

1 DEPARTMENT OF LABOR AND INDUSTRIES

2 STATE OF WASHINGTON

3
4 _____
5 TRANSCRIPT OF PROCEEDINGS

6 of

7 ELEVATOR SAFETY ADVISORY COMMITTEE MEETING
8 _____

9 Date and Location

10 August 19, 2014 L&I Tukwila Training Room
11 Tuesday, 9:00 a.m. 12806 Gateway Drive
12 Tukwila, Washington
13 _____

14
15 BE IT REMEMBERED, that an Elevator Safety Advisory
16 Committee meeting was held on the date and location as set
17 forth above. Those committee members present were: Scott
18 Cleary, David Gault, Robert McNeill, Skip Buntin, Daniel
19 Munn, Keith Becker, and Swen Larson sitting in for Charlie
20 Val. The Department of Labor and Industries was
21 represented by Becky Ernstes, Elevator Technical
22 Specialist; and Jack Day, Chief Elevator Inspector.

23 WHEREUPON the following proceedings were held, to
24 wit:

25
26 Reported by:
27 Cheryl A. Smith, CCR, CVR
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August 19, 2014

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Opening Remarks

MR. CLEARY: Thank you, everybody, for showing up for our August, third meeting of the year.

Are there any announcements or any questions before we get going? Does anybody have any questions when it comes to the minutes from our last meeting?

MR. LARSON: I do. There was a comment made at the last meeting from page 53 of the transcript, and the statement was, in fact, the last time I talked to the Washington Association of Realtors, they said they had not heard anything more from the proponents of the legislation, but they were open to contact and reestablish. And I knew that that probably wasn't true at the time, but I wanted to get my information straight.

My e-mail shows that I contacted Nathan Gorton, government affairs director, Washington Realtors on January 23rd, January 29th, March 6th (inaudible) and May 20th. Since then I've contacted him via e-mail on May 28th and July 23rd. On August 13th I received a response from Nathan. We're going to meet next week and have a conversation. So the only other response I received from him was on January 23rd saying that he

1 couldn't support it.

2 MR. CLEARY: So is that the amendment you'd like?

3 MR. LARSON: Yes.

4 MR. CLEARY: The amendment, addition to it,
5 clarification. Are there any other questions? Bob?

6 MR. McLAUGHLIN: I'd just like to give the Committee
7 the other half of that. Swen prompted me on that after
8 the meeting. He said, "Well, wait a minute. I have
9 contacted the Washington Association of Realtors." And I
10 looked at his e-mails, and he was correct. The
11 information I had was from not our primary contact. It
12 was somebody else in the organization. And so my
13 statement in the minutes that indicated that there had
14 been no contact was, in fact, bad information.

15 And I'm delighted that Swen can report today that we
16 do have a meeting. We're still nailing down which date,
17 but we will be talking to them next week.

18 MR. CLEARY: Can we reflect that those comments are
19 from Bob McLaughlin, please.

20 Any other comments when it comes to the minutes?
21 With those amendments, I motion that we accept them.
22 Second?

23 MR. BUNTIN: Second.

24 MR. CLEARY: All in favor, say "aye."

25 All: Aye.

1 MR. CLEARY: Opposed? So please reflect that the
2 minutes have been accepted with those two amendments.

3 And with that, if there are no other questions,
4 anybody on the Committee have any announcements they would
5 like to start out with?

6

7 Chief's Report

8

9 MR. CLEARY: With that, then, we're going to go ahead
10 and go to the chief's report, please.

11 MR. DAY: On the chief's report, I want to turn
12 everybody's attention to our handout. It should say
13 "Updated" at the top if you have that one. "Elevator
14 Safety Advisory Committee Agenda, Updated" at the top.
15 Does everybody have it?

16 If you turn in a few pages to the inspections
17 scorecard, this starts a new year for us, July, and I do
18 wish to go through the statewide. July, there are 1,701
19 annual inspections that are due to be performed. The
20 State actually performed 804 of them, or 47 percent. 381
21 were performed within 60 days of them actually being due,
22 the rest out of due cycle or 47 percent.

23 We started investigating the low numbers for Unit 1.
24 Unit 1 has 898 annual inspections that were to be
25 performed in July. Only 212 were performed, or

1 24 percent. The preliminary figures are showing that the
2 dominant cause here is alterations, the number of
3 alterations and the length and breadth of time that the
4 alterations are taking.

5 I wish to inform the group and also the elevator
6 companies out here, the stakeholders, that from this point
7 moving forward, the elevator inspectors, on a new
8 equipment and an alteration inspection, if there is an
9 item that has not been completed or does not meet code,
10 that the elevator inspectors will write up a failed
11 inspection report for that item and that job. If the job
12 is an important one to get done, which most of the
13 alterations definitely are, the intent is to stay and
14 finish the inspection as long as it's feasibly possible
15 and write another report hopefully that the conveyance has
16 passed and that somebody was able to fix whatever that
17 problem was that caused it to fail in the first place.

18 The reason for this is that we have to capture and we
19 have to be able to recognize not only the types of
20 alterations that are failing, what are they failing about,
21 and which companies need an extra level of education in
22 regards to the failed alterations. This is in line with
23 our study with the Type A permits, so more about that once
24 we delve into there.

25 But I do want you to know that we're going to be much

1 more accurate with our documentation and also with our
2 reinspection, so we need to understand that a valve
3 replacement should not take three and a half to four hours
4 to do, and the companies that are doing this, they need to
5 understand who they are and that they need to educate so
6 we can fix this problem.

7 I ask for your help in this. I would love to talk
8 about this more at the stakeholders group, if those
9 wishing to hang around would do so.

10 To turn the page -- turn the page is where we keep
11 track of our accidents per quarter, and right now we keep
12 these records for the purpose of the Advisory back to
13 2010. What I want to focus folks' attention on is we are
14 seeing a spike in the upward direction of elevators at
15 fault. This last quarter, 2014 Quarter 2, we don't have
16 all the data compiled for this yet so hopefully this has
17 stopped. But again, our data isn't compiled for that
18 quarter as of yet. We'll be able to update you next
19 Advisory meeting. However, something to note is an
20 increase in the at-fault for elevators. Escalators remain
21 kind of bouncing there.

22 Any questions on the chief's report? Hearing none,
23 thank you.

24 MR. CLEARY: Now we're going to move on to draft WAC
25 296-96. Jack?

1 MR. DAY: This is basically a reminder. As the
2 Department and as subcommittees report to the Advisory and
3 the Advisory determines something needs to be addressed or
4 changed in the WAC, we place the WAC, it says "future
5 WAC," at this address. It's at this link right below.

6 So the intent is you see in pages beyond this one,
7 there's the elevator advisory analysis. The intent is
8 that the analysis goes along with this future draft WAC so
9 that the information is available to everybody as it goes
10 along. Right now there's nothing in there except for the
11 way the WAC looks currently, so there have been no edits
12 to it yet. We'll let you know when we start making edits
13 so there will be a place for you to go find them and find
14 the analysis that justifies the reason why the change is
15 suggested to take place.

16 Any questions on that? Would you like a helpful
17 navigation tool instead of typing that whole thing in?
18 If you go to our Web page, lni.wa.gov, and go to the
19 Elevator section of it, on the left-hand side is where
20 you'll find the Advisory information, News and
21 Information. You click on that and you click on Advisory
22 Committee, and that's where you'll find this link. That's
23 where this link goes to. So just keep in mind, to go to
24 the Advisory stuff where the minutes are kept and who is
25 on the Advisory panel, you'll find this link. That's

1 where this is.

2 MR. HENDERSON: A quick question on that. Do you
3 know if that format has changed where it's a good,
4 printable format yet? The last time I was there, I had a
5 lot of problems trying to print.

6 MR. DAY: I didn't know there was a problem with the
7 printing. Do others find problems printing it? I don't
8 know if it was set up for actual printing. I'll have to
9 ask. Anybody else have a problem printing that, though?
10 Nobody.

11 MR. McLAUGHLIN: Are you using Internet Explorer?

12 MR. HENDERSON: Yeah.

13 MR. McLAUGHLIN: Try Google Chrome. For some reason
14 over the last year I found that accessing a lot of
15 different sites, if I go to Chrome, things work
16 beautifully; Internet Explorer seems to miss the important
17 details.

18 MR. HENDERSON: I guess the main part about it was it
19 didn't seem to be in a downloadable PDF format. It was
20 all just -- it was just an Internet Explorer page or
21 Web-page based and not a downloadable PDF.

22 MR. DAY: I'll check next week. I can't check this
23 week. I'll get back with you, Rick.

24 MR. CLEARY: Any questions?

25 ///

1 Introductions

2

3

MR. CLEARY: Before we move on to old business, I'd be remiss if I didn't -- on introductions I want to make sure for the record that the record shows who was here when it comes to the Committee members. So Scott Cleary, Mobility Concepts.

8

MR. LARSON: Swen Larson, IUEC.

9

MR. MUNN: Dan Munn representing architects.

10

MR. BUNTIN: Skip Buntin, chief elevator inspector for the City of Seattle representing the AHJ.

12

MR. DAY: Jack Day, chief elevator inspector; position, Secretary.

14

MR. BECKER: Keith Becker, Pacific Northwest Farmers Co-op representing owner-employed mechanics exempt from licensing.

17

MR. McNEILL: Rob McNeill representing licensed elevator contractors.

19

MR. GAULT: David Gault, Paramount Olympic. I'm representing ownership.

21

MR. CLEARY: Thank you.

22

23

Old Business

24

25

MR. CLEARY: We'll go into old business and we'll go

1 to fire alarm initiation devices. Rob McNeill and David
2 Gault, please.

3 MR. McNEILL: In February, at the Advisory Committee
4 meeting, we completed our report. It was a new
5 requirement for an analysis form. We completed that.
6 I'll be giving that to you to complete the FAID
7 requirement report. So no change on the report. The
8 paperwork has been completed.

9 So that's it on that, Scott.

10 MR. CLEARY: That's it?

11 MR. McNEILL: Yep.

12 MR. DAY: Questions?

13 MR. CLEARY: Yeah. So the last time we talked about
14 this, you said "no further action," or that's what was
15 read out. Has that changed?

16 MR. McNEILL: No.

17 MR. DAY: In here, what would have been the primary
18 reason for us not to go further with requiring additional
19 criteria for testing of the persons testing?

20 MR. McNEILL: Sure. What we discussed in February
21 was that based on the types of systems that are out there,
22 the differences in technology, that one size didn't fit
23 all. And what we recommend was that we are involved in
24 all of the testing and that they do all of the confidence
25 testing at one time, but there's no way that we could set

1 specific requirements for everybody. It just is
2 impossible.

3 MR. DAY: Does your group believe the maintenance
4 testing criteria in A17.1 is sufficient to capture in most
5 cases if there are issues?

6 MR. McNEILL: Yes. And we recommended that the
7 maintenance control program forms be used to note the
8 testing and that the other testing agencies that aren't
9 elevator companies use those forms.

