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PROFESSIONAL LICENSURE

**Minutes**

**Board of Elevator Regulations**  
**1000 Washington Street**  
**Boston, MA 02118**  
**1<sup>st</sup> Floor – Room 1G**  
**May 1, 2019**

**Board Members Present:**

Stephen Sampson, Chairman  
David Gaudet  
Eric Morse  
John O'Donoghue  
Cheryl Davis  
Brian Ronan

**Guests Present:**

Bruce Horne (NEII – Otis Elevator)  
Dylan Isenberg (NEII)  
Al Sjogren (Bay State Elevator)  
Neil Mullane (KONE)

**Board Members Absent:**

David Morgan

**Division of Professional Licensure Staff:**

Ruthy Barros  
Charles Kilb

**The Board discussed the following:**

1. The Board of Elevator Regulations meeting scheduled for 10:00 am did not commence due to the absence of a quorum.
2. Mr. Horne addressed the Board with concerns that 524 CMR does not include the adoption of A17.3 or A17.7. Mr. Horne stated that compared to the national model code, the elevator code in Massachusetts increases costs for construction and maintenance,

restricts technology, and imposes numerous unnecessary requirements for building owners and developers. Mr. Horne then continued to list several regressive sections of 524 CMR, including recommended changes:

a) **524 CMR 4.00: Accident and Injury Reporting Requirements.**

- NEII is concerned that the language included in 524 CMR 4.00 is overly broad and encourages the Board to review the data collected and related actions under this requirement before agreeing to include it as part of the next code update.

b) **524 CMR 5.03 (11) Elevator Contractor Duties and Responsibilities.**

- Pre-testing for periodic inspections results in substantial costs and administrative burdens to companies and building owners as elevator service companies will need to perform aspects of each periodic inspection twice – once in preparation and once when they are undertaking the official witnessed inspection. NEII recommends that the Board direct the Department of Professional Licensure (Department) to institute a trial period of six months to determine whether this provision has made substantial progress reducing inspection violations.

c) **524 CMR 8.02 (3) Practical Tests and Inspections.**

- NEII encourages Massachusetts to follow the A17.1 requirements and permit alternative testing.

d) **524 CMR 35: Safety code for elevators and escalators A17.1-2013 and the Massachusetts modifications of that code.**

- NEII strongly recommends that the Board reject deviations to A17.1 unless presented with empirical data justifying the safety need for these changes.

Lastly, Mr. Horne stated that NEII also advocates that 524 CMR include a requirement for the Board to review and adopt a new elevator code within one year of the publication of the most recent edition of A17.1.

3. Mr. Isenberg reiterated the comments made by Mr. Horne.
4. Mr. Sjogren addressed the Board with comments regarding consistency if a standard pre-inspection checklist required during annual inspections.
5. Mr. Mullane addressed the Board with concerns regarding administrating a pre-inspection checklist, stating it could be difficult for Elevator Mechanics.
6. Mr. Sampson stated that after reviewing numerous failed annual inspections, he noticed that there were two occurring violations, access key switches/Phase I and Phase II key switches not working properly and door restrictors being removed or needing repair.

**Motion to Adjourn:** John O'Donoghue

**Seconded:** Brian Ronan

**Vote: 6-0; Adjourned.**

Hearing concluded at 1:39 p.m.

Prepared by: Ruthy Barros