

OFFICE OF THE ILLINOIS STATE FIRE MARSHAL

ELEVATOR SAFETY REVIEW BOARD MEETING

Thursday, November 5th, 2020

5860 West 111th Street, Chicago, Ridge, IL 60415

BOARD MEMBERS:

Daniel Baumann, Chairman

Robert Capuani, Director

Matthew Sebek, Counsel

Aaron Adams

Allison Allgaier

Herman Beneke

William Bogdan

Ed Christensen

Gerald Gross

Donald Plass

Robert Shanklin

Kelly Weller

Dick Gregory

1 MR. ROBERT CAPUANI: First, I would like to have a moment
2 silence for -- right now for the pain that all of these people
3 that have succumb to the COVID virus, all of our military, our
4 veterans, those who have passed, those who are still fighting.

5 And I'd also like for a falling firefighter,
6 Doland Cunningham (phonetic) of South Holland who died on the
7 job.

8 (Whereupon, the Pledge of Allegiance
9 was recited.)

10 CHAIRMAN BAUMANN: Let's begin by reviewing the Minutes
11 from the November 15th, 2018, the last meeting. Did everybody
12 read the Minutes? Did everybody accept the Minutes?

13 MR. GERALD GROSS: Motion.

14 CHAIRMAN BAUMANN: We have a motion to accept the
15 Minutes.

16 MR. KELLY WELLER: Second.

17 CHAIRMAN BAUMANN: It's moved and seconded.

18 Any questions on the minutes?

19 (No response.)

20 CHAIRMAN BAUMANN: Seeing no questions -- no questions
21 from the people on Webex?

22 MR. JC FULTZ: Anybody on Webex have questions from the
23 Board on the Minutes?

24 (No response.)

1 CHAIRMAN BAUMANN: Seeing no questions, all those in
2 favor say "Aye".

3 (Chorus of ayes.)

4 CHAIRMAN BAUMANN: All of those against?

5 (No response.)

6 CHAIRMAN BAUMANN: No negatives. We're all unanimous.

7 We're going to do a roll call for attendance.

8 Okay? I'm going to start with Gerald -- Jerry.

9 MR. GERALD GROSS: Gerald Gross.

10 MR. KELLY WELLER: Kelly Weller.

11 MR. MATTHEW SEBEK: Matt Sebek, General Counsel.

12 CHAIRMAN BAUMANN: Dan Baumann, Chairman.

13 MR. ROBERT CAPUANI: Bob Capalani with LSM (phonetic).

14 MR. DICK GREGORY: Dick Gregory, Consultant to the Fire
15 Marshal.

16 MR. ALLISON ALLGAIER: Allison Allgaier.

17 MR. HERMAN BENEKE: Herman Beneke.

18 MR. WILLIAM BOGDAN: Bill Bogdan.

19 MR. AARON ADAMS: Aaron Adams.

20 CHAIRMAN BAUMANN: The people on Webex?

21 MR. JC FULTZ: Just a second. All right. The people on
22 Webex?

23 MR. JOHN CARR: John Carr.

24 CHAIRMAN BAUMANN: Jenny?

1 MR. JC FULTZ: Do we have anybody else on Webex?

2 CHAIRMAN BAUMANN: John Carr is not a board member.

3 Jenny Noddy (phonetic) are you on Webex?

4 MR. JC FULTZ: Say it one more time.

5 CHAIRMAN BAUMANN: Jenny Noddy are you on Webex? Ed
6 Christiansen?

7 MR. JC FULTZ: Ed Christiansen and who else?

8 MR. DON PLASS: Don Plass.

9 MR. JC FULTZ: Done Plass?

10 CHAIRMAN BAUMANN: Whose in fourth?

11 MR. ROBERT CAPUANI: Terry Shanklin?

12 MR. JC FULTZ: One more time. Is Terry there?

13 Okay. We're good. We've got you.

14 MR. MATTHEW SEBEK: Are we going to be able to hear them
15 through the course of the meeting?

16 MR. JC FULTZ: You will, yes, once I get it up and
17 running. So just bear with me, guys. Sorry. Everybody online
18 bear with me. I'm going to put you on speaker phone when we do
19 a roll call. But for now I'm just trying to make sure that I
20 hear everyone; so just bear with us.

21 CHAIRMAN BAUMANN: No problem. This is going to be kind
22 of rough with all of this stuff going on. I hope everybody
23 understands. This is all new to all of us.

24 So, Bob, are you ready?

1 MR. ROBERT CAPUANI: I'm ready.

2 CHAIRMAN BAUMANN: Do you have the progress report?

3 MR. ROBERT CAPUANI: First, I would like to address the
4 Board, Mr. Chairman.

5 CHAIRMAN BAUMANN: Go right ahead.

6 MR. ROBERT CAPUANI: First, I would like to thank this
7 Board for all of their accomplishments in the past. I know
8 that I've had some rough decisions to make, but they saved
9 injuries or possible fatalities. Since November 18th this
10 Board has been a disappointment. I realize that this Board is
11 a volunteer appointment, but in the last year and a half I
12 could not get a quorum of 9 members.

13 I've tried to set up 9 meetings since the last
14 meeting of November of 2018 and before the pandemic with 6 or 7
15 saying that they can make it. This is not acceptable. If you
16 cannot meet your responsibility, I suggest you resign from the
17 Board.

18 I receive e-mails back from some group that
19 want to attend those individuals and thank the rest -- oh, yes.

20 I received e-mails back from the same group
21 that want to attend, but I have individuals that will not even
22 respond to numerous e-mails that are sent out. I am not the
23 babysitter of this Board. Dan Baumann is the Chairman of this
24 Board not me.

1 Another thing: If you e-mail me back saying
2 you will try to attend, I will take that as a "no". It would
3 be not fair for the Board or the public if we had 9 coming who
4 did not show up at the last minute. I know emergencies happen.
5 I know we were five short of a complete Board, but we still had
6 12. We currently filled one position and keep putting pressure
7 on the Governor's Office to fill the rest.

8 Again, Mr. Baumann is the chairman of this
9 Board. If you have a complaint, then you can reach out to him.
10 After the last meeting an individual Board member reached out
11 to the fire marshal, but I talked to the individual. The
12 individual stated that he was forced to vote "yes" at the
13 meeting. If you review the Minutes, Mr. Baumann asked for a
14 yes or no answer. This individual said that he was forced.

15 If you feel you are offending a friend or
16 someone, then you can always abstain, but that shows me you
17 made your decision on someone else's comments. This individual
18 also complained to me about the meeting place. If I remember
19 right, this Board discussed this, and they wanted the meeting
20 here. If you have comments, you need to speak to your Board
21 chairman.

22 Again, I would like to remind this Board that
23 you are the Elevator Safety Board. Your goal and your decision
24 is public safety. What laborers involve, the pricing, should

1 not be a factor in your decision. I know some of these
2 decisions can be difficult, but that is what you guys signed up
3 for.

4 On another note, I'd like to thank the
5 inspection companies for all of their hard work, especially in
6 these times. I know we have been shorthanded and accessing the
7 building is sometimes impossible, but you guys have done a
8 great job and should be applauded for your sacrifice and hard
9 work. I want to thank you all.

10 Just an FYI, the contractors out there -- I
11 don't see any out here. They never usually show up at
12 meetings. But we recently shut down three jobs because we find
13 major elevator companies working without permits, or unlicensed
14 personnel on the job, or out of state personnel working without
15 a license. And I want to thank the inspection companies for
16 letting us know about this. Our legal staff right now is
17 working on how to penalize both the contractors and the
18 individuals.

19 Again, guys, I'm very disappointed with this
20 Board. Nine times I tried to get a meeting. Nine times in a
21 year and a half, and I could not get a quorum. Again, I'm not
22 going to babysit this Board. Mr. Baumann is the Chairman of
23 this Board. Thank you.

24 CHAIRMAN BAUMANN: With that being said, how about your

1 report?

2 MR. ROBERT CAPUANI: I can't go on.

3 CHAIRMAN BAUMANN: I know. It's frustrating for all of
4 us, Bob. And then with this COVID on top of it, it just seems
5 to just put more of a damper on it.

6 MR. ROBERT CAPUANI: Understood. But this is before
7 COVID.

8 CHAIRMAN BAUMANN: I understand that, too.

9 MR. ROBERT CAPUANI: Progress Report: So far this year
10 we've had 400 permits; 447 licenses; 405 registrations; 9,166
11 certificates.

12 CHAIRMAN BAUMANN: That's it.

13 MR. ROBERT CAPUANI: That's it. I could go on -- no.
14 That's it.

15 CHAIRMAN BAUMANN: Okay. Thank you, Bob.

16 Under New Business: Do you want to bring up
17 the -- consider the appropriate motion to vote whether to adopt
18 the draft rule language requiring testing initiating devices
19 that the Board approved at its last meeting, November 15th,
20 2018? Prior adopted testing language was proceeded to first
21 notice in the rule-making process, but the date for the Board's
22 decision public comment expired September 6th, 2020 without
23 Board action. So the rule-making process expired as of that
24 date. The final action is anticipated to this date.

1 Do you want to address that?

2 MR. ROBERT CAPUANI: Is the Board making a motion to
3 extract that?

4 CHAIRMAN BAUMANN: Do we have anybody on Webex that
5 wanted to extract the language?

6 MR. JC FULTZ: Say it again.

7 CHAIRMAN BAUMANN: Do we have anybody on the Webex that
8 wants to extract the language for initiating devices?

9 MS. ALLISON ALLGAIER: I have a slight just request for
10 modification. It sounds like --

11 CHAIRMAN BAUMANN: Before you -- could you please say
12 your name and address the...

13 MS. ALLISON ALLGAIER: Allison Allgaier.

14 CHAIRMAN BAUMANN: Thank you.

15 MS. ALLISON ALLGAIER: It says, "this shall be
16 accomplished by the even/odd thing", which sounds like it
17 doesn't leave the option for, if you've got a four-stop
18 elevator, to just do all of them every year. If we can tweak
19 it to "this may be accomplished" or "this shall be accomplished
20 by at least", tweaking some of the language so there's an
21 option either way.

22 MR. ROBERT CAPUANI: I believe, first of all, we need to
23 extract this language. This language goes back to 2018, so I
24 believe we need to extract it.

1 CHAIRMAN BAUMANN: We need to extract the alternate.

2 MR. ROBERT CAPUANI: All of that language relating to
3 alternate floors.

4 CHAIRMAN BAUMANN: Where's Terry? Is Terry on?

5 MR. JC FULTZ: Terry, are you there?

6 MR. KELLY WELLER: Mr. Chairman?

7 CHAIRMAN BAUMANN: Sir?

8 MR. KELLY WELLER: This is Kelly Weller. Is the Chairman
9 asking for someone to make a motion to go back and re-accept
10 the discussion and the notes that we had from the meeting of
11 November of 2018?

12 CHAIRMAN BAUMANN: Yeah. We did not accept this, but we
13 have to accept the --

14 MR. KELLY WELLER: Here's my point: It might help us
15 understand what you're looking for. I'm not following what
16 you're asking us to vote on -- or to make a motion on. It
17 might help if I knew how you wanted this to work here.

18 MR. ROBERT CAPUANI: What I think the Board is trying to
19 do is extract all of that -- the old language and then start
20 new for the new rules. So someone would have to make a motion
21 to extract all of this language --

22 CHAIRMAN BAUMANN: Appendix 1.

23 MR. ROBERT CAPUANI: -- Appendix 1, the existing
24 language, and then move forward with the new language when

1 we've got the new codes.

2 MR. KELLY WELLER: So the motion would be to drop -- to
3 nullify all of this existing language and to begin the process
4 over again?

5 MR. ROBERT CAPUANI: Yes.

6 CHAIRMAN BAUMANN: There is no nullification because the
7 rules were never adopted. So we never voted on it because we
8 never got together to meet.

9 MR. KELLY WELLER: What do we need a motion for?

10 CHAIRMAN BAUMANN: Because we have to approve it, and
11 then JCAR has to approve it, so we have to make a motion to
12 approve it. It's not these. But we want to eliminate the
13 language that was discussed at the last meeting.

14 MR. ROBERT CAPUANI: Correct. I believe that's what you
15 backed it on.

16 CHAIRMAN BAUMANN: Correct. We discussed it at the 2018
17 meeting.

18 MR. KELLY WELLER: I remember.

19 CHAIRMAN BAUMANN: We accepted it at the 2018 meeting,
20 that language. We have to eliminate that language because,
21 essentially --

22 MR. ROBERT CAPUANI: It died.

23 CHAIRMAN BAUMANN: It died, basically.

24 MR. MATTHEW SEBEK: It's a motion to reconsider what we're

1 going to do moving forward.

2 CHAIRMAN BAUMANN: Did you hear that? I'm sorry. Let
3 the attorney talk.

4 MR. MATTHEW SEBEK: I'm sorry to interject. I apologize
5 to interject. It's, essentially, a motion to decide what we're
6 going to do moving forward, given the fact that what was
7 approved, the language reflected on Appendix 1, did not go
8 through the JCAR process. Okay?

9 MR. ROBERT CAPUANI: We never adop- -- this language was
10 for the 2016 Code, which we never adopted.

11 MR. KELLY WELLER: Okay.

12 MR. ROBERT CAPUANI: What I believe the Board members
13 want to do -- correct me if I'm wrong -- is extract all of this
14 old language, not adopt it to the 2019. And then, when we
15 adopt the 2019 Code, insert new language.

16 MR. KELLY WELLER: All right. Just so we're following
17 our point of order here, I'll make the motion so we can begin
18 to discuss this. I'm still not clear on where this is going.
19 I have no problem making the motion to --

20 Please let the counsel reword it however you
21 need it to be, to rescind, strike, the language to the 2018
22 Code so that we can begin to discuss new language for the 2019
23 Code.

24 CHAIRMAN BAUMANN: Okay. Matt, would you, please...?

1 MR. MATTHEW SEBEK: Board Member Weller, you are
2 absolutely correct. It is confusing, procedurally, because of
3 the fact that the statute requires that the Board approve
4 something to move forward with the rule, and then the JCAR
5 process starts.

6 So because of our Board's -- because of our
7 inability to complete the process that we needed to, this had
8 been approved at some stage by the Board. And so we have
9 language that was considered and approved by the Board, which
10 we're now deciding -- which we're now forced to reconsider in
11 order to move it forward with regard to the 2019 codes.

