

ORIGINAL

DEPARTMENT OF LABOR AND INDUSTRIES
STATE OF WASHINGTON

TRANSCRIPT OF PROCEEDINGS
of
ELEVATOR SAFETY ADVISORY COMMITTEE MEETING

Date and Location

February 19, 2013
Tuesday, 9:00 a.m.

L&I Tukwila Training Room
12806 Gateway Drive
Tukwila, Washington

BE IT REMEMBERED, that an Elevator Safety Advisory Committee Meeting was held on the date and location as set forth above. Those committee members present were: Scott Cleary, Robert McNeill, Keith Becker, Dave Spafford sitting in for Bill Watson, and Swen Larson sitting in for Charlie Val. The Department of Labor and Industries was represented by Becky Ernstes, Elevator Technical Specialist; and Jack Day, Chief Elevator Inspector.

WHEREUPON the following proceedings were held, to wit:

Reported by:
Cheryl A. Smith, CCR, CVR
(License #3017)

EXCEL COURT REPORTING
16022-17th Avenue Court East
Tacoma, WA 98445-3310
(253) 536-5824



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I N D E X

<u>February 19, 2013</u>	<u>Page No.</u>
Introductions/Purpose	3
Chief's Report	5
Old Business	24
New Business	48
Future Business	76

PROCEEDINGS

Introductions/Purpose

1
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5 MR. CLEARY: I want to start off with introductions.
6 I'm Scott Cleary, Mobility Concepts. I'm the chair.

7 MR. LARSON: Swen Larson, IUEC.

8 MR. McNEILL: Rob McNeill. I represent licensed
9 elevator contractors.

10 MR. DAY: Jack Day, secretary, chief elevator
11 inspector.

12 MR. BECKER: Keith Becker. I represent owner
13 employed mechanics exempt from licensing.

14 MR. SPAFFORD: David Spafford, City of Seattle,
15 elevator inspections.

16 MR. CLEARY: I just want to go over the purpose again
17 of this committee and ask basically to be able to bring in
18 stakeholders' input and be able to advise the State on
19 code and different issues that are of interest to all the
20 stakeholders. Please use that. It will help move things
21 along for any question you guys have.

22 Also, there's been two open positions now on the
23 committee. And that's -- we'll talk a bit further on
24 about that. So we'll go on from there.

25 We'll move on to the minutes. Are there any

1 questions on November's minutes at all? None? I motion
2 that they be accepted. Any second?

3 MR. McNEILL: I'll second it.

4 MR. CLEARY: All in favor?

5 THE BOARD: Aye.

6 MR. CLEARY: Against? All right. We'll accept the
7 minutes as printed.

8 And with that, we'd like to move on to the chief's
9 report.

10 MR. DAY: The chief's report.

11 Scott, if you don't mind, can I expand on the purpose
12 of the Advisory a little bit?

13 MR. CLEARY: Yes.

14 MR. DAY: Throughout the last year and a half or so
15 since the convening of this new committee, Scott's got a
16 different vision -- or not a different vision, but more of
17 a participatory vision of the Advisory, and he would like
18 it that the Advisory participate. And for the folks out
19 in the audience and other interested stakeholders, the
20 intention here is for you all to bring your concerns or
21 issues regarding a WAC rule or the implementation thereof
22 to one of the members that represent you so that it's
23 clearly defined through the process, through this very
24 fine democratic process, I think. And at that time, we've
25 been escalating it a little bit at a time as we learn each

1 meeting the next steps or the next steps we should be
2 imploring in this very direction. So every time we have a
3 meeting, we learn a little bit more about how to have the
4 next meeting.

5 But what that means is we're all looking for the
6 input from the stakeholders, and for you to bring that
7 input to your represented individual on the Advisory team.
8 And then that individual has discussions with others as to
9 when and what comes next for these meetings here today.
10 The days of old, we didn't have much participation so it
11 was more or less L&I's agenda. And we really want that to
12 go away, and we wanted to see the stakeholders' agenda.
13 So that's, in a nutshell, what we're asking from the
14 community.

15 MR. CLEARY: And basically, we'd like to see things
16 early on in the quarter instead of a week or two or days
17 before the meetings. It really helps us be able to put
18 together an agenda that works and able to prepare
19 ourselves to be able to give appropriate answers.

20 So with that, I'd appreciate participation.

21

22 Chief's Report

23

24 MR. DAY: On the chief's report I'm changing it up a
25 little bit, as well. What I'm trying to do is capture

1 issues that we've gone through in the last quarter, the
2 major issues and put them in the chief's report. There's
3 always going to be some standard items, which are
4 accidents and the scorecard.

5 So I'd like to start that right now with the first
6 item, MCP record series. The record series is finished.
7 On our Web are some technical bulletins. The technical
8 bulletins have samples. The reasoning for the development
9 is to standardize the way of different records -- MCP
10 records that are on the job sites today.

11 The Department is inspecting the current MCP's to be
12 in compliance with A17.1-2005, Section 8.6. That's
13 currently what we're inspecting to. That doesn't mean
14 what is currently required. That's what we're inspecting.

15 The Department is expecting the new versions of MCP
16 to be in place by the adoption of A17.1-2010. And I'll
17 talk about that a little bit later down here.

18 One of the other reasons is on the slide show behind
19 me -- did most of you see that, the slide show? What
20 these are are photographs specifically taken so that it
21 doesn't incriminate any elevator company or mechanic, but
22 it's photographs of the maintenance practices that are
23 going on today. These are not photos from two years ago
24 or over -- none of them are over a year old. These are
25 very recent photos that the inspectors have been taking of

1 job sites out there. And basically, the situation of most
2 of these pictures are full maintenance contracts. None of
3 these are lube and survey photographs.

4 Basically, what we're seeing or we're starting to
5 see, ladies and gentlemen, is maintenance has taken a top
6 priority. As you can see by our actions in the past, we
7 fully believe that maintenance needs to happen. People
8 are afraid to ride elevators, they're afraid to ride
9 escalators. And it's not the same old excuse that they're
10 claustrophobic. It is more because it makes these noises.
11 It doesn't stop level. All kinds of other
12 maintenance-related reasons why. And I won't delve into
13 too much at this present time, but we're also starting to
14 see, and I expect to see more of, accident-related issues
15 as a direct cause of the lack of maintenance. When we do
16 our accidents, if we see that, we'll write them up as
17 such.

18 Any questions in regards to the maintenance control
19 program? Does everybody understand the difference between
20 the 2005 and what we're inspecting at this point and what
21 is expected come the coming adoption?

22 Hearing no questions, let's move on to penalties: 90,
23 180, 270 and 360. What this is is a reminder.
24 July 1, 2012, one of the systems that helps ensure
25 compliance is the issuance of civil penalties. It is

1 something that we have not done over the past several
2 years. Failure to comply with or submit official written
3 notice will result in the Department taking action. That
4 action includes: after 90 days, it's \$114.10 civil
5 penalty; after 180 days, an additional penalty is issued
6 for \$285; 90 days thereafter is an additional penalty
7 issue for \$457; on the 360th day -- not 365th day but the
8 360th day -- is a \$500 civil penalty, and it will be \$500
9 every 30 days thereafter.

10 Upon the next inspection when the inspector arrives
11 on the following year, the conveyance will be given a
12 series of two additional -- if it's not corrected and
13 abated, two additional \$500 30-day civil penalties. Upon
14 the third civil penalty, the Department will be taking the
15 unit out of service for non-maintenance.

16 Are there any questions regarding the civil
17 penalties? Hearing none, let's move on to the next item.

18 State's review and adoption of ASME 2010 and
19 A18.1-2011, it's somewhat of a guessing game. Down here
20 below in these bullets you'll see that I have question
21 marks. And basically, instead of reading this aloud to
22 you, I'm going to explain what's going on.

23 What's going on is, as some of you know, the
24 Governor's moratorium on no new codes was lifted on
25 December 31, 2012. Many departments throughout the state

1 of Washington saw this as time to pursue their rules, as
2 well as us. So basically, what's happening is the code
3 reviser's office has seen a bottleneck of delivery of
4 these. So they've, in turn, asked us to type these
5 things, these rules up in a different format to help move
6 this along through their process a little faster. So we
7 still have them, and that's what we're doing is typing
8 them up.

9 When we get them done, it should move into that
10 CR-102, that fourth bullet from the bottom. It should
11 move into that phase as they get delivered to the code
12 reviser's office.

13 So in a nutshell, this is where things are at right
14 here, and this is the reason why. The following question
15 marks are exactly related to the bottleneck, as well.
16 When will they get to us? It's told they'll get to us by
17 priority. Where are we at in the priority? I do not
18 know.

19 So it's supposed, an estimate, that we'll have these
20 rules between June and July. I stand here or sit here
21 telling you this without any sure knowledge of that,
22 though. So I am not sure if that will be the case or not.

23 But from our 102 when that's submitted, we'll create
24 the public hearings. The public hearings, we'll send out
25 the announcements via this forum and through our Web link,

1 our Web service. So if you're not signed onto that Web
2 service, please go there and get signed up.

3 Anybody not signed up for that? Outstanding.

4 Any questions in regards to the adoption of the 2010
5 A17.1 and the 2011 A18.1 and the rules that coincide with
6 them? Hearing none, let's move along.

7 8.6 pilot. Back in June of last year we devised a
8 systematic approach to us learning -- ourselves learning
9 with 22 inspectors and implementing and enforcing the 8.6
10 section of A17.1. That pilot program expanded each month
11 two additional inspectors. The rationale was to look at
12 that information and share information with the others in
13 the pilot program.

14 The pilot program is for all intents and purposes
15 done. It is now disbanded and all inspectors have had
16 their education across the state for enforcement of the
17 8.6 section of A17.1 and its related maintenance control
18 items, which gets me to a subject -- and I think it's in
19 old business. Just a second. It does get me to the last
20 subject in old business which is enforcement of 8.10.
21 I'll be talking about that a little bit later, but our
22 plan is to have one more systematic review of MCP's for
23 those folks that wish it to happen, that want to bring it
24 forward and review it with us. I'll talk about that more
25 in a little bit.

1 Any questions in regards to the pilot project and the
2 implementation? For those jurisdictions that have not --
3 City of Seattle or Spokane, if you wish, we can jump you
4 guys in on the next phase, if you're interested.

5 The next thing I want to bring up on the docket is
6 residential incline elevators, but I want to show a video
7 first.

8 This is what's commonly known as the Rehmke
9 residential incline elevator. The first was seven, this
10 is eight pound -- to 800 pounds. That's basically our
11 major problem right there, and the damage caused by the
12 safeties. What they're basically doing is cutting the
13 suspension means and allowing the safeties to set, that's
14 what's going on here, with varying loads. This is showing
15 the damage a safety causes. Basically, on this, you see
16 that the hook never even engaged. What stopped it? It
17 stopped at the bottom.

