

**Florida Department of Business and Professional Regulation
Elevator Safety Technical Advisory Council Meeting**

March 4, 2021 – 9:00 a.m. to 1:00 p.m.

Conference Call: 1.888.585.9008, Participant Code: 253045022#

MEMBERS: Tim Newton, Chair; William Snyder, Vice Chair; John Antona; John R. Barnott; Tim Mowrey, Sr.; Chris Prather; Jerry Wooldridge; James Yohn

AGENDA

- I. Call to Order**
 - A. Opening Remarks – Chair
 - B. Roll Call – Josh Phillips, Deputy Bureau Chief
 - C. Statement of Purpose – Kela Bishop, Senior Management Analyst, II
 - D. Introduction of Guests – Chair

- II. Review and Approval of Previous Meeting Minutes – Chair**
 - A. March 4, 2020 (Attachment A)

- III. Bureau Report – Michelle Haynes, Bureau Chief**
 - A. Administrative Update
 - B. Rule Report
 - C. Legislative Session

- IV. Industry Update**
 - A. Building Design – Jerry Wooldridge
 - B. Building Owners & Managers – Chris Prather
 - C. Elevator Service Companies – Tim Mowrey, Sr.
 - D. Labor – James Yohn
 - E. Local Government – John Barnott
 - F. Manufacturing – Chair Newton
 - G. Private Inspections – Vice-Chair Snyder
 - H. Public – John Antona

- V. Old Business**
 - A. General Discussion – Open Forum

- VI. New Business**
 - A. Suggested Rule Change - Vice-Chair Snyder (Attachment B)
 - B. Elevator Key Boxes – Josh Phillips, Deputy Chief (Attachment C)
 - C. MCP Location – Josh Phillips, Deputy Chief (Attachment D)
 - D. General Discussion – Open Forum

- VII. Next Meeting – Chair**
 - A. Agenda Items and Assignments
 - B. Date and Location

- VIII. Closing Remarks and Adjourn – Chair**

**FLORIDA DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION**

MEETING OF THE

ELEVATOR SAFETY TECHNICAL ADVISORY COUNCIL

WEDNESDAY, MARCH 4, 2020

COMMENCING AT 9:00 AM

HELD AT:

DIVISION OF HOTELS & RESTAURANTS

BUILDING C, CONFERENCE ROOM # 107

2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399

REPORTED BY:

JESSICA RENCHEN, FOR THE RECORD REPORTING, INC

CALL TO ORDER

The Elevator Safety Technical Advisory Council meeting was called to order at approximately: 9:00 a.m. by Tim Newton, Chair.

Members Present

Timothy Newton, Chair

Tim Mowrey

John Barnott

James Yohn

Jerry Wooldridge

John Antona (By Phone)

Members Not Present

Chris Prather (Excused)

William Snyder (Excused)

Others Present

Michelle Haynes: Bureau Chief, DBPR, Bureau of Elevator Safety

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

Kela Bishop, Office Manager, DBPR, Bureau of Elevator Safety

Tracee Strohman, Administrative Assistant III, DBPR, Bureau of Elevator Safety

Roy Finklea, State Inspector, DBPR, Bureau of Elevator Safety

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

John Hofbauer, State Inspector, DBPR, Bureau of Elevator Safety

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

Alan Hutto, State Inspector, DBPR, Bureau of Elevator Safety

Daniela Radneva, DBPR, Bureau of Elevator Safety

Lee Alley, IEVC, Local 124, Pensacola, FL.

Reginald Martin, Service Operations Manager, Thyssenkrupp Elevator

Lawrence Taylor, Schindler Elevator

Dylan Isenberg, National Elevator Industry, NEII

Chris Strawn, Elevator Safety and Technical Services

Lee Rigby, Elevator Safety and Technical Services

Wayne Ernst, KONE Elevator and Escalator

Russ Larson, Otis Elevator

Kelsey Pruitt, Administrative Assistant I, DBPR, Bureau of Elevator Safety

Nick Ortiz, Miami-Dade County Office of Elevator Safety

Brenden Doherty, Deputy Director, Hotels & Restaurants

Marc Drexler, DBPR, General Counsel's Office

Greg Levenson, Local 71 (By Phone)

Scott Hollister, EIWTF (By Phone)

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

Mr. Newton called for acceptance of minutes for the July 23, 2019 meeting.