10 MR. DAY: Okay.

11 MR. McNEILL: Good questions.

12 MR. DAY: I, for one, agree at this stage. We
13 probably would rather let the maintenance control log
14 sheet for firefighters' operation and that all the
15 elevator companies have these days, give it a chance to
16 work. And if it fulfills the necessary, then we'll be
17 more confident that these devices will function according
18 to the code in case it's ever necessary to use them. So
19 we're going to see how this MCP criteria for firefighters'
20 operation works.

21 MR. CLEARY: So do we want to revisit this in
22 November or just -- who is going to see if it works with
23 the MCP's? Is there any type of matrix of anything that's
24 been suggested to see?

25 MR. McNEILL: We have to get with the city and the

1 State, and we'd be happy to do that, and ask them what
2 failures they've seen and see if the logs are being used
3 to capture all of that information when the testing
4 occurs.

5 MR. CLEARY: So as of now, the subcommittee is
6 complete?

7 MR. McNEILL: We were complete in February, other
8 than the new requirement to fill the paperwork out. I can
9 rebuild the committee, if you want.

10 MR. CLEARY: No. I just think we need to have some
11 way of knowing if it's working or not. I don't know if
12 you can get something. Any suggestion how to know if it's
13 working or not?

14 MR. GAULT: I would suggest that the State inspectors
15 and the City of Seattle inspectors and Spokane inspectors
16 provide the feedback that it is checked, it is noted as on
17 the MCP because that's where the check is going to be.

18 MR. SPAFFORD: I am noticing that the owners are
19 getting the MCP's documented and signed by the inspecting
20 agency that is doing those detectors. Not all of them are
21 on board yet, but they're working on it. As soon as we
22 bring it to their knowledge that they need to be in
23 (inaudible), they're getting that done. They know that --
24 most of the people are aware that the former check charts
25 that we had between the city and the State, that they had

1 to document them as well. So some it's new because it's a
2 bigger book or they don't know the location of it, but I'm
3 seeing it getting done.

4 MR. CLEARY: Okay. Any other comments? Becky?

5 MS. ERNSTES: Well, what I see is I get more phone
6 calls from the owners who are asking -- a good example is
7 yesterday, a man called me up and he said, "Can you tell
8 me if I have a sprinkler in the top of my hoistway?"
9 because he knew that he had to do testing and that there
10 may be smokes or heat up there.

11 And I said, "We don't document that at this point for
12 older elevators, and I can't tell you. You're going to
13 have to get with your elevator company."

14 So it would be helpful if, in the machine room, we
15 just said where the alt landing was and, yes or no, there
16 are detectors. Maybe we should put that on the log. It's
17 a simple thing that when we turn over an elevator, we
18 could document somewhere alternate landing is Landing No.
19 blah, and, yes or no, there's -- because I'm getting those
20 kinds of questions. The owners don't know that or the
21 person who's doing the test does not know where those
22 items are.

23 MR. CLEARY: Brian?

24 MR. WHEELER: My concern with putting the requirement
25 to the masses of documenting what's in the hoistway would

1 be that we are somewhat penalizing those building owners
2 that know their building and know what their systems are
3 for the few that don't know what their systems are,
4 because with identification of that would be if a licensed
5 elevator mechanic was required to do that, it would be
6 additional work in charge for -- you know, if it was --
7 required a separate visit in most cases.

8 MR. CLEARY: Jack?

9 MR. DAY: Becky, thank you. This gets back to my
10 statement a few minutes ago. Let's see how this
11 maintenance control program and the log works its way
12 through. It is expected that the elevator company on-site
13 personnel does communicate this with -- these logs were
14 created many, many years ago now. They were on purpose
15 put -- and this is the communication that went out to all
16 the elevator companies whenever we reviewed these is that
17 it was intended that, if at all possible, that at least
18 the mechanic on-site work with the elevator owner because
19 that's how that log is put together. That's why they're
20 both on the same page of the log, to work with that owner
21 to help them.

22 What I would say here is try not to put the State or
23 the cities in the middle of your assisting your owner with
24 these particular items. We all know that they, quite
25 frankly, a lot of time need some help getting to these in

1 the hoistway in the first place. So to call us to figure
2 out if they have a sprinkler or a heat detector kind of
3 shows that they're not being communicated with with the
4 same question by their elevator service provider.

5 So let's give the log a chance. But it is a two-way
6 street, elevator companies. You do have a role. You
7 can't just ignore it or you force us down another avenue,
8 that it is going to be more cumbersome. It doesn't need
9 to actually happen if a certain level of communication
10 exists between you and your owner.

11 Skip, we had talked about this in the past as well in
12 noting what detectors, what initiation devices are located
13 where and what floor is the alternate floor. Again, I
14 will go back to we would rather that the industry figure
15 this out and help your owner. That would be much, much
16 better.

17 Any comments in regards to that, Skip?

18 MR. BUNTIN: No.

19 MR. GAULT: Jack, I'd also say that the elevator
20 company better know where the alternate floor is. They
21 have to design the recalls to the right floor. So it
22 should be common knowledge that they shouldn't have to go
23 out and do it. It shouldn't be common knowledge to the
24 entity that -- what those are. It shouldn't require an
25 extra effort.

1 MR. WHEELER: At installation I would agree with you.
2 Yeah. I think what Jack's -- what the topic is, though,
3 is when -- I think I'm assuming, Becky, that the person
4 that called you was somebody that had a building for a
5 long time and didn't know what was in the hoistway, right?

6 MS. ERNSTES: He was a fairly new owner.

7 MR. WHEELER: He just bought the building.

8 MS. ERNSTES: So the building might have been there
9 for a long time, but he didn't know.

10 MR. WHEELER: And those situations come up, and
11 currently as it sits today, I can't speak for all the
12 elevator service providers, but I don't know that that is
13 really documented by the service provider that there's a
14 sprinkler or a smoke in the top of a hoistway. There is
15 testing that is done, and if asked, we assist. And if it
16 can be coordinated with visits, then that's great. No
17 need there. But for a question like what Becky got, in
18 most cases, I believe it would require a visit to the
19 building for that elevator company to know what's in
20 there. And whether that's an inspector or a service
21 provider visiting that building, there's still a cost
22 associated with that in some way if it's a separate visit
23 than what's already been agreed upon, I would think.

24 So that's just, I guess, a concern with having to
25 identify all of that on that chart. We don't have that

1 today so I don't want to confuse the issue, but the
2 suggestion was made to start documenting that on the check
3 chart, and that would be my concern with documenting that
4 or the requirement to do so moving forward. At
5 installation, certainly main and alternate recall floors
6 are identified to the State on the permit process.

7 MR. CLEARY: It's still not clear to me. Is there
8 another step, Jack, that we need to do? Do you need to do
9 some monitoring and revisit it? Because it doesn't seem
10 -- we've been working this issue for years, and I don't
11 feel we got any more closure now than we did --

12 MR. DAY: I think we definitely need to monitor it,
13 but I'm not prepared, at this moment, to say how we would
14 do that. Because in the past, the way we've done that is
15 a failure during an accident investigation, a failure
16 during an acceptance of the equipment or a failure during
17 the acceptance on an alteration. These are the ways that
18 we, both the cities and the State, have determined, hey,
19 this doesn't work. That's how it's been determined.
20 Other than that, we wouldn't know because it would be a
21 combination of the safety test performed by the elevator
22 company on that particular subject and their communication
23 with the owner because the owner usually has someone else
24 at an alarm company do that test.

25 So today folks are to write down on the log if there

1 was a problem with it. So it is to look and see are we
2 seeing -- for me, are we seeing an improvement or are
3 people just not logging it.

4 MR. GAULT: I think data is going to be your best
5 friend. If you look at it and evaluate it, then you can
6 decide what next steps need to be on it if you constantly
7 see them empty or you see them in there. I don't know if
8 we're making something out of something that doesn't
9 exist.

10 MR. DAY: Right. So when some failure happens, it's
11 a communication between the owner, the alarm company and
12 the elevator company. And as long as that takes place,
13 then you don't need us to get any deeper with it. Do you
14 see what I mean? As long as those things take place.

15 MR. CLEARY: Rob?

16 MR. McNEILL: I disagree that we're not any closer
17 than we were. We spent hours and hours and hours going
18 over six or seven different codes line by line. We looked
19 at -- one of the questions was, who should do the testing?
20 If elevator contractors need to do the testing, we need to
21 get licensed. We're not licensed. It's not really in our
22 scope of work. It's not in the union agreement. So
23 there's a big problem there. We spent a lot of time on
24 this.

25 So I think we did a very good job. I don't think. I

1 know we did a very good job sifting through everything to
2 determine who should really do the test, who has the
3 expertise to do the test and how we can support. And the
4 bottom line was the confidence testing should all be done
5 at the same time, but due to the -- it's just like
6 elevator equipment. Due to the years and years of
7 different types of devices, different types of technology,
8 we didn't feel that we were prepared to do that work and
9 we need to leave that for the experts that were paid to do
10 it and also to support the building owners every way we
11 can. And that kept the cost down for the owners and the
12 property manager's budgeting to do those tests for the
13 buildings.

14 So I feel very strongly that we closed this, and I
15 thought we closed it in February. But I agree that we
16 need to go, and I'll be more than willing to do that and
17 poll the State and the state agencies and the cities to
18 make sure that we're getting the result on the control
19 program that we expect.

20 MR. CLEARY: Becky?

21 MS. ERNSTES: I think we already have a code that
22 gives us an answer to what we're looking for if we really
23 think about it. The code requires written test
24 procedures. This is a test. We don't have written test
25 procedures about on-site on how to do this that the

1 mechanic carries around. So we, in my mind, should have
2 written test procedures that are generic for every job.
3 Just like if an elevator company has a specific test
4 procedure for their type of widget, the code requires you
5 to have that and be available to the owner. So it seems
6 to me that we're not following our code if we don't have
7 written procedures on how to do those tests for the
8 owners.

9 MR. McNEILL: I agree. We should have written
10 procedures for everything that we're responsible for under
11 the 8.6 and 8.1, but I don't think we're responsible, as
12 elevator contractors, to be testing the smokes in the
13 buildings because it's not under our scope of work.

14 MS. ERNSTES: It is in our code book, though.

15 MR. DAY: Well, as far as the initiation devices
16 itself, in our code, it's left to the owners, is who
17 that's left to. So I think before we act any further than
18 what we have -- this is my opinion as the secretary here.
19 Before we act any further than we have, let's take Rob up
20 on his suggestion, Rob, to get with the other -- the three
21 jurisdictional authorities here in the state and us come
22 up with a method of how are we -- are we sure this is
23 working, is this working before we -- and then report back
24 in November.

25 So we'll come up with a method or some way of being

1 able to respond to know is this maintenance control
2 program log sheet for firefighters' operation overall
3 effective, or is there some additional items that need to
4 be addressed, or how are we to study it to see. Maybe
5 that's the answer currently is how are we going to study
6 it to see if it's effective or not.

7 MR. GAULT: Jack, I would suggest that we don't just
8 give it to November. You only have three months. For
9 example, I do my confidence in January, so you're not
10 going to capture -- mine would look like it's not done.
11 It was done last January, but it was not done. So I think
12 you have to give it a year because it's an annual
13 requirement to do the testing. So you have to give it a
14 year to get the data or otherwise you're going to have
15 incomplete data to act upon the event -- I mean on data.
16 So because it's an annual requirement, you need to go
17 forth and say in August of 2015, you need to report on the
18 past year.