18 This is Hillside, but this is no different than any
19 other Type A safety that is authorized today.

20 Do you see how quick these things set? It doesn't
21 allow them to get this inertia built up.

22 So this brought about a level of concern, and I've
23 asked Becky to speak about this really quickly to the
24 audience. So Becky?

25 MS. ERNSTES: I don't know how really quickly it's

1 going to be because people ask a lot of questions they
2 want to address. But just to give you a little
3 statistics, we have 39 Rehmkes on the books. Three have
4 been completely removed. Out of those, seven have been
5 altered, one has outstanding alteration permit that
6 someone's working on, nine are currently in red tag
7 status, nine other ones we put door hangers on to the
8 owners to tell us that they need to notify us. And of the
9 group that we visited, eight of them we have allowed
10 people to turn back on with timelines to get us a plan in
11 place. We started a long time ago with this project.
12 It's been put off for years.

13 One of the things that we've now done is we've deemed
14 the Rehmke safety hook unsafe. So how did we come to that
15 decision? Well, we've personally witnessed what happens
16 during tests. Crossbars on the elevators are bent when
17 the hooks have tried to engage. Sometimes the device
18 didn't work at all. Sometimes the hook would set but not
19 on the first grab. It bounced, go to the next one. When
20 safeties do set, the speed exceeds safe operating
21 parameters. That means that people get hurt if they have
22 to depend on that safety.

23 The other way is Hillside was generous enough to let
24 us view that video. They brought it to us probably, I
25 can't remember, in 2007 or '08 which has prompted us to

1 write the letters to owners back then to address those
2 safety issues.

3 One of the things a lot of these elevators had were
4 variances. The variances were -- some of them were
5 written without meeting the letter of the law. The RCW
6 says the variance is an alternative method of providing
7 the same protection. We don't know why these variances
8 were written without meeting the letter of the law, but
9 we're going to review them. We're not going to just say
10 we're going to honor all those variances. Why? We don't
11 know why they were written, but we do know that at the
12 time they were written, we were doing annual inspections
13 of all home elevators: inclines, residential. And we
14 were doing those annually. So all we can surmise is they
15 figured people would be out there looking at conditions
16 and addressing things if they came up.

17 So one of the big questions is: Are there other
18 items besides safety that will be required to comply? A
19 lot of these elevators never went through a final
20 inspection. A lot of them, in 1997 when we wrote
21 homeowners letters, we did go on-site and we wrote
22 corrections, and a lot of those never got corrected. So
23 we haven't given finals to a lot of those.

24 We're going to re-evaluate each one on a case-by-case
25 basis. When I say "we," we want the homeowners to work

1 with the installers and the people to work on them. We
2 are not going to send an inspector out to do those
3 evaluations.

4 What rules will apply to your conveyance? The law
5 says that you get to comply with the rules that were in
6 force at the time it was inspected -- or it was installed.
7 So if you've never had a final and you have documentation,
8 and that's documentation including sales receipts,
9 building permits or other appropriate documentation, you
10 get to go back to the original code. You don't have any
11 of that, you'll be brought up to today's code.

12 MR. CLEARY: Jack?

13 MR. DAY: Becky, is that information all within that
14 question-and-answer document that you prepared?

15 MS. ERNSTES: Uh-huh. It is.

16 MR. DAY: Thank you.

17 I don't want to go through each one of those items.
18 I want people to know that we've reprinted these out and
19 we have copies to pass out to anybody that's interested.

20 Also, I want people, especially in this industry, to
21 recognize that we want this to be an open forum of
22 communication back and forth. As we receive questions, we
23 want to put them on this question-and-answer document.
24 We're also going to be posting this document on our
25 Web page so that it's going to be available for all to

1 view.

2 How we got here is quite a lengthy story that we
3 don't have time to go into at this present time. However,
4 at the end of the day, these are not safe. They're not
5 safe for the people that will be using them. There's been
6 all kinds of rationale delivered to us about trying to
7 make them safe in one way or another.

8 Specifically, we're looking at the code that we built
9 for residential incline elevators, and that's the code
10 that we're going to stick to. If we deviate from it,
11 you're going to have to demonstrate that you meet or
12 exceed with that particular code that's been written. And
13 for this case, you need to exceed the Type A safety. So
14 we're going to be looking at a Type A safety. That's what
15 we're looking for.

16 You saw two examples of the Type A. That was the
17 latter. You saw two examples of how that Type A safety
18 works. Basically, it doesn't allow the conveyance to gain
19 the kinetic energy to end up throwing the material or the
20 persons either all over the cab or out of the cab. Either
21 case is dangerous to the occupant.

22 And as we know and have heard, folks allow other
23 people to ride them besides themselves or their family
24 even to the case where folks are even charging their
25 neighbor to use it. So this is not -- this is not good.

1 We're just playing a game of Russian roulette before
2 somebody is seriously thrown out of there against the
3 rocks or against the trees or it free falls all the way
4 into the water.

5 It's time that we do something about it. We've left
6 it alone for far too long. The 2008 letter was basically
7 created for the industry in itself so that they could
8 explain to the customers that they serve that there's not
9 a sales ploy on their behalf of taking care of these
10 Rehmke design flaws. That was the main reason, and to
11 give the customers a bit of time to get that organized.

12 And Becky, since that time, how many have gotten that
13 organized?

14 MS. ERNSTES: Eight. Eight out of 30 -- well --

15 MR. DAY: So those of you that are interested, take
16 the question-and-answer Word document with you. If you
17 have other questions, please let us know. We want to keep
18 this dialogue going.

19 Are there any other specific questions regarding this
20 design from the audience or the members here?

21 MR. RYAN: I have some comments.

22 MR. CLEARY: Please state your name and your
23 affiliation.

24 MR. RYAN: Andrew Ryan, private property owner.

25 MR. DAY: RIE property owner? Okay. Thank you.

1 MR. RYAN: So I was red tagged on January 7th. I was
2 kind of surprised that there was nothing in the agenda.
3 We did have the 2008 letter which had no strong language,
4 no mandatory actions, right? There were words like "may,"
5 "you may want to." No mandatory action. It was a
6 warning, which we appreciate. Since that time no specific
7 action has been put forth, no specific requirements. Just
8 every now and then we come up in this meeting. And I've
9 talked to this group before on the same subject.

10 We have two companies that went out and built
11 essentially complete replacement products. They're quite
12 expensive. We have another company now that's trying to
13 come up with a fix, a less expensive fix that solves the
14 safety issues. But from what I've seen, the requirements
15 keep getting changed on them. It's gone from the 2008
16 concept of being a drop hook fix to now it's catching
17 things like speed, drop hooks, gearboxes and other things.
18 So it's a moving target for them.

19 One of the companies I got a quote from had license
20 approvals of installation as they had last year when this
21 third company started looking at that alternative as a
22 solution. All of a sudden, the first company's solution
23 was rejected. So as of right now, there's one company
24 that has an approved solution, and it's very, very
25 expensive.

1 So for roughly 40 of us, we have two options: We
2 either walk or we go with this other company. Now, I
3 think very highly of this other company. I've worked with
4 them for years. But it's not quite right, nor do they
5 have the capacity to comply with what you're requiring.

6 So I guess what I would request is rather than come
7 out and just red tag everybody and throw a hand grenade
8 and say, "It's your problem," we set up some sort of
9 working group where we can work through these solutions,
10 give us a little time to do it instead of just flat shut
11 us down.

12 Thank you.

13 MR. DAY: You're welcome.

14 MS. ERNSTES: I can address that. We actually shut
15 down people and we gave them -- the people that need their
16 trams a time frame to come up with a plan.

17 MR. RYAN: And I'm one of those, and I appreciate
18 that.

19 MS. ERNSTES: But as far as who does what work and
20 how much does it cost, the Department can't get into that.
21 We cannot -- I mean, you know, there are people in other
22 states that may make Type A safeties and code compliant --
23 but we're not going to search them out. It's not our job
24 or what we're supposed to do.

25 MR. RYAN: I have. The comments I get back is

1 Washington laws are too restrictive. I mean, because of
2 the union requirements, they're very expensive. You do
3 drive the requirements, right?

4 MR. DAY: Let me answer this. And this was basically
5 it. We drive the requirements. The requirements were
6 driven with stakeholder input. That's how the
7 requirements were driven. That is exactly -- hang on a
8 second. And this state is not a union-backed state on
9 this particular issue. These people can or can't -- and
10 we don't care if they are union or not union. It doesn't
11 matter to us. So the union plays no part in this at all.

12 MR. RYAN: That's the feedback I got.

13 But regarding the requirements, if I look at the WAC,
14 and as you said, it's the code that was in place at the
15 time the tram was installed or put in, right, and then
16 alterations will only have to comply with the item that
17 was altered, not of the other things. What we're seeing
18 in the requirements that are being leveled forth now are
19 the gearbox and the speed and other things that were not
20 part of the original problem.

21 MR. DAY: I --

22 MR. RYAN: I'm not arguing against replacing the drop
23 hook. Believe me. We want the safety.

24 MR. DAY: The gearbox issue -- the gearbox issue,
25 they put in a 2 1/2 horsepower input with a 5 horsepower

1 motor. They did not match gearbox input with the
2 horsepower motor on the other end. These are recent
3 things coming to light.

4 So when we talk about this, the issue is the
5 compatibility of your gearbox is an issue if you have that
6 gearbox. We don't know who has it and who doesn't have
7 it. That's one of the things Becky made the statement
8 about. Your elevator contractor, the contractor needs to
9 figure that out.

10 If your gearbox is wrong, then your chance -- how old
11 is this thing, and are we running a risk of it having some
12 kind of fracture or it's met its age requirements. We
13 already understand that it was under-engineered at this
14 moment for some of them. This is the gearbox issue. And
15 your elevator company should be informing you if you have
16 that issue or not, because I don't know if you do.

17 MS. ERNSTES: You have to remember that probably half
18 of these never got a final inspection, so there's all
19 kinds of stuff out there that we've never seen. I mean,
20 I've been with the Department for 15 years.

21 MR. DAY: We have to move on.

22 MS. ERNSTES: Let me just say this. And people have
23 not stepped forward to take care of the issues. We
24 wouldn't be doing this if homeowners would take care of
25 it. It's not something that we like to do. We go into a

1 private place and do this. But really, somebody's going
2 to get seriously injured and hurt.

3 MR. CLEARY: We need to move on. You can stay after
4 for the stakeholders meeting. We can discuss this further
5 in that meeting, too, if you'd like.

6 MR. RYAN: At which meeting?

7 MR. CLEARY: The stakeholders that's right after
8 this.

9 MR. RYAN: Okay.

10 MR. CLEARY: And we can get more into that.

11 MR. RYAN: I appreciate that.

12 MR. DAY: A couple items that we need to move along
13 with, and I'll touch on them really quickly. The first
14 item is the scorecard. If you turn back a few pages in
15 your handout, you'll run into this. It looks just like
16 this. You'll see it's changed from how I delivered it in
17 the past.