12 MR. KELLY WELLER: So this sounds like a simple motion to
13 reconsider Appendix 1.

14 MR. MATTHEW SEBEK: The language reflected in Appendix 1,
15 yes.

16 MR. KELLY WELLER: The language reflected in Appendix 1?

17 MR. MATTHEW SEBEK: Yes.

18 CHAIRMAN BAUMANN: Correct.

19 MR. KELLY WELLER: Got it.

20 CHAIRMAN BAUMANN: Can everybody on the Webex hear,
21 because I just got a text that says they're having a very hard
22 time hearing on the Webex?

23 MR. JC FULTZ: I'm trying to do the mic so that we can
24 hear everybody on Webex. So if you guys are in the room and

1 you have something to say, let me get the microphone near you
2 as best I can. I know it's hard. I apologize, but we're
3 trying to do the best we can.

4 If you have something to say on Webex, please
5 just -- I have my earpiece in, so you can jump on really quick.
6 I'll hear you. Say your name, if you're on the Board, and then
7 we'll acknowledge you, and I'll bring them up.

8 CHAIRMAN BAUMANN: Does everybody understand that? Do
9 you guys understand that on Webex?

10 MS. ALLISON ALLGAIER: Motion seconded to reconsider.

11 CHAIRMAN BAUMANN: All right. We have a motion on the
12 floor that's been moved and seconded. Any questions on that? I
13 know it's kind of difficult. It's been a while. Any
14 questions? Any questions on the Webex?

15 MR. JC FULTZ: If you guys are on Webex, hit Star 6 to
16 unmute yourself, if you have something, and identify yourself.

17 (No response.)

18 CHAIRMAN BAUMANN: Hearing no questions -- we're not
19 hearing anything, no questions -- all of those in favor say
20 "aye".

21 (Chorus of ayes.)

22 CHAIRMAN BAUMANN: All of those opposed?

23 (No response.)

24 CHAIRMAN BAUMANN: The ayes have it.

1 MR. JC FULTZ: Let me do the ayes online. Just give me
2 one second. All of you on Webex --

3 CHAIRMAN BAUMANN: All on Webex say "aye".

4 MS. JENNY NODDY (PHONETIC): Aye.

5 CHAIRMAN BAUMANN: Who was that? Jenny, was that you?

6 MS. JENNY NODDY: It's Jenny. Yeah, it's me. Sorry.

7 CHAIRMAN BAUMANN: Okay.

8 MS. JENNY NODDY: Sorry. It's really hard to hear you
9 guys.

10 CHAIRMAN BAUMANN: I've got the microphone right in my
11 face.

12 MS. JENNY NODDY: Okay. Well, I can hear you.

13 CHAIRMAN BAUMANN: Okay. Eddie?

14 MR. JC FULTZ: You might try Star 6 and then unmuting on
15 your phone.

16 (Whereupon, a discussion was had off
17 the record.)

18 MR. EDWARD CHRISTENSEN: Can you hear me now?

19 CHAIRMAN BAUMANN: Yes. Yes.

20 MR. MATTHEW SEBEK: And your name?

21 MR. EDWARD CHRISTENSEN: Ed Christensen.

22 CHAIRMAN BAUMANN: Terry Shanklin? Is Terry on the call?

23 (No response.)

24 MR. JC FULTZ: Let me text him. I'm sorry, guys. Let me

1 text him. And if there's an audio issue on his end, we can get
2 that fixed. Sorry.

3 (Whereupon, a discussion was had off
4 the record.)

5 CHAIRMAN BAUMANN: You know what? We're going to adjourn
6 the meeting. We're going to take a break for 5 minutes, and
7 then we're going to hold. I make a motion to adjourn
8 temporarily.

9 MR. GERALD GROSS: I'll make a motion to adjourn.

10 CHAIRMAN BAUMANN: Motion.

11 MR. AARON ADAMS: Second.

12 CHAIRMAN BAUMANN: All of those in favor say "aye".

13 (Chorus of ayes.)

14 CHAIRMAN BAUMANN: 5 minutes.

15 (Whereupon, a brief recess was taken.)

16 CHAIRMAN BAUMANN: All right. Let's reconvene. We're
17 going to reconvene. We're going to redo the roll call since we
18 didn't have a very good record for the people on Webex.

19 Jerry, do you want to start again?

20 MR. GERALD GROSS: Gerald Gross, representing the
21 architectural profession.

22 CHAIRMAN BAUMANN: Kelly?

23 MR. KELLY WELLER: Kelly Weller, representing the fire
24 service.

1 MR. MATTHEW SEBEK: My name is Matt Sebek, and I'm
2 counsel for OSFM (phonetic).

3 CHAIRMAN BAUMANN: Dan Baumann, Chairman of the Board.

4 MR. ROBERT CAPUANI: Bob Capuani, OSFM.

5 MR. DICK GREGORY: Dick Gregory, consultant for the fire
6 marshal.

7 MS. ALLISON ALLGAIER: Allison Allgaier, representing
8 elevator manufacturers.

9 MR. HERMAN BENEKE: Herman Beneke, City of Aurora.

10 MR. WILLIAM BOGDAN: Bill Bogdan, representing People
11 with Disabilities.

12 MR. AARON ADAMS: Aaron Adams, representing the fire
13 service.

14 CHAIRMAN BAUMANN: The people on Webex?

15 MR. TERRY SHANKLIN: Terry Shanklin, representing senior
16 citizens.

17 CHAIRMAN BAUMANN: That was Terry Shanklin?

18 MR. TERRY SHANKLIN: Yes, Terry Shanklin.

19 CHAIRMAN BAUMANN: Okay. Ed Christiansen?

20 MR. EDWARD CHRISTENSEN: Here.

21 CHAIRMAN BAUMANN: Ed Christensen's here.

22 Jenny Noddy?

23 MS. JENNY NODDY: Jenny Noddy is here.

24 CHAIRMAN BAUMANN: Don Plass? Don, are you there? I know

1 you're there.

2 MR. JC FULTZ: You've got to unmute, Don, on your phone.

3 Don, are you there?

4 (No audible response.)

5 MR. JC FULTZ: Don, one more time.

6 MR. DON PLASS: (Inaudible.)

7 CHAIRMAN BAUMANN: All right. With that being done,

8 where are we at?

9 MR. ROBERT CAPUANI: Kelly made the motion. I think
10 Aaron seconded the motion. Correct?

11 MR. AARON ADAMS: Correct. Point of order, did we have
12 any open discussion for it?

13 CHAIRMAN BAUMANN: Not yet. And that was the next thing.

14 Any questions on the motion?

15 (No response.)

16 MR. JC FULTZ: Any questions online that I can open up?

17 MR. TERRY SHANKLIN: It's a motion to remove the

18 language, the existing language, correct?

19 CHAIRMAN BAUMANN: It's a motion to remove the language.

20 Correct?

21 THE REPORTER: I didn't hear any of that.

22 CHAIRMAN BAUMANN: Terry, can you repeat?

23 MR. TERRY SHANKLIN: I can hear you, but I'm trying to

24 figure out what's going on. Can you hear me?

1 CHAIRMAN BAUMANN: Can you repeat your question?

2 MR. TERRY SHANKLIN: My question is, we have a motion to
3 remove the existing language; correct?

4 MR. GERALD GROSS: Correct.

5 MR. ROBERT CAPUANI: Correct.

6 MR. TERRY SHANKLIN: Okay.

7 CHAIRMAN BAUMANN: No questions?

8 MR. TERRY SHANKLIN: No questions.

9 CHAIRMAN BAUMANN: All right. We're going to do a roll
10 call vote, starting with Jerry. Those in favor say "aye".

11 MR. GERALD GROSS: Aye.

12 MR. KELLY WELLER: Kelly Weller. Aye.

13 MS. ALLISON ALLGAIER: Allison Allgaier. Aye.

14 MR. HERMAN BENEKE: Herman Beneke. Aye.

15 MR. WILLIAM BOGDAN: Bill Bogdan. Aye.

16 MR. AARON ADAMS: Aaron Adams. Aye.

17 CHAIRMAN BAUMANN: You're going to submit it for the
18 people on Webex?

19 MR. JC FULTZ: Online, just a second, please. I have to
20 do this for feedback issues. All right. Go ahead, online.

21 CHAIRMAN BAUMANN: Ed Christiansen?

22 MR. EDWARD CHRISTENSEN: Aye.

23 CHAIRMAN BAUMANN: Jenny Noddy?

24 MS. JENNY NODDY: Jenny Noddy. Aye.

1 CHAIRMAN BAUMANN: Terry Shanklin?

2 MR. TERRY SHANKLIN: Aye.

3 CHAIRMAN BAUMANN: Don Plass?

4 (No response.)

5 CHAIRMAN BAUMANN: Don, are you there? We can't hear
6 you?

7 MR. DON PLASS: Don't force it.

8 CHAIRMAN BAUMANN: We're not forcing anybody.

9 MR. JC FULTZ: Hold on just a second. I'm sorry, guys.
10 This is a pain, but it's all I can do.

11 (Whereupon, there was a brief pause.)

12 MR. JC FULTZ: You're good now.

13 CHAIRMAN BAUMANN: We had everybody say "aye", no
14 negative? No one in the "no"?

15 CHAIRMAN BAUMANN: It's been accepted. Let's put it that
16 way. Everybody accepted unanimously.

17 I apologize for all of this. Now we're going
18 to move on to adopting the code, the new code.

19 MR. TERRY SHANKLIN: I'd like to insert some language.
20 Can you guys hear me?

21 MR. JC FULTZ: Hold on just a second. Terry has
22 something that he would like to say, Terry Shanklin. Hold on a
23 second, Terry. All right. Terry, go ahead.

24 MR. TERRY SHANKLIN: Can you folks hear me?

1 MR. JC FULTZ: She's got to -- she's the one that's got
2 to hear you.

3 MR. TERRY SHANKLIN: Starting in 2023 --

4 MR. JC FULTZ: Not yet. Not yet. Not yet. Terry, they
5 said not yet.

6 MR. ROBERT CAPUANI: We have to adopt the code.

7 CHAIRMAN BAUMANN: We have to adopt the code first,
8 Terry.

9 MR. JC FULTZ: Terry, did you hear that?

10 MR. TERRY SHANKLIN: Yes. I've got you.

11 MR. JC FULTZ: Okay. Hold on just a second.

12 MR. ROBERT CAPUANI: All right. The new codes for the
13 Board to adopt: A171.-2019; A18.1-2017; QEI.1-2018;
14 A17.2-2017.

15 MS. ALLISON ALLGAIER: A17.2?

16 MR. ROBERT CAPUANI: A17.2-2017. For some reason it
17 wasn't on --

18 MS. ALLISON ALLGAIER: It says A17.3?

19 MR. ROBERT CAPUANI: No. A17.3, it goes back to 20-...

20 MS. ALLISON ALLGAIER: (Inaudible.)

21 MR. ROBERT CAPUANI: Yes.

22 CHAIRMAN BAUMANN: Allison, you've got to speak up so she
23 can hear you.

24 MS. ALLISON ALLGAIER: Sorry. The one you just listed,

1 ASME17.2, is not listed in Appendix 3.

2 MR. ROBERT CAPUANI: Yes. I noticed that.

3 MR. WILLIAM BOGDAN: But it should be adopted.

4 MR. ROBERT CAPUANI: It needs to be adopted.

5 MR. WILLIAM BOGDAN: Add it to your Appendix 3.

6 MR. JC FULTZ: Bob, can you say that again?

7 MR. WILLIAM BOGDAN: A17.2-2017 should be added to your
8 Appendix 3.

9 MS. ALLISON ALLGAIER: That would be Item E, under No. 1?

10 MR. WILLIAM BOGDAN: However you want to do it.

11 MR. ROBERT CAPUANI: Yes. It's right here.

12 Non-mandatory Guidelines, E, if you look at the bottom, "Guide
13 for Inspection of Elevators, Escalators, and Moving Walks",
14 A17.2-2017.

15 MS. ALLISON ALLGAIER: At the very end?

16 MR. ROBERT CAPUANI: At the very end.

17 CHAIRMAN BAUMANN: Ready?

18 MS. ALLISON ALLGAIER: I withdraw my comment, then.

19 CHAIRMAN BAUMANN: No problem.

20 MR. ROBERT CAPUANI: No problem.

21 MR. KELLY WELLER: We're on C, Item C.

22 CHAIRMAN BAUMANN: Do you want to make the motion to
23 adopt the new codes, all of the codes that he just read off?

24 MR. KELLY WELLER: Kelly Weller. I will make the motion

1 to adopt the codes, as identified.

2 CHAIRMAN BAUMANN: Perfect. Do we have a second?

3 MR. GERALD GROSS: Second.

4 CHAIRMAN BAUMANN: It's been moved and seconded. We're
5 going to do this again.

6 MS. ALLISON ALLGAIER: Can I make a comment, proposal,
7 for --

8 CHAIRMAN BAUMANN: I've got to make the motion. We've
9 got to make the motion, and then we'll do the comment.

10 MS. ALLISON ALLGAIER: Okay.

11 CHAIRMAN BAUMANN: We have a motion on the floor to
12 accept the codes. Is there a second?

13 MR. KELLY WELLER: Second.

14 CHAIRMAN BAUMANN: It's been moved and seconded. Now we
15 have to go through a roll call vote.

16 MS. ALLISON ALLGAIER: No discussion before a vote?

17 MR. GERALD GROSS: Discussion, yeah.

18 CHAIRMAN BAUMANN: You're right. I'm sorry. I
19 apologize. Any questions? This is my first time running the
20 meeting. Sorry.

21 MS. ALLISON ALLGAIER: I do. This is a small grammatical
22 thing, but it's existed since this stuff got accepted. In F,
23 on Page 7, it says, "stop switch pits". Can we make that "pit
24 stop switches"? It's just bad grammar is all.

1 CHAIRMAN BAUMANN: You said F?

2 MS. ALLISON ALLGAIER: On, F, yeah, under the Upgrade
3 Requirements For Existing Conveyances.

4 MS. ALLISON ALLGAIER: Either "stop switch in pit" or
5 "pit stop switches". I don't know what a "stop switch pit"
6 would be.

7 MR. AARON ADAMS: It should be "stop switch in pit"

8 MS. ALLISON ALLGAIER: "In pit"?

9 MR. AARON ADAMS: Yep. Motion to amend the language to
10 include "stop switch in pit" under Subsection F.

11 CHAIRMAN BAUMANN: This is on the Agenda?

12 MR. DICK GREGORY: Yeah.

13 CHAIRMAN BAUMANN: All right. We're going to straighten
14 out the Agenda, then. So, on the motion, do I have to do a
15 roll call for that, too?

16 MR. KELLY WELLER: I think that would be a friendly,
17 because we've already got a motion on the floor. I think
18 you're modifying my motion, which is fine. I accept that.
19 Weller.

