

Testimony of Norman Martin
Proponent of HB 289
Commerce & Labor Committee
November 13, 2019

Chairwoman Manning, Vice Chair Dean, Ranking Member Lepore-Hagan and Members of the Committee:

My name is Norman Martin. I am employed by Schindler Elevator Corporation as a Codes and Standards Officer. It is my job to interface with various Authorities Having Jurisdiction across the USA and Canada.

Prior to my employment with Schindler Elevator, you might recognize me from my time as the Chief Elevator Inspector for the State of Ohio, a position from which I retired after 30 years of service.

Schindler is a member of the National Elevator Industry, Inc. or NEII, the national trade association representing the major elevator manufacturers. Collectively, NEII member companies represent approximately 85% of the total work hours in the industry and all have a large footprint here in Ohio.

My remarks today are on behalf of NEII but I also intend to draw upon my experience overseeing Ohio's elevator program.

The safety of workers and the riding public is a top priority of NEII and all its member companies. For that reason, I am here today to speak in favor of HB 289 and discuss the importance of licensed elevator mechanics.

The rationale behind HB 289 is straightforward. Elevators are extremely complex pieces of equipment and its absolutely necessary for the safety of both workers and elevator passengers in Ohio that those working on them are trained properly and demonstrate a fundamental competency.

Schindler and all of the other NEII member companies already ensure that their workers are adequately educated and trained according to nationally accredited standards, even in states that do not enforce any baseline licensing requirements for elevator mechanic. The problem arises when other companies hire employees without comparable training or a building owner uses its own in-house contractor to perform elevator work. This exposes the untrained worker, other industry personnel, inspectors and the riding public to potentially dangerous equipment.

During my time as Chief in Ohio, I remember plenty of accidents that resulted from mechanics being untrained and unqualified. Taking just one as an example, a mechanic was fatally injured in Akron when the elevator came down on him while he was working in the pit. This accident happened because the mechanic was not trained in the proper way to support the elevator while working underneath it. An accident like this might have been prevented had the mechanic undergone the proper education and training.

I want to make clear that I am not here today to advocate for any one specific training program. It is incorrect to portray this bill as being exclusive by imposing a mandate that all industry personnel go through the union's training program. HB 289 supports the non-union counterpart as well, the Certified Elevator Technician program—provided by the National Association of Elevator Contractors. Requiring mechanics to complete either of these training programs offers a significant opportunity for the State to increase the safety and reliability of its elevators.

I also want to express my strong support for the creation of an Elevator Board. Tasked with enforcing the narrow functions outlined in HB 289 , a board full of industry experts, labor reps., members of the public and government officials, is both knowledgeable enough to fully understand the issues and diverse enough to ensure the proper checks and balances.

Before taking questions, I want to reiterate my full support of HB 289. On behalf of NEII, Schindler and as a former Chief, I urge the committee to adopt licensing requirements and protect Ohio's elevator workers and passengers.

Thank you for the opportunity to testify today and I look forward to answering any of your questions.

Appendix

Examples of Fees from Elevator Inspection Programs:

