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**Subcommittee on Regulations Meeting Minutes – August 24, 2022**  
**Teleconference**

This meeting was open to the public and began approximately 10:07 AM.

Subcommittee member attendance:

Jeff Dougan, Chairperson (JD)  
Carol Steinberg, Vice Chairperson (CS)  
Patricia Mendez (PM)  
Deborah Ryan (DR)  
Elizabeth Myska (EM)  
Paul Logan (PL)  
Mike Kennedy (MK)  
Ana Julian (AJ)

Division of Professional Licensure Employees attendance:

William Joyce – AAB Executive Director (WJ)  
James Plotkin – Legal Counsel (JP)  
Bradley Souders – Office Support Specialist (BS)

JD opened the meeting for Roll Call:

MK, PL, PM, EM, DR, AJ, CS

1. 10:08 AM 409 Private Residence Elevators

- WJ: There is no equivalent section in MAAB for this.
- JD: These are purely for multiple dwelling, ADA-covered units?
- WJ: This is anywhere you are using a private elevator in a private residence- certain multi-dwellings.
- CS: Is there a definition of private residence elevators?
- WJ: This is a different type of device than a regulator elevator and is covered by a different section of the elevator code. They are a lot closer in type to a LULA. Each one can only run about a floor or two in my experience. It is defined in the elevator code. You can only use it to service individual levels within a unit- you cannot go between units.
- JD: The elevator board would have jurisdiction over these. Is there anything here that conflicts with them?
- WJ: Not that I'm aware of. Most of these requirements are basically the standard Federal requirements.
- JD: Are we thinking of private residential elevators wholesale?



- WJ: I would think so just because we do not have anything to compare it against. After looking through this, it seems standard. We will just have to come back to 409.1 when we do scoping for every section.
- CS: Is the cab size different than the regular requirements for passenger elevators?
- WJ: Yes, this is closer in type to a LULA or vertical lift; these are meant to hold 1 or 2 people. It is small.
- CS: If someone is in a wheelchair they can fit?
- WJ: Yes. Their primary use is to provide stair-free access.
- JD: Can you go to 409.4? It is a pretty small space.
- WJ: It is meant for an individual travelling within a unit.
- JD: We currently require a lift- what is the largest lift size?
- WJ: Technically, right now we would allow a residential elevator in a townhouse.
- JD: Okay, so we already allow the use of these.
- PM: Do residential elevators have buttons you have to press all the time? Or can you push one time?
- WJ: I think you only need to push one time, but that is something I am not 100% sure about.
- JD: Does anyone else have questions on the car controls?
- PL: It would be better to have one button as opposed to holding it constantly.
- MK: I agree. And I agree with CS' concerns about cab size as well.
- CS: How does this cab size (36x48) compare to lifts and LULA's?
- WJ: It is significantly smaller than a LULA, it is about the same size as an inclined lift, and for a vertical lift it is not as deep (36x54).
- WJ: Most residential elevators use non-constant pressure switch from a quick search. They use sequential call responses which are not as complex.
- JD: I have a feeling these are common. Can we add "and shall not require constant pressure to operate."
- WJ: So, I do not know how that complies with the elevator code.
- JD: The elevator code oversees the automation?
- WJ: They also use constant pressure switches because it is what the elevator board requires of them.
- PL: Do we know why? It is difficult.
- WJ: I believe it is a safety reason tied to a technical reason.
- PL: Okay, thank you.
- DR: Residential elevators do not require constant pressure. The industry standard is 36x48. You will not see this a lot, and they do apply to Group 2 units, and most people are designing flats rather than using a residential elevator.
- PL: I suggest we move forward with this.
- CS: When new developments are building 2 floor units, are they putting vertical lifts in instead of elevators?
- DR: Current regs allow for the future installation of a lift. I don't see too many 2 floor units.
- CS: What makes you say this applies only to Group 2?
- WJ: We have had multi-level Group 1 units, but they are very rare. These primarily get installed in private homes.

Motion to Approve 409 by PL  
 2<sup>nd</sup> by MK  
 By Acclamation/Carried

- WJ: 410.1 we will come back to when we do scoping, 410.2 is equivalent, and 410.3 is where there is a difference. ADAAG lets people have a smaller platform size than we do. We specify 36x54. I think the flushness requirement is the same.