18 Statewide annual and other corrections, basically,
19 reading the graph this is giving you: the statewide,
20 blue, how many are due in that month; red, how many were
21 completed in that month; green is all the others, the
22 others that we basically didn't count on but are there,
23 new, alterations, accidents, technicals. That's what the
24 "other" stands for. And then the bar graph is our
25 tracking method of how many were done on time with the

1 dotted graph being our actual, and the solid blue line, 65
2 percent being our target.

3 This is hopefully a better way of delivering this
4 information to the group. If anybody has some concerns
5 about delivering this this way, please let me know.

6 Are there any questions about the annual and other?
7 Hearing none, let's turn the page to indicator of new
8 installation and indicator of alterations.

9 The symbolic difference between this and what was
10 delivered to you in the past is we've combined all the
11 regions. Regions 1 or 2 are now called Unit 1. The rest
12 of the regions, 3 through 6, are called Unit 2. But it is
13 basically the same capture of how many units we passed and
14 what's our reinspection rate for that type of work.

15 The last thing is I give the accidents to you guys in
16 two different ways. One is the numbers going back from
17 2007 to 2012 fourth quarter. I would make one statement
18 on here. The 2012 fourth quarter is not completed. One
19 accident is still under investigation so it has not gotten
20 a designation yet. It will add to the designation under
21 escalator or accident. But we also bar this out on the
22 following page. I don't know which one's easier. They
23 both are kind of cumbersome, so we're probably going to
24 get rid of a couple years and only go back two years in
25 the past instead of all the way back to '07.

1 Any concern with not going back to '07, just moving
2 it up a couple years? Anybody have a concern?

3 To get the full detailed scorecard, please go to our
4 Web page. If you go to L&I's Web page just type in search
5 for scorecard and you'll get all the agency's scorecards
6 there. Choose the elevator and you'll have all the
7 details found within it.

8 The last item is replacement of the Advisory members.
9 We have two recent folks that went on to either retirement
10 or they went to another job. So as you have seen in the
11 handouts, the first thing is the February 2013 letter,
12 recruitment for Elevator Advisory Committee member. And
13 through this we're seeking folks that fulfill the role as
14 mechanic licensed for all work to represent that group,
15 and also municipalities maintaining a jurisdiction of
16 conveyances in accordance with 70.87.200. So this would
17 be somebody from the City of Seattle or the City of
18 Spokane, a jurisdictional authority, let me say, from
19 either one of those two locations.

20 What I also asked for folks to do in this letter is
21 turn in -- just like this team did, turn in an
22 application, resume basically, and a letter of intent.
23 The Department's director is the individual who appoints
24 these individuals, so please have this in by March 31st
25 for those that are interested so that I can take this to

1 the Director for the Director to review.

2 That ends the chief's report.

3

4

Old Business

5

6 MR. CLEARY: With that, we're going to move on to old
7 business. And Rob McNeill will talk about fire testing.

8 MR. McNEILL: Our meetings are the second Thursdays
9 at 8 a.m. every month. If you look on the L&I Web site,
10 you will be able to see the meeting information.

11 So far we've gone through the WAC code and the ASME
12 code. Next meeting we'll be going through the NFPA code.

13 Some really good representation. We have fire
14 departments, building owners, industrial owners, fire
15 testing companies, and we'll have the City of Seattle
16 shortly. So I encourage anybody who is interested to talk
17 to me after the meeting. I'd love to have everybody.
18 There's a live meeting link as well as a phone link if you
19 can't make it. And then we'll be -- over the next few
20 months we'll be having a live meeting where people can
21 meet if they want, one month in Seattle, one month over in
22 Redmond. The next meeting is March 14th, and the meeting
23 after that is on April 11th.

24 MR. CLEARY: Can you give us a quick little overview
25 of what we're trying to accomplish for everybody that may

1 not be familiar with what's going on?

2 MR. McNEILL: I didn't want to re-read everything
3 that's in the notes here. If you go to old business
4 notes, there's a fairly good overview of what we're trying
5 to accomplish. The scope is to review the FAID code
6 requirements related to elevator safety, particularly the
7 alarm devices within the hoistway as well as confidence
8 testing for pressurization of the hoistway and centric
9 devices making sure the alternate landings work. What
10 we're going to do is look at all the relevant codes with
11 participation and then make a recommendation to the
12 committee of what we want to do.

13 MR. CLEARY: What are some of the issues you've been
14 seeing? What precipitated a lot of this?

15 MR. McNEILL: The issues that I've received feedback
16 on from fire personnel are that the hoistway sensors
17 aren't tested after initial inspection. Speaking with
18 Dave Spafford, Dave's done quite a bit of research in the
19 City of Seattle, and actually, they are being tested there
20 quite well, but pressurization testing is a problem there.
21 So we have many different problems we need to get our arms
22 around and make a recommendation. If we could do all of
23 the testing at one time, it would really help. I'm not
24 going to make any suggestions until everybody gets a full
25 picture.

1 MR. CLEARY: We've been having this on the agenda for
2 quite a long time. Any kind of targets?

3 MR. McNEILL: As soon as we can get through all the
4 codes and get input, hopefully we'll have a recommendation
5 by the next quarter, I'd say.

6 MR. CLEARY: Next meeting?

7 MR. McNEILL: Yeah. If not, it would be the one
8 after that, and we should be done.

9 MR. CLEARY: So we can say the next meeting?

10 MR. McNEILL: Let's say the meeting after that to be
11 safe.

12 MR. CLEARY: So that would be the third meeting,
13 correct?

14 MR. McNEILL: Yes.

15 MR. DAY: August.

16 MR. McNEILL: I'd say we'd be done by August, for
17 sure.

18 MR. CLEARY: Who are the participants? Can you speak
19 to those, please.

20 MR. McNEILL: Sure. Myself, Dave Gault, Dave Beste,
21 Pat Dylan from SimplexGrinnell, George from Boeing, Dave
22 Spafford will be quite involved as well as the fire
23 department of Seattle, and anybody else who wishes to
24 participate.

25 MR. DAY: So the two fire jurisdictions you have are

1 Seattle and Bellevue, basically?

2 MR. COOK: Bellevue, and we'll be getting Seattle on
3 board.

4 MR. CLEARY: Any questions with that? Okay. We'd
5 like to move on to existing machine room enclosure and
6 access with Keith Becker.

7 MR. BECKER: We also haven't performed as well as we
8 had hoped to over the last quarter. We had our December
9 meeting, and then in January we had -- weren't able to
10 make that meeting. And since then I've been out of the
11 area for most of last month.

12 But the subcommittee is evaluating existing rules
13 with the goal of giving guidance to the inspectors to
14 determine that our machine room or machine enclosures and
15 accesses to those machine areas are maintained in a safe
16 manner. We are -- essentially, it looks like we're going
17 through this process like we're making it too complicated.
18 The goal is right now to review the existing WAC's and
19 make sure that we don't have anything -- there's nothing
20 in there, there's not a WAC that will trump or overrule
21 something that we're trying to put in place. That's
22 probably our biggest goal. And then just make it short
23 and sweet when we get done and after three or four these
24 meetings we'll --

25 MR. CLEARY: Can you -- for new members or some of

1 the people that just showed up, can you kind of give a
2 real quick overview on kind of what's going on and the
3 reason why you're involved?

4 MR. BECKER: What we've looked at in the grain
5 industry, for one -- and we've got a lot of facilities
6 that are 1940 on up to nearly new, and I presume that
7 there's other situations in buildings and things and
8 pasture elevators that are in the same age group. So we
9 have a lot of areas where originally wooden ladders were
10 put in to access areas or there's limited heights or the
11 machine enclosures have deteriorated. And trying to
12 maintain access is one of the most important issues were
13 -- for inspectors to access these areas in a safe means,
14 in some cases they were crawling out through windows,
15 climbing ladders on the top of the roof, back in the
16 window and access to some of these areas. And it's not a
17 safe situation.

18 We've got -- as owners of facilities that are in some
19 of these conditions, we don't want to have to go crazy,
20 but we realize that we've got to create a safe access.
21 And the group is trying to address these. We've got
22 inspectors on the group, and we're going through
23 situations that we face on a daily basis and trying to
24 establish some guidelines for the owners to follow to
25 bring things up to a safe condition.

1 MR. CLEARY: Do you know when you're going to be able
2 to present --

3 MR. BECKER: I think we're going to need two more
4 phone conferences, and I think we should be getting close.
5 And we should get that in this next quarter.

6 MR. CLEARY: Can we have something presented --

7 MR. BECKER: I'm hoping.

8 MR. CLEARY: -- by next --

9 MR. BECKER: I'm hoping. My goal is that we can
10 knock this thing out by the next quarter meeting.

11 MR. CLEARY: I'll put you down for that.

12 Any questions on that? Okay.

13 Jack Day?

14 MR. DAY: One response is Keith mentioned inspectors,
15 yet we're there once a year. This is equipment that needs
16 to be maintained. Personnel are there all throughout the
17 year. So this is -- this is an interest to the safety of
18 the inspector, but it is primarily the safety of the
19 worker, as well, that has to get to these places.

20 One other thing to capitalize, we're looking through
21 existing rules that DOSH has with the intent that let's
22 not make a new rule for us if we don't have to. If it's
23 already there, just use that.

24 MR. BECKER: A lot of what's there right now refers
25 us to -- directs us to RCW's. Which maybe you get more

1 out of an RCW than I do, but for most cases, there's not
2 much there so I don't get much direction out of it. So
3 we're trying to refer to specific WAC's that will give us
4 guidance.

5 MR. CLEARY: Any questions on that?

6 Okay. We're going to move on to inspections of
7 residential conveyance equipment upon real estate sales.
8 Charlie's not here, so Swen's going to talk about the
9 proposed subcommittee. And the gist of this is basically
10 to require all conveyance systems that are -- require
11 permits upon installation, the inspection be at point of
12 sale for real estate transactions.

13 So with that, Swen's going to pass out a scope that's
14 been put together and then talk a little about the guts
15 and how things -- we propose things move on, then we're
16 going to request that we have people sign up for the
17 subcommittee and get this going. We've been talking about
18 this for the last couple years, and I think it makes
19 sense. You need to have pest inspections, roof
20 inspections, foundation inspections. Why not a
21 conveyance? That's something people are going to ride up
22 and down in all the time.

23 And that will kick us into another subcommittee
24 towards the end of the year requiring licensing for all
25 maintenance work done on residential equipment. Right now

1 you need inspections, you need to be licensed to put them
2 in, but anybody can work on them. And that even makes it
3 more important to have these inspected at the point of
4 sale because we don't know what was junked out, who worked
5 on what or how it's operating because no one gets their
6 eyes on them. So we're looking at doing a couple
7 different ways of doing it, but this will be, I think, the
8 first and easiest thing to implement. Then we'll go to
9 looking at licensing for maintenance.

