

Elevator UPdate

January 2016

Volume 1, Number 2

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License Information

Elevator Permits

Elevator Licenses

Professional Licenses

Laws, Rules & Codes

Florida Statutes

Florida Administrative Code

Florida Building Code

Department's Online Services

Apply for a License
Web portal to apply for a new license or permit.

Maintain Your License
Online account to maintain or renew your license.

Customer Contact Center
Submit an email correspondence.

Industry-Agency Coordination is the Future

The future is now. With the privatization of inspections in the early 2000's, the division's elevator inspection role moved from one of direct inspection responsibility to monitoring and overseeing the work of privately-employed inspectors. That's a simple explanation for a complicated public-private network that requires the regulated industry to work in coordination with the regulatory agency.

The work performed by each registered elevator company, licensed technician, or licensed inspector now directly impacts the elevator licenses issued by the division. Conversely, the division's actions directly impact the workloads and requirements placed on the private industry.

To optimize our coordination, we are working to ensure that:

- The network connections between the division and its partners provide for two-way communication,
- Each licensee understands their responsibilities within the network,
- The division understands the practical impacts of what it is asking of each licensee, and
- Professional standards are understood and upheld by all participants.

The Florida Elevator Safety Technical Advisory Council (ESTAC) provides a formal connection between the regulated industry and the division that helps to foster the coordination required for a successful public-private regulatory program such as ours. Not only does ESTAC recommend changes to the safety standards adopted by the division and to the Florida Building Code, but also provides input on potential industry impacts and acts as a conduit to those working in the regulated industry.

While the division develops new processes, improves program operations, and routinely updates safety standards, ESTAC input helps us ensure that our efforts will be successful and meet the intended goal.

Sincerely,

Michelle Comingore, MPA
Chief, Bureau of Elevator Safety

Advisory Council Position Available

The Division of Hotels and Restaurants' Elevator Safety Technical Advisory Council has a position for a representative of labor involved in installation, maintenance and repair of elevators. Anyone interested in the position may apply by sending a letter of interest and resume' to the [Division of Hotels and Restaurants](#) by January 8, 2016. Council members are appointed by the Secretary of the Department for a four-year term.

Mr. Charles Waters served as the labor representative. Thank you, Mr. Waters, for 11 years' service to the State of Florida!

Installations Complying With ASME A17.7 Require Special Notice

With modern technological advances, there are now elevators that use equipment that does not directly meet the minimum standards of the ASME A17.1 code. Prior to adoption of A17.1b-2009, this new technology required variances from the division. However, we now accept this technology as code compliant if the permit application indicates compliance with ASME A17.7.

Compliance with ASME A17.7 must be indicated on the [Affidavit of Elevator Plans Code Compliance \(DBPR HR-7023\)](#) by:

1. Checking the space indicated, and
2. Providing a copy of the Certificate of Conformance for each component.

This process must be completed for each permit and component. Each elevator using technology certified under ASME A17.7 must either follow the permit application process for ASME A17.7 compliance or obtain a variance for the non-compliant equipment.

Contact the division with any questions about applying for a permit under ASME A17.7.

DBPR HR-7023 – Affidavit of Elevator Plans Code Compliance

STATE OF FLORIDA, DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Division of Hotels and Restaurants, Bureau of Elevator Safety
1940 North Monroe Street, Tallahassee, FL 32399-0783
Phone: 904.487.1985 – Email: dhr.elevators@myfloridalicense.com
Internet: www.MyFloridaLicense.com/dbpr/hr/

Please direct questions about this affidavit to the Department of Business and Professional Regulation's Customer Contact Center at 850.487.1395. More information is also available at www.MyFloridaLicense.com/dbpr/hr/.

Affidavit of Elevator Plans Code Compliance

I, _____, acting as agent of the below named registered elevator company, do hereby attest that the plans for elevator installation and/or modification to be located at (insert the complete US Postal Service physical street number and name for the permit to be approved):

_____ meet or exceed the minimum standards of Chapter 399, Florida Statutes, Chapter 61C-5, Florida Administrative Code (FAC), and Chapter 30 of the Florida Building Code adopted by Rule 61G20-1.001, FAC, or variance granted thereto.

For elevators complying with ASME A17.7:

Please check here _____ and provide with this affidavit a copy of the Certificate of Conformance for each component that complies with ASME A17.7.

Registered Elevator Company _____
Certificate of Competency # OR Certified Elevator Inspector # _____
and Expiration Date _____
Signature of Agent _____
Printed Name _____
Date _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as

identification and who has taken an oath.

Notary Public, State of Florida

Printed Name _____
Commission Number _____
My Commission Expires: _____

Complete this affidavit and submit it with the application and required fee to the address on this form. Please use the entire 9-digit zip code in the address above to ensure proper handling.

