

**FLORIDA DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION**

**MEETING OF THE**

**ELEVATOR SAFETY TECHNICAL ADVISORY COUNCIL**

**Wednesday, July 21, 2021**

**COMMENCING AT 9:00 AM**

**HELD AT:**

**VIA TELECONFERENCE**

**REPORTED BY:**

**DEBORAH ALFF, FOR THE RECORD REPORTING, INC**

## **CALL TO ORDER**

**The Elevator Safety Technical Advisory Council meeting was called to order on July 21, 2021 at approximately: 9:03 a.m. by William Snyder, Vice-Chair.**

### **Members Present**

William Snyder, Vice Chair

Jerry Wooldridge

Tim Mowrey, Sr.

Chris Prather

James Yohn

John Barnott

John Antona

### **Members Not Present**

Tim Newton, Chair

### **Others Present**

Michelle Haynes: Bureau Chief, Bureau of Elevator Safety

Josh Phillips, Deputy Chief, Bureau of Elevator Safety

Brenden Doherty, Deputy Director, Division of Hotels and Restaurants

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

Alan Hutto, State Inspector, Bureau of Elevator Safety

John Hofbauer, State Inspector, Bureau of Elevator Safety

Glenn Whitaker, State Inspector, Bureau of Elevator Safety

Tosha Davila, Division of Hotels and Restaurants

Nick Ortiz, Miami-Dade County

Alan Morris, Miami-Dade County

Mike Rickabaugh, Reedy Creek

Jacob Simpson, Reedy Creek

Joey Gan, City of Miami Beach

William Redmond, Broward County

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

**Statement of Purpose- Kela Bishop, Sr. Management Analyst II, Bureau of Elevator Safety**

Mrs. Bishop read the standard purpose and role of the ESTAC as specified in Florida Statute.

Mr. Snyder acknowledged guests in attendance and called for acceptance of minutes from the March 4, 2021 meeting.

MOTION: Mr. Barnott made a motion to approve the minutes.

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

**Bureau of Elevator Safety Report- Michelle Haynes, Bureau Chief**

Chief Haynes reported on the Bureau of Elevator Safety is fully staffed. Chief Haynes stated that the reading of the Statement of Purpose is to remind council members of their responsibility as laid out in statute.

**Administrative Update:**

Chief Haynes reported on the current fiscal year 2021-2022, the bureau has a total number of active elevators of 61,334 as of June 30, 2021, with 95.17 percent of licensed conveyances in compliance. Chief Haynes further stated that 97.1 percent of the state's Certified Elevator Inspectors have been oversighted by a state monitor. The division issued 278 administrative complaints and 2,755 citations, mostly for delinquent licenses.

Chief Haynes stated 229 accidents have been reported to the division, with the majority being associated with escalators and moving walks. Elevators that failed their routine inspection were at 39.7 percent, slightly up from 35.4 percent as of the last meeting. She went on to say that

Bureau Inspectors have performed 307 compliance monitoring inspections and 364 complaint and accident investigations. Chief Haynes stated there are no field vacancies at this time. She discussed elevator-related applications are processed within one to two days of receipt by the processing team.

Chief Haynes stated expedited permits are handled on a case-by-case basis without complaints. Chief Haynes further stated registered elevator companies and professionals should do their part by submitting documents correctly, monitor employees work status and maintain needed credentials and work requirements.

Chief Haynes stated the Bureau encourages licensed elevator professionals, CC holders, CETs, and inspectors to complete their annual CEUs early. Chief Haynes further stated renewal applications are opening up in September instead of October to allow more time to gain compliance. She also reiterated from the previous meeting that registered elevator companies are now able to submit notice of Initial Acceptance inspections via our website.

Chief Haynes stated the Bureau encourages all elevator owners, registered elevator companies and elevator professionals to set up an online account.

**Rule Report:**

Chief Haynes stated the division has two proposed rule changes that are in the process of being adopted. 61C-5.001 Florida Administrative Code, to adopt and incorporate ASME A17.1-2016. She stated that this rule has been adopted and is currently in effect. She further stated the rule change delays required compliance with door monitoring for existing elevators until 2024, and the bureau received inquiries to verify that door monitoring is in fact a requirement.