20 CHAIRMAN BAUMANN: This is not part of the rule. This is
21 just the Agenda that's motioned.

22 MR. ROBERT CAPUANI: No. This is part of the rules.

23 MS. ALLISON ALLGAIER: It'll be this language.

24 MR. ROBERT CAPUANI: So you're going to add the word

1 "stop -- you're going to add the word "in". That's all.

2 MR. KELLY WELLER: My motion was to accept the rules, as
3 noted. Aaron has pointed out that there is a --

4 CHAIRMAN BAUMANN: Typo?

5 MR. KELLY WELLER: -- typo in the noted code citation.
6 So I accept his motion -- or the motion to friendly amend the
7 amendment, to accept the new language.

8 CHAIRMAN BAUMANN: That's good.

9 MR. MATTHEW SEBEK: The same process would be followed
10 for --

11 CHAIRMAN BAUMANN: Are you happy with that?

12 MS. ALLISON ALLGAIER: (Nodding.)

13 CHAIRMAN BAUMANN: So with the amended motion -- or with
14 the amended language on the vote?

15 MR. MATTHEW SEBEK: Motion to adopt the code?

16 CHAIRMAN BAUMANN: As amended by Aaron. Jerry? Can you
17 just talk a little louder when you say your name?

18 MR. GERALD GROSS: Gerald Gross, representing the
19 architectural profession. Aye.

20 MR. KELLY WELLER: Kelly Weller. Aye.

21 AUDIENCE MEMBER: I have Don Plass on my speaker phone.
22 So do you want me to put it on the table?

23 CHAIRMAN BAUMANN: He can't get onto Webex?

24 AUDIENCE MEMBER: It's not working on his end. He's

1 yelling into the phone, and he can't hear us.

2 MR. ROBERT CAPUANI: Sit it on the court reporter's
3 table.

4 AUDIENCE MEMBER: Is that acceptable?

5 CHAIRMAN BAUMANN: Yeah, that's acceptable.

6 AUDIENCE MEMBER: I'm going to put him on speaker now.
7 Don, can you hear me?

8 MR. DON PLASS: Yes, I can.

9 MS. ALLISON ALLGAIER: Allison Allgaier. Aye.

10 MR. HERMAN BENEKE: Herman Beneke. Aye.

11 MR. WILLIAM BOGDAN: Bill Bogdan. Aye.

12 MR. AARON ADAMS: Aaron Adams. Aye.

13 CHAIRMAN BAUMANN: Ask him if he heard what we were
14 discussing, on the phone, to accept the rules?

15 MR. KELLY WELLER: Don, have you heard this, and can you
16 vote on this, please?

17 MR. DON PLASS: Yes. Don Plass. Aye.

18 MR. KELLY WELLER: Thank you. And now I'm going to mute
19 you, and then we're going to come back to you. Okay?

20 MR. DON PLASS: Okay.

21 MR. AARON ADAMS: He has to mute himself.

22 MR. KELLY WELLER: You're right. You're right. Don, my
23 mistake. Mute yourself, and then we'll let you know when to
24 unmute. Okay?

1 MR. DON PLASS: All right. I'm muting.

2 CHAIRMAN BAUMANN: Those on Webex? Eddie?

3 MR. EDWARD CHRISTENSEN: Aye.

4 CHAIRMAN BAUMANN: Jenny Noddy?

5 MS. JENNY NODDY: Jenny Noddy. Aye.

6 CHAIRMAN BAUMANN: Terry Shanklin?

7 MR. TERRY SHANKLIN: Terry Shanklin. Aye.

8 CHAIRMAN BAUMANN: Don Plass has already said "aye".

9 Being a unanimous vote, no "nays", motion
10 passed.

11 MR. ROBERT CAPUANI: Now we've got to go back to Terry
12 because Terry had some comments.

13 CHAIRMAN BAUMANN: Terry had some comments.

14 MR. JC FULTZ: Okay. We'll open it up to Terry. Terry
15 can you hear us? Terry?

16 MR. TERRY SHANKLIN: (Inaudible)

17 THE REPORTER: I can't hear him. I'm sorry. Are you
18 able to turn him up a little?

19 MR. JC FULTZ: Hold on a second, Terry.

20 MR. TERRY SHANKLIN: I'd like to adopt some language.
21 Starting in 2023, January of 2023, All hydraulic elevators with
22 testing shall be -- shall test all initiating devices and then
23 go on a 5-year pattern. So every 5 years after we'll do an
24 initiating device -- on every initiating device for a hydraulic

1 elevator.

2 And starting in January of 2023, traction
3 elevators, under a CAP 5, it will test all initiating devices.
4 And, henceforth, every anniversary of the 5-year test it will
5 test all initiating devices, period. So it's on a 5-year
6 pattern rather than every year, every other year.

7 MR. JC FULTZ: Hold on a second. Let me open you back up
8 here.

9 CHAIRMAN BAUMANN: I'm going to ask you if you can repeat
10 what he said so that everybody can hear you. I couldn't hear,
11 and I'm sitting right hear.

12 (Whereupon, the record was read as
13 requested.)

14 (Whereupon, a discussion was had off
15 the record.)

16 (Whereupon, a brief recess was taken.)

17 CHAIRMAN BAUMANN: We're going to reconvene the Fire
18 Emergency Operation Operating Initiating devices.

19 MR. DICK GREGORY: The proper code language.

20 (Whereupon, the record was read as
21 requested.)

22 CHAIRMAN BAUMANN: Ask Terry if that's acceptable to
23 amend the language.

24 MR. JC FULTZ: Terry?

1 MR. JC FULTZ: Yes. Terry?

2 MR. TERRY SHANKLIN: Can you hear me?

3 MR. JC FULTZ: We've got you.

4 CHAIRMAN BAUMANN: Are you acceptable to amend the
5 language?

6 MR. TERRY SHANKLIN: Yes. I think we also need to add
7 that the results should be kept on site with the Maintenance
8 Control Program.

9 MR. JC FULTZ: Did you guys hear that?

10 MR. TERRY SHANKLIN: That's fine. The change is fine
11 with me.

12 THE REPORTER: I didn't hear that part.

13 MR. JC FULTZ: Terry, can you say the maintenance thing
14 one more time.

15 MR. TERRY SHANKLIN: The results of the findings should
16 be kept on site -- must be kept on site. Documentation of
17 these rules must be kept on site with the Maintenance Control
18 Program.

19 MS. ALLISON ALLGAIER: Mr. Chairman, I --

20 CHAIRMAN BAUMANN: I'm sorry. That's reflected in the
21 original language on the bottom of Appendix 1.

22 MS. ALLISON ALLGAIER: Can I ask a question to clarify?
23 So he's saying instead of every other year, every other floor,
24 every 5 years, all floors?

1 CHAIRMAN BAUMANN: Doing the CAT 5 test, yes.

2 MS. ALLISON ALLGAIER: During that 5 year load test. In
3 2023, only the elevators that are due their 5-year load test in
4 that year will also test their fire alarm initiating devices?

5 CHAIRMAN BAUMANN: Correct.

6 MR. ROBERT CAPUANI: On the anniversary.

7 MS. ALLISON ALLGAIER: And every 5 years thereafter?

8 MR. ROBERT CAPUANI: Yes.

9 MS. ALLISON ALLGAIER: There may be some that don't test.
10 There was something at the end where he talked about the odd
11 and even. He was just referencing that previous language.

12 CHAIRMAN BAUMANN: Okay. That language did get struck.

13 AUDIENCE MEMBER: That language got struck.

14 MR. ROBERT CAPUANI: We need the correct language now.

15 MR. MATTHEW SEBEK: I know it's a mess and tortured
16 process, but we need the actual language to vote on, and we're
17 going to keep it.

18 CHAIRMAN BAUMANN: Do we need to take another break?

19 MR. ROBERT CAPUANI: Carlotta, did you catch all of that
20 language?

21 MR. JC FULTZ: Do you have all of that language the exact
22 way Terry --

23 MR. JC FULTZ: Yeah.

24 MR. MATTHEW SEBEK: Terry, could you --

1 MR. JC FULTZ: Terry?

2 MR. TERRY SHANKLIN: Just to be clear, for clarification,
3 all hydraulic elevators will be on a 5-year swing.
4 Subsequently, 2023, then it's 2028, because every hydro is
5 going to have a pressure test done within that next coming
6 year, within that year time period, so it would be on 2023,
7 2028 and so on and so forth.

8 MS. ALLISON ALLGAIER: So that's different than what I
9 stated.

10 MR. ROBERT CAPUANI: This is for hydraulic. So hydraulic
11 elevators in 2023, will start a 5-year --

12 MS. ALLISON ALLGAIER: Everyone must have it in 2023 and
13 2028. So hydraulic elevators, a hundred percent of them must
14 do a hundred percent test fire alarm initiating devices in 2023
15 and every 5 years thereafter. Traction elevators will be in
16 conjunction with their 5-year load tested, so that will be
17 spread out over the 5 years. That's the proposal.

18 Is that right, Terry?

19 MR. TERRY SHANKLIN: Correct, because hydraulics have an
20 annual test. If we're going to start in 2023, every hydraulic
21 elevator in the state of Illinois will have a pressure test
22 done during the course of this year. So during the course of
23 2023 every fire initiating device will be tested. And, in
24 2028, whatever the schedule for their annual test, will have it

1 on a 5-year basis.

2 MS. ALLISON ALLGAIER: And then new hydraulic elevator
3 installs that get inspected in 2023 will be 2024, 2029, and so
4 on.

5 MR. TERRY SHANKLIN: Right. New installations will be
6 tested on acceptance since it's done anyhow.

7 MS. ALLISON ALLGAIER: And then every 5 years.

8 CHAIRMAN BAUMANN: Terry, this is Dan. Are you near a
9 computer where you can type something up the exact language and
10 send it to us?

11 MR. TERRY SHANKLIN: Right now?

12 CHAIRMAN BAUMANN: Yes, sir.

13 MR. TERRY SHANKLIN: I might have to call my expert in.

14 CHAIRMAN BAUMANN: And the reasoning why is we need to
15 have a clear understanding, for the whole Board the exact
16 language so we can vote on it.

17 MR. TERRY SHANKLIN: The clarification, Dan was just --

18 MR. ROBERT CAPUANI: John, would you share the vote with
19 Terry?

20 MR. JOHN THOMPSON: Terry stated, in 2023 --

21 CHAIRMAN BAUMANN: Would you state your name?

22 MR. JOHN THOMPSON: John Thompson. Terry stated, in
23 2023, all hydraulic elevators will get a live fire alarm
24 initiating device test. And then every 5 years after that will

1 be the anniversary to do that test again. This does not
2 absolve them of doing annual category tests, but every 5 years
3 this test will occur.

4 2023, traction cars: All cars will get live
5 fire alarm initiating device testing starting with their CAT 5
6 anniversary test in 2023. All records are to be maintained for
7 this test with the Maintenance Control Program documentation in
8 the elevator machine room. That's the way I heard it.

9 MR. ROBERT CAPUANI: You've got it.

10 MS. ALLISON ALLGAIER: That's probably not legal
11 language, though. Can we have -- does our lawyer have a
12 laptop?

13 CHAIRMAN BAUMANN: Hold on a second. Our attorney --

14 MS. ALLISON ALLGAIER: How about the language is
15 extracted, because it's written legally, but change some of
16 this.

17 MR. MATTHEW SEBEK: John, while, I thank you for that, I
18 think our problem is we have to do this process through the
19 Board, and then we have a totally separate process that
20 involves JCAR, the Joint Commission on Administrative Rules.
21 So we need a certain level of formality there -- nothing, if
22 not particular -- about what they are expecting the language to
23 say.

24 So I would just say Terry is the proponent of

1 the language. So, to some extent, the onus is on Terry to
2 present verbatim language to us so it doesn't put the lawyers
3 of the agency in the unenviable position of, basically,
4 interpreting what's been voted on. So we need verbatim
5 language that tracks with what the proponent is actually
6 proposing so the Board can meaningfully, and as one unit,
7 clearly understand and then vote on.

8 So, Terry, I would just ask you to send that
9 language to us or give it to us slowly in a way that we can
10 write it down in pencil or whatever else, like John tried to
11 do, so that we can meaningful discuss it and vote on it.

12 CHAIRMAN BAUMANN: We're going to take another 5-minute
13 break, because this is ridiculous.

14 (Whereupon, a brief recess was taken.)

15 MR. AARON ADAMS: Motion to table New Business, 5A.

16 MS. ALLISON ALLGAIER: Second.

17 CHAIRMAN BAUMANN: It's been moved and seconded. All of
18 those in favor of tabling the motion -- tabling 5A say "aye".

19 (Chorus of ayes.)

20 CHAIRMAN BAUMANN: Anybody on Webex? We're voting on
21 tabling the discussion of 5A to move the meeting along until
22 the language gets written up.

23 MR. DON PLASS: Can we do a roll call?

24 CHAIRMAN BAUMANN: We're going to do this by voice vote

1 just for the sake of efficiency because of the meeting
2 circumstances. That was my suggestion. But if the Board would
3 prefer a roll call vote, then that's perfectly fine.

4 CHAIRMAN BAUMANN: Who requested a roll call vote?

5 MR. DON PLASS: Don Plass.

6 CHAIRMAN BAUMANN: All right, Don. We'll do a roll call
7 vote for you.

8 MR. GERALD GROSS: Give me the motion first.

9 CHAIRMAN BAUMANN: The motion is to table the discussion
10 until a little bit later today until the language gets written
11 up. We moved and seconded it.

12 MR. GERALD GROSS: Gerald Gross. Aye.

13 MR. KELLY WELLER: Kelly Weller. Yes.

14 MS. ALLISON ALLGAIER: Allison Allgair. Yes.

15 MR. HERMAN BENEKE: Herman Beneke. Yes.

16 MR. WILLIAM BOGDAN: Bill Bogdan. Yes.

17 MR. AARON ADAMS: Aaron Adams. Yes.

18 CHAIRMAN BAUMANN: Jenny Noddy?

19 MS. JENNY NODDY: Jenny Noddy, yes.

20 CHAIRMAN BAUMANN: Eddie Christensen?

21 MR. EDWARD CHRISTENSEN: Yes.

22 CHAIRMAN BAUMANN: Terry Shanklin?

23 MR. TERRY SHANKLIN: Yes.

24 CHAIRMAN BAUMANN: Don Plass?

1 MR. DON PLASS: Yes.

2 CHAIRMAN BAUMANN: All in favor? The motion at the table
3 is passed.

4 Where is Kevin? Kevin, You're on.

5 MR. KEVIN HELING: My name is Kevin Heling. I'm with
6 Wurtec. I'm very happy to be here. I appreciate the
7 opportunity. I was told that I could talk about a new type of
8 testing that's available for Category 5 testing. It's an
9 electronic method versus using simple weight carts. So I want
10 to give a little history on that --

11 THE REPORTER: Sir, if you could speak up, please.

12 MR. GERALD GROSS: If it's okay with the rest of the
13 Board You don't need your mask on, I don't think, to address
14 us. That would help up a lot.