19 MR. DAY: So let's begin this in February.

20 MR. CLEARY: Skip?

21 MR. BUNTIN: As we see this, it's an owner
22 responsibility, and the requirements for the owner to do
23 this are annually, just like you said. So it's going to
24 be at least two years before we really know whether it's
25 working or not. So I think it's going to take a while,

1 just like the MCP where we're seeing it all over the board
2 right now. And being an owner requirement, maybe you can
3 take that to BOMA or somewhere to educate the owners on
4 their responsibilities and requirements.

5 MR. KAUFFMAN: Unfortunately, not everybody in the
6 world is a BOMA member.

7 MR. BUNTIN: Oh, I understand. But it's a good place
8 to start.

9 MR. DAY: They may determine that they each need
10 their -- for their respective buildings when they hire an
11 alarm company to do this, that they have written
12 procedures on how it is done so that everybody is
13 comfortable that this is going to work. The last thing we
14 want to have happen is an emergency situation and your
15 system doesn't work. That will be detrimental to the
16 public at large that needs your building to operate in a
17 safe manner during an event. So I propose we revisit it
18 in February.

19 MR. CLEARY: Dave, do you think that's -- to just
20 revisit it?

21 MR. GAULT: We can revisit it, see what data you've
22 collected and visit it. See what data has been collected
23 by February's meeting.

24 MR. DAY: We've got to figure out how to collect the
25 data first, and that's where we need to get with the

1 jurisdictional authorities. Ray, myself, Skip and Dan
2 Skindzier from Spokane, how we're going to collect that in
3 a logical way that we can present it.

4 MR. GAULT: The data is going to tell you.

5 MS. BREWER: I think it might be helpful to reach out
6 to the fire testing community to have a representative
7 here to be part of the conversation. I don't know if
8 they've got an association or a lobbyist or something
9 similar to BOMA. I'm not sure if that could help
10 facilitate that.

11 MR. DAY: Anybody know?

12 MR. KAUFFMAN: I think there's multiple
13 fire-department, fire-related associations, so it gets
14 kind of confusing. I don't know if there's one overall.
15 There's probably four or five.

16 MR. GAULT: The only one I can think of is IFA,
17 International Fire Association, the only one I know that's
18 kind of a global -- I don't know if there's branches,
19 chapters, whatever.

20 MR. KAUFFMAN: I have run into several. It's
21 alphabet soup.

22 MR. McNEILL: I'll reach out to Pat Dillon, who was
23 on our committee, get some information from him and go
24 from there. It was very helpful during our meetings.

25 MR. CLEARY: All right. Any other comments or

1 questions?

2 Okay. With that, we're going to move on to existing
3 machine room enclosure and access to the machine. This is
4 Keith Becker.

5 MR. BECKER: On this one there have been no changes
6 other than it was putting the form -- into the Advisory
7 analysis form. Unfortunately, there were a couple of
8 different versions, and when it came out in the first
9 agenda, it wasn't included. The second agenda didn't
10 include the complete Advisory form or analysis form. So I
11 don't have that in here. All the detail has been left
12 out.

13 We do not -- we haven't continued any action. We are
14 at the point where we need to -- one thing we probably
15 have (inaudible) on yet is the impacts to the owners
16 fiscally, and we feel like we have a good description of
17 that means of access taken care of, but unfortunately,
18 it's not all included here.

19 MR. CLEARY: Can you give a brief little description
20 of what you're doing and what we're trying to accomplish
21 with this for those who aren't here?

22 MR. BECKER: The subcommittee was formed to develop
23 safe machine rooms, machine space access requirements for
24 existing elevators in existing buildings or structures for
25 maintenance, repair and inspection, proprietary

1 instruction and guidelines for proper installation and
2 repair and maintenance of that access. The access should
3 be considered fixed, permanent, noncombustible, and we
4 were -- attempted to go through all the WAC's to see if
5 there was already existing wording in our WAC codes that
6 describe this. We felt that there wasn't. And there was
7 a lot of variation in those accesses and the condition of
8 the access and a lot -- and not a lot of direction on how
9 to maintain or what to bring it up to as far as a code.

10 There is wording in what the committee put together
11 that existing accesses are proved to be structurally
12 sound, that we don't have -- there's a lot of older
13 buildings have wood ladders, wood stairways, combustible
14 accesses. If these things are structurally sound, there's
15 no reason to make changes. If we find that there has to
16 be extensive repairs, then they would have to be brought
17 up to a new code. And that's a -- but we did try to leave
18 some room in there for -- that we didn't impact everybody,
19 we didn't just do away with all the current accesses if
20 they were, in fact, safe, had good railings, had good
21 stairways, had good ladder rungs. But if things needed to
22 be repaired, they were going to have to be upgraded.

23 So that's where we're at. Unfortunately, I don't
24 have that information -- complete document to give to you.
25 It hasn't changed since our May meeting. It was just put

1 into the form, and one of those forms we had a little
2 trouble being able to add into the form, work with the
3 form, so I've got two or three on the computer. I should
4 have deleted the one that didn't work instead of pass that
5 on.

6 So at this point, that's where we're at. I don't
7 have anything new on this. I don't think -- I feel like
8 we've essentially completed our work on this means of
9 access. It's just getting it into the form and getting it
10 out to everybody.

11 MR. CLEARY: I know that some of the challenges that
12 you've had that brought you into this is a lot of the old
13 grain elevators that you have and your industry has that
14 have been there since the '30s and '40s, and we're trying
15 to get them up and get access, especially on the hand
16 pulls. It's challenging. So I know you've been working
17 on that.

18 Any other questions? Jack?

19 MR. DAY: I would also add to that, I brought Keith
20 in, but others were brought in because of a safe access
21 for faster elevators, freight elevators out in our world.
22 And we're running across where we have a wooden ladder
23 going across the top of the hoistway, climbing through a
24 scuttle hole to get to the machine room. We have accesses
25 on significantly slanted roofs where we have employees

1 traversing these roof lines in the winter. Not so bad
2 when it's not cold, wet and snowy, but it becomes a
3 significant issue when the elevator breaks down in January
4 or February and somebody has to traverse that area or
5 climb through a top floor window, go up the fire escape
6 ladder over a rung over the top of the wall of a roof to
7 climb with a rope pulling yourself to the machine room.

8 There's quite a few issues out there. And we don't
9 -- our intent is not to try to impact the owners. This is
10 an owner-related thing here. Not to impact them, but they
11 have a significant liability if they don't provide safe
12 access. We're trying to standardize what that access
13 would look like.

14 I believe at this point, though, we need to figure
15 out how much this is going to cost to get some level of
16 understanding of the cost of something like this. So,
17 Keith, can we go down that avenue next?

18 MR. BECKER: We can. Now, there are so many
19 different -- in some cases, it's going to be fairly
20 extensive. In some cases, it's fairly minor. In some
21 cases, accessing across the roof up the ladder over the
22 mountains and through the trees is the only way to get
23 there. And I don't feel that we're asking for somebody to
24 build a new galley on top or a new building on top so we
25 can enter inside, but understanding there has to be a safe

1 means of getting from Point A to Point B. So if that's a
2 stairway with a railing on it, no rope, no -- you know,
3 but that's going to be much more extensive than putting up
4 a metal ladder and a metal platform for \$500.

5 So I guess that's where we stopped a little bit, we
6 stumbled a little bit with the impacts to the owners
7 financially was where they're at with their -- and I have
8 a pretty good understanding in the grain industry what I'm
9 looking at. And we're fairly simple, and we can handle
10 this fairly -- I believe fairly inexpensively.

11 And another issue -- one of the issues that we
12 continually have isn't cost. It's time. Our enemy is
13 time. I typically don't run out of money for projects. I
14 run out of time to get them all done.

15 But my understanding of existing elevators, existing
16 structures where elevators are 30, 40, 50 years old out in
17 whatever type of buildings they are, that's why I have a
18 very limited understanding where we're at on the committee
19 when we talk about it. We didn't see a huge financial
20 impact, but we need -- I need to find out the process.
21 We'll go through that and see if we can come up with some
22 way of getting a feel for that impact.

23 MR. DAY: Do we have a building owner representative
24 on that committee? Has anybody ever shown up representing
25 building owners? You. Okay. You.

1 MR. GAULT: Isn't -- isn't he in a building capacity?

2 MR. DAY: Who?

3 MR. GAULT: Keith.

4 MR. DAY: Yes, he is.

5 MR. KAUFFMAN: This is an issue that's less about
6 office buildings and more about other types of
7 conveyances, correct?

8 MR. DAY: Well, the 1930 office building that half of
9 it's used for storage and half of it's used for -- it's
10 been converted over the course of the last 50 years to
11 what is it now, and in some cases, it's a condo. In some
12 cases, it's not. It could be anything. But again, it's
13 the access to that machine room space that was not of a
14 concern to folks back in the '30s, '40s and '50s. But
15 now, because of that access, it promotes a significant
16 hazard for workers.

17 MR. KAUFFMAN: I would think trying to get a fiscal
18 motive would be very -- it is very specific to the
19 property. It would be very difficult.

20 MR. DAY: We'll probably need to go from one extreme
21 to another, you know, what's the minimal, what is going to
22 be -- and then try to figure out a percent of. I don't
23 know how to really narrow it down any better than that,
24 but we'll probably have to go from one extreme to another.

25 MR. MARTIN: Just so I understand the situation, I

1 mean, I'm looking at the code book right now -- and I
2 apologize. I wasn't here when this was first introduced.
3 But what is the -- I guess I'm trying to find out what the
4 point is of this. Because there's a lot of stuff in A17.1
5 that talks about access to machine rooms. So is it an
6 enforcement issue that you're running into?

7 MR. DAY: It's before the State had adopted A17.1.
8 We have literally thousands of elevators out there before
9 A17.1 ever recognized the access. We don't go back and
10 enforce a newer A17.1 on access on an older installation.

11 MR. MARTIN: So it's a retroactive issue.

12 MR. DAY: Yeah. So you have the 1930s, '40s and '50s
13 or earlier that have issues. And it was felt that A17.1
14 on those older buildings was too much -- in a lot of
15 cases, too much to bear for owners because it would
16 require significant architectural challenges in regards to
17 it. So trying to find a happy medium.

18 MR. MARTIN: I would say you need to add that to this
19 analysis form. Because that was something that makes
20 perfect sense now, but it's not on this form.

21 MR. DAY: Okay. Phil, can you state that over again?

22 MR. MARTIN: I would suggest that the retroactive
23 nature of this proposal needs to be stated on the analysis
24 form so everybody can understand.

25 MR. CLEARY: Bryan?

1 MR. WHEELER: Does the State have any data or, Keith,
2 have you been able to gather any data as to what percent
3 of conveyances actually have this issue? Yeah. The
4 answer is no?

5 MR. DAY: In the grain industry we have that, but as
6 an overall, we do not. We don't because it was not
7 considered against the code, so we haven't been writing it
8 as a noncode compliant issue.