Chief Haynes further stated that there was another rule change 61C-5.007, allows registered elevator companies to provide proof of work experience for applicants through completing an affidavit rather than writing a letter that certifies work history. The use of this standard affidavit will ensure that REC's are able to quickly and easily certify the work experience of professionals wanting to work in Florida. This rule change is still in the adoption process.

Chief Haynes reported the bureau was in rule development regarding language on emergency responder two-way radio communications and alarm systems for sump pumps, respectively. A rule workshop was conducted and the rule language for two-way emergency responder has been withdrawn. Chief Haynes stated the bureau will continue to research this matter and is awaiting future ASME elevator code language that will address this issue. Chief Haynes further stated the radio communications installation of antenna and other non-elevator equipment in the hoistway will continue to require an approved variance.

Chief Haynes stated ~~the~~ for sump pump alarms, the bureau will seek to restrict the installation of alarm equipment in the designated elevator spaces for new installations or alterations that affect the pit for existing elevators. She further stated that the bureau is reviewing public comments received on this issue.

Chief Haynes stated ESTAC members are notified of rule activity when initiated and are encouraged to comment and add suggestions as specified during the rule commenting period.

#### **Legislative Session:**

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

Mr. Snyder stated he wanted to clarify the door lock monitoring code reference provided by Chief Haynes should be A17.3, 2015 edition.

#### **Industry Update**

**Building Design Professional:** Represented by Jerry Wooldridge. Nothing to discuss.

**Building Owners and Managers:** Represented by Chris Prather. Mr. Prather stated conveyances were largely empty during 2020 and we are starting to see people get back into buildings and conveyances to start being used more.

**Elevator Service Companies:** Represented by Tim Mowrey. Mr. Mowrey stated the due to Covid, they have had trouble sometimes going on job sites such as nursing homes to do

service, and but most of that has been rectified. Mr. Mowrey further stated the accident information reported by Chief Haynes shows that servicing is doing well in the elevator sector.

**Labor:** Represented by James Yohn. Mr. Yohn stated with Covid everybody needs to follow CDC guidelines, stay safe and be safe on every job.

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

**Manufacturing:** Represented by Tim Newton. Not present.

**Private Inspections:** Represented by William Snyder. Mr. Snyder stated this is a busy time of year for inspectors and that there is a limitation of inspectors and technicians to perform tests for all the renewals. Mr. Snyder further stated he hopes that they can get an electronic system for inspectors to input directly into the bureau system. Mr. Snyder stated the Scantron form tends to provide challenges at time.

**Public:** Represented by John Antona. Nothing to discuss.

### **Old Business**

Mr. Snyder asked if anyone had anything to discuss. Deputy Chief Phillips asked if the Council had recommendations regarding the key boxes and location of MCP documents for the MRLs that were discussed at the previous meeting. Mr. Mowrey stated the key box was discussed at the last meeting but no final decision has been made on what type and the location.

Deputy Chief Phillips stated the bureau is communicating with some different companies about the development of the boxes and the keys. There was further discussion about the location of the key box, MCP documentation location and the issue of the inability for inspectors to access the machine room.

State Inspector John Hofbauer stated the basic issue is with MRLs, as those have no machine rooms. Mr. Hofbauer stated there are some that have no control space, control rooms and a vast majority of properties are unmanned. Mr. Hofbauer further stated that it has become increasingly difficult to find a space to review on-site required documentation and obtain

necessary keys to complete an inspection. There was further discussion about the location of the key box and MCP documentation location.

Mr. Snyder asked Chief Haynes for her thoughts on how to move forward with this. Chief

Haynes stated that we still have some issues with the MCP locations specifically for MRLs.

Chief Haynes stated we have enough information to move forward as a bureau with the key box issues, and start putting some solid requirements through and maybe some rule development.

Chief Haynes further stated MCP locations, specifically for MRLs is something that we are able to discuss further.

Mr. Snyder stated the MCP issue is probably going to be a little bit thornier than the key box,

because each company approaches it a little bit different. Mr. Snyder further stated this cabinet

or box is going to be larger than a key box and that it is going to have more of an impact on

building owners, where a location of a box can be and the size of the box. A workgroup was

formed to address the key boxes and MCP location to work out their recommendations and

present it to the group at the next meeting. The group members consisted of Mr. Snyder, Chris

Prather, Tim Mowrey and Tim Newton. Mr. Snyder stated he will initiate getting some discussion

points and send it out to the task group and include the bureau.

