



INDUSTRY BULLETIN

for Florida's Elevator Industry



SUBJECT: Elevator Inspection Standards

Number: 2006-01

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This bulletin is provided to aid in compliance with Florida law, and is not intended as legal advice. While care has been taken to ensure its accuracy, in the event of any conflict the actual statute or administrative rule will control.

NEW BUILDING CODE ADOPTED

The Department of Community Affairs Florida Building Commission has adopted the American Society of Mechanical Engineers (ASME) A17.1 (2000) Code, replacing the 1996 edition. Effective October 1, 2005, all new conveyances must meet ASME A17.1 (2000) standards. A signed Affidavit of Elevator Code Compliance must be submitted with each permit application to attest that the work performed will meet or exceed the current code as adopted in Chapter 30 of the Florida Building Code. Beginning October 1, 2005, elevator owners, certified elevator inspectors, and all other regulated elevator professionals are expected to ensure conveyances comply with the currently adopted code. This expectation includes citing violations during inspections and correction by owners of the cited violations.

This newly adopted code contains safety provisions for single wall hydraulic cylinders. The ASME considered these provisions so important to life safety that corrective action is required in all existing single wall hydraulic cylinder elevators. This issue will be discussed further in future bulletins.

STATUTORY REQUIREMENTS FOR RETROFITTING AND CODE COMPLIANCE

Florida Statutes are in agreement with ASME A17.1 (2000) and A17.3 (1996) regarding life safety issues. In section 399.001, Florida Statutes (F.S.), the Florida Legislature stated the purpose of Chapter 399, the Elevator Safety Act, "is to provide for the safety of life and limb and to promote public safety awareness". Considerable debate has centered on Section 399.03(7), F.S., which states that elevators "shall comply with the edition of the Florida Building Code or Elevator Safety Code that was in effect at the time of the receipt for application for the construction permit for the elevator". This section may have been interpreted as allowing an overall exemption from compliance with current code requirements.

However, when a new edition of the Florida Building Code requires retrofitting older elevators because aging equipment may pose a threat to public safety, section 399.03(7), F.S., does not provide an exemption from that requirement. Instead, the Division is compelled to follow the intent and letter of section 399.061(3), F.S., which requires that, in the interest of public safety, the older and potentially hazardous elevator be brought into compliance with the newer code and the Division may seal the elevator or order discontinued use until the elevator has been satisfactorily repaired or replaced so that it may be operated in a safe manner.

Because public safety is the paramount basis for the Department's legislatively delegated regulatory power, the Division cannot interpret section 399.03(7), F.S., to provide an elevator owner with an exemption from any new code provision essential to the safe operation of the elevator.

INSPECTION REQUIRED AS PROOF OF CORRECTION OF VIOLATIONS

Effective July 1, 2005, the Department no longer accepts letters from owners attesting to correction of previous violations. Proof of compliance for correction of violations is evidenced through a completed inspection report showing no outstanding violations.

TWO-LANDING ELEVATOR INSPECTION REQUIREMENTS

Two-landing elevators with an active service maintenance contract, as defined by section 399.01(10), F.S., and pursuant to that section and/or ASME A17.1(2000) do not require inspections, as long as the service maintenance contract remains in-force and prescribed tests and maintenance are performed.

Extensive information regarding inspections, licensing and a number of forms is available on our website at www.MyFlorida.com/dbpr or by calling 850.487.1395.

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