9 MR. WHEELER: I can't speak to the grain elevator
10 industry, but with the passenger and freight elevator
11 conveyances, at some point, it reaches a vintage of
12 equipment that gets modernized, and at that point, the
13 State requires access to be brought up to code and you're
14 supported by the code at that point. If the percentage is
15 small, which I have to believe that it is a fairly small
16 percentage, would it be better served to maybe identify
17 those specific buildings to address that with safety
18 concerns and through a DOSH type of a scenario rather than
19 a WAC? Because that's where it does get into safety
20 concerns.

21 MR. DAY: Bring in a DOSH inspector for that?

22 MR. WHEELER: Did not say that.

23 MR. DAY: Okay. Sorry.

24 MR. WHEELER: Did not say that. You're putting words
25 in my mouth.

1 MR. DAY: I asked the question. I don't want to
2 comment on it.

3 So can you rephrase a bit? We want to know how many
4 there are out there?

5 MR. WHEELER: I think it's important to realize how
6 big an issue this is. Whether it's important enough to
7 spend this time on it or not, I guess, is the bottom line,
8 if we're talking about 10 percent, if that. I would be
9 shocked if it's 10 percent of the elevators in the state
10 that have this issue. Over time, building owners have
11 realized the safety concerns and liabilities and so forth,
12 and I think that most of them have complied or will comply
13 when the elevator equipment needs to be modernized.

14 MR. CLEARY: I think a lot of this for Keith -- and
15 correct me if I'm wrong, Keith -- but precipitated out of
16 the grain industry.

17 MR. WHEELER: Right.

18 MR. CLEARY: And that is a large portion of something
19 that needs to be addressed, and just by definition, they
20 had to pull the rest of the industry in. So, I mean,
21 that's kind of the genesis. You're right. I don't think
22 it's a problem with that, but on the grain side, it is a
23 concern.

24 MR. BECKER: We looked at trying not to develop,
25 essentially, site-specific issues for the grain industry.

1 We wanted something that was just going to be a plug for
2 everybody.

3 I guess one of the questions I would have is if only
4 10 percent -- say 5 percent, 3 percent, 12 percent
5 whatever it is of existing buildings with elevators are
6 affected, if the regulation is there, it's not going to
7 impact anybody but those, that small group.

8 Impact-wise, if you have a situation where you have
9 unsafe -- some of this came from the inspectors looking at
10 some of the ways they had to access these machine areas
11 and then start talking about maintenance, repairs,
12 alterations, any of the work that's getting done. But if
13 you've got somebody having to enter a very unsafe
14 situation to access something, expense of safety, you
15 know, is a tough one. If it needs to be -- and the
16 committee, you know, in that case, if there's a stairway
17 that has to be replaced, then it has to be replaced and
18 brought up to current codes. And if it has to be, it
19 needs to be. If that access is just not safe, then
20 financial impacts, I guess, in our feeling was secondary.
21 Safety first and without causing every single person that
22 has a wood ladder or a wood stairway or a wood platform to
23 have to jump in and replace all that stuff.

24 MR. DAY: With noncombustible.

25 MR. BECKER: If it's currently structurally sound and

1 meets the criteria and you've got 42-inch rails or you've
2 got toe boards or you've got railings, you've got proper
3 stair treads, I mean, it's good. But identifying some of
4 these areas -- and it is true in the grain industry I've
5 got 1929 stuff, I've got a brand-new one built in 1987.
6 That's the best one I got out of 30, you know. Most of
7 them are in fairly poor -- have gotten into fairly poor
8 shape. So if we're going to upgrade -- you know, that's
9 where the discussion started with was our industry.

10 But we can look at like the retroactive, we'll look
11 at maybe we can get a better handle from some of the
12 inspectors as to what we're looking at as far as existing
13 structures on passenger elevators and freight elevators
14 and have something to report back on that.

15 MR. DAY: I'd like to really open it up larger than
16 just the inspectors, because if the inspectors are seeing
17 it, so are the elevator companies' licensed mechanics
18 seeing the same thing. How does -- or do the elevator
19 companies themselves have a database on these jobs that
20 are not safe for their own employees to access them? And
21 what would the elevator companies be doing about this
22 unsafe access? Do you do something different when you
23 have them? Or what I fear is you are waiting for us to.

24 MR. CLEARY: Rob?

25 MR. McNEILL: I represent KONE in this case. Our

1 safety policy is very clear, and I believe most elevator
2 companies, at least the majors, have a policy that is very
3 clear. If we don't have a means of safe, clear access, we
4 won't maintain the equipment. It's pretty simple.

5 MR. DAY: That would be nice to know which ones you
6 guys are seeing that on as well.

7 MR. WHEELER: I would support what Rob just said as
8 well as we do identify that to buildings when we see that
9 and notify them in writing that this is an unsafe
10 condition, against our safety policy, and, you know, we
11 either won't maintain that specific area that we can't get
12 access to until they correct the issue or simply not
13 maintain that elevator at all. And then it gets to an MCP
14 enforcement, and eventually that has to be addressed.

15 MR. CLEARY: Do you have any idea on how many you see
16 in a year like that?

17 MR. WHEELER: Maybe three or four.

18 MR. CLEARY: Rob?

19 MR. McNEILL: Yes. And mainly those are ladders that
20 are getting loose, so we send them a letter in writing to
21 protect our liability and also so the owner is on notice
22 that they have an unsafe condition that needs to be fixed.
23 So if there is an OSHA situation later where there's a
24 fall, serious accident, we want to make sure that
25 everything is put in writing.

1 MR. MILLER: I was going to concur with them about
2 that, and also, I've only run into it two or three times,
3 but like the last time was a wasp nest. That's an unsafe
4 hazard. Another time was like a sloped roof or like
5 lighting is a problem. And the owners have been very
6 receptive. Like if we go and talk to them and say, "Hey,
7 you know, there's a big wasp nest up there. We can't get
8 up there." They go take care of it. Same with the
9 lighting, you know. (Inaudible) we can't see, we can't
10 fix your elevator. And having their elevator shut down is
11 a good motivation for them to fix that problem.

12 I did have just a question about that, too, about it
13 being retroactive. As code changes in the future, is that
14 going to be retroactive? Like, say, you know, in five
15 years the machine room access is altered, will they be
16 able to use that retroactive clause to go back and make a
17 change to the current codes?

18 MR. DAY: Not that I'm aware that it's tied in.
19 Becky, are you aware if machine room accesses are tied
20 into --

21 MS. ERNSTES: For alterations?

22 MR. DAY: -- alterations?

23 MS. ERNSTES: If it's unsafe, then we make it safe.
24 We've had some. I can remember a hospital in the past two
25 years that was very unsafe access to get to a secondary,

1 and we made them change it and provide ladders that
2 weren't over certain heights because it was an unsafe
3 situation. So when we come across those in alterations,
4 even if there isn't a clear path, then -- you know, the
5 code has always said "safe access," but what somebody in
6 the past has determined safe, even if it was inspected,
7 may not be safe today.

8 A good instance is I used to inspect an elevator
9 where you literally had to do a pull-up through a scuttle
10 hole after you were on the wooden ladder. There was no
11 room to put your leg up to get to the next rung. That's
12 not safe, you know. If the scuttle hole isn't big enough
13 that you can lift your leg up to get to the next step,
14 there's a problem. And we have those kinds of instances
15 out there.

16 MR. CLEARY: Keith?

17 MR. BECKER: I guess one of the -- if you're running
18 into unsafe situations, as Becky talked, but how -- what
19 defines how it becomes safe? What is defining what's
20 acceptable? Is it fixing a couple of wood slats? Is it a
21 stairway, a side member is broke and you splice in a
22 couple of pieces of plywood on the side of it, patch it
23 up, it feels solid? Is that inadequate? Not adequate?
24 It feels safe. It doesn't bounce around. I guess that's
25 what we're looking for is some direction in -- you know,

1 if it's not sound and it's not safe, what does it need to
2 become to or be brought up to?

3 And some of the new regulations, if you bring it up
4 to current ASME regulations or A17.1, it's pretty
5 extensive. It's a pretty -- there's not a lot of wiggle
6 room. We were looking for something that didn't want to
7 be wiggle room to the point where it's still not safe, but
8 wiggle room that it doesn't have to be absolutely tore out
9 and replaced with noncombustible members or stairways or
10 ladders or, you know, that what's there could suffice for
11 a while.

12 MR. KAUFFMAN: That's my concern is what would you --
13 in an attempt to grab these dozen or 15 situations that
14 are pretty bad, what's the unintended consequences of
15 engaging in retroactive code that would catch a bunch of
16 situations that are pretty darn safe but have to now
17 require a lot more money and more changes, depending on
18 how you define that safe situation? And I think the
19 fiscal impact of that and the magnitude of the problem
20 needs to be defined before you come up with a solution.

21 MS. GOULD: If you -- on your alteration, if you
22 change a wall or something like that to the machine room,
23 you have a much clearer path of getting an access to and
24 into the machine room. But other than that, it's kind of
25 negotiation, kind of bring the owner in and say, "Have a

1 look at this. Do you want your people to work there?"

2 But yeah. Unless you change a wall in the machine room,
3 there's not really a clear path to updating.

4 MR. DAY: Other than DOSH, which isn't the best
5 answer.

6 MR. CLEARY: Your inspectors, when they're out doing
7 inspections, though, they're still responsible. They can
8 write up 49.17 violations, correct?

9 MS. ERNSTES: Yeah. We can write other codes. But,
10 like in the past year, we had a school that was doing a
11 major upgrade to their elevator, and they went up a
12 25-foot straight up and down ladder into the machine
13 space. And the area that this was going into, you know,
14 they didn't have any space to change it to put a
15 stairwell, which would have been the ideal thing, so they
16 weren't going to do anything. And I actually called the
17 owner and said, "This is an unsafe situation. I don't
18 have a code to make it safer, but we need to come up with
19 something that is safer." And basically, what they did is
20 they put a landing platform halfway up so a person
21 wouldn't be climbing the whole 25 feet, probably, you
22 know, with their tools or with a pulley.

23 And most of the time, a maintenance guy is out there
24 by himself. He needs some way to get his tools up there,
25 you know, if he ties them on a pulley, whatever. But to

1 carry up -- it's unsafe to try to carry parts up there.

2 So they did make it better because we don't -- like

3 Jan said, we don't have a clear path to get to there.

4 That's why we need some kind of rules for alterations, at

5 least retroactive, so that we can get something that's

6 safer.

7 MR. CLEARY: Keith?

8 MR. BECKER: And I apologize for not having a

9 detailed analysis form that you can look at. A couple of

10 notes that we had added in that are included, there is no

11 -- any like-for-like repairs will be allowed to

12 combustible ladders, stairs and platforms. If replacement

13 is required due to inadequate structural integrity, then

14 2.7.3.3 must be followed in its entirety. The next note

15 is 2.7.3.4 through 2.7.3.4.7 are not required to be

16 followed unless existing doors are replaced, openings

17 modified or new doors or openings added.

18 So we've tried to incorporate some wording in there

19 that wasn't going to be across-the-board impacts on

20 essentially back to the structurally sound accesses. But

21 if it has to be modified or if it has to be -- it's proven

22 not to be structurally sound and it's got to be replaced,

23 the wood ladder has got to come out, it's got to be

24 replaced with something that's going to be noncombustible,

25 and Becky's -- you know, the ladder cages or platforms or

1 metal stairways or platforms or whatever is required to
2 bring it up to code. But just to go in and across the
3 line start tearing out stuff that there is no obvious
4 safety hazard, that is absolutely not the intent.