State	Note:	Fees															
Iowa	Inspection once per year	<p>875—71.16(89A) Fees. Except as noted in this rule, all fees are nonrefundable and due in advance.</p> <p>71.16(1) <i>Operating permits.</i> The annual operating permit fee shall be \$75 per conveyance.</p> <p>71.16(2) <i>Periodic inspections.</i> Fees shall be remitted to the division of labor services within 30 days of the date of inspection. The fees for periodic inspections shall be as follows:</p> <ul style="list-style-type: none"> a. Construction elevator: \$200. b. Wind tower lift: \$225. c. Hand-powered elevator: \$90. d. Television tower elevator: \$500. e. Handicapped restricted use elevator: \$100. f. Other hydraulic elevator: \$100. g. Other traction elevator: \$150. h. Escalator: \$150. i. Dumbwaiter: \$90. j. Wheelchair lift: \$90. k. CPH. (1) Annual: \$500. (2) Quarterly: \$200. l. Moving walk: \$150. <p>71.16(3) <i>Installation permits.</i> The fees in this subrule cover the initial print review, installation permit, initial inspection and first-year operating permit. Each print revision submitted to the division shall be subject to an additional fee of \$100. The fees for new installations shall be as follows:</p> <ul style="list-style-type: none"> a. Wind tower lift: \$500. b. Hydraulic elevator: \$750. c. Traction elevator: \$1000. d. Escalator: \$1000. e. Dumbwaiter: \$500. f. Wheelchair lift: \$500. g. CPH: \$500. h. Moving walk: \$500. 															
Ohio	Inspection twice per year for elevators and escalators	<p>Ohio Revised Code 4105:</p> <p>"...(C) The fee for issuing or renewing a certificate of operation under section 4105.15 of the Revised Code for an elevator that is inspected every six months in accordance with division (A) of section 4105.10 of the Revised Code is two hundred twenty dollars plus twelve dollars for each floor where the elevator stops, except where the elevator has been inspected by a special inspector in accordance with section 4105.07 of the Revised Code.</p> <p>(D) The fee for issuing or renewing a certificate of operation under section 4105.05 of the Revised Code for an elevator that is inspected every twelve months in accordance with division (A) of section 4105.10 of the Revised Code is fifty-five dollars plus ten dollars for each floor where the elevator stops, except where the elevator has been inspected by a special inspector in accordance with section 4105.07 of the Revised Code.</p> <p>(E) The fee for issuing or renewing a certificate of operation under section 4105.15 of the Revised Code for an escalator or moving walk is three hundred dollars, except where the escalator or moving walk has been inspected by a special inspector in accordance section 4105.07 of the Revised Code."</p>															
Oregon	Escalators and moving walks inspected annually	<table border="1"> <tbody> <tr> <td>Dumbwaiter</td> <td>\$134.40</td> <td>Chairlift</td> <td>\$134.40</td> <td></td> </tr> <tr> <td>Sidewalk Elevator</td> <td>\$134.40</td> <td>Sidewalk Mat lift</td> <td>\$134.40</td> <td></td> </tr> <tr> <td>Freight Elevator 2-4 floors</td> <td>\$197.12</td> <td>LULA</td> <td>\$197.12</td> <td></td> </tr> </tbody> </table>	Dumbwaiter	\$134.40	Chairlift	\$134.40		Sidewalk Elevator	\$134.40	Sidewalk Mat lift	\$134.40		Freight Elevator 2-4 floors	\$197.12	LULA	\$197.12	
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	and passenger elevator every two years	<table border="1"> <tr> <td>Passenger Elevator 2-4 floors</td> <td>\$197.12</td> <td>Rack & Pinion</td> <td>\$197.12</td> </tr> <tr> <td>Stagelift</td> <td>\$197.12</td> <td>Special Purpose</td> <td>\$197.12</td> </tr> <tr> <td>Vert Reciprocating Conveyor</td> <td>\$197.12</td> <td>Wheelchair Lift</td> <td>\$197.12</td> </tr> <tr> <td>Material lift</td> <td>\$197.12</td> <td>Elevator 5-9 floors</td> <td>\$241.92</td> </tr> <tr> <td>Escalator</td> <td>\$219.52</td> <td>Inclined Elevator</td> <td>\$219.52</td> </tr> <tr> <td>Belt Manlift</td> <td>\$219.52</td> <td>Moving Walk</td> <td>\$219.52</td> </tr> <tr> <td>Elevator 10-19 floors</td> <td>\$300.16</td> <td>Elevator 20+ floors</td> <td>\$351.68</td> </tr> </table>	Passenger Elevator 2-4 floors	\$197.12	Rack & Pinion	\$197.12	Stagelift	\$197.12	Special Purpose	\$197.12	Vert Reciprocating Conveyor	\$197.12	Wheelchair Lift	\$197.12	Material lift	\$197.12	Elevator 5-9 floors	\$241.92	Escalator	\$219.52	Inclined Elevator	\$219.52	Belt Manlift	\$219.52	Moving Walk	\$219.52	Elevator 10-19 floors	\$300.16	Elevator 20+ floors	\$351.68	
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Indiana	Once per year inspection	\$120 per unit																													
Nebraska		<p>Nebraska's Elevator Law, Sections 48-2501 through 48-2533 requires conveyances including freight and passenger elevators, escalators, moving and material lifts in the state be inspected at least once every 12 months annual mechanical testing.</p> <p>The inspector issues a Certificate of Operation or notifies the owner or writing of any equipment found to be unsafe or unfit for operation. These indicate to the owner whether or not the equipment may be used without the repair. The inspector may permit the owner reasonable time to make repairs. Certificates of Operation must be posted inside the conveyance adjacent to the escalator or moving walk.</p> <p>The annual inspection fee may vary depending on the number of floors the conveyance. There is a flat fee for 1-5 floors served and an additional fee after that. Please refer to Section 48-418.09 of the statute for a list</p> <p>Elevator; inspections; fees; special inspection.</p> <p>Section 48-418.09 <i>Elevator; inspections; fees; special inspection.</i></p> <p>(1) The Commissioner of Labor may charge a reasonable fee for each elevator inspection. The commissioner shall establish the fees at necessary to meet the costs of the elevator inspection program as by the Legislature and to provide a sufficient balance in the Elevator Inspection Fund.</p> <p>(2) An annual inspection fee of not more than one hundred fifty dollars unit up to five floors plus five dollars for each floor over five shall each elevator inspected. For new installations, a preliminary inspection of not more than one hundred fifty dollars per unit up to five floors additional five dollars for each floor over five shall be paid for each inspected. For an initial inspection, a fee of not more than two hundred dollars per unit up to five floors plus five dollars for each floor over be paid. If an elevator does not pass an initial inspection and a reinspection is required, an additional initial inspection fee shall be charged for additional reinspection of such elevator. Such fees shall be paid owner or user for each elevator inspected by the state elevator by the inspector before the inspection certificate is issued.</p> <p>(3) For the class of elevators which includes escalators, moving sidewalks, conveyors, and dumbwaiters, the preliminary inspection fee shall more than one hundred fifty dollars per unit up to five floors plus be not additional five dollars for each floor over five. The initial inspection be not more than one hundred fifty dollars per unit up to five floors fee shall additional five dollars for each floor over five. The annual inspection be not more than one hundred fifty dollars per unit for up to five floors an fee shall additional charge of five dollars for each floor over five. If such moving sidewalk, conveyor, or dumbwaiter does not pass an initial inspection with escalator, and a reinspection is required, an additional initial inspection</p>	<p>that all walks, and have</p> <p>user in notices making any or</p> <p>served by per floor of fees.</p> <p>each level approved</p> <p>per be paid for fee plus an elevator five shall each</p> <p>plus an fee shall</p> <p>with escalator,</p>																												