15 MR. KEVIN HELING: Okay. Then I want be muffled. Sorry.
16 Maybe I can do this. Is that better now without the mask?

17 MR. GERALD GROSS: Perfect. Yeah.

18 MR. KEVIN HELING: So what I'm going to do is, real
19 quickly, I'm going to go through a little history of this type
20 of testing so everybody has that background. I know there's
21 some people here who aren't directly involved in the elevator
22 industry, so benefit from that. There's also other people in
23 the elevator industry who's maybe heard me talk about this
24 before. Some of you haven't. So I would like to bring all of

1 that together and just bring the facts about where we are.

2 This testing has started -- this kind of
3 testing, using electronics, starting more than 20 years ago and
4 is now being done and ongoing in Europe and also in Germany.
5 The companies there that do the testing -- it's a little bit
6 different than here in the United States -- they do it with
7 notified bodies who actually do the testing instead of the
8 elevator companies themselves. So we're different. That's
9 okay. That shouldn't make any difference to this.

10 In 2008 and 2009, the first demonstration of
11 the equipment that I'm talking about -- there's another company
12 that makes some similar equipment -- was done at the University
13 of Michigan in Ann Arbor. There was an engineer there from one
14 of the authorities having jurisdiction in Ontario. I believe
15 Dick was also in attendance there and some other
16 representatives of the company that I work for now, Wurtec, and
17 also engineers from the Henning Company (phonetic) were there.

18 Following that, in 2010, in the September of
19 issue of Elevator World, there was an article on that specific
20 test that also looked at how this technology works.

21 2012 is when I started at Wurtec. I'd worked
22 in the elevator industry for 35-plus years on the supply side
23 of different components, but I was hired as a manager to focus
24 on this technology, along with some other things, and its

1 development.

2 In 2012, at some national safety meetings in
3 Canada held in Toronto and also Edmonton, companies were
4 invited in; and two companies came. I was there, along with
5 this equipment, and so was the chief engineer of Henning and
6 there was also another representative from another company
7 called TUV South (phonetic). Demonstrations were given. It
8 was used on elevators. Interestingly, it was seen that the
9 elevator in this hotel where the conference was held benefited
10 from this testing. The testing was done with the electronic
11 equipment first followed by doing it with weight carts. But
12 with electronic equipment, we saw that the car would have
13 continued on into the pit. So adjustments were made; and of
14 course that wasn't allowed to happen during the testing.

15 Ontario, in 2013, began to allow this type of
16 testing. So it's been going on for now 7 years. And they did
17 it even before it was in the A17.1 Code. This method, this
18 alternative method, came into the A17.1 Code in 2013. The
19 province of Ontario decided that, even though they were still
20 on 2010, to take a positive approach to this and start allowing
21 it.

22 Between 2013 and '18 -- and 2018, I personally
23 had done about, more or less, 50 demonstrations of this testing
24 method and shared the results around North America at different

1 meetings, at NASA (phonetic) meetings and even at individual
2 company meetings. I also gave, approximately, 10 technical
3 presentations. And I'll give you a little bit of a taste of
4 that while I'm here, but I won't get into all of the technical
5 stuff of it at those various industry meetings.

6 Starting in 2013, a few independents and two
7 other OEM elevator companies acquired equipment and started in
8 Ontario. In 2018, there was some question -- as we broke going
9 through the development of this, there was some question and
10 concern about the testing of buffers. They're one of the five
11 areas that this electronic testing equipment covers. So
12 Henning had a third-party engineering company called Lift
13 Institute (phonetic) that's known around the elevator industry
14 around the world for doing third-party testing. They issued a
15 letter on the validity of the buffer testing part of this
16 process.

17 In 2018, they also sought and got -- and it
18 was issued -- a Certificate of Compliance, assuring that all of
19 the testing aspects of this equipment meet all of the
20 requirements of A17.1. And, at that time, it was specifically
21 A17.1-2016. It started in 2013. It has followed through in
22 2016, and it's now included in 2016.

23 An important part of that test -- now, this
24 wouldn't have been necessary because it's in the Code. If it's

1 in the Code, it's allowed. And the Code requirements where the
2 authority having jurisdiction is allowing it, it's evident.
3 You have to meet the Code. But the Henning Company decided to
4 go ahead to help people to understand this new technology and
5 to validate it; and so, again, had a third-party testing
6 authority go through that process and issue a certificate
7 saying that it meets all of the requirements of the A17.1 Code.

8 Okay. During the period of 2013 to 2019, one
9 independent elevator service company in Ontario completed
10 something more than a thousand Category 5 tests using this
11 equipment; and they also did it using their requirement of a
12 baseline. A baseline requirement has never been very well
13 defined. The codes kind of have to learn where they're going;
14 but it was put in because we wanted to understand a change, a
15 transition of how we've always done it with weight to doing it
16 now with this new kind of equipment.

17 What I want to say is they did over a thousand
18 tests with the baseline, so we know that it works. And, in
19 fact, if you go back to my previous bullet about meeting the
20 requirements of the Code, this electronic equipment is actually
21 a little more discerning than the full load testing method; and
22 it was judged to be 5 percent on the positive side, which means
23 that, as a result of this testing, there will be more
24 adjustments and improvements to the safety of the elevator.

1 It's an opportunity because we have more information.

2 And just recently, in July of this year, there
3 was an A17.7 Certificate of Performance issued and certified by
4 Lift Institute dealing with the issue of the baseline and
5 showing that this particular equipment meets the baseline
6 requirement. And something that's important that I would say
7 is, going forward there will always be acceptance tests for new
8 elevators. So there will always be a full load test when the
9 elevator is approved, either brand-new, or a modernization.
10 And that's important because this equipment relies on that.
11 And it says that, based on the fact that a full load test has
12 been done before, it doesn't need to be done again using this
13 equipment.

14 Okay. And some of the authorities that have
15 already accepted this -- I know there are some that have taken
16 issue with it, but I would say in most cases they haven't
17 gotten all of the details and all of the technical
18 information. But there are authorities, across Canada
19 especially -- it's at a point where it's ready to be used
20 across the entire country of Canada. The major provinces have
21 approved it.

22 And then in the United States -- Wisconsin,
23 Washington State, Rhode Island, Nevada, Colorado, Oklahoma.
24 New York State, I put that on there. It's a little by a

1 default. But New York State allows it, not New York City.
2 They allow it as long as there's a QEI (phonetic) inspector
3 involved in the testing process. And we've been under ongoing
4 consideration in Florida and Texas.

5 Okay. I'm going to go through this part
6 really quickly to show you that this is founded in principles
7 of physics and engineering. So the simple premise is that we
8 do not need to have a full load to verify stopping forces that
9 can handle differing loads because stopping forces of brakes
10 are always the same. Brakes, sheet brake safeties, whatever,
11 they're always the same. What differs is the speed, so the
12 decelerations that are involved, and the load.

13 So if you take a measurement -- you take an
14 accurate measurement with no load and then adjust it,
15 mathematically, the force is the same. If you adjust it
16 mathematically, you can prove that that elevator can stop a
17 full load. And that's another shortcoming about the existing
18 method of testing. The existing method of testing only
19 considers elevators with a full load.

20 What about when the elevators are making a
21 stop, an emergency stop, with less than a full load and you
22 haven't really verified the effectiveness of the brakes or the
23 safeties on how they work on something different than a full
24 load. Everything now is designed to a full load, so this is

1 the opportunity for improvement.

2 I won't get into this in detail, but this is a
3 kind of a key thing. The current method of testing with
4 weights, an important part of it is, after the safety stop is
5 completed, do you have what we know as rapping (phonetic). Are
6 we getting equal forces on the safeties on each side of the
7 elevator? There's a requirement in the Code to measure that.
8 But anyone's who's ever tried to do it knows that it's a very
9 difficult measurement. Okay? So that's what we're showing
10 you.

11 We show the further tests -- I'll go through
12 this quickly. So testing with an electronic system, as I've
13 already said, we're physically measuring the amount of braking
14 force with the safeties and the alignment after the car. I
15 have equipment over here on the side of the room -- I have the
16 equipment over here on the side of the room that's used for
17 this testing. There are sensors that are attached to the
18 ropes, so those are sensors that attaches to the suspensions.

19 There is a sensor that attaches to the
20 elevator car, which is an accelerometer, a pretty sophisticated
21 accelerometer. That measures all of the -- everything that's
22 going on through testing. That accelerometer itself also
23 measures, very precisely, the balance stopping of the safeties
24 on each side of the car. So there's no more guesswork. How

1 much is it level? How much is out of level? It's completely
2 measured with this equipment.

3 All right. There are five -- a very important
4 first part of the new test, which was written into the Code, is
5 the measurement of the masses. All of these calculations that
6 you do, the engineering calculations, they rely on an accurate
7 measurement of the weights of the elevator system. And the
8 weights include the weight of the counterweight and the weight
9 of the car, of course; compensation; ropes; and traveling
10 cable; everything that's involved.

11 THE REPORTER: Sir, if you can speak up, please.

12 MR. KEVIN HELING: Yes?

13 THE REPORTER: If you can speak, please.

14 MR. KEVIN HELING: Okay. All right. So here we're
15 physically measuring the amount of the braking force and the
16 alignment of the car after it stops. In addition to measuring
17 the masses, then the five tests that are done -- the sheet
18 brake; emergency brake, if the elevator has one; the buffers;
19 and the traction. Okay? Just some examples here.

20 You can also see that a big improvement of our
21 testing, as it is now, testing is done. Someone does the test,
22 physically looks at it, and puts a check on a checklist to say
23 that it's done. Here we have data. We have reports. And you
24 can see it on this very next slide. Data like this, with

1 stopping distances, G-forces, actual data that can be compared
2 on the elevator tests today than on the elevator tests 5 years
3 from now.

4 And I know I'm feeling a little pressure here
5 because you wanted me to keep it to 15 minutes, so I'm going to
6 go through this. My presentation is available to anybody who
7 wants it, even the full presentation for all aspects of the
8 tests. I'll just give an example here of how it works for
9 safeties and also how it works for traction.

10 Here's an example of how all of the
11 calculations are done, the graphs and measurements that are
12 done. An additional extra of this test, which is taking
13 advantage of technology and moving forward -- we have never
14 been able to measure the effect of the ropes intact and the
15 counterweight on an elevator. They're there. The assumption
16 has always been that, when the safeties are actuated during the
17 test, that the counter-weight becomes airborne and, therefore
18 does nothing and doesn't affect it.

19 Now that we have this equipment we know that
20 that's true 25 percent of the time. The other 75 percent of
21 the time the counterweight and the ropes are adding an
22 additional force or they're contributing to the stopping force
23 of the safeties. And if we don't know that, we're taking a
24 measurement, we're measuring a slide distance, and we're kind

1 of fooling ourselves to think that we actually have the
2 information that we need to make this a safe elevator. I
3 wanted to make sure that I pointed that out. You can see more
4 of the calculations and how every aspect of the requirements of
5 the Code are addressed. As I move this, you can see there
6 references to the Code.

7 All right. Here I said there's a traction
8 testing (indicating). There's a whole battery of how it works
9 and what's being verified, where the equipment fits in and then
10 the technical calculations that are involved.

11 Okay. I'll just -- I'll kind of wrap this up
12 and recount the things that I said are benefits of taking
13 advantage of new technology.

14 We have reports with data rather than
15 checklists. I already said that the authors of this new Code,
16 when they put this into the Code as an alternative in 2013,
17 they had the good idea to include the idea that now we're going
18 to weigh the counterweight and the cars to verify what's the
19 weight -- what's the current working weight.

20 Those of us in the elevator industry who go
21 out and look at -- have to look at something relative to
22 weights, that information, by code, should be on the process
23 data plate. We also know that, in practice, it's often not
24 true. Something has changed on the elevator. People make

1 changes on the cabs of elevators. They add and subtract
2 weight, and that's not accounted for too often. So I think it
3 was a great idea that they included this into this alternative
4 testing method. It's giving us a chance to move forward.

5 Electronic testing I already said was verified
6 to be testing on the safe side, 5 percent on the safe side.
7 It's also designed to consider the stopping capability of all
8 loads not just full loads. It's less damaging to the
9 equipment, and it can be even be more or less damaging to the
10 equipment as the Code evolves and recognizes how this testing
11 can be done.

12 It also measures the elevator system's
13 stopping capability, if there is a catastrophic situation.
14 That is full loss of suspension, and that happens. It doesn't
15 happen often, fortunately; but, when it does, we would now know
16 whether we have stopping force in safeties to stop that car or
17 whether it's going to go all the way into the pit. Of course
18 we know that there are other redundancies in the system.
19 That's why we have buffers; and we won't get into the technical
20 parts of that.

21 Less weight cart use reduces potential damage
22 to the building owner's property. It also reduces potential
23 damage to the employees who are having to move 500 weight
24 carts -- 500-pound weight carts around. Remember, they still

1 will be used for acceptance; but the idea is, going forward,
2 not for 5-year tests. I would rather see that elevator
3 technicians, who are professionals in this industry, are using
4 their time and skills to make adjustments to the elevator, to
5 the brakes, to the safeties; and this testing equipment gives
6 you the opportunity to do that. So that's a trade-off for the
7 work of moving elevator carts around.

8 I already said it's more discerning, so it
9 will take more time for maintenance. There is time needed for
10 training on this. This won't turn on automatically. The
11 industry will have to acquire the equipment and get the
12 training, and invest the time and money to do that.

13 Okay. That's it. Thank you.

14 CHAIRMAN BAUMANN: Do the Board members have any
15 questions for Kevin?

16 MR. DICK GREGORY: I was present at the event in Ann
17 Arbor where this was to be demonstrated; and it was a brand-new
18 elevator installed by Schindler (phonetic) and approved by the
19 State of Michigan inspectors. And this equipment discovered
20 that it was totally wrong. The counterweights were wrong,
21 wrong, and wrong. So we couldn't do the test because the
22 elevator was not properly installed nor accepted.

23 CHAIRMAN BAUMANN: Any other questions for the Board?
24 Any other questions from the people on Webex? Kelly?

1 MR. KELLY WELLER: Mr. Chairman, I just have one
2 question --

3 CHAIRMAN BAUMANN: Yeah?

4 MR. KELLY WELLER: -- for Kevin, I believe it is. Right?

5 MR. KEVIN HELING: Right.

6 MR. KELLY WELLER: You said this technology was adopted
7 in the Euro zone and is now working its way across the pond, so
8 to speak. The first part is, what other states have initiated
9 this testing and what kind of success have they had? My second
10 question is -- it was a great presentation. Thank you for the
11 time. What exactly is the motion that you would like this
12 Board to consider?