Motion to Adopt 521 regs be adopted for 410.3 by CS  
2<sup>nd</sup> by PL

- PL: Why is there such a discrepancy in sizes?
- WJ: I don't know. I think our requirement is to allow a second person or service animal to be able to go into the lift.
- MK: The other benefit of a wider platform is the constant pressure button so there is room for someone to assist with that.

By Acclamation/Carried

- WJ: We require a 36 clear door rather than a 32 clear door.
- DR: I would urge the Board to adopt the 32-inch clear opening door.
- PL: If I have 36-inch doors in my house, is the clear opening 32?
- DR: The minimum is 32, it could be 34.
- JD: Typical 36-inch doors have a 32-inch opening.
- CS: Has 36 inches been in effect?
- WJ: Currently it points you to 32 inches in 521.
- PM: It makes sense if all other doors are 32 inches.
- WJ: In the draft regulations it is correct that we had written down 36 inches.
- CS: I am thinking about the approach to a vertical lift. If you approach from the side, you need a wider door.

Motion to Approve 410.6 with 32 inches by PL  
2<sup>nd</sup> by MK

Roll Call Vote

AJ- yes

DR- yes

EM- yes

PM- yes

PL- yes

MK- yes

CS- no

6 yes, 1 no, - Motion Passes

- WJ: There is a requirement in 521 that the lift be installed permanently. Do we want to have a specific call-out for lifts?
- CS: I think it is permanent we call that out.
- WJ: I do not think a call-out for maintaining lifts does not accomplish anything given the demographic of who reads our code versus who maintains the lifts.
- JD: Advocates read the regs as well. Is it helpful to call out here to maintain it or should we refer to 2.6?
- MK: I think realistically, no one is going to read the entirety of 521 at once. I think it's a good idea to call it out here.
- CS: I see no downside. Maybe there could be a reference.



- WJ: My only issue is redundancy in the codebook.
- PM: I agree, but this case is important. Besides advocates, no one really knows how to use portable lifts.
- DR: I think this issue comes down to the building owner having a maintenance contract with the lift installer. The other issue is if the elevator board inspects these yearly. I have no problem with it being there.
- WJ: I don't have a problem with this being here, it is just whenever we have redundancy I want to ask every time.
- CS: If it is in there, then the architect knows.

Motion to Add language red language to 410.1 by CS

2<sup>nd</sup> by PM

By Acclamation/Carried

411

- JD: I would love to explicitly state the clear floor space in this section.

Motion to Accept all changes made to 411 by DR

2<sup>nd</sup> by PL

By Acclamation/Carried

Motion to Accept the minutes by DR

2<sup>nd</sup> by CS

By Acclamation/Carried

DR Leaves meeting

412

- WJ: Okay so this is from PROWAG. Equivalent to our walkway section.
- JD: I am hoping we can make this clean; it is throwing you to 14 different sections.
- JD: This is only for on street?
- WJ: Our coverage would be outdoor pedestrian access routes.
- JD: On-site walkways as well?
- WJ: Yes.
- CS: On-site means walkways in an apartment complex for example?
- JD: Yes.

WJ gives an overview of the section.

- JD: Would this cover crosswalks?
- WJ: I think so.
- WJ: Yes, it does.
- JD: So will this replace our walkway section?
- WJ: Yes.

Motion to Adopt 5 feet width in 412.3.1 by CS

2<sup>nd</sup> by AJ

By Acclamation/Carried



- CS: I think 412.5 should say it refers to its own subsections
- WJ: I think for consistency we should not change that.
- WJ: We can get rid of 412.5.4 and 412.5.5 because it is dealing with ADAAG not having a variance process.

Motion to Strike 412.5.4 and 412.5.5 by CS

2<sup>nd</sup> by PL

By Acclamation/Carried.

- WJ: These are way more stringent than anything we have ever done before. You don't need to make any changes because we will eventually adopt the whole thing as written.
- JD: IS this (412.7) an area where we would want to break it up into sections?
- WJ: I could go either way.

Motion to incorporate 521 CMR references to other sections into 412.7.3 and to delete "and at track crossings" by PL

2<sup>nd</sup> by MK

By Acclamation/Carried

Motion to Accept 412.7.4 as seen on the screen by PL

2<sup>nd</sup> by AJ

By Acclamation/Carried

- WJ: 413 is the temporary routes when sidewalks are being reconstructed.
- JD: We will revisit section 413 next meeting. If staff can bring relevant sections of MUTCD.