MOTION: Mr. Mowrey made a motion to accept the minutes.

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

Bureau of Elevator Safety Report- Michelle Haynes, Bureau Chief

Chief Haynes reported on roles and duties for the Division's Senior State Inspectors.

Administrative Update:

Chief Haynes reported on the current fiscal year 2019-2020. Last week represented the highest number of active elevators on record: 56,617. The compliance rate is 94.2 percent for licensed conveyances, a marked increase compared to this time last year. She stated that there are 3,259 delinquent elevator licenses. She further stated that 86 percent of the state's certified elevator inspectors have been oversighted by a state monitor. The bureau issued 106 administrative complaints and 1,399 citations for delinquent licenses.

Chief Haynes gave an update regarding a discussion from the last meeting on the topic of the bureau's goal of developing automated reports to give quick statistical reporting on various topics. The Bureau of Field Services has been working on this endeavor. Application processing times, renewal status, and oversight statistics are currently accessible on the department's Qlik application, with more features being added frequently. The division is still working on violation reporting data compilation and analysis.

Chief Haynes stated 549 accidents have been reported to the division, mostly escalators and moving walks. Approximately 35.9 percent of initial routine inspections have failed compared to 27.6 percent in the last reporting period. Bureau inspectors have performed 915 inspections, including oversight compliance monitoring inspections as well as accident and complaint investigations. Chief Haynes discussed elevator licensing process time. Application processing time is averaging one to three days to approval once received from the department's intake unit. The department did experience a brief slowdown in processing around the holidays. Expedited permit requests are now handled quickly on a case-by-case basis, and the bureau has received no complaints. Permitting problems are being also resolved quickly as soon as the bureau is notified. Chief Haynes noted that registered elevator companies may now submit notice of initial acceptance inspections through an online form hosted on the department's website.

Rule Report:

Chief Haynes stated two recent rule changes were discussed in the last meeting: extending applicable deadlines for Maintenance Control Programs and updates to the elevator change of ownership application. The bureau also updated the Maintenance Control Program (MCP) checklist, and offers a courtesy review of MCP prototypes. Proper guidance will ensure uniformity of regulation throughout the state. In regards to the elevator change of ownership and certificate of operation application, minimal changes were performed to make the document more user-friendly and reduce common errors made.

Legislative Session:

Chief Haynes gave a legislative update, stating the bureau was made aware of House Bill 707 and Senate Bill 1124 late in the session. The bills repeal the elevator certificate of competency, Florida Statute 399.01(16). The House Bill passed February 26, 2020 and the Senate Bill was in appropriations as of February 24, 2020. The bills are being monitored closely. Attendees were provided copies of the bills. There was discussion among Chief Haynes, Mr. Newton and Mr. Drexler regarding the scope, purpose and effective date of the bills.

Industry Update

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

Building Owners and Managers: Represented by Chris Prather. Not present.

Elevator Service Companies: Represented by Tim Mowrey. Mr. Mowrey stated he wanted to discuss the compliance date for the MCP requirement. Chief Haynes stated for the 1998 code it is April 1st, 2020, and 1995 and earlier, October 1st, 2020. Mr. Mowrey also brought up concerns regarding two-stop exemptions not being inspected. Ms. Haynes and Mr. Phillips explained that the bureau is in the data collection phase of assessing this issue. Mr. Mowrey brought up the lack of requirement for residential initial inspections. There was discussion about the previous meeting's motion on the topic, that the building industry supports initial inspections on residential elevators and the need for inspections on the residential and two stop elevators.

Mr. Newton brought up the issue of location addresses being inaccurate and the ensuing escalation that can occur with violations and fines. Chief Haynes mentioned the benefits of industry partners creating online accounts to keep information updated. Mr. Hutto stated that inviting a State Inspector to the initial inspection helps to eliminate wrong addresses associated with the license and in the phone. There was discussion about the initial inspection notification requirement, contact information, and related scheduling changes.

