

**FLORIDA DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION**

**MEETING OF THE**

**ELEVATOR SAFETY TECHNICAL ADVISORY COUNCIL**

**WEDNESDAY, DECEMBER 6, 2023**

**COMMENCING AT 9:00 AM**

**HELD AT:**

**TOWNEPLACE SUITES CAPE CANAVERAL COCOA BEACH**

**605 WEST CENTRAL BOULEVARD,**

**CAPE CANAVERAL, FL 32920**

**MEETING TRANSCRIBED BY:**

**ELIZABETH HANSEN, ANGELL REPORTING SERVICE, INC.**

## CALL TO ORDER

The Elevator Safety Technical Advisory Council meeting was called to order at approximately: 9:03 a.m. by William Snyder, Council Chair.

### Members Present

William (Bill) Snyder, Chair

Abel Arabitg, Vice Chair

David Alekna

Douglas Kai

Dale Deleacaes, by phone

Stephen LaRocca, by phone

### Members Not Present

Vacant, Building Design

Vacant, General Public

### Others Present

Josh Phillips: Bureau Chief, DBPR, Bureau of Elevator Safety

Kela Bishop, Deputy Chief, DBPR, Bureau of Elevator Safety

Bob Stark, State Inspector, DBPR, Bureau of Elevator Safety

Chris McDuff, State Inspector, DBPR, Bureau of Elevator Safety

Michael Garcia, State Inspector, DBPR, Bureau of Elevator Safety

Scott Crowl, State Inspector, DBPR, Bureau of Elevator Safety

Joey Gan, City of Miami Beach, Chief Elevator Inspector

Nicolas Ortiz, Miami-Dade County, Chief Elevator Inspector

Vincent Jimenez, DBPR, Bureau of Elevator Safety

Mike Lagana, Managing Director at Lerch Bates

### **Others on the Phone**

Tommy Scudiero, IUEC Local 71

Dave Griefenhagen, IUEC Local 71

Tommy Demopoulos, Fire Marshal, City of Tamarac

Lee Alley, Elevator Industry Work Preservation Fund

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

### **Statement of Purpose- Kela Bishop, Deputy Bureau Chief, Bureau of Elevator Safety**

Deputy Chief Bishop read the statement of purpose and role of the ESTAC as specified in statute.

### **Acceptance of Previous Meeting Minutes**

Chair Bill Snyder called for acceptance of minutes for the June 14, 2023, meeting.

MOTION: David Alekna made a motion to accept the minutes.

SECOND: Abel Arabitg seconded the motion and it passed unanimously.

### **Bureau of Elevator Safety Report- Josh Phillips, Bureau Chief**

Chief Phillips informed the council that there are currently no vacancies for the Division's State Inspectors and coverage is maintained throughout the State, with exception to the contracted jurisdictions.

### **Administrative Update:**

Chief Phillips reported there are ~~63,995~~ (Correct number at the time was 65,098. Incorrect number was the total during June 2023 ESTAC) conveyances licensed in the State and 80% of those licenses are current. The number of conveyances is an increase of 1,103 since our June 2023 meeting. The Bureau has 2,340 Certified Elevator Technicians and 635 Certified Elevator Inspectors currently licensed. Chief Phillips further stated the Bureau has monitored 85.4% of all 3<sup>rd</sup> party inspectors who have submitted an inspection report since July 1, 2023. He said the

application processing time is around five days from receipt, which is normal for this time because of renewal cycles for the technicians and inspectors.

**Rule Report:**

Chief Phillips reported that Rule 61C-5.001 is in the final phase of the adoption process. This rule is a formal adoption of the A17.1-2019, A17.3-2020, and A18.1-2020 A.S.M.E codes.

Chief Phillips reported the Bureau has approved it's first education and training course for Wurtec Alternative Testing. When technicians and inspectors receive a course certificate, a modifier will be added to the license that reads ALT-Tester, which signifies that this person is qualified to use this method of alternative testing.