5 MR. DAY: No.

6 MR. CLEARY: Are you looking at overhead pulley
7 assemblies, like for hand pulls, as being an area that
8 needs to have access?

9 MR. BECKER: If they are defined as machinery space,
10 then yes. And I believe they are.

11 MR. CLEARY: Any other questions?

12 Okay. We're going to move on now to looking at
13 point-of-sale inspections for 17.1 and 18.1 equipment,
14 residential. Swen's been looking at this and he's been
15 gathering some good information and that kind of stuff. I
16 think this is critically important. We see a lot of --
17 you know, the way that everything is set up now, anybody
18 -- a homeowner can work on equipment and it could create
19 an unsafe situation. So having something looked at at
20 point of sale, I think, is gaining a lot momentum, and I
21 think it's a thing we really need to look at and embrace.
22 So Swen?

23 MR. LARSON: I've got some handouts. I didn't keep a
24 copy for myself. Thank you. And I've got some extra ones
25 of these, and I made 20 copies.

1 MR. DAY: I passed all of them out.

2 MS. ERNSTES: There's a couple extras here.

3 MR. LARSON: A couple things. The first one
4 documents the latest accident.

5 MR. CLEARY: Just kind of give an overview of what
6 you're trying to accomplish.

7 MR. LARSON: What we're looking at here is point of
8 sale. When property changes hands, residential, it will
9 have an inspection. And initially I said all conveyances.
10 I kind of had an epiphany, and so I'm going to bring this
11 up for the first time. Most of these accidents, and
12 there's a ton of them, anybody that can read the data and
13 not be shocked and not have their "Oh, my God," moment,
14 that would surprise me.

15 Most of these accidents are happening on residential
16 elevators, and I would be willing to limit the scope
17 initially to inspection of residential elevators. That's
18 where the majority of the accidents are. It would cut
19 down the workload tremendously for the State and it
20 wouldn't impose undue hardships on anybody. And so
21 certainly, I could change the language in my documents to
22 reflect that.

23 I think it's imperative that we look at this. The
24 children that are being killed are from 3 and 13 years of
25 age. This last one, I think, was 10. He ended up a

1 quadriplegic with catastrophic brain damage. And this
2 article is dated 7/21/14. So there's a lot of things
3 happening.

4 MS. GOULD: Give them some numbers for the last ten
5 years. Like 34 or something.

6 MR. LARSON: It's on -- and this came out of Elevator
7 World. For those of you who are familiar with Elevator
8 World know that this is probably the defining magazine in
9 the elevator industry. It says, "The number of children
10 seriously injured or killed will never be fully known, due
11 to protective orders and destruction of documentation.
12 However, one manufacturer reported there were 34 children
13 injured or killed from 1983 to 1993 in New Jersey and
14 southern New York State alone." I find that incredible.

15 We had a fatality here in Washington State in 2004 on
16 a just transferred property, a 9, 10-year-old boy, and I
17 can guarantee this would have stopped it. The elevator
18 didn't have an outside door on it, and it ran up and a
19 young boy and sister were in the car and it killed him.

20 I think that probably we're all going to be -- even
21 if this doesn't pass this time, it will be back before the
22 Committee. Instead of this saying "Baltimore," it will
23 say "Washington State." And we've got a chance to address
24 this before it's a tragedy in our state again. And Bob
25 and I are going to meet with the real estate people again,

1 and I thank him for his help.

2 I've had a lot of people help me on this project, and
3 obviously, it's been a lot of work. I've put a lot of
4 time into it. And the only reason I'm willing to do that
5 is because this is a battle worth fighting.

6 MS. GOULD: To clarify, you're proposing to get bill
7 sponsorship and put this in front of the next legislative
8 session, right?

9 MR. LARSON: I would like the support of this
10 committee to move forward.

11 So if the form says --

12 MR. DAY: Do you have a form? I gave all that to
13 you.

14 MS. ERNSTES: I've got one.

15 MR. DAY: You're talking about the analysis form?

16 MR. LARSON: Yes.

17 The other thing is, is this is going to be a problem
18 that's growing because of the explosive sale in this
19 section of our market. There will be more and more of
20 these coming on line, and it's a matter of time before it
21 happens again in our state.

22 And there's a lot to go through there. And I'll
23 certainly answer any questions that I can.

24 MR. RYAN: On Addendum C, Swen, you talk about
25 conveyances installed after 2008, and then it says, "The

1 year turnover inspections started occurring." Can you
2 educate me what that is?

3 MR. LARSON: Let me get caught up here. Addendum B?

4 MR. RYAN: C, Charlie. It says, "For conveyances
5 installed after 2008," and then it says, "The year
6 turnover inspections started occurring." Tell me what
7 that is.

8 MR. LARSON: I can't hear you. I'm sorry.

9 MR. RYAN: "For conveyances installed after 2008, the
10 year turnover inspections started occurring," what is that
11 about? It's like the third line down.

12 MR. LARSON: It's my understanding that before that
13 they didn't require inspections on turnovers for
14 residential stuff. Is that true, Jack?

15 MR. DAY: Inspections on turnovers?

16 MR. LARSON: On residential.

17 MS. ERNSTES. No.

18 MR. DAY: Turnover on point of sale?

19 MR. LARSON: No. Turnover --

20 MR. DAY: Acceptance?

21 MR. LARSON: Acceptance.

22 MR. DAY: Yes. Was it required before 2008? Yes.

23 MS. ERNSTES: It's been required since we started
24 this program in 1963.

25 MR. LARSON: It was my understanding that it went

1 away for a while.

2 MS. ERNSTES: No. What went away for a while is
3 annual inspections. We didn't do annual inspections, and
4 then we picked up annual inspections, and annual
5 inspections went away.

6 MR. LARSON: Okay.

7 MR. CLEARY: And in 2004, that's when the licensing
8 came in for a licensed service provider to install in the
9 State of Washington.

10 MR. LARSON: Okay. I'll make that correction.

11 MR. CLEARY: Bill?

12 MR. MORRELL: You're saying on point of sale there's
13 going to be an inspection. Who's going to do the
14 inspection? When does an elevator -- residential elevator
15 company get involved with that inspection, or does the
16 State inspector just go and do the inspection? Because
17 what we do now is hand in hand with an elevator inspector.
18 And we have to bring weights out, and we have to run the
19 appropriate tests. I don't know how it can be inspected
20 unless an elevator company was involved. And so are you
21 expecting -- when you say that there's going to be an
22 inspection, are you expecting that the elevator company be
23 involved?

24 MR. LARSON: When they did annual inspections, did
25 you do that in conjunction with an elevator company, Jack?

1 MR. DAY: I don't believe so. Did we, Becky?

2 MS. ERNSTES: Pardon?

3 MR. DAY: When we did annual inspections of
4 residential elevators in the past, we did not do that hand
5 in hand with the elevator company.

6 MS. ERNSTES: No. We just did an annual inspection
7 like we do on any commercial elevator. We checked the
8 safety circuits, we looked at the condition of the
9 elevator, the same type, enforced the code for residential
10 elevators. And it was an annual inspection, and we did it
11 for years.

12 MR. CLEARY: Maybe -- I can't recall. If you're
13 asking at the point of sale does the inspection need to be
14 done by somebody that's licensed, and I would say yes, a
15 licensed elevator company would do an inspection. Just
16 like you've got a pest inspection, roof inspection,
17 everything else, it would have to be a licensed elevator
18 company to do the inspection.

19 MR. LARSON: I would say probably what's set up now
20 rather than to set up a whole -- that the elevator
21 inspectors would do that by adding whatever manpower they
22 need.

23 MR. MORRELL: In reading through Swen's information
24 that's been coming, I'm getting the impression that we, as
25 elevator companies, Scott, would not be involved in that.

1 A case in point, on the analysis form, it says the
2 elevator -- the impact on elevator companies would be
3 minor. I think it's major if we're involved, but they're
4 saying minor.

5 MR. LARSON: I hadn't foreseen that the elevator
6 companies would be part of the inspection. You may end up
7 having to do some repairs or something on an elevator if
8 it's --

9 MR. MORRELL: But that's after the inspection.

10 MR. LARSON: What's that?

11 MR. MORRELL: That would be after the inspection.

12 MR. LARSON: Yes.

13 MR. MORRELL: If something was found, if it was red
14 tagged, if it was found to be unsafe, then an elevator
15 company would be involved.

16 MR. LARSON: And due to the small number of
17 conveyances we're talking about now, I'm saying the impact
18 would be minimal. You might see your workload increase a
19 little.

20 MR. McLAUGHLIN: My understanding as we've talked
21 about this -- and correct me if I'm wrong, Swen -- when
22 you say "turnover," you're talking about the turnover from
23 the manufacturer installer to the homeowner --

24 MR. LARSON: That's already --

25 MR. McLAUGHLIN: -- not between homeowner and

1 homeowner. So we've got two different issues here. The
2 point-of-sale program is primarily concerned with from
3 homeowner to homeowner. So I think the word "turnover"
4 here, if we look at turnover in terms of the acceptance
5 inspection or the point of acceptance by the homeowner or
6 whoever from the manufacturer is the meaning of turnover
7 here, not from homeowner to homeowner; is that correct?

8 MR. LARSON: Are you talking about this, Bob?

9 MR. McLAUGHLIN: I'm talking about just where we
10 were.

11 MR. LARSON: Here's the proposal lines -- changes
12 that I have identified.

13 MR. DAY: What document are you showing us?

14 MR. LARSON: What's that?

15 MR. DAY: What document? The proposed RCW change at
16 the top?

17 MR. LARSON: Yeah.

18 MR. DAY: What page is it on?

19 MR. LARSON: This should be the last one.

20 MR. McLAUGHLIN: Okay. I understand that, but I
21 think there's some confusion in the room here on the word
22 "turnover." That's what I was trying to clarify.

23 MR. LARSON: Okay. Turnover would be the new
24 inspection. So if that's done already, we're just adding
25 that there will be another inspection at the point of

1 sale.

2 MR. DAY: Could we change "turnover" -- the word
3 "turnover" to say "acceptance inspection"? Acceptance.

4 MR. McLAUGHLIN: We're talking about history here.
5 We're trying to refine what the history says. My
6 understanding is that Addendum C is referring to a change
7 that occurred in 2008 regarding acceptance inspections,
8 not homeowner to homeowner.

9 MR. CLEARY: That was incorrect. That 2008 is not a
10 date that has any relevance because there's been
11 acceptance on point of turnover on installation since the
12 beginning. So there was no -- 2008 is not a date that's
13 relevant.

14 MR. McLAUGHLIN: All right. I'll -- I don't want to
15 add to the confusion. I thought I had a point of
16 clarification. Now I'm confused.

17 MS. ERNSTES: Also, Scott, when the elevator section
18 was originally set up, homeowners were to come forward and
19 be identified as owning a conveyance, just like when we
20 were regiven the conveyances for the grain elevator, the
21 grain elevator people were supposed to come forward and
22 identify themselves as someone who was now back under our
23 regulations. So even though your elevator was put in in
24 1920, when the laws were incorporated in Washington, you
25 were supposed to come forward and have that elevator given

1 a conveyance number and identified.

