

Testimony in Support of HB 107

before the

Ohio Senate General Government Budget Committee

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Introduction

Good morning Chair Peterson, Vice Chair Cirino, Ranking Member Craig, and members of the Senate General Government Budget Committee, my name is Kevin Sullivan and I am here today to testify as a proponent of HB 107. I would like to thank Representative Baldrige for introducing HB 107. As a National Coordinator with the Elevator Industry Work Preservation Fund, as an elevator mechanic and as a Qualified Elevator Inspector I am experienced in advocating for conveyance safety throughout the United States.

The EIWPF is a non-profit labor-management cooperation committee that represents nearly 600 elevator manufacturing, maintenance and repair companies and the International Union of Elevator Constructors, which has approximately 25,000 workers in the elevator industry. Our organization is committed to promoting public safety and the general welfare of the elevator industry.

32 states have conveyance safety laws. Ohio's neighboring states such as, Kentucky, West Virginia, Michigan and Indiana all have elevator safety laws like the Ohio Proposal. Attached to my testimony is an updated chart encompassing the states that have adopted similar legislation.

Conveyances can be very dangerous if not constructed, maintained and repaired correctly. Legislative bodies across the country recognize the need for additional safety mechanisms pertaining to conveyance systems, as a result of the loss of life due to malfunctions and human error. In Ohio there have been 2 recent elevator related deaths: one involving a firefighter and the other involving an elevator maintenance mechanic.

The goal of HB 107 is to protect public safety with respect to elevators and other conveyances in Ohio. From a public policy standpoint, there are tremendous reasons to improve the safety of elevators and other conveyances. While the elevator industry is relatively safe when compared to other areas of construction, when something does go wrong, the stakes are high, and injuries can be serious or even fatal. The public policy implications of ensuring safe elevators and other conveyances obviously do not stop at individuals working on or near them, but also spills over to those members of the public -including Ohio residents and visitors -who ride on elevators and escalators every day. Protecting public safety through elevator safety laws is not a new approach. As noted before, a majority of states in the U.S. have long recognized the need to ensure public safety in the elevator industry, and have adopted similar laws.

The elevator industry is a highly technical field and in order to be proficient an Elevator Mechanic needs to have all, or part of the skill sets of an electrician, a steam fitter, an iron worker and a carpenter. To troubleshoot and maintain existing equipment an elevator mechanic needs to be proficient in basic relay logic from 75 years ago, the most sophisticated microprocessor and computer programmable equipment of today, every technology in between and every new technology that is developed in the future. These skills are learned on the job, in apprenticeship programs and through continuing education.

Currently, elevator mechanic training and education are not required in the State of Ohio. This is dangerous for the elevator riding public as well as elevator industry workers. It is important that this Legislature protect the people of Ohio and not compromise the safeguards that are statistically proven to make for a safer elevator industry.

The Elevator Safety Act

The proposed elevator safety law, HB 107 is a bill that, by design, covers all work in the elevator industry and trade, thereby providing the potential to vastly improve the safety of elevators, escalators and other conveyances. It governs safety, training, education, and licensing for elevator contractors and elevator mechanics. In addition to these key features, the bill incorporates the key applicable industry standards and codes developed by experts in the field, including the American Society of Mechanical Engineers.

First, to enhance equipment safety, the bill subjects equipment to specified registration and inspection requirements. Through the registration process, the state can obtain information on

the type, rated load and speed of the equipment, name of manufacturer, product location and the purpose for which the product is used. By requiring a certificate of operation for installations, the bill takes steps to make sure qualified elevator personnel properly completed the installation in compliance with National and State Elevator Safety Code Requirements.

Second, under the law, in order to work on elevators in Ohio, a business must obtain an elevator contractor's license and employ at least one licensed elevator mechanic. Key to the licensing requirements is that the contractor must demonstrate that it is reputable and has obtained the necessary insurance coverage. Moreover, the law demonstrates flexibility by authorizing reciprocity for contractors that have similar licenses in other states.

Third, the legislation establishes minimum training and education requirements for one to become a licensed elevator mechanic and sets forth continuing education requirements to renew a license, ensuring that elevator mechanics have the experience, training and knowledge necessary to safely and properly construct, install, service, test, repair and maintain elevators and other conveyances under the bill. Like elevator contractor's licenses, flexibility is granted for elevator mechanic's licenses in the form of a limited grandfather clause within one year of the effective date of the bill and reciprocity for a person that possesses an elevator mechanic's license from another state.

This legislation also provides two paths for becoming an elevator mechanic. The National Elevator Industry Educational Program and the Certified Elevator Technician Training Program

are both approved and recognized as Elevator Mechanic Apprenticeship Programs by the US Department of Labor.

Conclusion

In summary, by requiring licensing of elevator contractors, and elevator mechanics and raising the training and education standards needed to work on conveyances HB 107 helps address many of the potential dangers associated with elevators and other conveyances.

The EIWPF supports HB 107 because its design and purpose aligns with a key mission of the organization - improving the public safety of elevators and other conveyances.

Thank you for the opportunity to testify before the Committee today.

OTHER STATES' ELEVATOR SAFETY LAW

The following 22 states have implemented the Model Elevator Law in the past 21 years:

Alabama	Kentucky	Oklahoma
Arkansas	Louisiana	Utah
California	Maryland	Vermont
Colorado	Minnesota	Virginia
Florida	Mississippi	Washington DC
Georgia	Montana	West Virginia
Illinois	Nebraska	Wisconsin
Indiana	New York	

The following 7 states had implemented licensing and elevator safety law before the Elevator Industry Work Preservation Fund ("EIWPF") introduced the Model Elevator Law:

Connecticut	Massachusetts	Rhode Island
Hawaii	Michigan	
Maine	New Hampshire	

The following 5 states have passed elevator safety law without EIWPF's involvement:

Delaware
Missouri
Nevada
New Jersey
Washington

The following 4 states are looking at improving their elevator safety law:

Kansas

Ohio

New Mexico

Pennsylvania