13 MR. DICK GREGORY: I don't think he has motion.

14 MR. ROBERT CAPUANI: It's just a presentation.

15 MR. KELLY WELLER: It says final act- -- am I missing it?
16 It says "final action" on the Agenda.

17 MR. ROBERT CAPUANI: The Board now needs to --

18 MS. ALLISON ALLGAIR: If we're fine with this technology,
19 we don't need to do anything because we just adopted the new
20 code that includes it. Right?

21 MR. KELLY WELLER: So the motion would be nothing.

22 MR. ROBERT CAPUANI: I believe there's a Board member
23 that wants to make a motion on this. I believe there's a Board
24 member that wants to make a motion on this.

1 MR. KELLY WELLER: Okay. So don't address the second
2 question. Just let me know where else has this been adopted in
3 the States?

4 MR. KEVIN HELING: Well, I mentioned Canada. Canada kind
5 of took the lead on this; and they had some jurisdictions that
6 said okay to it. And they now have 6 years of experience in
7 the province of Ontario.

8 MR. KELLY WELLER: So no states yet?

9 MR. KEVIN HELING: Wisconsin, Washington State, Oregon,
10 Colorado, Nevada, Rhode Island.

11 MS. ALLISON ALLGAIR: Are there states that have carved
12 this out, like have accepted later codes that included and
13 specifically carved it out?

14 MR. KEVIN HELING: I believe they have, or in some cases
15 they maybe didn't even notice it. I hadn't addressed it, but
16 the elevator companies haven't started to even use it. New
17 York state is an --

18 MS. ALLISON ALLGAIR: So if they haven't addressed it,
19 then they haven't adopted it. It just may or may not be in
20 use.

21 MR. KEVIN HELING: Right. Exactly. And it will take
22 time because people need to not only understand and learn the
23 technology. They need to acquire the equipment and get
24 training. I had one province that recently stepped up their

1 acceptance. That is the province of Alberta, Canada. They're
2 requiring that anybody who uses the equipment has training and
3 have a certificate to prove that training.

4 CHAIRMAN BAUMANN: I've got a question.

5 MR. KEVIN HELING: Yes?

6 CHAIRMAN BAUMANN: And this is actually towards Bob.
7 You've discussed this with other state directors of elevator
8 safety?

9 MR. ROBERT CAPUANI: Yes. I reached out to the AHA Group
10 in the U.S. last week; and the question was, "Would you allow
11 alternative testing in your state?". These are the responses:
12 Connecticut: no; Pennsylvania: no.; Mississippi: no.; New
13 Hampshire: no. Iowa will allow you to do it, but they won't
14 accept the results. North Carolina: no; Kentucky: no; Alaska:
15 no; Missouri: no.; Texas: no. Colorado said that they had an
16 initial presentation from Lift Institute but haven't been
17 approached since on any proposals. Massachusetts: no.; Ohio:
18 no; North Carolina: no; D.C.: no.

19 MS. ALLISON ALLGAIR: Did they say why they didn't accept
20 it?

21 MR. ROBERT CAPUANI: No.

22 MS. ALLISON ALLGAIR: Are they on the current -- you said
23 2013?

24 MR. KEVIN HELING: You have to be on 2013 or '4.

1 MS. ALLISON ALLGAIR: Are any of those states on it?

2 MR. ROBERT CAPUANI: Yes.

3 MS. ALLISON ALLGAIR: Some of them specifically exclude
4 it.

5 MR. ROBERT CAPUANI: Yes. All of these states excluded
6 it.

7 MR. KEVIN HELING: Or they had --

8 MS. ALLISON ALLGAIR: Or they --

9 MR. KEVIN HELING: -- affirmatively said okay.

10 MS. ALLISON ALLGAIR: Like, Massachusetts is still on 24
11 Code --

12 MR. KEVIN HELING: I've been working with one OEM
13 company -- and that's why Rhode Island has approved -- but
14 they're interested in working with Massachusetts, Connecticut,
15 and New Hampshire.

16 MR. AARON ADAMS: Just for clarification, you had a slide
17 up that said Texas was considering it now.

18 MR. KEVIN HELING: Yes. We've done a demonstration for
19 them.

20 MR. AARON ADAMS: Are you stating that Texas said no in
21 your poll?

22 MR. KEVIN HELING: I did.

23 MR. ROBERT CAPUANI: Texas, "We treat alternative testing
24 as new technology. The must be confirmed by our Review Board

1 for acceptance. So far we've had only Wurtec come in front of
2 the Board. Currently, no one is approved for alternative in
3 Texas. I am not sold on doing away with 125 percent full load
4 tests". That's the response from Texas.

5 CHAIRMAN BAUMANN: No further questions? Any questions
6 on Webex?

7 (No response.)

8 CHAIRMAN BAUMANN: No questions on Webex. At this time,
9 I'm going to open up the floor to public comment.

10 MR. MATTHEW SEBEK: Don, you can unmute yourself if you
11 have any comments.

12 CHAIRMAN BAUMANN: At this time, I'm going to open up for
13 public comment for this specific item. Anybody want to talk?

14 MR. ANTHONY DIBIASE: Are you calling names or --

15 CHAIRMAN BAUMANN: We'll start with you, Anthony, yes.

16 MR. ANTHONY DIBIASE: My name is Anthony DiBiase, and I
17 represent Elevator Inspection Services. Kevin, I have a few
18 questions that I would like you to clarify with me.

19 Is this, basically, a 5-year full load test
20 without the weights, but do you set the safeties?

21 MR. KEVIN HELING: The answer to that is, yes.
22 Absolutely. It's effectively the same test. It's just not --
23 you don't need to bring the weights.

24 MR. ANTHONY DIBIASE: So it's a no load test?

1 MR. KEVIN HELING: Yes.

2 MR. ANTHONY DIBIASE: How do you know if that elevator
3 will pick the load without capacity weight? How do you know
4 that it will hold the load at 125 percent.

5 MR. KEVIN HELING: Okay. I've gotten this question
6 before. The holding the load at 125 percent is actually pretty
7 easy. This test absolutely verifies that. It even verifies
8 that you can have a higher load, and it verifies that it cannot
9 just hold the load but retire the load under dynamic movement.
10 Because dynamic movement is harder to control than static.

11 You can often hold -- I had this happen in
12 Ontario recently, where they -- the elevator company showed
13 me -- there's always people who want to show how much they
14 know. They said, "Well, we put 150 percent load on it, 175
15 percent load on it; and it held. And then we did the test,
16 which is a dynamic test, and our test said that the brakes,
17 machine brakes, needed adjusting". And they did need
18 adjusting.

19 CHAIRMAN BAUMANN: They can't hear.

20 MR. KEVIN HELING: All right. The example I was giving
21 was just holding the load isn't really the point. Being able
22 to hold the load plus being able to handle the static load or
23 the dynamic load, the stopping forces, because the Code
24 requires retarding an overloaded elevator car.

1 So in a case where they put higher loads on
2 static, and it passed, so they thought that was good. And that
3 concerns me because I think sometimes in cases people aren't
4 fully understanding the Code, and they're doing those kinds of
5 tests and feeling like they're assured that it's work. But
6 when we did the test with the accelerometer, it couldn't retard
7 the load to the degree that was required. So, therefore, it
8 failed the test even though they showed me plenty of load. And
9 that's a matter of understanding what we're talking about,
10 understanding the dynamics of it.

11 Now, you had another question about...? I
12 want to make sure I don't forget it.

13 MR. ANTHONY DIBIASE: How can you tell if the load will
14 handle -- if the brake will handle the 125 percent capacity?

15 MR. KEVIN HELING: Yes. You know, we talked about this
16 being done with elevators. Well, in the United States we have
17 a lot of vehicles on the road, especially with trucks carrying
18 the loads; and they never get tested with a full load. It's,
19 essentially, the same process. We're measuring stopping
20 forces. If you know the stopping force, then by calculation
21 you put in a full load or 150 percent load, if you want, and
22 see if it will still hold it. And this is the same process.
23 You don't have to have the load come out to do that.

24 MR. ANTHONY DIABASE: I'm a hard sell on that point. One

1 more question.

2 MR. KEVIN HELING: I understand.

3 MR. ANTHONY DIBIASE: You mentioned "baseline" early on.

4 MR. KEVIN HELING: Yes.

5 MR. ANTHONY DIBIASE: What did you mean by that?

6 MR. KEVIN HELING: Well, it's a matter of trying to
7 interpret and understand what the code writers did. They put
8 baseline in there; and they, basically, are -- everybody has
9 agreed that they wanted to see a bunch of the new tests,
10 whatever equipment it was, whether it's our equipment or
11 someone else's, that it's been done along with a full load
12 test. So they're saying do two test because we want to see a
13 baseline. We want to see that you can pass.

14 And I mentioned that an elevator company in
15 Ontario named Bennett (phonetic) has done more than a thousand
16 tests. And they did a baseline for every one of the thousand
17 tests, which means they did double the work. And we'd have to
18 be able to show -- and we can show, in term of technology and
19 engineering, that that's not necessary. We're already designed
20 to be on the positive side of safety.

21 And after we've proven that, and we had it
22 also proven by a third-party engineering firm, that you don't
23 need a baseline with this particular equipment. Maybe with
24 somebody else's equipment, if they want to bring it in, they'll

1 have to do the same thing. That's what the baseline is about.
2 People want to see, A, does it pass the test the old way; and
3 now does it pass or not pass this new equipment.

4 And what I pointed out is that it doesn't pass
5 as often with this new equipment because it's more
6 discriminating.

7 MR. ANTHONY DIBIASE: Thank you.

8 CHAIRMAN BAUMANN: All right. Back to John Thompson,
9 please. John, do you have something?

10 MR. JOHN THOMPSON: Yeah, I do. Thanks for the
11 presentation. I've seen it before. I kind of echo Anthony's
12 thoughts. The proof's is in the pudding. Guys like to see
13 weights. It's hard to get inspectors away from seeing 125
14 percent on the car. And we do dynamic testing. The Code
15 requires that it stops 125 in the down, so guys I just do a
16 static test or not do it. We do that in the down direction.

17 The other thing, too, is I don't want to
18 see -- this is new equipment. We all have to embrace new
19 technology. Obviously, it's here to stay. So I'm not opposed
20 to it in the long run. But, in the short term, being that this
21 is a new piece of equipment, and we don't have a lot data on
22 it, and it's not accepted in a lot of places in the States that
23 follow the model of code that's been struck in areas, I advise
24 the Board to be cautious on this.

1 The State adopts a code every 3 years. This
2 is something that we can come back and revisit if, in fact, you
3 have other data or if there's a big interest in this. There's
4 been no interest in this. We've had this in the code since
5 '13. It wasn't struck in the code that we have right now.

6 And a recommendation that accommodates some of
7 the big companies, because they may look at this tool as
8 something that they can utilize down the road, is maybe, like
9 Kevin said, a company comes in front of this Board and proves
10 that they're certified on how to use this equipment and how to
11 interpret the results so that it can be done accurately and
12 we're not guessing out on the job and wasting time like we were
13 in the beginning with the step index machine.

14 These tools are required to be calibrated. It
15 would have to be a calibrated tool. Inspectors would have to
16 be aware of that. They could be using a tool that's
17 calibrated. And the other issue is labor. Union rules allow
18 the companies to only send one guy out when there's no test
19 weights on the job; and I don't want to see this in a situation
20 where you're on a car top and the company that has this tool,
21 they only send one guy out or whatever. You know, "Hey, can
22 you hold this?" or "Can put that there?".

23 And I don't want to see the inspector put in a
24 position where he ends up having to do something that he

1 doesn't feel comfortable with. And I don't want to put that on
2 the elevator mechanic either, that he's put in a position where
3 he needs to ask for help where he should have the help. So I'm
4 just asking the Board to be cautious here. I'm not opposed to
5 it long term, but short term it might not be the right fit for
6 us at this time.

7 MR. ROBERT CAPUANI: Thank you, John.

8 CHAIRMAN BAUMANN: Patti, do you have anything.

9 MS. PATTI YOUNG: Again, with regards to -- Patti
10 Young with Thompson Elevator Inspection Service. Latching onto
11 what Anthony and John said is, the Board should consider that
12 certification so we know that maybe the company is certified
13 but the individual person, the mechanic, is certified because
14 we have to always consider liability with what John said.

15 If it's only one person and that person is
16 compromised, then putting the inspector in jeopardy
17 potentially. There should be certifications that may be run
18 through the State Fire Marshal's office that is an amendment to
19 their current certification as a licensed Illinois mechanic
20 holder.

21 MR. JOHN THOMPSON: If they're licensed in alternative
22 testing.

23 MS. PATTI YOUNG: Correct.

24 MR. KEVIN HELING: Can I make some short comments to

1 those? There was a lot packed in to the last two comments. I
2 agree certification and some of the other AHAs are looking to
3 that, because this is technology. And I wouldn't give it to
4 somebody without them trained on how to do it because they're
5 not going to get good results.

6 But the test process is, basically, the same
7 as a full load with arguably a little less danger because you
8 don't have so much mass moving down the elevator. You're
9 stopping an empty car. It stops at a shorter distance, of
10 course. That was something that I showed on the picture. So
11 we'll come up with all of that.

12 There are elevator companies that are very
13 much interested in doing this because it improves their
14 opportunity to do safety and to assure safety. The elevator
15 companies in the province of Ontario, as soon as they got the
16 chance, there were five of them that took the risk because it's
17 new technology that they had to learn it; and they did learn
18 it, and they're in the process of doing it.

19 So the only thing that's holding them up is a
20 little bit of that baseline requirement where they're saying,
21 Well, now you have to do two tests. So they have to get over
22 the first time and do the test twice -- basically, pay a
23 penalty to make a step towards the improvement of safety. I
24 don't think we should penalize companies for wanting to take

1 that step towards safety. And I disagree that this brings
2 additional risks.

3 The only thing that would go wrong without
4 training is you'd do a test wrong, and you wouldn't have valid
5 test results, but it doesn't create an environment that's any
6 more unsafe than the current method of testing.

7 CHAIRMAN BAUMANN: Okay. Dennis Mogon? You've got to
8 speak up Dennis.

9 MR. DENNIS MOGON: Dennis Mogon, inspection services.
10 How long does this take to set up on a device? Where do you
11 get your baseline for all of the different manufacturer's ages
12 of devices? How long does it take to set up?