2 So there is no reciprocity for old equipment in the
3 '20s, '30s, whatever. If you had an elevator in your home
4 or a conveyance that's regulated by the Department, you
5 were to come forward and get that on the books, and we
6 were to go and do annual inspections.

7 MR. CLEARY: One of the things, too, Swen, we're
8 going to need to really look at is what about the ones
9 that never had an acceptance inspection done on them?

10 MS. ERNSTES: We would treat them just like we do
11 today. They would have to get a permit and they would be
12 inspected. We find things -- the law requires elevator
13 companies to come forward and identify those people when
14 they hear about them, and we do that all the time. We get
15 calls from elevator companies saying, "I got a call. This
16 elevator or this stair chair for this wheelchair lift is
17 broken down. I can't work on it because the law says I
18 can't work on anything that wasn't permitted." And we
19 will have that elevator company or somebody else, whoever
20 the owner chooses to hire, they have to pull a permit.
21 Even if it was installed in 1920, they have to pull a
22 permit and pass an inspection. We have that issue going
23 on all the time.

24 MR. DAY: An acceptance inspection was declared --

25 MS. ERNSTES: Yes.

1 MR. CLEARY: Bill?

2 MR. MORRELL: It seems to me like if what Swen is
3 proposing on the sale from one owner to the next, if an
4 elevator inspector went out there without us being
5 involved as elevator companies, but they went out there
6 and looked at it, the situation over in Eastern Washington
7 where there wasn't an outside elevator door would
8 definitely run up a red flag, and that unit would have
9 been red tagged. Most recently, this one in Philadelphia,
10 okay, where the elevator could run when the gate was open
11 would be a red flag. That's a violation. Somebody's
12 bypassed the circuit or whatever. That one wouldn't have
13 happened.

14 So in those two incidents, you know, doing what is
15 being suggested here would have prevented those two deaths
16 or catastrophic injuries. And afterwards then the
17 homeowner, after that inspection, gets red tagged, then we
18 would get involved as elevator companies to go out and
19 contract to get the work done. That's -- and if it's cut
20 back from vertical platform lifts, incline platform lifts,
21 incline stairway lifts just to residential elevators, just
22 the 17.1 equipment, then that's going to lower the
23 financial fiscal impact significantly, okay? And it would
24 also pick up -- if this was the case, it would pick up the
25 ones, you know, where somebody put in a forklift or some

1 other kind of machine lift that wasn't --

2 MR. CLEARY: Swen, have you seen -- is there any
3 other model in the state? Because when somebody does a
4 home inspection, you don't have the electrical inspector
5 come out to look at the box, right? You have a company
6 that comes out and would do a home inspection which would
7 include the electrical.

8 MR. LARSON: For point of sale?

9 MR. CLEARY: Yes.

10 MR. LARSON: I would say for new construction you
11 could have a --

12 MR. CLEARY: No. I'm not talking about new. I'm
13 talking about selling it from one to another. I mean, you
14 don't have the building inspector come out and look at the
15 foundation, you don't have the electrical inspector come
16 out to look at the box. You have a company that comes in
17 and will do a report for you, right? And that's part of a
18 sale to sale.

19 MR. LARSON: I think one of my addendums looks at
20 that. And we talked to the people who do home
21 inspections, and they're not comfortable doing that. They
22 need specialized training to be able to do that.

23 MR. CLEARY: That's where a licensed elevator company
24 would be brought in.

25 MR. LARSON: I would say that's adding a whole lot

1 more than -- it makes it a whole lot more complicated.
2 I'm trying to fix a problem that I see is a major problem,
3 and I'm not trying to feather my own nest. I'm not trying
4 to get work for the union or for anybody else. I'm trying
5 to fix a problem. And however we do it, whatever works,
6 I'm for doing that.

7 MR. CLEARY: I think on my point for my company -- I
8 won't speak for the other residential guys -- I agree.
9 It's something that really needs to be done. We're
10 starting to get more awareness, but I really do agree. I
11 think you're not -- you're going to get support from the
12 industry. It's just making sure that whatever we do is a
13 good fix.

14 Jack?

15 MR. MORRELL: Under Swen's Addendum B --

16 MR. LARSON: C?

17 MR. MORRELL: B as in boy. The second page refers to
18 the home inspectors. And they don't look at elevators as
19 a part of what they're inspecting for. In the same vein,
20 they don't look at swimming pools; they don't look at hot
21 tubs; they don't look at fire suppression equipment. I
22 mean, when you think of the risks involved with hot tubs
23 and swimming pools and, you know, other types of things,
24 there's a lot a home inspection doesn't include, and they
25 don't include elevators.

1 When this first came up, I thought that that would be
2 -- if we could educate the home inspectors, you know, who
3 are hired to go out and look at a home, but they don't
4 want to do that. They don't feel capable of doing the
5 inspection.

6 MR. LARSON: And it's specifically written out of
7 their law. Under Exclusions and Limitations, what it said
8 was they were excluded from inspecting or commenting on
9 the condition or serviceability of elevators or related
10 equipment. They're clearly not comfortable with it, and I
11 wouldn't be either. I've got 30 years in the trade, and
12 I've worked on a lot of different aspects of it. I'm QEI
13 certified, and I would not feel comfortable going out and
14 inspecting an elevator unless I have a lot more training,
15 a lot different training than what I've had.

16 MR. CLEARY: These home inspectors, my original
17 thought when this came up was that they don't have to do
18 an inspection. All they have to say is, "Does this home
19 have a conveyance? Yes or no. Has it ever been
20 permitted? Does the homeowner have any documentation that
21 it's ever been permitted? Yes or no. Is the elevator
22 currently working? Yes or no." Maybe that's just the
23 extent of it. I don't know. But they don't even want to
24 do that. That's not an inspection.

25 MR. DAY: You're not talking about us. You're

1 talking about a residential homeowner inspector.

2 MR. MORRELL: If I sell my home, in the earnest
3 money, the buyer is going to say, "I'd like to have the
4 home inspected." It's that home inspector that I'm
5 talking about.

6 MR. LARSON: That's why I thought that the people
7 that are already set up to do elevator inspections should
8 do it, but whatever AHJ would be covered under that. To
9 me, that makes sense, you know, that there's people
10 involved that had whoever they need to do the work. It
11 looks to me like residential elevators, it shouldn't be a
12 huge manpower drain on anybody.

13 MR. KAUFFMAN: Just a note on that suggestion. I
14 believe it's the lenders that actually require the home
15 inspection, though the buyer pays for it. And if it's a
16 cash purchase -- there's a lot of cash purchases today,
17 people trying to turn houses. You don't always have
18 inspections. So you won't always catch it if you do it
19 that way. That way won't always catch them because not
20 all homes actually have an inspection. Most of them do,
21 but not all of them.

22 MR. MORRELL: In today's market, some of these homes
23 are going up for bid, and the price that people are paying
24 are higher than the asking price. And if you throw in
25 that they want to have an inspection, okay. If you're a

1 buyer, you're not going to be the winner of that home.

2 MR. KAUFFMAN: The City of Austin, Texas tried to
3 require energy audits before transfer of sale, and it just
4 totally screwed their sales market and they quit doing it.
5 I'm saying it's a great idea. Try to find a way to do it,
6 and then just know there's a couple holes with that idea.

7 MR. DAY: What are the holes?

8 MR. KAUFFMAN: The holes are if you're trying to
9 catch -- identify the fact that there is a conveyance on a
10 property and therefore it needs to be inspected through an
11 inspection process on purchase, not all homes go through
12 that process.

13 MR. LARSON: It won't be perfect. I realize that.

14 MR. MUNN: My question was how do we move this
15 forward? Is this something we should -- do we need
16 someone to propose that this would be moved forward from
17 our group here? I certainly think that having -- the idea
18 of having an inspection done at the transfer of ownership
19 is the right answer. And who the inspector is and other
20 issues and how it actually gets implemented are things
21 that need to be worked out. Certainly, communication with
22 the real estate industry, this is something that is in the
23 state law now how it needs to be done. But certainly just
24 having this written in the RCW is, in my opinion,
25 something that we should put forward.

1 MR. CLEARY: And you requested that we -- as a
2 committee, you want our support?

3 MR. LARSON: Yes.

4 MR. CLEARY: Do you want to go ahead and --

5 MR. LARSON: I would like to vote.

6 MR. DAY: This, to be clear, are we studying the last
7 page and that's what you're asking us -- the Committee to
8 support this information on the last page which is --
9 added the language proposed RCW change 70.87.120(2) and
10 WAC 296-96-1045?

11 MR. LARSON: I would say I'm barely housebroken and
12 I'm not a lawyer, so this is my best intent. And I'm sure
13 the legislature will look at it and see if I've left out a
14 -- you see a problem with it? That's what I've got to ask
15 you.

16 MR. DAY: I just want to make note because it came up
17 earlier in this discussion that it says here "annual
18 inspections," so the type of inspection that's being asked
19 to be performed is an annual. Not an acceptance. An
20 annual inspection.

21 MR. LARSON: Okay. Add "annual" to that.

22 MR. DAY: No. It's here. There was a question from
23 the audience about what type of inspection is it going to
24 be.

25 MR. LARSON: Yes. It will be an annual.

1 MR. DAY: And it's an annual inspection.

2 MR. LARSON: Yes. If that's your question, yes.

3 MS. GOULD: I think more than the cite language right
4 now, because this is in the works, right? We spent a
5 couple minutes and wrote some of this. But he is asking
6 for support to go forward with and details to be worked
7 out in language later about how that would work.

8 MR. CLEARY: So you're not asking for the acceptance
9 on how it's written, but on having support in the process
10 (inaudible) that can be passed on to the State.

11 MS. GOULD: Going forward.

12 MR. CLEARY: Going forward.

13 MR. LARSON: Yes. And I would say I think the
14 language is pretty good. There may be -- like I found --
15 under the real estate, I found the exclusion. There may
16 be other things in there that we've got to tweak. Like I
17 said, I'm not a lawyer, and people know this, the WAC's
18 and the RCW's a whole lot better than I do. So if they
19 identify something, then -- I want something that's going
20 to work for everybody. I'm not trying to stick it to the
21 homeowner; I'm not trying to stick it to the real estate
22 agent. But I think this is an area that needs to be
23 addressed.

24 Jack, you had a question?

25 MR. DAY: Yes. Just making sure everybody is

1 understanding this. On the same page, center of the page,
2 it had the following section as WAC 308-48C-190. That's
3 the real estate WAC code, correct, Swen?

4 MR. LARSON: Correct.

5 MR. DAY: So you're proposing a change to our RCW, a
6 change to the real estate WAC --

7 MR. LARSON: Yes.

8 MR. DAY: -- and an additional change to our WAC,
9 right? Am I correct there with this page?

10 MR. LARSON: Yeah. This I added a section on the
11 bottom. I struck this exclusion and I added "conveyances"
12 one down, which would have been 308-408C-190. 180 was the
13 last one, and I just struck this language and added this
14 to the bottom.

15 MR. DAY: Thank you. Another question.

16 MR. LARSON: You're killing me.

17 MR. DAY: Sorry. Is it expected that when the
18 Department performs an annual inspection and finds things
19 wrong, that it be corrected?

