



Elevator Advisory Board Meeting February 22, 2006

Attendees:	Jonathan Brooks	DOL, Elevator & Amusement Device Bureau
	Roger Shumate	IUEC Local 80
	Peter Lagow	Otis Elevator
	Craig Andersch	Schindler Elevator
	Joe Brummett	Elevator Specialists of Carolina
	Buddy Godwin	The Godwin Company, LLC
	Nick Mebane	Thyssenkrupp Elevator
	Will Montgomery	Kone Elevator
	Andy Frazier	DOL, Standards & Inspections
	Tom Chambers	DOL, Elevator & Amusement Device Bureau
	Nancy Vick	DOL, Elevator & Amusement Device Bureau
	Gerald Harvell	Charlotte/Mecklenburg Inspections
	Chip Duncan	Greg Davis & Associates
	Jennifer Haigwood	DOL
	Art Britt	DOL
	Clyde Wagner	Wagner Consulting Group, Inc.
	John Baldwin	DOL
	Dan Tingen	NC Building Code Council
	Cherie Berry	DOL Commissioner

Jonathan Brooks opened the meeting and welcomed the members and guests. Everyone introduced themselves. Commissioner Berry thanked everyone for coming also and for being on the Advisory Board. She wants to ask questions and listen to the other questions asked during this meeting.

The topic of discussion for today was state licensing of elevator mechanics and state inspections of private residential elevators.

According to the model law that is being proposed to Legislature, every mechanic has to be licensed. Also, proposed by a model law are the private elevator inspections by acceptance.

Private Residence Elevator Inspections

The committee to find information on the number of private residence units in the state met two weeks ago. They found there are approximately 1200-1500 private residential elevators in the region. This is per an email from Mr. Godwin. This is the fastest growing segment in the elevator business. They discussed some of the questions and issues brought up in the last Advisory Board Meeting on December 7, 2005.

1. What happens to the existing elevators in private residences? They should be left as they are. They could be “grandfathered” in. The only way to track these is to start fresh as of today.
2. How can we get the number of elevators out there now? It is not possible. We tried getting information from manufacturers, but they would not give out any information on this.
3. Are these being tracked now by any agency, municipality, department? This is not feasible. We can’t track existing elevators.
4. Are the towns or counties that do inspect elevators (New Hanover) tracking these? No, they are not. A residential contractor can install an elevator without inspection. If an inspection is requested, city and county fees are high. They use private QEI inspectors. If houses are sold, it is the buyer’s choice as to whether an inspection is required.
There is no tracking nationwide of private residence elevators. They could not find legislation for licensing on any state. Michigan does private residence inspections and it’s in their statutes. All agreed we should not seek out existing elevators, but handle the new elevators.

Mr. Harvell (Chief Electrical Code Administrator, Charlotte/Mecklenburg inspections with the Engineering and Building Standards Department) was asked what electrical inspectors were told about elevator inspections. He says they are all told not to look at residential elevators and that Department of Labor looks at **all** elevators. Recently there are more getting installed; 2-3 per month. They are beginning to see a mess on these. The people installing them don’t want the electrical inspectors there. They have limited knowledge of the safety of elevators. They do not know the electrical parts of the elevator.

Mr. Brooks read the Statutes and Administrative Rule that exempts residential elevators, Section 5.3.

As to why Department of Labor should be responsible:

1. Discrepancy in fees – could be exorbitant versus DOL which are less.
2. Consistency of inspections – DOL can track compliances, violations, etc.
3. Customers don’t know to get a QEI inspector. The private companies are charging high fees. Some can see inspecting new construction. There is concern that people will let just anybody inspect their elevator.
4. Inspections should be available if someone wants it.

Art Britt (Director of Governmental Affairs) reminded the group of important information to know before going to Legislature; unfunded mandates, justification for inspections, who would do these, the staffing components, how many units (for staffing) and first question will be “why”. Being receipt-supported will affect fees to cover increased staff. With increased number of inspectors and administrative staff, the fees must cover additional staff salaries, benefits, equipment, etc.

Commissioner Berry wants to know “why do we need this”? What are the compelling reasons? Where are stats and data that show this will make NC safer?

Comment that this will not really make safer, but get more consistency, more private safety and not public safety. Another comment was made that it is strictly a safety issue.

The ones that are installed now are not meeting code requirements. General contractors can put it in according to code, but they don't install the doors. They are unsafe. Homes being built have all types of inspections; electrical, plumbing, etc.

If you buy a house today, you assume the elevator is safe, but it is up to the individual owners or builders. Would you buy a house today without the above mentioned required inspections?

Commissioner Berry asked "who installs these elevators"? Thyssenkrupp buys and sells and does install residential elevators. They sell to companies that install them. They don't have to be inspected other than electrical. Are they installed correctly? These are not enforced electrical inspectors.