Mr. Snyder asked if a resolution had been reached on the proposed year grace period for a

license. Chief Haynes stated the suggestion was considered and after meeting with the

licensing department and legal counsel on how this would affect the functioning of the division.

Extending the grace period would have a detrimental effect on the licensing section. Chief

Hayes stated the example given of someone that got sick in the middle of the year and was not

able to renew before the deadline. If someone finds themselves in this situation they are able to

apply for a variance from rule and provide their documentation of why they were not able to

meet the deadline.

### **New Business**

### **Alternative Testing**

Mr. Snyder stated that this has gone round and round for quite a while. Mr. Snyder asked if there was any clarity on how this is being handled in the State of Florida. Mr. Snyder further stated some of the background was to talk about or have some specific training required for technicians and or inspectors that would be participating in alternative testing methodology, as alternative testing methodology is gaining steam in various parts of North America. Mr. Snyder asked where the Bureau of Elevator Safety stand on this alterative testing.

Deputy Chief Phillips stated the bureau is looking at this and there are lots of different obstacles, especially when it comes to training and who's qualified to teach classes. The bureau would also have to get with the licensing team to add additional modifiers to licenses to indicate they are trained to review alternative testing. Deputy Chief Phillips asked is this something that we want to start pushing forward, or is this something that the industry is asking for and is it warranted at this time.

Mr. Snyder stated yes, the industry is requesting this. Mr. Snyder stated he is seeing it out where he is working across the country, and alternative testing is starting to become a bigger impact than it used to be and people are looking for some guidance. There was further discussion about the alterative testing training and requirements and methodology to be approved.

### **Chapter 30, Florida Building Code**

Mr. Antona stated he sent an email to the bureau requesting clarification of Chapter 30, Florida Building Code, 7<sup>th</sup> Edition, section 3001.1. Mr. Antona read this section aloud verbatim and stated he wished to clarify has this scope of work been properly coordinated at all levels. Mr. Antona asked questions regarding coordination of the scope of work, building plan reviews coordination, inspection coordination with the AHJ and Building Officials, enforcement and if the intent of the scope is being met. Deputy Chief Phillips stated the initial installation application includes an affidavit of elevator plans code compliance and the elevator company and local building officials ensure compliance. There was further discussion about the reviewing of



elevator plans, the coordination of plans reviews and inspections by AHJs, and meeting the intent of the scope in the Building Code.

### **Advertisement of expiring Council positions**

Chief Haynes stated she contacted the council members who have term expiration dates that are coming up. Chief Haynes stated the expiring position will be advertised in the DBPR Elevator newsletter and some industry newsletters. Chief Haynes further stated if interested in applying for an expiring ESTAC position or reapplying for your current ESTAC position, send an email to [dh.elevators@myfloridalicense.com](mailto:dh.elevators@myfloridalicense.com) with a resume or CV requesting to be appointed or reappointed.

### **General Discussion:**

#### **Residential elevators**

Chief Haynes stated she received notification regarding a fatality in a vacation rental residential elevator. Chief Haynes stated there has been discussion about residential elevators and the requirements. Chief Haynes further stated that residential elevators are outside of the jurisdiction of the Bureau of Elevator Safety and mentioned the Max Grablin Act is as a part of Chapter 399. Chief Haynes mentioned there are currently no required qualifications for the installer of residential elevators and that there was discussion during the last meeting to petition the local building officials to have residential elevators inspected by Certified Elevator Inspectors. There was discussion about residential elevators requirements in A17.1 and what type of credentials are needed to inspect them. Chief Haynes suggested creating a workgroup regarding residential elevators to come up with some recommendations. State Inspector Alan Hutto suggested that the local level should tie the residential elevator inspection to the certificate of occupancy and insurance. There was further discussion about residential elevator regulation and a work group was formed to investigate this, consisting of John Barnott, Tim Mowrey and Jerry Woolridge. The Council will come up with a recommendation before the next meeting.

### **Upcoming Meetings**

The next meeting was tentatively scheduled for November 4, 2021, via teleconference.

**ADJOURNMENT:** There being no further business to come before the Council, the meeting was adjourned at 11:28 a.m.