

Testimony of Andrew W. Herf
Proponent of HB 236
House Economic Development, Commerce & Labor Committee
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Chairman Young, Vice Chairman Riedel, Ranking Member Lepore-Hagan and members of the House Economic Development, Commerce & Labor Committee, thank you for this opportunity to testify as a proponent of HB 236 today.

My name is Andrew Herf, and I am here today on behalf of the Elevator Industry Work Preservation Fund, which is an organization that has been established by labor and management in an attempt to make elevator workers safer, as well as, the general public by promoting model elevator laws across America. After my testimony, you will hear directly from the EIWPF.

The objective of HB 236 is to bring elevator laws in Ohio into line with other construction laws that deal with life safety issues and to bring Ohio law in line with 34 other states that are already doing what HB 236 would propose.

Let me first explain how life safety is treated in construction law in Ohio. Life safety is anything that would affect human life in a building. In other areas of construction in Ohio if a person is working in a life safety area, they are licensed

by the state, which would require the person to demonstrate a specific level of competency within that building trade. Not all tradespeople deal with life safety, so not all tradespeople need to be licensed. For example, plumbing contractors are licensed in Ohio, but not all plumbers are licensed. However, plumbers that install life safety systems such as fire suppression sprinkler systems are licensed. Those plumbers dealing with life safety are held to a higher standard.

In Ohio, ALL public elevators are life safety systems. However, the life safety standard does not apply to elevator constructors. HB 236 would correct this glaring outlier example and bring Ohio's elevator laws in line with the other life safety laws by requiring elevator constructors to obtain a license in Ohio.

Since sponsor testimony was offered several months ago, HB 236 has also been redrafted to reflect some concerns of other parties to the legislation. In particular, we worked with the Ohio Homebuilders Association and the Ohio Department of Commerce, Division of Industrial Compliance. We will continue to work with the Homebuilders to address the issues they have brought up, but we continue to feel strongly that at the very least an initial inspection of a residential elevator and subsequent inspection upon the transfer of a deed are important safety measures that should remain in place. We also believe homeowners should sign a document

that discourages the homeowner from attempting to modify their own elevator without the help of a professional.

With regard to the Division of Industrial Compliance, we have integrated several of their suggestions into the latest draft, including the definitions and keeping the current regulatory structure for inspections and inspector training. We believe that the state inspectors already meet the highest standard of training, and that those processes did not need to be addressed further in this bill.

Finally, I would like to point out the bill has been crafted by both business and labor groups. A clear example of this cooperation may be seen in lines 358 to 363. Those lines state exactly which training programs are acceptable to become licensed in Ohio. That paragraph names both the National Elevator Industry Educational Program (NEIEP) and the Certified Elevator Technician program (CET). NEIEP is the building trade program and CET is the non-union competitor. While the two groups compete for students and for elevator contracts, they agree that this legislation is needed. There will be more testimony regarding the certification programs.

Thank you for your consideration of this important bill this afternoon. I will be followed by other witnesses whose expertise is much deeper than my own. I am happy to answer questions, but in some instances other witnesses will be better situated to offer more thorough and complete answers.