		<p>shall be charged for each additional reinspection of such elevator. Such fees shall be paid by the owner or user for each escalator, moving sidewalk, conveyor, or dumbwaiter inspected by the state elevator inspector before the inspection certificate is issued.</p> <p>(4) If at any time the owner or user desires a special inspection of an elevator, it shall be made by the elevator inspector after due request therefor and the inspector making the inspection shall collect his or her expenses in connection therewith and a fee of not more than two hundred dollars for each elevator inspected with an additional charge of five dollars for each floor over five.</p>
Colorado		Private inspection. \$30 test filing fee on an annual basis. Owner pay for inspection independent of the State of Colorado.
Oklahoma		<p>Existing elevator – certification of operation \$25.00</p> <p>12. New elevator – inspection and certification \$150.00</p> <p>13. Elevator temporary certification \$25.00</p> <p>14. Elevator temporary mechanic license for 30 days \$10.00</p> <p>15. Labor for chief elevator inspector or deputy elevator inspector to perform inspection for issuance of certificate of operation:</p> <p>a. any escalator or moving walkway \$125.00</p> <p>b. elevator, two-four floors \$75.00</p> <p>c. elevator, five-ten floors \$100.00</p> <p>d. elevator, eleven floors and over \$125.00</p> <p>. wheelchair lift \$25.00</p>
Arkansas		<p>The fee for the operating permit is established by Rule 010.05-015(F).</p> <p>The owner or lessee of every power passenger elevator and escalator shall have it inspected periodically every sixth (6th) calendar month...</p> <p>For each inspection and report made at the direction of the department, the owner, lessee, or insurance company responsible for the report of inspection shall pay to the department a fee of one hundred dollars (\$100.00). The fee shall be paid directly to the department and shall be the only fee or charges for which such owner, lessee, or insurance company shall be liable for the inspection required by Ark. Code Ann. § 20-24-112(a).</p> <p>2. For witnessing the performance of all safety tests required by Ark. Code Ann. § 20-24-101 <i>et seq.</i> or these regulations, the owner, lessee, or insurance company responsible for the test shall pay to the department a fee of seventy-five dollars (\$75.00).</p> <p>Fees</p> <p>1. The annual fee to be charged for an operating permit is established by Ark. Code Ann. § 20-24-116, which provides:</p> <p>a. Dumbwaiters. \$30.00 annual</p> <p>. Elevators and wheelchair lifts. . . \$50.00 annual</p> <p>b. Escalators and moving walks. . . . \$85.00 annual</p>
Missouri		<p>Fee Schedule for inspections conducted by a State employed inspector with the Division of Fire Safety is as follows:</p> <p><input type="checkbox"/> Annual Inspection: \$125 per unit, PLUS expenses</p>

		<input type="checkbox"/> State Operating Certificate fee: \$25 per unit Use of private inspectors as well.
Other states with private inspection	Varies	Fees will vary from state to state in locations in which private inspectors conduct inspections. Many times the jurisdictional authority may charge a license fee and the private inspector will charge a separate inspection fee.
		<i>Note: All fees are separate from the fees associated with the maintenance and annual testing of the elevator equipment by the building's elevator maintenance company.</i>

Calculating Fees: Example

- a. Number of inspectors necessary to complete inspections on a twice per year basis (excluding certain devices) multiplied by their total wages and benefits (include estimated overtime) (inspectors can complete about 1000-1400 inspection per year depending upon how far their inspection headquarters were from their assigned territory and density of the inspection territory and the complexity of the equipment – i.e. the taller the building, the more time it takes to inspect. A simple hydraulic elevator in a two story building will take less time than a high rise building or building where there is complications to gaining entry or difficult inspection environment such as a steel mill);
- b. The number of inspectors multiplied by the estimated equipment, training and vehicle costs;
- c. Estimated administrative overhead charge-backs.

This has resulted in the following certificate of operation fees (see appendix for complete fees for Ohio - A "certificate of operation" includes the fees for the twice per year inspections):

2 story building:	\$244
10 story building:	\$340
Accessibility Lift or churches:	\$ 75

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