10 So with that, Swen.

11 MR. LARSON: We've seen this languishing on the
12 unfinished business part of the agenda for a long time.
13 And what we know is with Internet sales of these
14 conveyances, some of them probably not even legal in our
15 state, that this is going to become more of a problem.
16 We've got the baby boomers reaching retirement age, and we
17 know of at least one fatality in Washington State where a
18 young kid was killed, new house, and there was an unsafe
19 conveyance and his sister ran the elevator up on him while
20 he was out on a ledge and crushed him.

21 I think we're going to see more and more accidents
22 with home lifts, and some of these things that are
23 installed by people that may be general contractors, by
24 people that may not be familiar with the elevator
25 industry. And so I think it's going to take a while to do

1 this. It's going to be probably a multi-year project, I
2 would guess. I don't know that we will have enough time
3 this year to even propose any legislation. But again, I
4 would like to see input from all the stakeholders in this.
5 I think it is an important safety issue, and I'm willing
6 to give any input I can on this to get it off the stalled
7 track and start moving forward.

8 So any questions? Any interest in this?

9 MR. CLEARY: Go ahead, Jack.

10 MR. DAY: Next plan, Swen? Can you talk about next
11 plans or what you're going to do with this?

12 MR. LARSON: Yeah. I think we need to form a
13 committee and, again, with all the stakeholders. The
14 first meeting would be probably laying out the whole scope
15 of what we want to propose. We have other stakeholders
16 that we're going to have to involve like the real estate
17 commission, the people in the real estate industry, and
18 basically, sit down and have a meeting and try to identify
19 some clear goals. And then the next meeting I would like
20 our committee to meet with the stakeholders that we
21 identify.

22 And again, after each meeting, we'll bring a report
23 to the committee and let you know how we're proceeding.
24 We want this to be open and everybody to have input in it.
25 Once we've done that, we'll start the political process

1 and have some language drafted, find a legislator that
2 will carry this bill forward either in the Senate or in
3 the House, and I'm sure it will be open for public
4 comment, and everything else, and then to repeat it as
5 necessary. I'll put a list over there for people that are
6 interested in this to sign up. You know, this is your
7 chance to have your voice heard, and I would encourage
8 everybody to participate.

9 MR. CLEARY: Swen, one of the things that we need to
10 add to the scope is there's going to be a lot of things
11 that are found in the field, maybe things -- a good
12 example is the 3 and 5 rule. For many years, even though
13 that was in place, it wasn't inspected to that. So we
14 have to have some sort of mechanism that this subcommittee
15 can go ahead and recommended to the State, how is the
16 State going to handle those. Things that were permitted
17 probably maybe incorrectly but are still in use, and so
18 that's going to be a huge part of this of how we rectify
19 and work through those.

20 That's why I really -- everybody that this affects
21 really needs to participate. It sounds a little
22 simplistic, but there's a lot of things, I think, that can
23 snowball out of this. So we really need everybody's
24 participation that this will affect. So I encourage
25 stakeholders to participate in this.

1 MR. LARSON: I certainly would hope that the State
2 and the city would be involved with help in this draft
3 language and to work out the technical aspects on how
4 we're going to do it, how it's going to be funded and all
5 the nuts and bolts.

6 MR. CLEARY: Does the Committee agree to the scope?
7 Keith?

8 MR. BECKER: Yeah. I -- it's --

9 MR. CLEARY: Is this something we want to take on, is
10 what I'm asking.

11 MR. BECKER: I think it's huge. I also see the --
12 and I agree we are probably not in the business of looking
13 to expenses and some of the repercussions, but trying to
14 get some of these things to an acceptable condition and
15 realizing installation times, it's --

16 MR. CLEARY: Dave, does the city have anything like
17 this at all?

18 MR. SPAFFORD: Not that I'm aware of.

19 MR. CLEARY: Is that something the city would be
20 interested in looking upon, too?

21 MR. SPAFFORD: I'm sure they will. I'll bring it up.

22 MR. CLEARY: Well, with that, then I'd like to motion
23 that we do this. Any second? All in favor?

24 ALL: Aye.

25 MR. CLEARY: So Swen, please, you'll have a sign-up

1 list after. Please participate.

2 Jack?

3 MR. DAY: What I'd like is, Swen, if you could
4 communicate to us in regards to who your folks are going
5 to be. Because you're going to subchair this. You're
6 going to be the chair of this.

7 MR. LARSON: Me and my big mouth.

8 MR. DAY: So you're going to subchair this, but
9 you're going to have a group of folks that are going to be
10 in that subcommittee with you. And we want to put down
11 when the meetings are.

12 MR. LARSON: Convey that to you so you can put them
13 on the listserv?

14 MR. DAY: You would.

15 MR. CLEARY: And I'll help you set that up.

16 MR. DAY: And basically, where you're going to find
17 these, when you go onto our Web page and you look for the
18 Calendar of Events, and in the Calendar of Events on the
19 left-hand side of our home page, you'll see the Advisory.
20 You click on there, and if there's any subcommittees,
21 that's where we want to put them and what they're doing,
22 okay? And when they're having their meeting.

23 MR. CLEARY: Any questions?

24 Okay. With that, we're going to move on to the
25 enforcement of the MCP per 8.10. And that's with Jack.

1 And then we'll move on to new business.

2 MR. DAY: One of the things that seemed to have went
3 in the byway was in A17.1, Section 8.10 requires that a
4 compliant MCP is in place at the acceptance of the
5 elevator.

6 Now, earlier I spoke about we had gone through a
7 pilot project. In going through that pilot project, one
8 of the things we distinctly found was where MCP's were not
9 compliant, so they were missing items. Things weren't
10 there. Directions weren't given. There were many things
11 found on MCP's. So right off the bat we recognize that
12 there were several issues of noncompliance with the MCP.
13 So then the question came up on 8.10 at the acceptance,
14 where is this compliant maintenance control program since
15 we already know who has it and who doesn't have it?

16 So not to want to cause this big issue right off the
17 bat and give a little bit more time, I published recently
18 within this handout, as well, as well as sending that
19 information out, basically a check sheet that Mr. Wilson
20 graciously put together. The check sheet is to assist
21 elevator companies in the knowledge do they have the 8.6
22 item in their maintenance control program.

23 It is very simple. We just follow through. The
24 first page, MCP requirement is on page 330 -- or 303.
25 Excuse me. And you just go one right after the next. Do

1 you have this item there? Do you have it on your log? Do
2 you have it in a manual? It's really straightforward.
3 This isn't really rocket science here as far as do you
4 have it or do you not. You just have to look.

5 But here's a check sheet that we wish you guys to
6 use. It's on the back page. You would get also, if
7 you're on my listserv, receive this digitally.

8 The finalities of this is that on -- what date? --
9 May the first of this year, we expect to see a maintenance
10 code compliance, maintenance control program for new
11 installations of A18.1 equipment. That's what we'll
12 expect to see. If it isn't there, then you do not pass
13 the final acceptance. It will not pass. This has been
14 going on for far too long for companies not to have this.
15 It's too simple for them not to have this in place. It
16 needs to be there, and we're going to expect it to be
17 there.

18 Between now and then, those of you that have gone
19 through this review, this handout, and you're assured that
20 you have it done, you certainly can give me a call. I
21 will make an appointment with three inspectors. One
22 inspector will do the hydraulic, one inspector will do the
23 traction, and the third inspector will do the escalator
24 maintenance control program.

25 The intent is to sit across the table with a reliable

1 elevator service provider that has knowledge of their
2 company's maintenance control program. And as we go down
3 the list through the A17.1 code, where is this, show me
4 that, read this to me. Next item. And we'll follow
5 through just like that: the next item, the next item.
6 The intent will be that we create then an additional cheat
7 sheet that we will share with all the other inspectors in
8 the state of Washington so that all inspectors are on the
9 same page when it comes to reviewing your version of your
10 maintenance control program.

11 This is not a mandatory thing that you must or have
12 to do with us. It's a courtesy that we'll extend all the
13 way up and to the day before the MCP is due during the
14 acceptance.

15 One thing that I ask you to do if you send me an
16 e-mail to ask for this is that you put in the subject line
17 "maintenance control program review" and then, dash, your
18 elevator company so I can keep them all straight. But I
19 prefer a phone call, a dialogue, one-on-one so we can
20 actually set up a meeting.

21 Are there any questions in regards to 8.6 as it
22 coincides with the 8.10? I hear one.

23 MR. WHEELER: The question, has the Department
24 reached out to any of the architectural spec writers for
25 this turnover piece at the acceptance?

1 MR. DAY: No.

2 MR. WHEELER: So the intent with this letter that you
3 sent to the contractors, are there any plans to reach out
4 to the folks that are writing the specifications for
5 elevator installations in the state?

6 MR. DAY: No, no. Your company and the other
7 companies are elevator manufacturers. This is an 8.10 of
8 the code -- our code that we've adopted, the national
9 standard across the country. Your architect is going to
10 expect that you install an elevator according to that, I
11 would assume. If they don't, I can't help that. But
12 there's many sections of A17.1 that we don't reach out to
13 architects to either.

14 MR. WHEELER: Okay.

15 MR. DAY: So discussion, why would we?

16 MR. WHEELER: The only reason I say that is because
17 many times the addition of a maintenance control program
18 at construction phase is something that owners are not
19 aware of at this point. And, you know, there's usually a
20 warranty period during that, and the outline of what's
21 required in that warranty period is very broad. And so
22 the education back to that community to define what's
23 required during that warranty period is a pretty daunting
24 task. It's going to take some time, much longer than
25 May 1st. But the task has been put out there and we'll

1 definitely be marching forward to that, but wondered if
2 there was some input from the Department that could maybe
3 help speed that along.

4 MR. DAY: Do you have contacts? We do have a
5 representative of the architects, but he is not here
6 today. Maybe you can get with him.

7 MR. WHEELER: Reach out to them and talk to them a
8 little bit about that.

9 MR. DAY: And then let me know what we can do.

10 MR. WHEELER: Okay.

11 MR. DAY: Can you help me with that?

12 MR. WHEELER: Will do.

13 MR. CLEARY: Bill Morrell.

14 MR. MORRELL: Prior to May 1, are residential
15 elevators being presented for final inspection going to be
16 denied by inspectors because they don't have an MCP?

17 MR. DAY: That is correct. Residential elevators are
18 found in A17.1.

19 MR. MORRELL: Prior to May 1st, are they going to be
20 denied because they don't have an MCP?

21 MR. DAY: With this information right here, we're
22 going down the path with this. So the answer is "no."
23 However, there may be a correction written on them for not
24 having one that must be abated within a specific time
25 period, say, May the 2nd.