Private Inspections:

Represented by Bill Snyder. Not Present.

Public:

Represented by John Antona. Not present.

Old Business

Mr. Newton stated that old business was already covered. Mr. Hutto noted that some local jurisdictions are trying to link elevator inspections to obtaining insurance and a certificate of occupancy for a house, and that this may be a viable approach to promote regulation of residential elevators.

New Business

Maintenance Control Programs and On-Site Documentation Requirement

Mr. Newton stated that there are issues involving violations, third party inspectors, and the monitors. Elevator company representatives expressly added they agree it is an issue and asked how it can be resolved. There was discussion regarding intervals and the applicable statute. Chief Haynes communicated that the bureau needs to be notified if a cited violation is considered unjustified, and it will be investigated.

Machine Room-Less (MRL) Elevator Documents

There was discussion about where MRL documents are to be kept. Mr. Newton finished the topic stating that each manufacturer should send their proposal to the bureau on where they intend to keep the documents.

Door Locking Device

There was discussion on where the key should be kept. Chief Haynes proposed the industry sends feedback to the bureau, the bureau will forward the feedback to the council and the discussion will be continued at the next meeting.

Fire Extinguishers, Top Floor Landing

Mr. Newton and Mr. Taylor stated they see no code requirement for a fire extinguisher at the top floor landing of an MRL.

Violation Comments

Mr. Newton stated that violations cited by (state) inspectors should have specific ASME code reference and only comments germane to the violation.

There was discussion regarding MCP violations, fine amounts being the same for one or more violations, the 90 day correction period, and the issuance of administrative complaints. Chief Haynes again encouraged the industry to contact the bureau if they believe a violation has been cited incorrectly so the matter can be investigated. Mr. Newton also iterated the need for finding an appropriate party for a violation signature. Mr. Finklea informed Mr. Newton that if there is no one on site to sign for a violation, it is sent certified to the mailing address on file. The certified signature date is the start date of the 90 day window. Mr. Newton stated that sufficient clear detail needs to be included with violation comments from all inspectors. There was discussion regarding who should and does receive copies of inspections, including monitored inspections.

Upcoming Meetings

Mr. Newton stated they will continue to discuss the location, securing of documents and the process and The Council will come up with a recommendation before the next meeting.

The next meeting was tentatively scheduled for July 15 or 22, 2020, in Tallahassee, Florida.

ADJOURNMENT: There being no further business to come before the Committee, the meeting was adjourned at 12:01 p.m.

Haynes, Michelle

From: DHR, Elevators
Sent: Wednesday, January 27, 2021 11:00 AM
To: Haynes, Michelle
Subject: FW: Agenda Items for ESTAC Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Michelle,

Please see the email below.

Sincerely,

Kela Bishop, FCCM | Senior Management Analyst II
Division of Hotels and Restaurants
Bureau of Elevator Safety
kela.bishop@myfloridalicense.com

The Bureau of Elevator Safety encourages all licensees to create a DBPR online account at <http://www.myfloridalicense.com/DBPR/online-services/>. This account will allow you to access many online features such as making secure payments, renewing your license, and a host of other features.

From: Timothy Newton [mailto:tim.newton@schindler.com]
Sent: Wednesday, January 27, 2021 10:34 AM
To: Bill Snyder; DHR, Elevators
Subject: RE: Agenda Items for ESTAC Meeting

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Bill,

Good call. This issue has come up in our organization and it was overly burdensome for these people to renew so they could work legally again.



Tim Newton | Sr Sales Rep NI
Phone +407-235-1216 | Mobile 407-467-0454
tim.newton@schindler.com
www.us.schindler.com

From: Bill Snyder <bill@vtesolution.com>
Sent: Wednesday, January 27, 2021 10:25 AM
To: 'DHR, Elevators' <dhr.elevators@myfloridalicense.com>
Cc: Timothy Newton <tim.newton@schindler.com>
Subject: RE: Agenda Items for ESTAC Meeting

BES,

Perhaps we should have some discussion on the following that I had provided in response to the recent Rule Change Proposal for 61C-5.007

61C-5.007 (2) (c) reads as follows:

(c) Expired certificates of competency become null and void on March 1 and are no longer renewable. Certificate of competency holders whose certificate becomes null and void must submit an initial application for a certificate of competency, including all documentation and fees required by paragraph (2)(a). A new certificate of competency will be issued upon receipt of all required documentation and fees.