**Legislative Session:**

Chief Phillips reported there are two proposals in the works for changes to Chapter 399 F.S. The Bureau is requesting a requirement of an online account for elevator owners and professionals to streamline the renewal process and eventually go paperless. Chief Phillips also stated the Bureau is looking to remove the requirement for a Certified Elevator Inspector to provide the continuing education credentials for renewal, as this is already mandated on the national level to maintain a QEI in good standing.

Chief Philips stated the Bureau is looking at the removal of the two-stop exemption and requests a council vote on the matter.

After discussion, the following action was taken.

MOTION: Mr. Douglas Kai made a motion to formally request the removal of the two-stop exemption from annual elevator inspections.

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

Chief Philips presented a proposal to allow, at least a portion of the apprenticeship program to qualify towards the four-year work experience requirement for Certificate of Competency and Certified Elevator Technician.

Council in agreement with concept.

Chief Philips brought up the removal of the requirements regarding first responder stretcher size from Chapter 399 F.S. He further stated that this requirement is already in Building code so may not need to be in statute.

Council in agreement with concept.

Finally, Chief Philips discussed Chapter 399 F.S. Elevator Accessibility Requirements for the Physically Handicapped, specifically support rails. He stated a language change may be needed to allow for one or more, but not all, rails in elevators to be considered support rails. He further stated the rule requires the same specifications to size, length, height, etc for all rails regardless of actual purpose. Chief Philips asked council for discussion on whether a language change should be presented.

After discussion, Chief Phillips stated the Bureau will put together a list of possible conflict areas between the Chapter 399 F.S, Chapter 61C Administrative code, and the building code.

### **Industry Update**

**Building design professional:** vacant.

**Public:** vacant.

**Private Inspections:** Represented by Chair Bill Snyder. Mr. Snyder stated the inspectors are renewing licenses online. He said the process was fast and works. Mr. Snyder reported that he

attended the Elevator Association meeting, and he urged other council members to attend future meetings.

**Labor:** Represented by Vice Chair Abel Arabitg. Mr. Arabitg stated some people have had trouble getting licenses, but it is getting better. He also stated there are a lot of people coming from out of State to work and that should be monitored to ensure they are getting licenses as well. Mr. Arabitg made everyone aware that mechanics are reporting jumpers on equipment, which is a safety hazard, and must be addressed. After discussion, council members and the Bureau agreed to send communication to the industry.

**Local Government:** Represented by Dale Deleacaes. Nothing to discuss.

**Manufacturing:** Represented by Douglas Kai. Mr. Kai stated they continue to improve upon design and use of technology. They are experiencing environmental impacts, specifically with humidity causing corrosion.

**Elevator Service Companies:** Represented by David Alekna. Mr. Alekna stated modernization business is up and equipment shortages for door lock monitoring has eased. Mr. Alekna also stated the online licensing process works and issues are resolved quickly.

**Building Owners and Managers:** Represented by Steve LaRocca. Mr. LaRocca stated they are thankful to Chief Phillips and Chair Snyder for extending timelines for compliance with new codes. He also thanked the Council for their work.

## **Old Business**

### **Rule 61C-5.001**

Chief Phillips stated the Bureau extended the timeframe on door lock monitoring compliance until August 1, 2025, for all elevators due to labor and parts shortages, hurricanes, and constituent concerns. Chief Phillips further stated there is a phase in period for the portions of A17.3-2020 regarding emergency brake and unintended movement that will expire August 1, 2028.

### **Request for Building Commission to revert to A17.3-2017**

Chief Phillips and Chair Snyder agreed the matter is closed and there was no further discussion on the subject.

### **Governor Replacement permitting and testing**

Mr. Alekna said the code states it is now considered an alteration to replace a governor with exemptions. He further stated that if a permit is not pulled, the documentation that says it meets exemption should be in the maintenance control program. If this documentation is not present, a permit should be pulled. Chair Snyder emphasized the need for stringent requirements due to the critical nature of what the governor is and what it does. He further stated that if documentation from an engineer is not provided, the Governor replacement is an alteration and must be permitted, tested, and witnessed.