1 MS. ERNSTES: Jack?

2 MR. DAY: Yes.

3 MS. ERNSTES: Actually, we put that out a long time
4 ago that we weren't passing residential elevators without
5 it.

6 MR. DAY: Yeah. And I also put out for commercial
7 elevators a long time ago, as well --

8 MR. MORRELL: I'm not speaking to --

9 MR. DAY: -- in 2007.

10 MR. CLEARY: Let me see if I can clarify the
11 question. Right now the difference between having an MCP
12 or a code compliant MCP, if you have an MCP that's not
13 code compliant, will the elevator still be turned over
14 before May? After May 1, then they have to be MCP's that
15 are code compliant. Is that your question?

16 MR. MORRELL: That's correct. I mean, we've had
17 MCP's on our residential elevators, but they may not meet
18 the --

19 MR. CLEARY: They may not be completely code
20 compliant.

21 MR. MORRELL: The current understanding of what is
22 compliant.

23 MR. CLEARY: So yes. The answer is that they will be
24 accepted. They may have to be written up for not being
25 code compliant, but they still will pass the initial

1 inspection up to May 1.

2 MR. MORRELL: So the homeowner will get accepted for
3 that.

4 MR. DAY: That was very good. I appreciate that.
5 Because you should have an MCP already that you will
6 bring, and it will be used.

7 MR. MORRELL: We do, and it's been presented and many
8 times inspected.

9 MR. DAY: If you don't have one, period, that's going
10 to be a problem. Period, you don't have it, you were
11 supposed to be well along the way. Most elevator
12 companies that I'm aware of have a version of MCP right
13 now. It may not be compliant, but you better have it.

14 MR. CLEARY: You have to have some version.

15 MR. DAY: Is that what you meant?

16 MS. ERNSTES: Yeah. That's what I meant.

17 MR. CLEARY: As long as there's an MCP, but it's
18 going to have to meet the State's requirements for it to
19 be completely code compliant by May 1, or at that point
20 they will not pass the acceptance.

21 MR. WHEELER: One more question. After a review, if
22 a company chooses to have a review prior to May 1st, is
23 the Department then going to -- you mentioned a checklist
24 that will be developed to give to the inspectors. Is the
25 development of that checklist the signal that that

1 maintenance control program has been approved or is there
2 -- what sort of verification of an approval from the
3 Department that it meets code compliance is going to be
4 provided?

5 MR. DAY: Once a checklist is done, if there's no
6 items listed on there, then that particular portion of
7 that maintenance control program is approved. And that
8 did come up not too long ago. And I don't have it down
9 here, and I was interested in the response. What would we
10 do? Like publish each company that has approved
11 documentation on our Web site or something like that? Is
12 this kind of on the line?

13 MR. WHEELER: Yeah.

14 MR. DAY: Yeah. I'm not sure. I'm not sure if we
15 should do that or not.

16 MR. WHEELER: Well, the concern would be -- from my
17 opinion, the concern would be how do -- mainly your
18 inspectors that are going to be looking at this
19 maintenance control program daily, how do they know which
20 ones are compliant and can go about that process versus
21 another piece of paper that might be in the machine room
22 and whether that's compliant or not?

23 MR. DAY: You mean an earlier version of MCP?

24 MR. WHEELER: That or among different maintenance
25 providers or, you know, how -- it seems to be a gray area

1 there. If something hasn't been officially approved.

2 MR. CLEARY: What I really find a challenge is having
3 the code requirements. That's a checklist. That's really
4 easy. You pull that right out of the codes. It's coming
5 up with that maintenance -- that mechanic's maintenance
6 procedures and how you interpret what each one of those
7 requirements means on how you service those and how you
8 maintain those. So that's the thing that's going to be
9 all different shades. Everybody's going to have something
10 a little bit different.

11 So that's going to be the challenge is being able to
12 equate those two together and make sure that they're code
13 compliant. That's why it's really important to sit and
14 meet when you have that maintenance mechanic put together
15 to meet with the State.

16 MR. CAVMORY: I just want to make sure I'm not
17 misunderstanding. There's no expectation that the entire
18 maintenance control program and all supporting
19 documentation be physically present at each handover,
20 correct?

21 MR. DAY: You mean the detail manual?

22 MR. CAVMORY: The maintenance control part that
23 belongs in the machine room is there, correct? And you
24 verify in other ways that the rest of the program exists.

25 MR. DAY: And the part Casey is referring to are the

1 logs that contain the items within it and a generic
2 instruction about that for the owner. The detail is not
3 expected to be left on-site; however, I will parrot the
4 A17.1. The A17.1 says it must be made immediately
5 available to elevator personnel. The inspector calls your
6 company and asks for blank, then hopefully all it takes is
7 your mechanic opening it up and saying, "This is what it
8 says."

9 There's too many different and varied kinds of pieces
10 of equipment out there for us to -- us, the Department, to
11 sit down there and go line by line through all the
12 different kinds of equipment that you would service. We
13 expect that you have it. The code says that you're
14 supposed to have it, so you should have it and give it to
15 -- or your mechanics have in their possession the ability
16 to have it. It also may be something that you bring to
17 the table because we're going to ask you, "This 8.6.4
18 brake procedure, what do you mean?" And if you don't have
19 a detail --

20 MR. CAVMORY: Yeah. No. The question was just that
21 it's not really practical to have it physically present at
22 each inspection.

23 MR. DAY: No.

24 And this is a deviation from A17.1, by the way, that
25 the State of Washington has pursued. A17.1, in and of

1 itself, will outline that that's supposed to be there.
2 And that's all part of the MCP. Now, in the future, 2013,
3 I think it got dissected out, but the 2010, it is not.
4 But the State of Washington understands, and we don't want
5 to leave a detailed instruction for anyone who is not
6 qualified to be using it, reading it and applying it.

7 MS. CRAWFORD: A quick question. For clarity's sake,
8 it sounds now in this portion of the meeting that it is
9 mandatory to sit down and have a meeting with you to go
10 through that MCP, and earlier in the meeting that you had
11 quoted not mandatory to sit and go through line by line.

12 MR. CLEARY: Obviously, it's not mandatory, but very,
13 very helpful for the companies to make sure that they're
14 putting together a package that's code compliant and will
15 be acceptable at the time of inspection.

16 MS. CRAWFORD: Right. I just wanted clarity.

17 MR. DAY: If you don't want to, don't. However, your
18 first job out there that one of the inspectors goes on,
19 guess what?

20 MS. CRAWFORD: I just want to make sure we're all on
21 the same page.

22 MR. DAY: It would be helpful for everybody if we did
23 do that. Because they'll be sitting there and then -- you
24 know.

25 MR. BECKER: Now, the checklist format or the manual,

1 the log formats, how critical is it that they conform to
2 what you posted on the Web site? I mean, if everything is
3 included and if one of the elevator companies already has
4 essentially everything in it, is that going to be -- what
5 issue --

6 MR. DAY: I wouldn't say essentially everything. I
7 would say everything in it that's required to be
8 maintained on that particular job.

9 MR. BECKER: Does it have to look the same?

10 MR. DAY: You mean is it exactly the same as the
11 sample on the Web page?

12 MR. BECKER: Or close.

13 MR. DAY: It needs to look close, but there's some
14 creative licensing that's obviously allowed out there.

15 MR. CLEARY: Any other questions on the MCP?

16 MR. HENDERSON: I was just noticing here that the
17 May 1st deadline isn't coinciding with the adoption of the
18 2010.

19 MR. DAY: Please clarify. I don't understand.

20 MR. HENDERSON: By May 1st we're supposed to have a
21 code compliant MCP program. The adoption of the 2010 code
22 is probably not going to be happening at that time. It's
23 going to be, according to here, it looks like July, June,
24 sometime in there. Is a 2010 compliant document going to
25 be acceptable at May 1st?

1 MR. DAY: Uh-huh. The answer is yes. 2010 will be
2 acceptable.

3 MR. CLEARY: So basically, instead of working to an
4 '05, you should work to the '10 then.

5 MR. DAY: Yes.

6 MR. CLEARY: Any other questions?

7 MR. DAY: If you so wish.

8

9 New Business

10

11 MR. DAY: Clarification. In new business there's an
12 item called Clarification of General and Subcontractor
13 Roles and Responsibilities --

14 MR. CLEARY: We'll come back to that. New business,
15 Type B permits. This has to do with what we've been
16 talking about, about taking alterations -- some
17 alterations and some of the residential permitting
18 requirements and putting them into a block or a coupon
19 book that enables a company in good standing to be able to
20 apply for that book and then go ahead and put it -- either
21 do the like-kind alterations or put in stair chairs or
22 VPL's without inspections. And then that would be audited
23 and looked at by the State, and maybe one out of ten would
24 get looked at. Oregon's got a program like this and some
25 of the other states.

1 So we're looking at doing that to be able to get
2 things quicker through the State and get them to our
3 customers and then it will free up a lot of the inspectors
4 to do annuals and other things that they're having a hard
5 time getting to.

6 And with that, at the last meeting we talked to
7 Brian. Brian, we're looking at putting a subcommittee
8 together, and he's kind of got -- we met and talked about
9 some scope and some things that he'll discuss right now.

10 MR. WHEELER: Thanks, Scott.

11 The intent here is to put together a scope much like
12 we saw in some previous subcommittees. But as we see in
13 the chief's report, there's a number of inspections --
14 annual inspections that we don't hit that 100 percent as
15 we would like to at some point. And part of that is due
16 to time constraints with alteration permits and some of
17 the minor installations with vertical platform stairs,
18 stair chair lifts and those things. I'd like to put
19 together a committee, and seeking the volunteers from
20 different stakeholder groups that would be interested in
21 exploring the RCW and the WAC to identify what changes
22 would need to be proposed to make a minor label permit or
23 a Type B permit program implemented in Washington State.

24 As Scott mentioned, Oregon does have a similar
25 program to this. For those that do business down there,

1 it works very slick from what we've seen, and it creates a
2 situation where inspectors can still look at the
3 alteration that was made but doesn't have to make a
4 special trip to that building to look at it.

5 As you see in here in the information, many of the
6 alterations pass inspection the first time and, you know,
7 with a licensed elevator mechanic and professional doing
8 the work, there's a certain level of skill set there that
9 proves that.

10 And so the hope would be that these minor labels
11 would be issued to -- or our Type B permits issued as a
12 coupon book, a certain number at a time to the contractor
13 in good standing with the State. And how we define "in
14 good standing" is part of the scope and the subcommittee,
15 with the goal of defining something by the end of this
16 calendar year to get to committee and representation to
17 support a change in that WAC.

18 MR. CLEARY: I think for the next meeting we want to
19 have a full scope put together and lay it out like Swen
20 did, and then I think we can kick that one off. That will
21 give us -- stagger some of these subcommittees for
22 participation. I think that will help on workload. So
23 can we see that at the next -- a full scope?

24 MR. WHEELER: Yeah, yeah. Certainly have a scope put
25 together for the next meeting, and also we'll start a list

1 here over at the side table with any people that are
2 interested in joining that committee. Looking for, you
3 know, three to five individuals to join that committee.