20 MR. LARSON: That it be corrected?

21 MR. DAY: Uh-huh.

22 MR. CLEARY: Or taken out of service.

23 MR. LARSON: Certainly if it's dangerous, then it
24 should be taken out of service.

25 MR. DAY: That's not what I mean.

1 MR. LARSON: I know what you mean.

2 MR. DAY: Should the item that we find incorrect or
3 not code compliant be corrected by someone?

4 MR. LARSON: How about "ensuring safe operation and
5 compliance with this chapter"? Does that cover that?

6 MR. DAY: Is that -- did I miss it?

7 MR. LARSON: It's in subsection 70.87.120(2). It
8 says, ". . . owner or before the transfer of title/deed to
9 a new owner, ensuring safe operation and compliance with
10 this chapter." Does that cover it? Maybe.

11 MR. DAY: Yeah. This chapter, yeah.

12 MS. GOULD: In WAC ruling, yeah.

13 MR. DAY: This chapter includes WAC rule.

14 MR. McLAUGHLIN: Mr. Munn, I don't understand quite
15 what's happening here, but I'm very concerned about two
16 things. Two major evolutions that have occurred within
17 Swen's committee here within the last couple of days or
18 week, and a credit to him for all the work that he has
19 done on this. But first of all, he has changed the scope
20 of the applicability of his proposal as has evolved in
21 this committee over the last three years. The history of
22 this issue goes back ten years.

23 The second most significant thing that has happened
24 is we have finally scheduled a sit-down between
25 Mr. Swenson and his group and the real estate community.

1 This goes back ten years from the time that then
2 Congressman -- or Representative Conway urged exactly
3 that. So we've got two major pieces of this that are
4 fresh, are evolving, and you add a third piece to that,
5 and that is that the form that is now integral to the work
6 of the subcommittees is in the process of revision.

7 Now, I think the whole community is very aware that
8 the Committee supports this concept, but the question is:
9 Are you now looking to take a vote without our having
10 completed those three important parts? The form is not
11 complete; an important meeting has not yet occurred; and
12 this vote has changed in potentially a very significant
13 way and a very positive way from my point of view. So if
14 you're going to take a vote, I want it to be very clear as
15 to what it is that you're supporting. Because all the
16 pieces are not together yet, and they're going to change.
17 They could potentially change next week. And I think it's
18 important that that meeting go ahead.

19 MR. LARSON: I've got an answer from Nathan. And
20 what he says is --

21 MR. DAY: Nathan is who?

22 MR. LARSON: Nathan Gorton. He's their probably
23 lobbyist for the Realtors.

24 It says, "I'm happy to sit down and talk to you
25 further about this issue, but you should know ahead of

1 time that we are very unlikely to support any
2 point-of-sale requirement. I understand why your
3 membership would want to go this direction, but it's not a
4 direction my membership is (inaudible) to go. We are
5 happy and even eager to work with you and your group in
6 other ways to ensure consumers have the knowledge they
7 need. Point of sale is just not a place we're willing to
8 go."

9 Unfortunately, educating people needs to be a part of
10 this. Unfortunately, it's not going to solve the problem.
11 And I agree. There needs to be an education component,
12 and part of what I've been trying to do is that. And
13 hopefully I've been up front.

14 What I plan on doing is taking -- taking the issue of
15 all the other conveyances out of this issue and adding
16 only residential elevators to this. And I would like to
17 know I've got the support of the Committee. I've spent a
18 ton of time, a ton of money, a lot of leg work doing this,
19 and it's easy to just be put off forever and ever and
20 never anything gets done.

21 Look. This isn't something that should be stalled.
22 It's important enough that while we stall, we know that
23 we've got conveyances out there that are probably not
24 safe. What Georgia did is they fixed part of the problem.
25 Anything new coming into the state has to meet a certain

1 code, but it doesn't take care of all those that exist out
2 there that are trashed, waiting to kill children between 3
3 and 13 years of age. And I think that probably should be
4 an outrage to all of us.

5 MS. GOULD: Bob, I think it would be much better to
6 go into the meeting that you're proposing to say that
7 you've got the Elevator Advisory Committee agreeing to go
8 forward. Why would that be a problem? I don't see that.
9 I think having industry support would be a positive to go
10 into the meeting with.

11 MR. CLEARY: I think I'd be willing to bring it to a
12 vote for support with the understanding that there's a lot
13 of stuff that needs to be wordsmithed and worked. But in
14 principle, I think I'd be willing to bring it to that kind
15 of vote. Is that something you're looking for?

16 MR. LARSON: Yeah.

17 MR. CLEARY: You're right. Very good points.
18 There's substance that's changed; there's industry parts
19 that have been changed. We haven't worked out everything
20 yet. So -- but I think if the rest of the members would
21 agree, I'd bring it to a vote and having it in concept
22 that you have the support. We need to do something. We
23 don't have a finished product yet. I mean, it's obvious
24 we don't have a finished product.

25 MR. LARSON: And I'm hoping -- Bob, and I'll be at

1 that meeting with Nathan if I don't have to go back for a
2 funeral. I would like to sit down and make my case on
3 just the residential elevator stuff, and hopefully, I want
4 to find something that everybody should support. And
5 that's my hope.

6 But the time and the effort that I spent on this has
7 been considerable. You, too. I've had help from a lot of
8 other people. I'm not saying this is all me. But at some
9 point, you know, either I'm wasting -- and I'm getting
10 long in the tooth, and I didn't know how much longer I'm
11 going to be around. But I want a starting point where if
12 I go, that somebody else will at least have a starting
13 point and we've had these important discussions.

14 MR. CLEARY: I truly believe you really could
15 (inaudible) foundation. And we need to wordsmith it and
16 work on some things.

17 But, Skip, can you talk -- City of Seattle's point of
18 view what is --

19 MR. BUNTIN: We absolutely support this. We've
20 recently come across several home elevators that they
21 never were finally inspected and put into operation and
22 then came back to find issues with them. So yeah. I
23 mean, wholeheartedly. We're behind this 100 percent.

24 MR. McLAUGHLIN: My final comment. Scott, your
25 statement was very clear and that is exactly what I was

1 looking for. You're supporting it in concept with the
2 understanding that we'd like to -- you know, we're in
3 about the bottom half of the seventh inning here, and I
4 don't want to leave out the rest of the procedures that we
5 need in order to get something that is going to be as fine
6 a solution as we can come up with. That's exactly what I
7 was looking for.

8 MR. CLEARY: And when I said earlier making sure that
9 it was good, I meant to say was all-inclusive. And so I
10 didn't mean to say . . .

11 So if the other Committee members are -- I think I'd
12 like to bring it to -- any other comments from any of the
13 other members that have any concerns about bringing it to
14 a vote on does the Committee support it? If not, I'd like
15 to --

16 MR. GAULT: Support it in concept.

17 MR. CLEARY: In concept, correct.

18 All right. So I'd like to bring it to a vote. Does
19 the Committee adopt it or support it as a concept knowing
20 that it's a work in progress and we don't have it --

21 MR. RYAN: So we'll keep this on the agenda item then
22 so we can wordsmith it and talk about the language?

23 MR. CLEARY: Correct. We still know we've got some
24 work, some polishing to do. But I agree with Swen. I'm
25 not one for kicking the can down the road. It's really

1 easy to do when we only meet four times a year. And if we
2 don't do something, when is enough people getting hurt?
3 And we see it. Bill, we see it a lot. There's a lot of
4 stuff out there when homeowners can work on their own
5 stuff. They're not doing it with intent, but if you don't
6 have any kids around and you mess with something, it might
7 be right for you. But somebody buying the house, they
8 have the right to know.

9 All right. So I'd like a motion that we accept it in
10 principle.

11 MR. BECKER: I so move that we bring it to a vote for
12 support.

13 MR. CLEARY: Any seconds?

14 MR. BUNTIN: Second.

15 MR. CLEARY: All in favor, aye.

16 ALL: Aye.

17 MR. CLEARY: Against? All right. So I'd like to
18 have it for the record that we voted and it has been
19 approved that we, in concept, go forward with this. I do
20 want to say thanks, Swen. You've done a lot of hard work.

21 Bob, I know having you there, it's always a really
22 good barometer. And I mean that sincerely. You do a good
23 job.

24 MR. LARSON: I want to thank everybody that's helped
25 me. Because like I said, I've had a lot of help on this.

1 MR. CLEARY: And we're all starting to come to the
2 end of our last term, like Swen said. So I really, if we
3 can get something out of all this, and this is one of the
4 things we worked on, then we've been a success over the
5 last four years. I think it's critical that we get off
6 dead center and do something with this. So thanks again.

7 MR. DAY: Could the Advisory have clear language that
8 -- are you planning on presenting this to legislation this
9 coming up session?

10 MR. LARSON: I would hope that we can get it in this
11 legislative cycle.

12 MR. DAY: I think, to be fair with everybody, we'd
13 like to see that in November, that language.

14 MR. LARSON: Okay.

15 MR. DAY: What is it, polish it. I think we should
16 see it --

17 MR. LARSON: For you wordsmiths out there, I could
18 use a little help.

19 MR. DAY: Anybody willing to help?

20 MR. RYAN: I'll provide some comments.

21 MR. CLEARY: Like I said, comments help. It gives
22 you the ability to make critical comments. But I really
23 believe that we need to bring it up again once we have it,
24 support to take what we wordsmith and be able to take it
25 to the legislative session.

1 MR. LARSON: And if you have comments, I would like
2 to get them early on and maybe I can address them. At
3 least I'll have an opportunity to try. And I'll give you
4 my e-mail address.

5 MR. CLEARY: Swen, when is your meeting? Next week?

6 MR. LARSON: Which meeting?

7 MR. CLEARY: Real estate. Are you going to meet --

8 MR. LARSON: I don't think we finalized -- we think
9 it's Tuesday sometime.

10 MR. McLAUGHLIN: We both sent e-mails back to Nathan
11 Gorton, and I'm going to be in Federal Way on Tuesday and
12 Swen's going to also be in Tacoma, and we suggested that
13 as a target. We don't have a reply from him as to whether
14 that's a fixed date yet. He has said he would like to
15 meet next week.

16 MR. CLEARY: So he understands the sense of urgency
17 and the timeframe that we're working with? Has that been
18 voiced to him?

19 MR. LARSON: I think he's indicated that he's willing
20 to meet in the near future, and hopefully that will be
21 next week sometime.

22 MR. CLEARY: With that, I'd like to just -- it's a
23 very good discussion. We're going to have to move a
24 little bit to get a couple more things in. Thanks for the
25 participation. It's really good. Thanks to the

1 Committee.

2 Next we're going to go into the purpose and scope of
3 the subcommittee for Class A permits. And that's with
4 Jack. And that kind of ties in with what Bryan Wheeler's
5 been working on.

6 MR. DAY: I'll be relatively quick with this one.
7 It's been decided that this proposal needs additional
8 stakeholdering before we move it forward. So the
9 subcommittee is going to reconvene September the 25th --
10 September the 25th. So at this point, Class A permits is
11 not going to be moving forward as an Agency proposal in
12 any way. That's all I have on that.