I have seen a number of occurrences that for one reason or another the certificates of competency expired and after the 3 month period the individuals were notified that they would have to start the entire process over as if they were a new person that has never held a license (certificates of competency) as a technician in Florida. One case it was due to illness with this individual having over 10 years as a licensed (certificates of competency) technician in Florida. This seems to be unfair and overly burdensome. Additionally

Proposed Change.

(c) Expired certificates of competency become null and void on ~~March 1~~ January 1 the following year and are no longer renewable. Certificate of competency holders ~~whose certificate becomes null and void has lapsed during this 1 year period~~ must submit ~~an initial application~~ a renewal application for a certificate of competency, ~~including all documentation and fees required by paragraph (2)(a). A new certificate of competency will be issued upon receipt of all required documentation and fees.~~ with continuing education certificate, including all documentation and fee, the original certificate of competency number will be re-issued upon receipt of all required documentation and fees.

Regards,

Bill Snyder

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From: DHR, Elevators <dhr.elevators@myfloridalicense.com>

Sent: Thursday, January 21, 2021 8:34 AM

To: Timothy Newton <tim.newton@schindler.com>; antonaj@att.net; Tim Mowrey Sr. (timsr@mowreyelevator.com) <timsr@mowreyelevator.com>; jwooldridge@rcid.org; chris.prather@ngkf.com; John Barnott (john.barnott@mymanatee.org) <john.barnott@mymanatee.org>; bill@vtesolution.com; james.yohn@aol.com
Cc: Bishop, Kela <Kela.Bishop@myfloridalicense.com>; Haynes, Michelle <Michelle.Haynes@myfloridalicense.com>; Phillips, Josh <Josh.Phillips@myfloridalicense.com>
Subject: Agenda Items for ESTAC Meeting

Good morning Council Members,

The Department of Business and Professional Regulation, Division of Hotel & Restaurants, Bureau of Elevator Safety is preparing for the upcoming ESTAC meeting. This meeting will be held via teleconference on **March 4, 2021** from 9am-1pm.

Please submit any topics you would like to discuss by **COB February 5, 2021**.

Thank you,

Bureau of Elevator Safety

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FLORIDA BUREAU OF ELEVATOR SAFETY**SUBJECT: ASME A17.1-8.1.1.1(d) and 69A-47.019(1) & (2)****TOPIC: Elevator Key Boxes and Their Locations**

To meet the security requirements of ASME A17.1- 8.1 and accommodate 8.1.1.1(d), in providing for the necessary keys required by Elevator Personnel to maintain, service, and inspect a particular unit this Bulletin establishes the requirements for both the box and their locations. In an effort to curtail the expense and difficulty in meeting the following requirements, the Bureau has partnered with the Florida Fire Marshall's Office with regards to the seven (7) District Fire Keys. With the District Fire keys currently in possession of all Florida Certified Elevator Personnel, the matter of locating the boxes and their basic design is established herein.

Design:

All boxes must be UL 1037 compliant. All boxes must be keyed in accordance with the seven state emergency response regions (Fire District Key). All boxes shall be marked with the following language:

ELEVATOR PERSONNEL ONLY

Lettering shall be a minimum of ½" in height and clearly legible. All keys shall be clearly tagged to indicate use.

Locations:

In buildings with personnel onsite 24/7 to provide access, boxes may be located in areas such as elevator rooms or spaces that are positioned outside the hoistway; electrical rooms or spaces; and management locations in the vicinity of the elevator or elevator machine room or space. Vicinity in every building means not more than 100 feet from an elevator unit or bank of elevator units. **Key boxes shall not be located inside elevator hoistway spaces.**

In buildings without personnel onsite 24/7, and access is not provided as required in Code, boxes shall be located at or near the elevator entrance (in the egress level elevator lobby), or at elevator machine room or space (but not inside). All boxes shall be marked as described in this Bulletin.