4 MR. CLEARY: We want to have something put together,
5 like we talked about, by the end of the year so we can
6 look at if there are any RCW changes or anything we need
7 to do for next -- be able to put in next year.

8 MR. DAY: What you're talking about is going to take
9 some statute change. At this present time, all
10 alterations have to be inspected before turned over.
11 That's what it says. And so that's going to need to be
12 addressed.

13 And where the State is -- the State is very
14 interested in this particular type of activity, but I
15 point to some pictures that I had up here earlier of
16 alterations that were not done properly. And they were
17 very simple, and they were done by a licensed elevator
18 mechanic who works for a licensed elevator company. And
19 so what is specifically going to be done to address
20 activities that are definitely not compliant? And so when
21 you're building your scope, which I'd like to see before
22 we do much work on this, and I'd like to see what's
23 contained within a scope that addresses doing it right the
24 first time.

25 MR. WHEELER: Will do.

1 MR. MORRELL: As it was presented, contractors in
2 good standing, that terminology, the definition of that to
3 be within the scope, okay, but there are A type dealers in
4 good standing versus B type dealers in good standing.
5 There's an extreme financial advantage to be in good
6 standing, okay. And it has been suggested to me in
7 conversation with inspectors that it may very well be that
8 if you have failed an inspection, that you're no longer in
9 good standing. And that single criteria on a single
10 incident to move you from an A type dealer to a B type
11 dealer, I think, would be very challenging.

12 MR. CLEARY: I would think that that's some of the
13 things that the subcommittee will put together. That
14 would be one of the things to discuss, the criteria. I
15 think that would be something that would need to be really
16 well defined.

17 MR. MORRELL: And if I may, as presented previously
18 when the subject has come up, I don't think that the chief
19 elevator inspector wants to be put into a position of
20 being subjective in terms of contractors in good standing.
21 It needs to be an objective criteria.

22 MR. DAY: It does. Thank you, Bill. It does need to
23 be spelled out.

24 MR. WHEELER: Definitely noted and agreed that it
25 needs to be spelled out what that criteria is, and well

1 defined so that everyone understands what that criteria
2 is.

3 MR. CLEARY: We really want to set it up so it's a
4 stick and a carrot. It's really financially beneficial,
5 and it hurts if you don't do it right. And so we want to
6 make sure that it's a program that is self-policing based
7 on the ability to have that right to do it and not.

8 So whatever we put in, you know, will have to be
9 agreed upon by everybody, but it needs to be a pretty
10 strict program. Because once you're in, we want it to be
11 as beneficial as possible so you do the right thing.
12 Obviously, self-policing is not -- you look at a lot of
13 things that we see in our industry, a lot of times it
14 doesn't always happen. So we want this to have some
15 mechanisms in it so once you're in it, you want to stay in
16 it, and it takes the burden off. We don't want this to
17 create more problems with more inspections. We want to
18 lessen the burden on the State inspectors so they can get
19 their inspection up above the 70 percent or 65 percent
20 threshold that they're at now.

21 So that's why it would be good for you to be on that,
22 Bill, on the subcommittee. Something to talk about.

23 Any other questions on that?

24 Wiring diagrams, Rob McNeill.

25 MR. McNEILL: Some of the elevator companies have

1 brought to my attention that on older units, elevator
2 wiring diagrams are not available and haven't been located
3 in the machine room where they're supposed to be per code.
4 I think this is a real simple fix. In terms of incorrect
5 diagrams, I think that's a separate issue. I think
6 missing diagrams that are not readily available is the
7 real issue.

8 And the simple fix for this is to have a meeting with
9 owners who are ultimately responsible for those diagrams
10 and the elevator contractors put together a quick
11 checklist that shows that there's been some due diligence
12 to locate these diagrams and they aren't available, and
13 then have a sign off with the owner as well as the -- a
14 later contract license holder to give to the State, L&I,
15 to ask for a variance not to have them.

16 MR. DAY: Not to have them?

17 MR. McNEILL: Well, because they can't be found.
18 That's my recommendation. And I'd be happy to set up
19 meetings in the next two months. I think we could get
20 this done in two hours and get a pretty good checklist to
21 bring back in the next meeting and give the Committee a
22 recommendation of how we'd like to go on it.

23 MR. BECKER: That wiring diagram or the nonexistence
24 of, potentially there would be no issues of not having it
25 if it can't be found. I mean, for example, we have -- go

1 back to the grain industry. I've got 17 electric
2 manlift/special-purpose conveyances. Of those
3 manufacturers, one manufacturer still exists. The others
4 have not existed for 25 or 30 years. So we could be in a
5 situation of not being able to find wiring diagrams, and
6 so we could -- potentially we would look at not having to
7 comply.

8 MR. MCNEILL: Well, L&I, I think, ultimately will
9 have to look at it and make a decision, as well as the
10 City of Seattle and Spokane. And I haven't asked for
11 their input. But thinking about it from my group that
12 asked, I thought that may be the way to go. It's a
13 serious safety issue not having those diagrams.

14 MR. DAY: Yes.

15 MR. LEWIS: I think in some applications that there
16 are no wiring diagrams, it's with this really old stuff.
17 The systems aren't really complicated so that if you had a
18 certified elevator mechanic on the job, he could probably
19 draw you an electrical diagram. That would probably
20 suffice.

21 MR. SPAFFORD: I was going to comment on Rich's.
22 We've been designing our own circuits and stuff for years
23 on elevators. To say we don't have a drawing for an
24 elevator, like you said, if we're confident enough, we can
25 make our own right there on the site. So I think

1 safety-wise, they need to be there and they need to be
2 updated.

3 MR. WILSON: My question is, if you don't have the
4 wiring diagrams there, how is a mechanic supposed to
5 safely work on that equipment?

6 MR. CLEARY: And that would be part of the MCP, too,
7 correct?

8 MR. DAY: It is. It's the second item in the
9 maintenance control program in 8.11 -- I mean 8.6.

10 MR. CLEARY: So then by definition, does that mean
11 they always need to be on-site?

12 MR. SPAFFORD: Yes.

13 MR. DAY: Any other comments?

14 AUDIENCE MEMBER: Whose responsibility is that?

15 MR. DAY: Whose responsibility to have it? It's the
16 owner's property.

17 AUDIENCE MEMBER: As I say, drawing your prints and
18 -- first of all, there are elevators that you're not going
19 to find prints for. And drawing prints, who's going to be
20 liable on that? Over the course of 50, 60 years, it would
21 be quite a challenge. You know, you can think about the
22 simple SOB that has poor relays or you can think of an old
23 Turnbull that has 140.

24 MR. KLEIN: Here's the issue. The biggest issue is a
25 lot of these elevators either don't have the wire diagrams

1 or they're incorrect. Owners, many times because of the
2 price of the new wiring diagrams, will not buy them unless
3 it's written up by the State. Now, the MCP's are required
4 -- or the mechanics now on the MCP's are required to say,
5 "Hey, we have certified diagrams on the site." If they
6 don't, what is their recourse? All they can do is write
7 that down. It's up to the code -- part of it is the
8 enforcement of the code by the code authority to make
9 these happen. But the owners also need to know that they
10 have to make it happen. Like we're talking about, it's
11 their liability for that.

12 MR. DAY: Thank you, Jymm. Because this is exactly
13 the way we see it. This is a public safety issue. You
14 have somebody showing up at 2:00 in the morning because of
15 whatever and there are no drawings or the drawings are
16 inaccurate and they push the wrong thing. Who is liable
17 now? The guy that pushed the wrong thing, the elevator
18 company that they work for, and also the owner of that
19 piece of equipment.

20 So is there -- in between is there a middle ground?
21 It was mentioned a variance to not have one. You won't
22 get that. We won't give you one, a variance, to not have
23 it. But I think proof in the pudding and go find it, and
24 if it actually really does not exist, then another avenue
25 that we go down to get it.

1 But, Jymm, a lot of them are available. If you go on
2 to Elevator World and you just peek around a little bit,
3 you're going to find a couple companies that actually sell
4 them. So they are there. Maybe not every single last one
5 of them. And that's where I'm coming in. Every single
6 last one of them, what about the one, that handful that it
7 is not possible?

8 MR. CLEARY: I'd like to get clarification. Because
9 with me, in my mind, there's conflict with what Dave and
10 what Jymm said. You said that if there's not one there,
11 it can be reproduced. You said under the code, I think it
12 is, it's got to be done by the manufacturer or certified,
13 correct? So no one can just go in and do a diagram of
14 what they see and consider that an official wiring
15 diagram.

16 So to me, there's a big disconnect. If you're not an
17 EE or you're not part of it, you're not allowed to do that
18 by code. So just coming in and writing it down and
19 diagramming it yourself and putting it in your book is not
20 going to suffice, from what I can interpret; is that
21 correct?

22 MR. DAY: That is correct.

23 MR. SPAFFORD: Some of these elevators are pieced
24 together from vintages and elevators that we do not even
25 know exist anymore. Those are the ones that are going to

1 be missing the prints. Those are the ones we're going to
2 be drawing the prints for a job specific.

3 MR. CLEARY: But does that make it -- that's non-code
4 compliant then.

5 MR. SPAFFORD: The elevator wouldn't be code
6 compliant then either.

7 MR. DAY: It's not code compliant until that
8 company's engineer signs it off. That's when it would be.

9 MR. CLEARY: So if it's PE stamped, you're fine. The
10 State would be fine with it.

11 MR. DAY: PE from a company's engineer, yes.

12 MR. WHITED: Many of the grain elevators don't have
13 any electrical blueprints whatsoever. And my thinking on
14 that is how we can accomplish that. I'm a licensed
15 electrician in the state of Washington so the State says
16 I'm qualified that I can do that kind of work. So why
17 couldn't we have someone who is licensed to look at these
18 elevators, even if necessary go through and figure out how
19 they're wired and make an official blueprint of that
20 elevator? I can't see anything wrong with that.

21 MR. DAY: It sounds plausible to me. But don't
22 forget the step about the engineer.

23 MR. WHITED: Got it.

24 MR. McNEILL: I misspoke when I originally said it.
25 My intention was to have a diagram. That's why I

1 mentioned we had to have it signed off by the elevator
2 contractor. So just to clarify that.

3 MR. DAY: So it's quite a serious issue, and I think
4 it's prevalent about everywhere that we would walk today.
5 And it's something that needs to be addressed.

6 Jymm, you spoke about the mechanic. It's on their
7 MCP. And if they can't sign it, then don't sign it. So
8 we write it up. That's how it will be handled.

9 MR. CLEARY: Swen?

10 MR. LARSON: You know, we talked about buying a
11 generic blueprint, and that will get you a starting place.
12 But a lot of these conveyances, they've had overlays,
13 they've had alterations. And the part of a marked-up set
14 of blueprints is important. Anything that's been added
15 needs to be on that print.

16 MR. CLEARY: Any further questions? This might be
17 something good to talk about in the stakeholders -- our
18 next meeting.