13 MR. CLEARY: Any questions on that?

14 MS. BREWER: Jack, do you want to add the possibility
15 of the Department introducing the bill has been eliminated
16 at this point --

17 MR. DAY: That's correct.

18 MS. BREWER: -- but the conversation is going to
19 start out possibly with the industry moving forward to
20 introduce something if it's needed prior -- you know, in
21 the 2015 legislature?

22 MR. DAY: As always, you all can introduce whatever
23 you want. But yes, this is limited this year's -- the
24 Department will not pursue this this year. It doesn't
25 mean we will not pick it back up as a solution next year,

1 but right now, it's going to be put in the hands of the
2 industry.

3 MS. BREWER: Right. Which I'm just saying I think
4 it's important that the industry is looking at that and
5 that's why we want to meet in September and October prior
6 to November's Advisory Committee meeting in case that's
7 needed so we can bring it to that group.

8 MR. DAY: Thank you.

9 MR. CLEARY: Any other questions on that?

10 Okay. With that, we're going to move on to code
11 adoption subcommittee. Bryan Wheeler.

12 MR. WHEELER: All right. Good. I'll be quick here,
13 too, as best we can. Appreciate putting us on the agenda
14 here.

15 As most of you know, last EAC meeting in -- when was
16 the last one? June?

17 MR. DAY: May.

18 MR. WHEELER: May. Excuse me. May. It was decided
19 that the EAC would form a subcommittee to review the rules
20 in Washington State on the adoption of rules enforcement
21 administration of authorities in matters concerning the
22 manufacturers, installers, owners and use of conveyance in
23 Washington. It's right out of the notes from the last
24 meeting.

25 The goal of this committee was to kind of review the

1 WAC, look for either inconsistencies, changes that need to
2 be updated and try to start that process now and
3 incrementally do that over time rather than waiting for
4 several years for it all to be compiled and then adopted,
5 much as has happened in the past.

6 So with that, we convened a committee and we've met
7 three times since the May EAC meeting. We, at our first
8 meeting, decided that the committee would mirror the
9 representation of the EAC, and so we've got stakeholders
10 that represent each of the stakeholders here at the EAC
11 level identified as voting members. However, we have a
12 need for an architect, a general contractor/consultant
13 type to join that committee so that we have that
14 representation, and we'd like to see a representation from
15 owner representative -- represented contractors. If that
16 stakeholder group would like to bring somebody to that
17 meeting, we'd love to have them.

18 We have stakeholders from industry and Max Prinson
19 with Otis; another AHJ and Jan Gould from the City of
20 Seattle; Labor and Swen is represented; building owners
21 and managers, either Rob Kauffman or David Gault's joined
22 us on those committees representing that; and the
23 Department is represented through Jack as the secretary of
24 that committee.

25 So certainly this committee is open to all

1 stakeholders, and what we do is we want to debate, have
2 the conversation surrounding the code change. We call it
3 to a vote of whether this committee is going to support
4 that change being presented to the EAC or not. That's
5 purely all this vote is. And as a result of our three
6 meetings thus far, we've come up -- we've got three
7 proposed elevator advisory forms that I've provided to
8 each of the EAC members today.

9 I think just to review the three items on here, the
10 first one was just a technical correction in the WAC
11 296-96-00500. The technical correction was that in it it
12 states that the WAC conflict with the requirements of
13 national standards this chapter -- excuse me -- national
14 standards this chapter supersedes. And again, I don't
15 expect everybody to know what that -- verbatim what that
16 code says right now, but we ask that you look at it.
17 Because it's through the review of the committee it was
18 identified that it should say "this chapter." Just a
19 grammatical typo that, I think, Jack, you identified as
20 well on that committee. And we ask that the EAC review
21 that and support that clerical change in the code.

22 No financial impact; no wording impact; no change to
23 the code.

24 Any questions, comments on that one?

25 MR. DAY: If you have the WAC with you, it's page 19.

1 MR. McLAUGHLIN: Do we have copies of that?

2 MR. WHEELER: No. I provided it to the EAC just
3 today here, so we can put that out to the next agenda --
4 or Jack said that that would go out with the next agenda.

5 MR. DAY: Uh-huh.

6 MR. McLAUGHLIN: That's three months. Okay.

7 MR. DAY: One of the things I would state, if we're
8 going to move forward like this one, that I -- remember
9 earlier in my chief's report when I said we were going to
10 put these here? If the Advisory agrees with this, we're
11 going to give it a proposal number and then we're going to
12 put it in that future WAC, make the change. This is going
13 to be the first one, 01-2014. This will be the first one
14 in there with the changes. That's where you'll find it.

15 MR. WHEELER: So the idea and the intent would be
16 that it's housed there until the next WAC adoption, and
17 that leaves lots of time for comment and review,
18 consideration and thought.

19 MR. DAY: A tremendous amount of time, yes.

20 MR. WHEELER: Right. So this is purely just asking
21 to be housed on that document.

22 MR. DAY: But this is a simple change. It is not an
23 impact. This WAC was not written correctly to make sense,
24 because what it says, "In any case where the national
25 standards codes adopted by reference in chapter 296-96

1 conflict with the requirements of" -- the wrong thing in
2 here was "national standards adopted, this chapter
3 supersedes." We're striking that second "national
4 standards adopted" language, those words. That's what's
5 being stricken. Because we're comparing the national
6 standard adoption to the national standard adoption.

7 MR. WHEELER: Conflicting.

8 MR. DAY: It doesn't make sense. What it's meant to
9 say is the WAC supersedes the national standards. But in
10 the future, we would expect that these things are
11 delivered to the State in a timely fashion, at least two
12 weeks prior so that we can pass them out to everybody two
13 weeks ahead of time.

14 MR. McLAUGHLIN: Why are you looking at me?

15 MR. DAY: Because I wondered and had to be clear.

16 However, due to time constraint, it just was reviewed
17 last -- towards the end of last week.

18 MR. WHEELER: It was last Thursday that we finalized
19 it at our last meeting.

20 I'll let the EAC review this and decide whether this
21 is an item to go onto that or not.

22 MR. DAY: You guys may need to wait.

23 MR. CLEARY: Yes.

24 MR. WHEELER: The second analysis that we're
25 providing to you folks is QEI-1 requirement for Washington

1 State elevator inspectors. This proposal requires all
2 conveyance inspectors working in Washington State to be
3 certified to the QEI-1 standard of ASME. Inspectors will
4 hold an internationally recognized certification as a
5 qualified elevator inspector. The certificate requires
6 knowledge of and training in the nationally and
7 internationally recognized codes relating to the
8 construction, maintenance and alteration of elevator
9 conveyances. To maintain the certification, an inspector
10 must pass continued education requirements and adhere to
11 acceptance standards of professionalism set by the
12 industry.

13 Does the proposal promote public and building worker
14 safety? Yes, in all those three categories: public,
15 building and worker.

16 The effect of this proposal, we feel, would be a
17 major effect.

18 If the proposal was an effect on the program, briefly
19 describe effects below. And our comments, there was the
20 QEI-1 certification will ensure that conveyance inspectors
21 are knowledgeable and professional in the performance of
22 their trade and that L&I employees, inspectors that are
23 trained and held performance standards set by the ASME
24 code.

25 Financial impact we've listed as less than \$50,000.

1 We do know that there is some financial impact in that
2 certification process and there may be other stakeholders
3 outside of our scope of our committee that would have
4 input on that further.

5 As I mentioned, what other stakeholders would be
6 impacted. It's a public safety issue. Passengers of the
7 elevating equipment, the riding public, building owners
8 and managers, elevator contractors, elevator technicians
9 are all positively impacted. All parties would benefit by
10 the level of knowledge and professionalism acquired by the
11 State inspectors.

12 In revise existing rule, the exact rule would be WAC
13 296-00650 which states that exclude all references to QEI
14 certification in ASME 17.1 from the code adoption.
15 Further, just to explain, A17.1 from the ASME does outline
16 inspectors. It does outline the QEI certification. It's
17 the WAC that precludes that from Washington and excludes
18 that from Washington. So that would be a modification to
19 that.

20 MR. LARSON: I've got a question here. It's my
21 understanding that ASME is no longer the QEI certifying
22 body.

23 MS. ERNSTES: Yes. That's correct.

24 MR. LARSON: So it says "certified to the QEI
25 standards of ASME."

1 MR. WHEELER: It's outlined in the A17 code of ASME.

2 MR. LARSON: They're not the certifying body.

3 MR. WHEELER: They're not certifying. It's just
4 outlined what that means in that code, and that's what
5 we're using to use that.

6 So I would ask that the EAC review this comment and
7 further provide input as to this moving forward.

8 Obviously, you have time to review at the next meeting.

9 MR. CLEARY: Any questions on that?

10 MR. DAY: I do. I'm going to refer to this latest
11 QEI-1. There are some significant impacts that are not
12 listed here, so I'll need to add to this. It will be
13 under also the scope of Part No. 3 here. There's four
14 major impacts for the Department which I'll put in place
15 so that we all have this for next time to review.

16 MR. WHEELER: Okay. Great. If we could make sure
17 that that's on the agenda then for the next EAC.

18 MR. CLEARY: Just give it to me, everything you want,
19 at least three weeks, four weeks before the next meeting.

20 MR. WHEELER: Okay. I'll get it to you three months
21 because it's already done.

22 MR. GAULT: Scott, due to timing and my commitments,
23 I thought we're supposed to go to 11:00. And we sort of
24 need to table the third one and retake it up in November.
25 I booked myself for another meeting, so I have to leave.

1 MR. WHEELER: The third one I can submit
2 electronically to the Committee and you guys can review it
3 and comment for next one.

4 In closing, I just want to add that the next meeting
5 of this committee is September 25th, 9 a.m. in this room.
6 I believe we've confirmed that at this point.

7 MR. DAY: I haven't got it confirmed. It's tentative
8 at this time.

9 MR. WHEELER: So I invite --

10 UNIDENTIFIED: What's that date?

11 MR. WHEELER: September 25th, 9 a.m. I invite all
12 stakeholders that are here today to join us in that
13 discussion. But the agenda, we'll be reviewing Part B and
14 the formatting of the WAC.

15 MS. GOULD: And I request anyone who attends, please
16 make a copy of the WAC rule to bring with you so that
17 you're (inaudible).

18

19 New Business

20

21 MR. CLEARY: We're running over, so I'll be really
22 quick. So, Jack, do you want to talk really quick about
23 the new business, the proposed comb impact device?

24 MR. DAY: Really quick. This past -- there's been no
25 movement on the comb impact device. I have nothing new to

1 present, so it's basically stagnant at this time. Not a
2 thing to present about it.

3 MR. CLEARY: On licensing criteria for new licensing,
4 I can't be the chair so I'm looking for somebody else to
5 step up to chair the position and run that. So whoever's
6 interested. I know a couple of people. It would be nice
7 to get their feedback. So there's not much to talk about
8 other than that.

9

10 Conclusion

11

12 MR. CLEARY: So with that, I propose that we end the
13 August meeting. All in favor?

14 ALL: Aye.

15 MR. CLEARY: All right. Thank you very much.

16 (Whereupon, proceedings
17 adjourned at 11:05 a.m.)

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