13 MR. KEVIN HELING: It doesn't require that because it's
14 measuring the actual forces. The thing that takes the longest
15 time at first is the control systems. How do you set it up in
16 order to do an isolated machine break test, or how do you set
17 it up to do an isolated safety test. Because often, when we do
18 tests, you have other brakes intervening.

19 And guess what? That's happening with the
20 full-load tests now. I see many times where full-load tests
21 show a mass that somebody checked the box in a slide that was
22 okay. But the machine brakes were intervening, and they don't
23 know how much.

24 MR. DENNIS MOGON: How long does it take to set up the

1 device?

2 MR. KEVIN HELING: To set up to do a test, a half-hour,
3 and maybe another hour or two to do the test. It depends on
4 the experience.

5 MR. DENNIS MOGON: Where would you get your baseline?
6 Depending on the age of the device and type of device?

7 MR. KEVIN HELING: Yeah, you have the original acceptance
8 test, and the full-loads test. And, hopefully, they've kept
9 information on the slide distance. This equipment will
10 actually give you -- of course it's measuring G forces, which
11 is more important than slide distance because of a lot of other
12 things going on on rails and on safeties. This shows you what
13 was the G force. The G force has be less than one so that when
14 passengers on the elevator are not being injured by the
15 emergency stop.

16 MR. DENNIS MOGON: I have reservations. That is not a
17 truck going down the highway. This is something (inaudible).
18 I can see this augmenting full-load capacity results and then
19 actual full-load testing. It's a documentation marking that I
20 can see being reported. It's a full actual load being
21 reported. I'm not convinced of the new technology either.

22 MR. KEVIN HELING: I agree. And I have companies now
23 that are starting out to do their acceptance tests where they
24 use this electronic equipment to do their adjustments and

1 really know what they're going to have before they bring a full
2 load out, because sometimes the full load acceptance test we
3 get suppressed, and we have to make repairs and do the test
4 again. This would avoid that.

5 CHAIRMAN BAUMANN: Okay. Thank you.

6 MR. AARON ADAMS: Aaron Adams. I've got one question.
7 As an executive of the Board, you said you've observed this,
8 seen it in operations. Is this something that you would
9 recommend to a Board member like myself that is not a
10 professional elevator mechanic?

11 MR. DICK GREGORY: I would recommend it with the caveat
12 that the person, the mechanic, doing this has to be trained.
13 In other words, so I have -- my oldest son and my youngest are
14 elevator mechanics, but I wouldn't send them out with this
15 right now until they get trained. They're both really good,
16 but not trained on it. It's the company that has to provide the
17 training so that they have the person that's doing the job is
18 trained.

19 I will give you a slightly, not totally
20 related -- I think you brought up step convert escalators. So
21 I have seen what I call where the elevate company properly
22 trained their mechanics on how to do the testing, or expert
23 index test. The kid lost a toe on his foot. Okay? The
24 crucial thing is to be trained. Whether it's a little company

1 or two different little companies. Like, my sons work for, two
2 different companies. Whether it's the Board handling the guy
3 who is doing the test, whether it be an escalator test or this
4 test, has to be trained.

5 CHAIRMAN BAUMANN: Okay. Are you good?

6 MR. KELLY WELLER: Mr. Chair, so I wanted -- this is
7 Kelly Weller -- be on record saying, hey, it's absolutely
8 great. Technology is great. We should always try to envision
9 having new technology and advances in safety. And I appreciate
10 Kevin, and I think it's a wonderful direction.

11 My first question to you is, is there anything
12 precluding them -- I'm not asking if it's an accepted test. Is
13 there anything precluding them from doing business in the state
14 of Illinois and applying this technology?

15 MR. DICK GREGORY: No.

16 MR. ROBERT CAPUANI: It would be this Board.

17 MR. KELLY WELLER: So I'm not suggesting that we accept
18 the results. I'm not suggesting anything to the contrary; but,
19 as a private business, can they come into the state of Illinois
20 and apply their technology and run a tandem to another set of
21 testing.

22 MR. ROBERT CAPUANI: As of right now, yes.

23 CHAIRMAN BAUMANN: So that's what he's requesting.

24 MR. KELLY WELLER: That is acceptable. I think Kevin

1 said it -- excuse me. I'm using your first name. But you said
2 that they're using -- Canada is using the dual technology.
3 They're running it one way.

4 MR. KEVIN HELING: They did. And now there's a province
5 test saying that that's not necessary because they like this
6 equipment.

7 MR. KELLY WELLER: I'm hoping you're right; but I'm not
8 ready to go there yet. I'm not ready to make that leap. I am
9 ready -- I do want to make sure that we're not obstructing your
10 ability to apply this technology tandem to other technologies
11 that might exist. That's the only thing I want to come out of
12 this. If you can do it, great; but I don't want to go on
13 record yet saying that I want to accept the results.

14 MR. KEVIN HELING: That's a good comment that I would like
15 to add to that. That was the reason A17 said performance
16 certification was added to the codes. And I think they could
17 comment on that as well, that we're not impeding progress and
18 new technology, that it can be done. So that's also the reason
19 why we took the step and spent the time and money to approve
20 this equipment, to kind of take care of the concerns that I've
21 heard mentioned, to get an A17.7 performance certification.

22 But, yes, anybody could do this. They could
23 do both. And there's actually a benefit in it --

24 CHAIRMAN BAUMANN: I don't believe anybody on Webex can

1 hear you. Has anyone said anything?

2 MR. JC FULTZ: No, I have nothing here.

3 MR. KEVIN HELING: I just said that the code envisions
4 kinds of things like this; and that's why they created A17.7
5 performance certification.

6 The other part of this that maybe I didn't
7 emphasize enough, this equipment does other things. That's
8 really a shortcoming of the current method now where we're not
9 verifying and validating the masses of the elevator, because
10 they can affect the test that you're doing, the full load test.

11 You can get a passing test -- if you have a
12 change in the balance situation, the chart that was made in the
13 code dictates a slide distance that requires a certain amount
14 of balance between the counterweight and the car. If you have
15 a change in that, now that chart may not be correct. So you
16 may get a false positive, a false pass, even though that
17 elevator is not going to stop. So this helps with that.

18 This equipment also helps because we can weigh
19 cars and counterweights. We can also look at ropes, and we can
20 balance the loads on ropes. We can figure out a lot of other
21 problems relative to the elevators with the equipment.

22 CHAIRMAN BAUMANN: Is there anything else on Webex? Is
23 there any non-members, non-Board members on Webex that would
24 like to comment, public comment? Do you want to open that up?

1 (No response.)

2 CHAIRMAN BAUMANN: Is there any Board members on Webex
3 that would like to comment?

4 MR. TERRY SHANKLIN: It seems to me that there's a lot of
5 guesstimation --

6 THE REPORTER: I can't hear. I can't hear him.

7 MR. TERRY SHANKLIN: The numbers off of the perimeters of
8 the -- parameters of the Category 5 test are done -- are based
9 on previous testing with weights. You don't know the age of
10 the car. You don't know the condition of the jaws. You don't
11 know the condition. There's a lot of variables in there that
12 take place. So I'm not a real big fan of that test. I think
13 it's approved in Europe where a lot of things are approved, you
14 know.

15 My thoughts are the quality of the
16 installation --

17 THE REPORTER: I lost him after the quality of the
18 installation. The installation of the elevator and the quality
19 of the equipment seems to have plummeted with the assertion of
20 doing things from technology from Europe. I'm not a fan of it.
21 I like the status quo. I like the way we've done it. We're
22 safe. We know it's a safe way to test it.

23 And when you start guessing and something
24 happens, who is going to point the fingers? I don't want to be

1 a part of that group. I, myself, on the Board, I stand against
2 it. I'm not a fan of alternative testing. I think if you get
3 your hands dirty, it's good to bend your back a little bit
4 carrying the weights; but I think at the end of the day it's
5 presumptive.

6 CHAIRMAN BAUMANN: Is there any other Board members on
7 Webex that would like to speak?

8 MR. EDWARD CHRISTENSEN: This is Ed Christensen. I'd
9 like to make a motion to eliminate alternative testing. Can
10 you hear me?

11 MR. JC FULTZ: Yes, we can hear you, Ed. One more time.

12 MR. EDWARD CHRISTENSEN: I said I'd like to make a motion
13 to eliminate alternative testing.

14 CHAIRMAN BAUMANN: All right. We've got a motion to
15 eliminate --

16 MR. TERRY SHANKLIN: I second.

17 CHAIRMAN BAUMANN: We've got to motion first.

18 MR. JC FULTZ: Terry seconds it.

19 CHAIRMAN BAUMANN: It's been moved and seconded to
20 eliminate alternative testing from the current code, 2019 code.
21 It's been moved and seconded. We're going to do a roll call
22 vote -- I'm sorry.

23 Questions on the motion? Jerry?

24 MR. GERALD GROSS: Yeah. In reference to Kevin's

1 presentation, if I'm correct this is a performance-based test,
2 which is acceptable. Right? Correct?

3 CHAIRMAN BAUMANN: Correct.

4 MR. GERALD GROSS: I do a lot of performace-based design
5 work. In fact, I'm doing it right now for the capital of
6 Illinois. And actually it comes out a little bit better -- the
7 design work comes out better than we do looking at codewise. I
8 don't know all of the criteria on the testing, but I can see
9 this alternative being superior to the existing testing. I
10 could see that.

11 CHAIRMAN BAUMANN: You're an architect. You would see
12 that. I'm just bringing it up. I think something like this
13 should be encouraged because I think it would be better in the
14 future. I think Kevin's test also showed more comprehensive
15 overall outcome than what's being done right now. That's my
16 opinion, as of this date. I know there's got to be a lot more
17 to it, but what he's doing is acceptable at the time under the
18 performance-based design.

19 MR. ROBERT CAPUANI: Does Illinois want to be a test
20 state for the Midwest? That's my question. Does Illinois want
21 to be the test state for the Midwest? That's my question to
22 the Board. Does Illinois want to be the test state for the
23 Midwest?

24 MR. GERALD GROSS: It's set up. We're not. It's already

1 in the code. It's part of the performance-based test they
2 give.

3 MR. ROBERT CAPUANI: You've seen all of the states
4 that --

5 CHAIRMAN BAUMANN: Don't accept it.

6 MR. GERALD GROSS: Yeah. I'm licensed in a lot of
7 states; and I don't go with what everybody says, obviously.

8 CHAIRMAN BAUMANN: Kelly?

9 MR. KELLY WELLER: So I just want to make sure, from a
10 legal perspective, we are not impeding someone from using this
11 technology to run tandem with existing testing to check and
12 elevator. I agree with Ed that this should not be the sole
13 test, but I want to make sure that we're not limiting
14 technology from moving forward to allow someone to come in and
15 try something different. That's great.

16 I don't want to vote for it to be the only
17 test. I'm not ready to do that; but 3 years from now people
18 who are sitting on the Board might. So as long as -- I support
19 the motion as long as we're not impeding the use of the
20 technology to run tandem with anyone else that somebody wants
21 to drop.

22 CHAIRMAN BAUMANN: Any other questions?

23 MS. ALLISON ALLGAIR: Yeah. And I'm sorry. I don't know
24 who it was on the phone that said something about using

1 guesstimates. But my understanding of this is not
2 guesstimates, but it's math and it's physics. So it's not
3 someone saying how long, or short, or fast, or slow, or
4 whatever. They're using math.

5 And, to your point, Jerry, it's superior. It
6 catches things that the old school that everybody's comfortable
7 with doesn't catch, like the counterweight actually having
8 some -- I didn't use the right term. To me, it seems like the
9 superior method because it is -- and it's based on physics.
10 It's not based on guesstimates.

11 CHAIRMAN BAUMANN: Dick?

12 MR. DICK GREGORY: Based on my experience, in Ann Arbor,
13 which I mentioned before, with the newly-installed Schindler
14 elevator that passed the regular type test. This test showed
15 that it was not good and it was wrong.

16 And so my thought is that you do an initial
17 acceptance test with weights, and then you're allowed -- not
18 required -- you're allowed to do the alternative testing
19 without weights. You're going to find out a lot more things
20 that you can correct that you otherwise won't know.

21 MS. ALLISON ALLGAIR: To the comment about being the
22 guinea pig, Ontario, their TSSA (phonetic) is pretty strict.
23 So if Ontario is accepted it, we're not being the first -- we
24 may be the first movers among the people that you've talked

1 with; but Canada -- it's not like elevators are different in
2 Canada.

3 MR. ROBERT CAPUANI: We're not in Canada. We're in the.
4 US.

5 MS. ALLISON ALLGAIER: An elevator is an elevator.

6 CHAIRMAN BAUMANN: All right. We've got a question on
7 Webex.

8 MR. TERRY SHANKLIN: Yeah, this is Terry. We're so far
9 superior, it should be addressed all over the place, but it's
10 not. So, as we said before, the proof is in the pudding. I'm
11 not seeing where it's embraced throughout whatever's been
12 presented, and I'm not a fan of it. So I would say that being
13 superior is a far leap. That's all I've got to say.

14 CHAIRMAN BAUMANN: Thank you.

15 CHAIRMAN BAUMANN: Question?

16 AUDIENCE MEMBER: My name is (inaudible). Being with the
17 ASA myself, City of Aurora, our building code --

18 THE REPORTER: I'm sorry. If you could speak up, sir.

19 AUDIENCE MEMBER: Sorry. Building codes have the ability
20 to have alternative design, so I don't believe that the motion
21 or the direction should be to eliminate all of the ability to
22 have alternative methods. I believe that, if there's a concern
23 about a product, then maybe it's a matter of making sure that
24 we're certified appropriately or eliminating something

1 make one more comment?