Dan Tingen (NC Building Code Council) says the cost of private inspections would be a burden on this department. Assigning electrical contractor to do this is a liability on the installer. As a contractor, he wouldn't want intrusion at his home, but concerned about long term maintenance issues. He agrees with periodic inspections for safety. Homeowners are not good at maintenance. He offered the assistance of the NC Building Council on anything that would be of help with this issue.

Mechanics Licenses

Some questions to be answered: What is required? How is it granted? Required for each individual and each company/contractor? How do they get certified? Many more...

The proposed legislation is the same as the model law. The Advisory Board needs to discuss the issues and take answers to Commissioner Berry as to why the Board feels this is needed or not needed.

Concern against: Nothing to come out of it. Some mechanics out there without cards are doing excellent work. Will it make it safer for the public – No. This license will not enhance his ability. This will create more bureaucracy and greatly impact DOL as far as renewals, staff, effort and work. There are other inspectors that are not certified (plumbers, electrical, etc.) Why mandate the elevator inspectors have a license?

Elevator personnel are trained in repair, installation, etc. There will always be some that do good work and some that don't do good work.

There is an elevator contractor's license required now for electrical work. This requires liability insurance, renewed yearly. To be an elevator company in this state, you must have SPEC endorsement. There are already 2 licenses required; to cover electrical issue and contractor's license for company to do business in the state (Dept. of Insurance).

These requirements will not change.

Education is costly for a small company. If they go to another state that requires a license, will they need a license in that state or ours?

Will temporary mechanics be unable to work until tests are taken? They have a minimum of 2 years education, should they work while actively continuing the education? They have no competency and now work on their own. (4 years to be competent, at least?)

This should be a company responsibility; to insure safety by a trained mechanic and the competency of his employee.

Concern for: How do we certify people? License sets a standard. Handout given showing states that have licensing of elevator mechanics. More education for those in safety jobs for public. People working now could be grandfathered. Main thing is the training required. Liability issue: What qualifications do they have to do this? It sets a standard for people working on elevators.

The electrical contractors must be certified and tested. The license doesn't insure there will be no accidents, but we know that our people know what they are doing.

The only qualification in the 2 existing licenses is insurance. Not for more regulation, but there should be a level of competency required. Seventy percent have the competency. If education is available, it should be taken advantage of. Who says this will make a better inspector?

There are different standards in the industry now. This won't guarantee anything, but will prevent a mechanic with no qualifications to work on elevators. More people ride elevators than any other public moving device, transportation, etc. Do need a standard of some kind.

Art Britt reminded the group on items as they go to Legislature: Is safety the main issue? Why do we need this? Will it help prevent accidents? Who benefits? Is someone else being shut out of business by this? Is it a burden, not a benefit? Who administers? Will you pull licenses for violators? There are lot of issues to setup and monitor. The costs? Will smaller companies lose a mechanic? Will it reduce the workforce? They don't see the need if elevator mechanics are doing a great job now. Where are stats to support? He indicated that all industry documents are not the same. Commissioner Berry thinks it would be difficult to do by the May short session of the legislature.

The Board needs to compile a proposal of what should happen with this issue.

- Certified by DOL and re-certified annually by DOL?
- QEI certification required? Does it make one qualified or integrity of each person?
- Agree on the liability issue and accountability?
- Required (in Statutes and job requirement) in order to go through Apprenticeship Program for training? Our Bureau? NAARSO tested?
- What is overall feeling of this Advisory Board on this issue?

These questions need to be answered so the Board can move forward with the details of how to go on with this. There should be a proposal to the Commissioner. It is time to move forward with the issue or drop it. The next step will be a written document to the Commissioner.

Model law was given to each present to study. Motion made by Nick Mebane to move forward with the proposal and the model law of mechanics licenses, as well as the inspection of private residence elevators. Make changes so that everyone agrees on it. The motion was seconded by Roger Shumate. The motion was voted on and approved. There was one Exception by Joe Brummett. He does not think the contractor portion of the document should be in this legislation and wanted this recorded. There was discussion on the motion. The motion was called by Roger Shumate.

Next step will be to communicate with the lobbyist and representative of industry lobbying. The industry can move forward to Legislature on the proposal as it is, but not all the questions are answered. Therefore it may not pass. We do not have time to make any changes if they are pushing for the May short session of legislature. Commissioner Berry currently is against it. Her questions have not been answered.

After reviewing a final industry document, Board can send to Commissioner Berry in a final format and tell her why we advise her the way we are.

A meeting will be scheduled with the lobbyist and/or Quackenbush before we advise. Need to get answers to why we need it and get answers to Commissioner. A tentative date of March 22, 2006 at 9:00 am was approved.

Roger Shumate will make the calls to setup the guests attending the meeting. Mr. Brooks will communicate the meeting date/time to the Commissioner. He was also asked to see what it is that she doesn't like.