19 Next is general subcontractors.

20 MR. DAY: So this is just a little bit of change in
21 our process and our understanding at the State regarding
22 clarification of general and subcontractor roles and
23 responsibilities. Basically, through this -- and I'm not
24 going to bore you with reading the whole thing -- as long
25 as you're a general contractor, you can have a

1 subcontractor work for you. If you're a specialty
2 contractor, you cannot have a contractor sub underneath
3 you. That's one of the basic premises of 18.27, RCW, for
4 contractors.

5 However, I will caution those of you that will hire a
6 subcontractor as being a general contractor. As being a
7 general contractor, you are completely responsible for any
8 failure of your subcontractor. This includes prevailing
9 wage. This includes employment standards. This includes
10 licensing, permitting. It includes every aspect of it.
11 If they don't abide by it or if they didn't do it, you're
12 the one that gets stuck with the warranty of it. That's
13 how the rules work. So as you would hire a contractor to
14 do other work, please keep in mind that you are also
15 liable for the work that subcontractor does.

16 Now I want to talk about one more thing under this.
17 Because one of the issues that comes up is one elevator
18 company hires another elevator company to do some of the
19 associated work. As long as it's done by a licensed
20 elevator mechanic, then as a general contractor, you're
21 not held to the 75 percent supervision of that work. But
22 if they are not, such as you hire a flooring company to
23 install the floor and you sub through that, then you are
24 responsible for supervising the work.

25 This is on new, by the way. There's kind of

1 alterations where we have not required to be a licensed
2 mechanic. This doesn't apply to that. In WAC 296-96-903,
3 I believe, Exemption from Licensing, that's not this.

4 Are there any questions in regards to this subject?

5 MR. CAVMORY: Just a little bit about that. So if we
6 install and permit a new elevator but the owner of the
7 building hires someone to put the floor in --

8 MR. DAY: You're not the general anymore.

9 MR. CAVMORY: We're not the general for the floor,
10 but we do have the permit to install the elevator. How
11 does the final inspection work on that if we did not
12 install the floor that's in the elevator.

13 MR. DAY: Nobody can work on that elevator.

14 MR. CAVMORY: But the owner -- it's the owner. Not
15 us.

16 MR. DAY: This new elevator, you're required to have
17 a mechanic there 75 percent of the time.

18 MR. CAVMORY: No, no. I understand that that's the
19 requirement. That's my question. We have nothing to do
20 with it, though.

21 MR. DAY: No. The warranty would go to the
22 contractor who hired them or to that sub. Is that what
23 you mean?

24 MR. CAVMORY: But at the final inspection, are you
25 actually doing -- if we ask for a final inspection and

1 somebody else -- the owner put the floor in, say he put it
2 in himself, how does that work?

3 MR. DAY: If we were in knowledge of it, then that
4 owner or whoever did that work is in violation of RCW.

5 MR. CAVMORY: But how does that affect us? That's my
6 question. Do we still get the final on it?

7 MR. DAY: It affects you in two ways. And I'm glad
8 you brought that up.

9 MR. CAVMORY: That's what I'm trying to figure out.
10 Because I want to understand the ramifications.

11 MR. DAY: The main way is any violation of the rule,
12 you're supposed to report it. Did you guys not know that?
13 So it can affect you that way because you actually did
14 know that, right, or your mechanic did. So that mechanic,
15 by keeping his license is supposed to tell us. That's
16 that tattletale thing we all kind of push back every now
17 and then. But that's there. That's the main crux of it
18 right there.

19 Becky, is there any other that I'm not familiar with?

20 MS. ERNSTES: No. Not that I know.

21 MR. CAVMORY: Assuming it was reported and/or we had
22 no knowledge for some reason, it would not impact our
23 ability to get a final on that elevator.

24 MR. DAY: Well, it could, absolutely.

25 MR. CAVMORY: That's what I'm trying to understand.

1 MR. DAY: Because it was illegal activity performed
2 on it. The flooring is part of our inspection.

3 MR. CAVMORY: Right.

4 MR. DAY: And if it wasn't done properly . . .

5 MR. CAVMORY: So that's -- your position is that
6 since we have the permit to install the elevator, we're
7 ultimately --

8 MR. DAY: That's your -- you know, the RCW is very
9 plain in regards to this. This kind of gets into the
10 contractor's checklist a little bit. Whoever pulls the
11 permit is the owner of the conveyance until the inspector
12 signs it off.

13 MR. CAVMORY: That was where I was trying to figure
14 it out.

15 MR. DAY: So anybody that basically, in the state of
16 Washington as far we're concerned, legally, if you didn't
17 get an inspection, you still own it. It could have been
18 ten years ago, but it's your baby. You installed
19 something you didn't get a permit for, the elevator
20 company owns that, too. Not just the owner.

21 MR. SPAFFORD: So actually, I'm seeing two permits
22 pulled out on elevators now: one specifically for cab
23 work and one specifically for the installation of the
24 elevator. So how are you going with that?

25 MR. DAY: That's a very touchy subject, right? So

1 who has done what? What's included in the first permit?
2 And if the first permit didn't include -- and we've had
3 this happen. It doesn't include the cab work, then
4 somebody's got to pull a permit for the cab work, right?
5 So then you see two -- then you should see two permits if
6 the first one didn't include cab work.

7 MR. SPAFFORD: So do you hold off a final on the
8 first permit until after the cab work is done?

9 MR. DAY: It has to be done. It can't pass unless
10 that's done.

11 MR. CLEARY: On residential, that's different,
12 though. A lot of times contractors will want to do the
13 cab interiors. So you do the final -- elevator permit
14 takes us -- we can get a cab through that's got a raw
15 interior. But then there is no follow-up requirements so
16 then anybody can put that cab in, or the homeowner can.

17 MS. ERNSTES: That's not true. Alterations apply to
18 residential elevators. So if that passes with that cab
19 and somebody else comes along and alters that cab
20 interior, that is a permitted item. Alterations apply to
21 residential for its life.

22 MR. CLEARY: Okay. Good. I wanted that clarified.
23 Very good.

24 MR. DAY: So understand -- you know, one of the
25 things when we read a new, some of it is in like 7 or 8

1 font so it's kind of hard to read it, but we're covered by
2 others, you know. Many companies submit that in there.
3 And you sell away the cab work or it's not included, you
4 know. Right there off the bat, you know, we know if it
5 was included or not.

6 Alteration is a little bit tougher. But on
7 alteration, we expect if you're doing the cab work, that
8 that's also one of the line items you put in your
9 alteration permit, that you're also doing the cab work.
10 Because if you're not, then you're leaving it out. Well,
11 who's doing it?

12 MR. CLEARY: Any questions on that?

13 The last thing we want to talk about is committee
14 review process. If you look at what was handed out,
15 there's been some comments brought back to myself into the
16 State on is there any process in place for people that do
17 not -- aren't compliant to the MCP or get caught doing
18 things they shouldn't be doing? And what, if anything, is
19 it -- how does the public know that there are companies
20 that are compliant, there are companies that aren't
21 compliant? Is there any type of public awareness for
22 customers?

23 And so what we're doing is we're going to -- and I'll
24 let Jack talk a bit too. Are there any thoughts on how
25 this process is? It's been bantered back and forth that

1 we have a committee and violations are brought to the
2 committee, and then amongst the committee members it's
3 decided what happens, and then it's made public. So with
4 the Part B coming into place or trying to get the permits
5 to do blocks of permits, there's got to be the
6 carrot-and-the-stick type of way of doing things. So
7 we've been bantering this back and forth, and it's
8 something we want to discuss.

9 MR. DAY: It has been going back and forth for quite
10 some time now. And if there's a licensing violation or
11 something, usually somebody ends up sitting across from me
12 at my desk, and we talk about what happened and what's the
13 results of this, you know. Is this a recension of their
14 license? Suspension of their license? Is this a civil
15 penalty? What is it? A lot of folks don't know what
16 takes place, and they're not, A, even aware. A lot of you
17 aren't even aware of what takes place.

18 What I'm looking for is a couple different things.
19 I'm looking for a method to be more open through this
20 process, for the Department to be open, and for people to
21 see it, to see what that entails in this process. I'm
22 looking to cause a paradigm shift rather quickly. I'm
23 also looking for the process so the process is similar
24 from A to B to C to D, all the way through anything that
25 would be handled in the same way.

1 So really, this was brought up, and I wanted to just
2 have a short discussion with the group about interest in
3 if there's a licensing issue out in the state where the
4 inspector would write up a licensing violation, is there
5 interest in a public review committee that would give
6 recommendations to the Department on how to proceed with
7 that individual or company.

8 MR. TAPLIN: Can I ask a question here?

9 MR. DAY: Hang on just a second, Dan. You can.

10 MR. CLEARY: Anybody on the Committee interested in
11 this?

12 MR. DAY: Silence.

13 MR. LARSON: Without getting my throat slit?

14 MR. DAY: You can advocate not to comment because
15 of --

16 MR. LARSON: I don't think it's a bad idea. And
17 having said that, I don't know that I would personally
18 want to serve on that committee because I think I would be
19 a tainted -- and again, I think anybody would have to
20 recuse themselves if their company was involved, anybody
21 that would sit on that committee. I think it should be --
22 it should be an outside group that does that.

23 MR. DAY: That's interesting.

24 MR. McNEILL: I agree. I'd have a conflict of
25 interest.

1 MR. CLEARY: I think it would be very difficult of
2 have anybody on the Committee sit on that. It could be a
3 third party or independents that are out there looking at
4 it from different elevation, different way of looking at
5 it.

6 Dave?

7 MR. SPAFFORD: It would have to be on the outside.

8 MR. BECKER: I agree. If I'm -- especially if I'm
9 trying to represent a certain group and then I'm sitting
10 here. It's awful touchy.

11 MR. CLEARY: I agree. Like I said, it would be --

12 MR. DAY: So what if it's not somebody from this
13 group? I'm not talking about -- I wouldn't be talking
14 about the Advisory having another job to do. What if it's
15 not the Advisory that's doing it, it was other folks out
16 in the community?

17 MR. SPAFFORD: I could see that passing before what
18 we have in place.

19 MR. LARSON: The only problem I see with that, Jack,
20 is will they have the sufficient expertise to know what
21 they're looking at?

22 MR. DAY: Yeah. I'm not sure.

23 MR. LARSON: And some involvement of this group is
24 probably critical to make sure that expertise is there.

25 MR. DAY: What do you mean by that, involvement from

1 this group is probably critical?

2 MR. LARSON: I think there probably needs to be
3 people on the committee that could explain any technical
4 aspect of whatever went wrong.

5 MR. CLEARY: I would see this as being more
6 transparency than like a group that makes judgment. So
7 something else kind of to think about.

8 MR. DAY: That's what I'm looking for is
9 transparency, by the way, how we do it. This was just a
10 suggestion. If there's another suggestion, I'd love to
11 hear it.