2 MR. KELLY WELLER: We're in a motion.

3 CHAIRMAN BAUMANN: We're in a motion. Sorry.

4 I guess we're going to do a roll call vote.

5 The motion was to eliminate the alternative testing in the
6 current 2019 Code.

7 MS. ALLISON ALLGAIR: For car safety.

8 MR. DICK GREGORY: For car safety.

9 CHAIRMAN BAUMANN: Got that?

10 We'll start with the roll call vote. Jerry?

11 MR. GERALD GROSS: Gerald Gross, no.

12 MR. KELLY WELLER: Kelly Weller, yes.

13 MS. ALLISON ALLGAIR: Allison Allgair, yes.

14 MR. HERMAN BENEKE: Herman Beneke. No.

15 MR. WILLIAM BOGDAN: Bill Bogdan. Yes.

16 MR. AARON ADAMS: Aaron Adams. No.

17 CHAIRMAN BAUMANN: You understand the "no" vote is not to
18 eliminate the language.

19 MS. ALLISON ALLGAIR: To accept the code.

20 CHAIRMAN BAUMANN: Going on to Webex, Ed Christiansen?

21 MR. EDWARD CHRISTENSEN: Yes.

22 CHAIRMAN BAUMANN: Jenny Noddy?

23 MS. JENNY NODDY: Yes.

24 CHAIRMAN BAUMANN: Terry Shanklin?

1 MR. TERRY SHANKLIN: Absolutely.

2 CHAIRMAN BAUMANN: That's a "yes". Don Plass?

3 MR. DON PLASS: No. No.

4 MR. ROBERT CAPUANI: 6.

5 CHAIRMAN BAUMANN: 6 to 5.

6 MR. KELLY WELLER: Point of clarification on the vote, if
7 I may?

8 CHAIRMAN BAUMANN: We already did the vote. It was a 6
9 to 5 vote, so it did pass. Go ahead.

10 MR. KELLY WELLER: Okay. If it passed, fine. I just
11 wanted to make sure that we all voted. I think someone might
12 have heard something different.

13 CHAIRMAN BAUMANN: He asked me to clarify. That's why I
14 clarified.

15 MR. MATTHEW SEBEK: I still need to make a record of
16 this. "No" means keeping this option in, the alternative
17 testing, in the Code. "Yes" means striking it.

18 You were a "no". You were a "yes". You were
19 a "no". "Yes". "No". Correct? And on the phone, we had
20 Terry was a "yes". Done was a "no". Don was a "no". Correct?
21 Jenny was a "yes". And Ed was a "yes".

22 Do I have that correct?

23 MR. MATTHEW SEBEK: Jenny and Ed, please respond.

24 Don was a "no". Jenny was a "yes". Terry was

1 a "yes". And Ed was a "yes". Correct?

2 MR. EDWARD CHRISTENSEN: Correct. Yes.

3 MR. ROBERT CAPUANI: 6 to 5.

4 CHAIRMAN BAUMANN: Moving on.

5 (Whereupon, there was a brief pause.)

6 CHAIRMAN BAUMANN: Terry, if you can hear me, this is
7 what I believe you said. "Starting January 1, 2023, all
8 hydraulic elevators that are scheduled for Category 1 freshman
9 test shall have all fire initiating devices testing repeated
10 every 5 years. Beginning January 1st of 2023, all traction
11 elevators that are scheduled for Category 5 tests, all fire
12 initiating devices tested hereinafter shall be repeated every 5
13 years. Documents of the results must be kept on site in the
14 Maintenance Control Program.

15 Am I correct, Terry?

16 JC FULTZ: He says you're correct.

17 CHAIRMAN BAUMANN: Thank you.

18 MR. AARON ADAMS: For clarification, does this mean this
19 test is only going to be performed once every 5 years across
20 the entire state at one time, or can it be disseminated in 20
21 percent, half. I know this was a discussion that was up.

22 CHAIRMAN BAUMANN: Correct. The ones that are scheduled
23 on the 23rd -- so if they're not scheduled until the 24th,
24 that's when they're going to be done. So it's every 5 years

1 from the anniversary date. That's the hydraulics and the
2 traction.

3 MR. ROBERT CAPUANI: The hydraulics will be in 2023, not
4 at the same time, but on their anniversary date of the pressure
5 test.

6 CHAIRMAN BAUMANN: That's what I was trying to say.

7 MR. AARON ADAMS: That's good. I just want to make sure
8 that I'm reading it correctly. That's how I'm interpreting it.
9 It says "our schedule". So if they're not scheduled in 2023,
10 this will begin in 2024.

11 CHAIRMAN BAUMANN: Or where they're at, yeah.

12 MR. GERALD GROSS: Pressure tests are every year.

13 MR. ROBERT CAPUANI: And remember that NFPA still states
14 that all initiating devices still must be tested every year.
15 We're just -- this is for witnessing.

16 MR. DICK GREGORY: May I suggest that the hydraulics be
17 divided so that only 20 percent are done each year instead of
18 trying to do all 112,000 hydraulics all at the same time and
19 just divide them out by serial numbers or divide it by 5 or
20 something so that it's handleable.

21 And the second thing: the results must be
22 kept on site in the maintenance records, not the Maintenance
23 Control Program. The correct terminology is "the maintenance
24 records".

1 MS. ALLISON ALLGAIR: Shouldn't it be "fire alarm"
2 instead of "fire initiating devices". You don't want devices
3 starting fires. I have proposed language that tweaks it.

4 MR. KELLY WELLER: Hold on. I want to do the exact same
5 thing.

6 MS. ALLISON ALLGAIR: Then you go first.

7 MR. KELLY WELLER: My first question is to Bob. Bob, I
8 just want to sure before I make any amendments to the
9 hydraulics cite, the Category 1 pressure testing, we've not
10 done anything to mandate that they all have to be done in 2023.

11 MS. ALLISON ALLGAIR: Every year.

12 CHAIRMAN BAUMANN: That's normal.

13 MR. KELLY WELLER: By 2023 or in 2021?

14 MR. ROBERT CAPUANI: Every year.

15 MR. KELLY WELLER: What this motion says -- what the
16 specifics of the language says is it will be done in 2023?

17 MR. ROBERT CAPUANI: Yes.

18 MS. ALLISON ALLGAIER: So shall -- so everything done in
19 2023. Why would we want to do that?

20 CHAIRMAN BAUMANN: All of the hydros are tested right now
21 every year anyway. It's going to be a normal thing. So in
22 2023 it's going to be done every 5 years.

23 MR. KELLY WELLER: So every year?

24 MR. ROBERT CAPUANI: Every 5 years.

1 MR. KELLY WELLER: So back in -- and I'm just being hard
2 headed here. So 2023 -- back in '18 all 9,600 conveyances
3 hydraulics got checked in that one year.

4 MR. ROBERT CAPUANI: Every year every hydraulic has to do
5 a Category 1 test, every year.

6 MR. KELLY WELLER: So, in conjunction with that test, in
7 2023, we want all of them --

8 MR. ROBERT CAPUANI: Initiating devices tested. And then
9 every 5 years after that.

10 MR. KELLY WELLER: So it is a different standard than the
11 second -- than the traction elevator, because the traction will
12 be spread out over 5 years.

13 MR. ROBERT CAPUANI: Right. It's possible, yes.

14 MS. ALLISON ALLGAIR: By this wording.

15 MR. KELLY WELLER: So I just want to make sure. I am not
16 particularly thrilled about them having to do five all of this
17 at one time. I think it's a great idea. I think we should
18 follow the same -- in my opinion, I think we should follow the
19 same standard. But I don't know how you're going to apply it
20 because then we're back to Dick's question. You're going to
21 have to do it by --

22 MS. ALLISON ALLGAIR: I have an idea of how to do that.

23 MR. KELLY WELLER: -- I'll defer to you for the solution,
24 I hope.

1 MS. ALLISON ALLGAIR: Okay. So my thought is, in
2 concept, in 2023 you'd have to show by the end of the year that
3 your hydraulic elevator has had a test in the past 5 years of
4 all fire initiating -- fire alarm initiating devices.

5 So with that, here's how I read it: So all
6 elevators shall test -- and then writing it more broadly,
7 because this is like the one-time thing. But, in general, all
8 elevators shall test all fire alarm initiating devices every 5
9 years. The documentation of the results must be kept on site
10 in the maintenance records, period.

11 Now, how do you accomplish that? All
12 hydraulic elevators shall have this documentation no later than
13 12/31/19, which allows them -- they could do it -- if they just
14 had their acceptance test the prior year and had that done in
15 2022, they don't need to do it again in 2023. They're good
16 until 2027. And then they have that whole year of 2019 -- I
17 said 2019. I'm sorry.

18 All hydraulic elevators shall have this
19 documentation no later than 12/31/2023. And all traction
20 elevators shall have this -- sorry. I switched my grammar
21 here. And all traction elevators shall have this documentation
22 at the time of their first Category 5 test after January 1st,
23 2023.

24 MR. KELLY WELLER: Let's break this up into two pieces.

1 CHAIRMAN BAUMANN: This is still a discussion.

2 MR. KELLY WELLER: I like the first solution. I think
3 that gets us where we want to be. The second one I think was
4 just word-smithing Terry's thoughts. I think it should be
5 beginning January 1, 2023 and at least, thereafter, every 5
6 years.

7 So at least -- I don't want to preclude
8 somebody from doing this more often. If they want to, they can
9 do it every year. So at least, and thereafter every 5 years,
10 traction elevators that are scheduled for Category 5 testing
11 shall have the associated fire alarm initiating devices tested
12 as part of the inspection process. That way it says it rolling
13 out.

14 MS. ALLISON ALLGAIR: For the traction, say your traction
15 sentence again.

16 MR. KELLY WELLER: So beginning January 1, 2023 and at
17 least thereafter every 5 years, traction elevators that are
18 scheduled for Category 5 testing shall have associated fire
19 alarm initiating devices tested as part of the inspection
20 process.

21 MS. ALLISON ALLGAIR: I think you have a section there
22 that's not needed that says "and at least every 5 years". You
23 have to have a Category 5 test every 5 years. You can take
24 that out, that part of your phrase, because that's already in.

1 MR. KELLY WELLER: You're saying we don't need "at
2 least".

3 MS. ALLISON ALLGAIR: You can take out "at least
4 thereafter every 5 years". So beginning January 1st, 2023,
5 traction elevators that are scheduled for Category 5 tests
6 shall have their devices tested as part of that inspection
7 process.

8 MR. KELLY ALLGAIR: You have to put this back in
9 thereafter.

10 MS. ALLISON ALLGAIR: No. No. No. Because that
11 5-year -- because the Category 5 test happens every 5 years.

12 CHAIRMAN BAUMANN: You're using those big words that I
13 don't understand. There's a very simple form of exactly what
14 you're saying. You're elaborating the language.

15 MR. KELLY WELLER: If the chairman is more comfortable
16 with that language --

17 CHAIRMAN BAUMANN: I'm a big fan of the KISS principle.

18 MR. DICK GREGORY: Keep It Simple Stupid.

19 CHAIRMAN BAUMANN: You've got it.

20 We've had some discussions on the language. I
21 really haven't heard anything about a motion to change the
22 language.

23 MS. ALLISON ALLGAIR: How does that work, procedurally?

24 CHAIRMAN BAUMANN: Hold on. Hold on second. Off the

1 record.

2 (Whereupon, a discussion was had off
3 the record.)

4 CHAIRMAN BAUMANN: We've got a motion on the floor that's
5 been moved and seconded. We're under discussion. It's been
6 requested by Terry's motion to amend the motion, a friendly
7 amendment. Is Terry on?

8 MR. JC FULTZ: Terry, are you still there?

9 CHAIRMAN BAUMANN: Allison, can you read that, the
10 amended motion?

11 MS. ALLISON ALLGAIER: Okay. Proposed amended motion:

12 "All elevators shall test all fire alarm
13 initiating devices every 5 years and be witnessed by an
14 Illinois licensed elevator inspection. Documentation of the
15 results must be kept on site in the maintenance records. All
16 hydraulic elevators shall have this documentation no later than
17 12/31/2023, and all traction elevators shall have this
18 documentation at the time of their first Category 5 test after
19 January 1st, 2023. Subsequent tests will be required no later
20 than the 5-year anniversary date of the prior test".

21 CHAIRMAN BAUMANN: That's the end of it, Terry. Did you
22 hear it Terry? Do you understand?

23 MR. TERRY SHANKLIN: That would cover installation and
24 the acceptance test, obviously. The problem that I see is

1 going to be is this measure safe to be able to have the
2 wherewithal with the bodies to do the hydraulic. The traction
3 cars aren't going to be an issue, as far as being able to
4 schedule and put a workload on everybody. The hydraulics,
5 though -- my thinking is that, when they're done -- when you
6 have a Category 1 test every year --

7 I mean, I can see where you might want to
8 spread them out; but exactly how to do that, I'm not sure.
9 Because it covers that, and it covers the acceptance test. If
10 we can ensure that each individual conveyance tests all of the
11 initiating devices tested within that 5-year period and be good
12 with it. Does that cover all of that?

13 MS. ALLISON ALLGAIR: So, Terry, that was the thought in
14 modifying this language, is to not make everybody do it in
15 2023. For example, if somebody just had an acceptance test 2
16 or 3 years ago for a brand-new elevator, then they don't have
17 to do it in 2023. So we take all of those acceptance
18 inspections out of the 2023 crunch.

19 And then there's also the option that people
20 can just start doing this early. Right? We passed it in 2020.
21 People might test them in '21, '22, whatever, just spread them
22 out on their own. It kind of gives them that flexibility to do
23 that.

24 MR. JC FULTZ: Are you there, Terry?

1 MR. TERRY SHANKLIN: We're going to have to do something
2 with this. This is a step forward. I think the proof may be
3 in the pudding. Down the road if there's any changes, you have
4 all three split (inaudible). But right now, as far as getting
5 this -- initiating this motion, I'm good.

6 CHAIRMAN BAUMANN: You're good with the amended motion --
7 amended language? Terry, you're good with the amended
8 language?

9 MR. TERRY SHANKLIN: Yes, I am. We can always revisit it
10 if we need to.

11 CHAIRMAN BAUMANN: We're going to read that back into the
12 Minutes one more time. I mean, we've already gone way past it.
13 We're going to have to read that one more time into the
14 Minutes, please.

15 MS. ALLISON ALLGAIER: All elevators shall test all fire
16 alarm initiating devices every 5 years and be witnessed by an
17 Illinois licensed elevator inspection. Documentation of the
18 results must be kept on site in the maintenance records. All
19 hydraulic elevators shall have this documentation no later than
20 12/31/2023. All traction elevators shall have this
21 documentation at the time of their first Category 5 test after
22 January 1st 2023. Subsequent tests will be required no later
23 than the 5-year anniversary date of the prior test.

24 CHAIRMAN BAUMANN: Okay. You read it again.

1 Any questions on that? Any further questions
2 on the motion?

3 (No response.)