2014 August 1

61C-5.006, F.A.C.

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Service Maintenance Contracts and Inspection of 2-Stop Elevators

Generally, Florida law requires all elevators to have an inspection with no violations every year in order to renew the license to operate the elevator, also known as the Certificate of Operation. However, there is an exception to the inspection requirement. This exception, called the two-stop exemption, applies only to certain elevators that meet very specific maintenance requirements.

WHAT THE LAW SAYS:

399.061(1)(a) ... If the elevator is not an escalator or a dumbwaiter, serves only two adjacent floors, and is covered by a service maintenance contract, an inspection is not required so long as the service contract remains in effect.

(b) A statement verifying the existence and performance of each service maintenance contract must be filed at least annually with the division and as prescribed by rule. Cancellation of a service maintenance contract must be reported to the division as prescribed by rule.

To qualify for the two-stop exemption, the conveyance must meet the following criteria :

1. Be an elevator or other type of conveyance, but not an escalator or dumbwaiter.
2. Serve only two adjacent floors.
3. Have a service maintenance contract in effect that provides:
 - Routine examination, lubrication, cleaning, adjustment, replacement of parts;
 - Performance of applicable code-required safety tests; and
 - Any other service, repair, and maintenance sufficient to ensure the safe operation of the elevator. (See the definition found in s. 399.01(10), F.S.)
4. Notify the division of the service maintenance contract and annually verify the existence and performance of the contract.

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Rule 61C-5.013

(1) A service maintenance contract as defined by Section 399.01(10), F.S., must include routine examinations and periodic safety tests and meet the following minimum requirements:

(a) Routine examinations and periodic safety tests must follow the procedures established by the safety standards adopted in rule 61C-5.001, F.A.C.

(b) Routine examinations shall be performed at least annually. ...

Continued from Page 2

Under Rule 61C-5.013, Florida Administrative Code, all routine examinations and periodic safety tests must be performed according to the safety codes adopted by rule.

Huh? What does that mean?! That means that whatever routine maintenance, tests, examinations, or other action the code requires must be performed as outlined by the code and included in the service maintenance contract. Since there are many different codes and types of elevator equipment, the division cannot tell you exactly what each elevator requires.

Elevator owners are responsible for making sure the service maintenance contract meets the requirements for the exemption, including providing for everything included under number 3, above. Owners are also responsible for verifying the existence and performance of the service maintenance contract annually. The division recommends owners use the standardized form available on our [website](#) for verifying the contract, but a letter providing all required information is sufficient.

The division monitors elevators with the two-stop exemption to ensure that it is being maintained properly, is safe to operate, and ensure any noted violations are corrected. The division may cancel a two-stop exemption if it finds an elevator does not meet the minimum requirements.

New Monitoring Inspection Written Response Process as of Feb. 1

Beginning February 1, 2016, certified elevator inspectors will be required to submit a written response to the division's Notice of Monitoring Inspection (NOMI) when there are discrepancies between the division's inspection and the certified elevator inspector's report. The division will no longer accept revised inspection reports in response to the NOMI. This change ensures that the response process complies with the law.

Since Florida law began requiring responses in 2010, certified elevator inspectors have been allowed to simply submit an inspection report matching the division's monitoring inspection report. However, Florida law requires certified elevator inspectors to "provide a written response that explains the inspection procedures and applications used to prepare an inspection report that was found by the department to contain errors or omissions of code violations or tests." [Section 399.061(5), F.S.] An inspection report submitted in response to the NOMI does not comply with the law, since it does not explain the inspection procedures and applications used to prepare the inspection report.

The division is also updating the NOMI form, to include new instructions and a cover letter explaining the CEI's responsibilities. All written responses must be mailed to the Division's office in Tallahassee. Certified elevator inspectors may call the division's inspector to discuss the results of the inspections, but a written response will still be required.

Licenses Expired; Certificates of Competency Will Go Null & Void

All elevator professional licenses that were not renewed expired on January 1, 2016, including the certificate of competency, certified elevator technician, certified elevator inspector, and registered elevator company. Certificates of competency that are not renewed by March 1, 2016, will be set to Null & Void and will no longer be renewable.

Anyone found performing any work under an expired/delinquent license will be cited for unlicensed activity and subject to fines up to \$1,000. Inspections completed under an expired license will not be considered valid and permits will not be issued to unregistered elevator companies.

Upcoming Meetings & Important Dates

January 2016

- 1 – Professional licenses set to delinquent status
- 1 – New Year's Day (*Division offices closed*)
- 18 – Martin Luther King Jr. Day (*Division offices closed*)

February 2016

- 1 – New monitoring inspection written response requirement takes effect

March 2016

- 1 – Delinquent certificates of competency go Null & Void

April 2016

- 1 – Four months left to obtain passing inspection for August 2016 certificate of operation renewals
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