12 Dan?

13 MR. TAPLIN: I guess it's like what is the motivation
14 for this? And what is the purpose? What do you want to
15 accomplish? And why does there need to be a change? What
16 has happened that has even brought this to a point where
17 something needs to change?

18 MR. CLEARY: It's obvious self-policing isn't really
19 working very well. That comes back from photos from
20 inspectors and just seeing what's out there. And I think,
21 you know, people knowing that companies are doing things
22 right and people that aren't doing things right, one, I
23 think it helps self-police, two, I think it gives the
24 consumer some protection and lets them know who is out
25 there, who is doing things right and who isn't. You know,

1 just take a look at these photos.

2 MR. TAPLIN: I understand. I saw the photos. That's
3 why the inspector is there. So, I mean, what more do you
4 want to happen?

5 MR. DAY: What I want to happen is that maintenance
6 happens outside of once a year when we show up. What a
7 concept. Because I'm looking at mostly maintenance
8 companies. What a concept. That's what I want to have
9 happen outside of when we show up. Do your job when
10 you're supposed to do it.

11 MR. TAPLIN: Okay. I see a picture of some oil on a
12 floor. And I wouldn't say that that has been maintained
13 once a year because there's oil on the floor. I see some
14 oil on a car top. I wouldn't jump to the conclusion that
15 somebody has only maintained this once a year. Is that
16 your conclusion?

17 MR. DAY: I'm sorry?

18 MR. TAPLIN: Is that the conclusion when you see
19 these pictures?

20 MR. DAY: When I see those pictures, what I see is
21 somebody not completing the maintenance tasks that are in
22 front of them, whether it's once a year, twice a year,
23 four times a year, 12 times a year or 52 times a year.
24 It's not being maintained. Age, use, environmental
25 condition, inherent design quality, it isn't being

1 maintained.

2 And what you don't see is what I didn't put up which
3 is the maintenance company's logs for each one of these
4 pictures that coincide with who was there last and what
5 they did and said they did. The pictures weren't taken
6 outside of taking a picture of the log where somebody was
7 just in and did a controller procedure.

8 So the point here is if somebody's going to be in an
9 open forum in an open review, is it going to be as likely
10 that they're going to take their role, their job, their
11 company's position of providing maintenance a little bit
12 more serious than they would sitting with me?

13 But this is the dialogue that I wanted to have
14 happen. So your point, I understand your point.

15 MR. TAPLIN: I guess that's what I'm saying is, isn't
16 that what an inspector is for? I mean, do we need an
17 inspector for the inspector? I mean, you already -- we
18 already do that.

19 MS. GILLESPIE: I have a comment. And I kind of see
20 how, okay, what you're saying as far as the maintenance,
21 but isn't that why the companies are going to sit with you
22 and you're going to verify our maintenance control
23 programs are what you want? And then shouldn't that be
24 the gauge of the maintenance that's going to happen?
25 Because then I think that should resolve that. Because

1 right now we're seeing maintenance control programs that
2 really aren't up to code. And I don't know. And then
3 from there, if people aren't doing the maintenance, then
4 you might have to do something else.

5 But right now we're seeing such a variance in
6 maintenance control programs when we got out into machine
7 rooms. You know, you're correct. Some companies are only
8 looking at things once a year. And how can that qualify?
9 But I don't know. That's just my comment on it.

10 MR. DAY: Somebody else that had their hand up?

11 MR. CLEARY: Becky?

12 MS. ERNSTES: I see it kind of like when I worked for
13 the union we had an executive review board. So if you did
14 something that was against the rules, you had to come
15 before the executive board and explain yourself of why you
16 shouldn't be suspended or your license shouldn't be
17 pulled. And it's just, you know, accountability. It's
18 like all that stuff is accountability.

19 Any person who's a mechanic who would let that stuff
20 go without telling their bosses the condition of that,
21 they're not being accountable. Should they have a
22 license? If you go on a job and there are certain real
23 violations like jumpers on safety circuits, that person
24 needs some kind of accountability. They're not doing
25 their job. That's what we're really looking for: company

1 and mechanic.

2 Our once-a-year visit is just an audit of what
3 happened today. This stuff isn't two months old or six
4 months old. It's been going on a long time. Maybe it
5 was, you know, right after we left last year. Oh, they're
6 there, and, oh, good, we don't have to show up till next
7 year.

8 MR. DAY: So the finalities of it, is that it? Is
9 having the log there and our review once a year going to
10 do it, really? I'm asking the question. Is that going to
11 fulfill maintenance in the state of Washington, having the
12 log? Yes, you have a log, and yes, we'll come in there
13 once a year to see it. Is that what we're really looking
14 for to show the other -- and this won't happen without
15 accountability and enforcement.

16 This MCP sits on a table. The table has to have four
17 legs. Accountability is part of it. Is once a year
18 enough? Well, once a year when we come in and see stuff
19 like this and actually look at the log where somebody
20 signed it off, we ask ourselves: Why? You signed the log
21 that you did clean the car top because it's on their MCP
22 and they did clean the car top.

23 Anyway, I'm looking for accountability. I'm looking
24 for ideas. I'm reaching out and asking for ideas on it.

25 MR. CLEARY: Swen?

1 MR. LARSON: I've got one. Rather than -- you know,
2 I see dirty pits. And I've cleaned pits, and the next day
3 they come and clean the building out at night and sweep
4 all the stuff -- they sweep out the freight car into the
5 pit. I kept a 55-gallon drum in there, and you can clean
6 it two or three times a week and you can walk in there on
7 any given day and there would be this much crap on the
8 floor. If we limit it to accident investigations where
9 there'd been an injury or a close call or something, I
10 think we'd be more helpful than something like a dirty
11 pit. You know, some of this stuff is pretty egregious,

12 MR. TAPLIN: That's what I was referring to, Jack, is
13 on your pictures it shows, if you're talking about
14 incidents like that picture right there, and it's like
15 that's my indictment of an elevator mechanic and we're
16 going to threaten him with different procedures than what
17 you're talking about here, then that can -- I was talking
18 just like Swen. If that's a different thing than if I
19 walk in and jumpers or a lightbulb that burned out
20 yesterday that, like Becky said, that could have happened
21 the day after you came or it could have happened the day
22 before you came. And then based on someone else coming in
23 and looking at something and making a conclusion, and
24 assuming that it's correct and that being authority, it
25 seems pretty -- pretty gray there.

1 future business is things we've talked about in the past
2 that is not really hot on the agenda, so we'll talk more
3 about that on the next meeting. So I motion that we
4 adjourn.

5 MR. LARSON: I want to send around a sign-in list for
6 anybody that's interested in the residential committee.
7 Just name, telephone number and e-mail address.

8 MS. ERNSTES: Has everybody signed the sign-in sheet?
9 Please do so.

10 MR. DAY: How about your question and answer?

11 MS. ERNSTES: I passed them out.

12 MR. CLEARY: Adjourn? Second?

13 MR. LARSON: Second.

14 MR. CLEARY: All in favor?

15 ALL: Aye.

16 (Whereupon, proceedings
17 adjourned at 11:00 a.m.)
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C E R T I F I C A T E

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I, Cheryl A. Smith, a Certified Court Reporter and an officer of the Court, do hereby certify:

That the foregoing deposition transcript of the witness named herein was taken before me and transcribed under my direction; that the transcript is a full, true and complete transcript of the proceedings, including all questions, objections, motions and exceptions of counsel, made and taken at the time of the foregoing proceedings, to the best of my abilities;

That I am not a relative, employee, attorney or counsel of any party to this action or relative or employee of any such attorney or counsel, and that I am not financially interested in the said action or the outcome thereof;

That the witness, before examination, was by me duly sworn, and the transcript was made available to the witness for reading and signing upon completion of transcription, unless indicated herein the waiving of signature.

IN WITNESS WHEREOF, I have hereunto set my hand on this 7th day of March, 2013, at Auburn, Washington.


Cheryl A. Smith, CCR, CVR-M
(CCR License #3017)

Elevator Advisory Committee Meeting Sign-in

Last Name	First Name	Contact Number	Email Address
CLARK	SCOTT	253-896-0970	SCOTT@MOBILITYCONCEPTSINC
LARSON	SUEN	206-465-8072	SLEASON@TUEC19.ORG
MENELL	ROB	425-269-3302	ROBERT.MENELL@KIND.COM
BECKER	KEITH	509-595-8262	KEITH@PNW.COOP
SPAFFORD	DAVID	206-255-2266	DAVID.SPAFFORD@SEATTLE.GOV
DAY	JACK	360-902-6128	DAYJ235@LN.WA.GOV
ERNSTES	BECKY	360-902-6456	ERNB235@LN.WA.GOV
STANLEY	CORKI	360-902-6129	STCO235@LN.WA.GOV
DUNN	MARK	503-519-3863	MARK.DUNNE@KONE.COM
Summy	Cassie	503-270-7038	Cassie.Cummy@otis.com
Crawford	Amy	(206) 762-1969	amy@adaptiveinstallations.com
Gillespie	Dee	425 864-0134	D.Gillespie@eltec.co
TAPLIN	DAN	425 864 0558	daplin@eltec
LEWIS	RICHARD	425-455-8684	RLWIS@AMERICANELEVATOR.COM
Riley	Edward	206-796-7239	e@american.elevator.com
HAMILTON	ERIC	206 719 5045	ERIC.H@WATERSANDWOODINC.COM
HANSEN	MARK	206 762 5149	PROFANICE@earthlink.net
MCLAUGHLIN	BOB	206 246 3062	tidelink@windspring.com
SPRAGUE	SCOTT	360-779-7795	accumar@gmail.com

Please Note: This sign-in sheet is a public record, and the information provided is open to public disclosure under the Public Records Act (RCW 42.56).

Elevator Advisory Committee Meeting Sign-in

Last Name	First Name	Contact Number	Email Address
Klein	Jym	206 248 6416	Jym.klein@otis.com
Pop	Marius	425-821-3160	mpop@primariuselevators.com
TOMASINO	ANTHONY	509-735-0136	TOMA35@LNI.WA.GOV
Wilson	MIKE	253-377-5495	WILM235@lwi.wa.gov
Metcalfe	Richard	425-990 1461	metr235@lwi.wa.gov
RYAN	ANDREW	253-653-3379	andrew.f.ryan@boeing.com
GEORGE WANGERSKY	GEORGE	425 286 7620	george.h.wangergsky@boeing.com
Whitehair	Byron	425-702-1266	Byron.Whitehair@ThyssenKrupp.com
Henderson	Ricky	425-864-3584	Ricky.Henderson@ThyssenKrupp.com
Buntin	SKIP	206 571-4997	skip.buntin@seattle.org
MORRELL	Bill	206 962 1061	medsurgsys@AOL.com
Hansen	Ingrid	206 244 9984	Hansenings@concent.net
Whitson	Jerry	509 520 4550	JLWhitson@NUGER.COM

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