4 CHAIRMAN BAUMANN: Any questions on the Webex?

5 MR. MATTHEW SEBEK: Let's go individually on the Webex.

6 CHAIRMAN BAUMANN: We will, if there's a question.

7 No questions? Don? Don Plass, any questions?

8 MR. DON PLASS: Don Plass. No questions. I like it.

9 MR. MATTHEW SEBEK: Thank you. Thank you.

10 CHAIRMAN BAUMANN: Okay. We're going to do a roll call
11 vote. Jerry -- Gerald?

12 MR. GERALD GROSS: Aye. Yes.

13 MR. KELLY WELLER: Kelly Weller. Yes.

14 MS. ALLISON ALLGAIER: Allison Allgair. Yes.

15 MR. HERMAN BENEKE: Herman Beneke. Yes.

16 MR. WILLIAM BOGDAN: Bill Bogdan. Yes.

17 MR. AARON ADAMS: Aaron Adams. Yes.

18 CHAIRMAN BAUMANN: Those on the Webex?

19 MR. MATTHEW SEBEK: Start with Don, really quick.

20 CHAIRMAN BAUMANN: Don Plass?

21 MR. DON PLASS: Yes.

22 CHAIRMAN BAUMANN: Jenny Noddy?

23 MS. JENNY NODDY: Yes.

24 CHAIRMAN BAUMANN: Ed Christensen?

1 MR. EDWARD CHRISTENSEN: Yes.

2 CHAIRMAN BAUMANN: Terry Shanklin?

3 MR. TERRY SHANKLIN: Yes.

4 CHAIRMAN BAUMANN: They're all united. It's unanimous
5 that the motion passes.

6 MR. DICK GREGORY: Does it have to be passed by the Board?

7 CHAIRMAN BAUMANN: No. We're done. That's why we just
8 fought over all of the language.

9 MR. DICK GREGORY: It's not going to die because we failed
10 to meet.

11 MR. ROBERT CAPUANI: No. Now we go to -- we've still got
12 another --

13 CHAIRMAN BAUMANN: We've still got another thing to do.

14 MR. DICK GREGORY: With this?

15 MR. ROBERT CAPUANI: No. Something else. Real easy.
16 Real easy. Real easy, Kelly.

17 MR. KELLY WELLER: I'm not getting in the way.

18 (Laughter.)

19 MR. ROBERT CAPUANI: All right. Where are we?

20 MR. AARON ADAMS: 5A's done. 5B's done.

21 MR. ROBERT CAPUANI: We're on D.

22 MS. ALLISON ALLGAIR: We're on 2019.

23 MR. ROBERT CAPUANI: The Board to consider, and upon an
24 appropriate motion --

1 CHAIRMAN BAUMANN: I've got it.

2 The Board to consider, and upon an appropriate
3 motion to vote, whether to modify Rule 1000.80A1BI to identify
4 the test taker as a responsible party for any administrative
5 test taking fee opposed by a designated provider of the
6 mechanics test.

7 MR. ROBERT CAPUANI: I can explain it real easy. Right
8 now we don't charge for taking a paper test for mechanics. Now
9 they're going to electronic testing. The provider that does
10 the testing is charging, I think, \$59 for the test. By
11 approving this, all you're doing is telling -- the person who
12 is taking the test must pay that fee for the electronic test
13 not the paper test.

14 MR. DICK GREGORY: Who is doing the electronic test?

15 MR. ROBERT CAPUANI: I don't know.

16 MS. ALLISON ALLGAIR: When does that start?

17 MR. ROBERT CAPUANI: It'll start when you approve it.

18 MS. ALLISON ALLGAIR: I mean the electronic test.

19 MR. ROBERT CAPUANI: It's started.

20 MS. ALLISON ALLGAIR: Okay. The State has been covering
21 the cost?

22 MR. ROBERT CAPUANI: Yeah. It just started.

23 MR. DICK GREGORY: Who's doing it? Walgreens?

24 MR. ROBERT CAPUANI: I don't have that information. It's

1 our test. It's a test that the Board approved.

2 CHAIRMAN BAUMANN: It's the same thing testing that he
3 used to certify that program.

4 MR. ROBERT CAPUANI: Instead of doing it on paper,
5 they're going to do it electronically. They charge -- I think
6 it's \$59. So all we're saying is the person that takes the
7 test is responsible for that fee. That's all it is.

8 MR. DICK GREGORY: Sounds good.

9 MR. ROBERT CAPUANI: Very simple, Kelly.

10 MR. KELLY WELLER: You want a motion?

11 MR. KELLY WELLER: Motion to -- we're on Item...

12 MR. DICK GREGORY: D.

13 MR. KELLY WELLER: Motion to have what's the right way to
14 say it? Do you want me to read it right out of the thing?

15 For the administration, motion for the fire
16 marshal's office to assess a fee to for which -- give me a
17 second.

18 CHAIRMAN BAUMANN: Motion to accept the administration
19 fees for test taking fee posed by a designated provider.

20 MR. KELLY WELLER: Well done. Accepted.

21 MR. GERALD GROSS: Second.

22 CHAIRMAN BAUMANN: It's been moved and seconded. That
23 was easy. Any questions on that? Any further questions on
24 that?

1 CHAIRMAN BAUMANN: Roll call vote. Gerald.
2 MR. GERALD GROSS: Gerald Gross. Yes.
3 MR. KELLY WELLER: Kelly Weller. Yes.
4 MS. ALLISON ALLGAIR: Allison Allgair. Yes.
5 HERMAN BENEKE: Herman Beneke. Yes.
6 MR. WILLIAMS BOGDAN: Bill Bogdan. Yes.
7 MR. AARON ADAMS: Aaron Adams. Yes.
8 CHAIRMAN BAUMANN: On the Webex?
9 MR. JC FULTZ: Start with Don.
10 CHAIRMAN BAUMANN: Oh, start with Don Plass. Don Plass,
11 are you there?
12 MR. DON PLASS: (Inaudible.)
13 CHAIRMAN BAUMANN: Hold on a second. Say that again.
14 MR. DON PLASS: Don Plass. Yes.
15 CHAIRMAN BAUMANN: On the Webex, Jenny Noddy?
16 MS. JENNY NODDY: Yes.
17 CHAIRMAN BAUMANN: Ed Christensen?
18 MR. EDWARD CHRISTENSEN: Yes.
19 CHAIRMAN BAUMANN: Terry Shanklin.
20 MR. TERRY SHANKLIN: Yes.
21 CHAIRMAN BAUMANN: All in the affirmative. Everybody's
22 in the affirmative, so the motion passed.
23 We can move on to taking a nomination to elect
24 the Secretary of the Board.

1 MR. ROBERT CAPUANI: I've got a suggestion for the
2 Secretary of the Board.

3 MR. AARON ADAMS: We didn't do E.

4 CHAIRMAN BAUMANN: We're going to go on to E of the
5 Agenda, which was explained to me that everything that we've
6 discussed today, we're going to take all of that information
7 and pass it on -- move it on into the rules.

8 So the Board shall consider -- I need a motion
9 to forward this -- move forward with the approved draft
10 languages into the Code.

11 MR. MATTHEW SEBEK: Move what we approved today into the
12 rulemaking process.

13 CHAIRMAN BAUMANN: Isn't that what I just said?

14 MR. HERMAN BENEKE: So moved.

15 CHAIRMAN BAUMANN: It's been moved. Has it been
16 seconded?

17 MR. AARON ADAMS: Seconded.

18 CHAIRMAN BAUMANN: Again, roll call vote. Any questions
19 on that?

20 (No response.)

21 CHAIRMAN BAUMANN: Okay.

22 MR. JC FULTZ: Hold on. One more time, Terry wants to
23 know what we're doing. Can you repeat it for Terry, please?

24 CHAIRMAN BAUMANN: Sure.

1 MR. DICK GREGORY: Tell him to wake up.

2 (Laughter.)

3 CHAIRMAN BAUMANN: We have to make a motion, Terry, to
4 put forward all of the information that we've discussed today
5 into the rules. And we're going to vote -- we've got to vote
6 to push that forward.

7 MR. MATTHEW SEBEK: To initiate the rulemaking process.

8 CHAIRMAN BAUMANN: To initiate the rulemaking process.
9 Do you understand?

10 MR. JC FULTZ: One more time.

11 CHAIRMAN BAUMANN: Okay. The Board, we have to consider,
12 upon appropriate motion, to vote and ap approve the draft
13 language that we have just discussed all morning and put that
14 forward into the rules. So we have to approve it.

15 MR. TERRY SHANKLIN: I understand. No problem.

16 CHAIRMAN BAUMANN: Okay. It's been moved and seconded.
17 We're going to do a roll call vote.

18 MR. GERALD GROSS: Gerald Gross. Yes.

19 MR. KELLY WELLER: Kelly Weller. Yes.

20 MR. ALLISON ALLGAIER: Allison Allgair. Yes.

21 MR. HERMAN BENEKE: Herman Beneke. Yes.

22 MR. WILLIAM BOGDAN: Bill Bogdan. Yes.

23 MR. AARON ADAMS: Aaron Adams. Yes.

24 CHAIRMAN BAUMANN: Now, on the Webex -- oh. I'm sorry.

1 Don?

2 MR. DON PLASS: Yes. Plass. Yes.

3 CHAIRMAN BAUMANN: Thank you. Jenny Noddy?

4 MR. HERMAN BENEKE: Jenny, are you there? Jenny? Jenny,
5 did you get that? Are you there?

6 CHAIRMAN BAUMANN: Jenny Noddy had to leave.

7 Ed Christensen?

8 MR. EDWARD CHRISTENSEN: Yes.

9 CHAIRMAN BAUMANN: Terry Shanklin?

10 MR. TERRY SHANKLIN: Yes.

11 CHAIRMAN BAUMANN: Very well. It passes.

12 The next motion -- or, next, we'll move on to
13 the Secretary of the Board.

14 MR. ROBERT CAPUANI: That's voluntary.

15 CHAIRMAN BAUMANN: Do we have any volunteers for the
16 Secretary of the Board?

17 MS. ALLISON ALLGAIR: What does the secretary do?

18 MR. ROBERT CAPUANI: I have a volunteer.

19 MS. ALLISON ALLGAIR: What are the duties of the
20 secretary?

21 MR. ROBERT CAPUANI: You know what? Basically, just keep
22 notes of the meeting, you know, like, the motions.

23 MS. ALLISON ALLGAIR: Who voted for what?

24 MR. ROBERT CAPUANI: You're not taking minutes of the

1 meeting.

2 MS. ALLISON ALLGAIR: Right. She's doing that.

3 MR. ROBERT CAPUANI: Right. But, like, motions -- if
4 someone makes a motion, just write down, "This is the motion".

5 MR. DICK GREGORY: The secretary is supposed to review the
6 Minutes.

7 MR. ROBERT CAPUANI: The whole Board is supposed to
8 review the Minutes.

9 MR. MATTHEW SEBEK: And the court reporter, in lieu of
10 minutes, normally it would be recorded minutes --

11 MR. ROBERT CAPUANI: We'll all have a court reporter.

12 CHAIRMAN BAUMANN: Usually somebody is taking notes in
13 the meeting. It's voluntary. It's up to you. I think you
14 would be good.

15 CHAIRMAN BAUMANN: Do I have a volunteer?

16 MR. ROBERT CAPUANI: Kelly?

17 MS. ALLISON ALLGAIR: I will accept a nomination.

18 MR. HERMAN BENEKE: I volunteers Allison.

19 CHAIRMAN BAUMANN: We should tell Bill he was just
20 nominated .

21 (Laughter.)

22 CHAIRMAN BAUMANN: All right. Now we're up to public
23 comment. I know it's been a long meeting, guys. I appreciate
24 you guys. It's been really messed up. Is there anyone who

1 wants to further comment?

2 MS. PATTIE YOUNG: The question would be for Bob and Dan.
3 When do you anticipate --

4 THE REPORTER: I'm sorry. Who's speaking?

5 MS. PATTIE YOUNG: Pattie Young, Thompson Elevator
6 Inspection Service.

7 What is the anticipation date of what we just
8 discussed and accomplished today being sent to JCAR?

9 MR. MATTHEW SEBEK: I can answer that. So the process
10 from here -- and also for the benefit of everybody that may be
11 listening from the public on Webex. The process from here is
12 to initiate the rule-making process, which you personally may
13 be familiar with. It's, essentially, a committee of
14 legislators that approves rules and ensures that rules aren't
15 going beyond the scope of what the statute intends for a given
16 board to do. That process can take a very long time, but the
17 calendar for it is defined by when do you start that process.
18 So the clock is, essentially, running as of when we file that.

19 So the amount of time that may pass between
20 now and when we file it with what's called First Notice is hard
21 to define, but we certainly want to get the process moving as
22 quickly as possible given the kind of tortured history that
23 this process has had to this point and with the expired attempt
24 that we had this most recent time. So I would say, without

1 wanting to overcommit, very, very soon is going to be a little
2 bit more starting the rule-making process.

3 And I should add that even though this process
4 has been -- let's called it imperfect, given all of the
5 technological issues that we've had, that JC was
6 extraordinarily helpful with -- and I'm so glad that he came to
7 help us. If you think this was bad, imagine me trying to do
8 what he's done, it could have been a heck of a lot worse.

9 But there's extensive opportunities for
10 engagement, and participation, and public comment, and that
11 process as well. So that kind of informs the level of
12 formality that we need to follow. The statute requires this,
13 what we did. And we would do it another way if the statute
14 didn't require it. So, basically, that's a long way of
15 answering. But you are going to have opportunities to be
16 involved in that second part of the process to the same extent,
17 if not more, than you did in this one.

18 MS. PATTIE YOUNG: Can you commit -- Pattie Young with
19 Thompson Elevator Inspection Service. Matt, can you commit the
20 State Fire Marshal's Office for submitting within the month
21 coming up, so we're already in November, by the 1st of the
22 year?

23 MR. MATTHEW SEBEK: I think that's a reasonable time
24 table. But the notion of comitting the office to something,

1 no, I'm not going to do that. But that certainly sounds like a
2 reasonable timetable, yes.

3 MR. JC FULTZ: Okay. That's fair. Thank you.

4 MR. MATTHEW SEBEK: Thank you.

5 CHAIRMAN BAUMANN: Any further comments from the public
6 on Webex?

7 (No response.)

8 CHAIRMAN BAUMANN: Hearing no further comments on the
9 Webex, anybody have a motion for us to adjourn.

10 MR. KELLY WELLER: I think the new secretary should make
11 the motion.

12 CHAIRMAN BAUMANN: Does the new secretary want to make
13 the motion?

14 MS. ALLISON ALLGAIR: We've already made it.

15 CHAIRMAN BAUMANN: It's been moved and seconded. We're
16 now adjourned.

17 (Whereupon, the above entitled matter
18 was adjourned.)

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1 STATE OF ILLINOIS)
2 COUNTY OF COOK) SS:

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Devan J. Moore, being first duly sworn on
oath, says that she is a Certified Shorthand Reporter, that she
reported in shorthand the proceedings given at the taking of
said hearing, and that the foregoing is a true and correct
transcript of her shorthand notes so taken as aforesaid and
contains all the proceedings given at said hearing.

Devan J. Moore
Certified Shorthand Reporter
License No. 084 004589



This 10th day of December
2020.