Buildings with multiple units, or banks of units, more than 100' apart shall provide clear directions and instructions for locating the Elevator Key Box(es). The instructions must be provided in a permanent fashion at the elevator, or bank of elevators, nearest the main entrance (at the egress level), or at elevator machine room or space nearest the main entrance (but not inside). In a single building where separate units, or banks of units, are not of the same brand or model all keys should be clearly marked for distinction or separate key boxes shall be provided where differences occur.

NOTE: Elevator keys can be provided in the MCP box (see Bulletin 2021-002) as long as the MCP box is UL 1037 rated and located outside Elevator Spaces and readily accessible. The provision of Security 1 keys in a MCP Box shall be noted on any permanently provided instruction as noted above.

FLORIDA BUREAU OF ELEVATOR SAFETY**SUBJECT: ASME A17.1- 8.6.1.2.1 and 8.6.1.4****TOPIC: MCP Boxes and Their Locations**

In order to meet the requirements for Maintenance Control Programs regarding their location(s) and availability this Bulletin is issued to provide guidance and the requirements established herein for the State of Florida. It has become necessary, due to the different types of elevators and the many different models now existing, to make requirements for locating MCPs and their associated documents. This is done to eliminate confusion but also to meet Code requirements in making these documents readily available to all Elevator Personnel. In an effort to curtail numerous variations in meeting the following requirements, the Bureau has partnered with the Florida Fire Marshall's Office with regards to the seven (7) District Fire Keys. With the District Fire keys currently in possession of all Florida Certified Elevator Personnel, the matter of locating the boxes and their basic design is established herein.

Design:

All boxes must be fire resistant (UL 1037 recommended). All boxes must be keyed in accordance with the seven state emergency response regions (Fire District Key). All boxes shall be marked with the following language:

ELEVATOR PERSONNEL ONLY

Lettering shall be a minimum of ½" in height and clearly legible.

Locations:

<MCPs SHALL NOT BE LOCATED IN AN ELEVATOR HOISTWAY>

HARD COPY MCPs

MCPs provided in HARD COPY should be protected from unauthorized access except for documents provided to Authorized Personnel for record keeping (i.e., Fire Service Log) and trained Emergency Personnel (i.e., Evacuation Procedures). If the MCP is to be stored in a container at or near the elevator equipment public access is prohibited. MCPs shall be provided in complete form including the General Requirements (8.6.1.2.1), On-Site Documentation (8.6.1.2.2), and On-Site Maintenance Records (8.6.1.4) as required by Code in complete form and on site in hard copy. All MCPs shall be conspicuously marked for recognition. Permanently legible instructions shall be provided for locating the MCP if the MCP is not kept in plain sight in elevator rooms or spaces (not in the hoistway). Instructions shall be located at the controller or the means necessary for tests. The instructions shall be permanently legible and shall provide sufficient detailed information to insure complete access to the onsite MCP documents and records as requested by Elevator Personnel.

ELECTRONIC FORMAT MCPs

Where any portion of an MCP is provided in ELECTRONIC FORMAT(s), a means to view the documents shall be provided onsite as per FAC 61C-5.0015(2) in the form of a computer, laptop, iPad, etc. Electronic documents shall not include the On-Site Documentation (8.6.1.2.2 and 8.6.1.4) that must be in hard copy and on site. Permanently legible instructions shall be provided for accessing the MCP information. The permanently legible instructions provided for locating the MCP must provide sufficient detailed information to insure complete access to MCP documents and records as requested by Elevator Personnel. Instructions shall be located at the controller or the means necessary for tests. All "On-Site Documentation" from the MCP shall be onsite and stored and secured as referenced above (Hard Copy MCPs).

NOTE 1: *The Firefighter's Operation Log and the Evacuation Procedures must be kept in a location accessible by Authorized Personnel.*

Elevator keys can be provided in the MCP box (see Bulletin 2021-002) as long as the MCP box is UL 1037 rated and located outside Elevator Spaces and readily accessible. The provision of Security 1 keys in a MCP Box shall be noted on any permanently provided instruction as noted above.