After discussion, Chief Phillips stated the Bureau will put together an industry bulletin to ensure the industry is informed in regard to governor replacement and when a permit, test, and witnessing is required.

### **Alterations based on 8.6 test requirements**

Mr. Alekna stated the ASME does not cover permitting, it only defines repair, replace, and alternation. He further stated he thinks if a repair or replacement takes place on a piece of equipment that was required to have a witnessed test; that test is no longer valid. Pulling a permit does force the required test but it also has other requirements such as bringing up other equipment to code, which could place an undue hardship on the industry. Mr. Alekna mentioned the key topic for discussion is how an alteration is defined and how to justify that it requires a full permit.

After discussion, Chief Phillips stated the Bureau will confer with the contracted jurisdictions and legal counsel about the concept of a repair permit as a separate permit type from alteration.

### **Generator Testing with licensed technicians**

Chief Phillips stated Mr. Gan from Miami Beach brought up the subject of elevators being tested without a technician present, just the generator company. Chair Snyder stated a periodic test is required to be performed by a technician and witnessed by an inspector. Council recognized Mr. Gan, who stated he brought the subject to the State's attention because generator tests were being performed by the generator guy and witnessed by the inspector. He further stated generator personnel are not elevator personnel and if something goes south, you will need the elevator service technician on site.

After discussion, Chief Philips stated he will add this topic to the proposed industry bulletin.

### **New Business**

#### **Pending Rule Changes**

Chair Snyder stated the Door Lock Monitoring was covered under old business. Chief Philips asked for discussion and recommendations to the Florida Building Commission for the 2026 9<sup>th</sup> Edition Florida Building Code.

After Discussion, Council will address at next meeting.

#### **EC H900 Controllers**

Mr. Gan stated they were finding different H900 model controllers that were installed under different code editions that should have had DLM installed when they were shipped, as required by code, but they did not. He further stated that owners had to purchase this software



separately afterwards to meet code requirements, even though the controller they bought was supposed to already have it.

After discussion, Council will bring awareness to inspectors and the industry to be vigilant in looking for the DLM, and if it is missing, to inform the owners who can take up the matter with their controller company.

### **Accessibility Code**

Mr. Alekna stated he was asked by an owner, who had an old safety boot, if a detector edge is required. Mr. Alekna shared the language in the accessibility code 407.3.3.2. Mr. Snyder stated the accessibility code is based on ADA guidelines put in place by the ADA board in D.C. Mr. Alekna stated he will write them a letter.

Mr. Gan gave a presentation demonstrating someone with a visual impairment attempting to trigger audio to tell them what number button to push to get to the desired floor. He showed many examples of different setups in elevators where the visual impaired person experienced difficulty in operating the elevator controls. Mr. Gan further stated he is working with the manufacturer to attempt a solution, raise awareness, and provide training for the visually impaired.

After discussion, no action was taken.

### **Flood Resistant Design**

Mr. Alekna stated he has come across an issue in South Florida where elevators were not equipped with flood resistant designs to prevent the elevator cab from lowering into flood waters, as required by code if the elevator is located in a flood zone. Mr. Alekna further stated it can be difficult to determine if the elevator is in a flood zone or not.

After discussion, Council will address at next meeting.

### **Open Discussion**

Council discussed belt drives, belt suspensions, and monitoring. Council also discussed on site MCPs. Finally, Council discussed elevator owners shutting down their elevators in preparation for a hurricane.

After Discussion, no action was taken.

### **Upcoming Meetings**

Joey Gan stated he would like to bring back up the issues of stretcher size in elevators and inspection of residential elevators.

The Council discussed the date of the next meeting: Tentatively scheduled for February 21-22, 2024, location to be determined.

**ADJOURNMENT:** There being no further business to come before the Committee, the meeting was adjourned at approximately 12:40 pm.

