recognized by the council and stated his interpretation of the code and the discrepancies between the definitions and rule language.

After discussion, five of the council members stated they do not believe the space is a machinery space. No action was taken.

Upcoming Meetings

Chief Comingore reminded council that the Mr. Snyder, Mr. Wooldridge, and Mr. Antona will work separately on the proposed code revisions and send their information to the Bureau. Then a publically noticed meeting could be held to discuss.

The Council discussed the date of the next meeting: Tentatively scheduled for April 3, 2018 in Tampa, Florida.

ADJOURNMENT: There being no further business to come before the Committee, the meeting was adjourned at approximately 11:48 a.m.