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ELEVATOR SAFETY REVIEW BOARD

STENOGRAPHIC REPORT OF THE  
PROCEEDINGS before the Elevator Safety Review  
Board, Room 9-031, 100 W. Randolph Street,  
Chicago, Illinois, on August 9, 2007, at 8:00 a.m.

Board Members Present:

- Frank Christensen, Chairman
- Kelly Weller
- Kenneth Mason
- Richard Gregory
- Darrel Swienton
- Tom Jirik
- Rod Gilles
- Tom Ganiere
- Marc Hertzbert

OSFM Staff present:

- Robert Capuani
- Jim Aubin
- John Fennel
- Chet Janis

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1           MR. CHRISTENSEN: Okay. We're going to  
2 start the board meeting. We do have a new  
3 board member. There's been new appointments  
4 to the Board, so just thought I'd let you  
5 know.

6           MR. GREGORY: You're not going to tell us  
7 who he is?

8           MR. CHRISTENSEN: Yes, we're going to go  
9 right to the Pledge of Allegiance. I'd like  
10 everybody to rise.

11                           {Pledge of Allegiance given.}

12           MR. CHRISTENSEN: And the new Board member  
13 is Marc Hertzberg right here. Okay. We're  
14 going to go over the Board minutes.

15           MR. GREGORY: I move the minutes be  
16 approved as distributed.

17           MR. GANIERE: I'll second.

18           MR. CHRISTENSEN: Motion made and  
19 seconded. Is there any questions, additions  
20 or corrections? John?

21           MR. FENNEL: Comment for Board members.  
22 When you're making motions or making  
23 statements, please state your name, make  
24 things easier.

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1 temps. We have seven temps doing data entry.

2 MR. CHRISTENSEN: I have a question for  
3 you too, Bob. We see the contractor's  
4 license as 70. Do we still have more that  
5 haven't been put into the computer?

6 MR. CAPUANI: I believe there's, say, at  
7 least a half dozen more to put in.

8 MR. CHRISTENSEN: I would think that's a  
9 lot less than are working out there.

10 MR. CAPUANI: That's what we have right  
11 now.

12 MR. CHRISTENSEN: Okay. Is that it?

13 MR. GREGORY: Frank.

14 MR. CHRISTENSEN: Yes.

15 MR. GREGORY: Dick Gregory. Could you  
16 possibly tell, you know, offline, Bob, what  
17 contractors that you know of that are out  
18 there so that he would have a method of  
19 knowing who is not --

20 MR. CAPUANI: The contractors are on our  
21 website.

22 MR. GREGORY: The ones who are not  
23 registered.

24 MR. FENNEL: No, that's not what he's

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1 asking.

2 MR. GREGORY: I'm asking if Frank could  
3 help you by telling you, Here's the  
4 contractors we know about, and that way you  
5 would have a handle on it. Because how are  
6 you going to go find them? What are you  
7 going to do, start walking up and down the  
8 highways? No.

9 MR. CHRISTENSEN: You can do that.

10 MR. GREGORY: Thank you.

11 MR. CHRISTENSEN: Okay. Continued  
12 discussion on Otis safety tags. I'm sorry.  
13 Update from Bob Capuani on the status of the  
14 freight elevator at Bartlett High School.

15 MR. CAPUANI: Back in service. Went back  
16 in service yesterday.

17 MR. CHRISTENSEN: The department of  
18 service and everything --

19 MR. CAPUANI: Everything works. Mr.  
20 Thompson inspected it or his company  
21 inspected it yesterday. I was out there  
22 myself, passed.

23 MR. CHRISTENSEN: Now, the continued  
24 discussion on Otis safety tax.

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1           MR. GREGORY: Dick Gregory. I submitted a  
2 request to the Standards Committee of the A  
3 17.1 Elevator Safety Code. You know that we  
4 do not work really fast over there at the  
5 Standards Committee, so it's been referred to  
6 some subcommittee which will report. And  
7 whether it will come up in September in  
8 Winnipeg or not, I have no idea. So that's  
9 where it is because I said I would submit a  
10 request for interpretation. That's done.

11           I realized the concern of some  
12 inspectors and so forth and I would simply  
13 suggest that if it burns or something like  
14 that, if it isn't there, if some reason it  
15 burned away, it's not there, then it's a Code  
16 violation. And if it is there, then right  
17 now based on our interpretation, it is not a  
18 Code violation until we get anymore direction  
19 from the American Society of Mechanical  
20 Engineers.

21           MR. CHRISTENSEN: Any motion on it and  
22 accept it for now?

23           MR. FENNEL: I think we did accept it at  
24 the last meeting.

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1           MR. GREGORY: We accepted it temporarily  
2           at the last meeting temporarily.

3           MR. FENNEL: Then if the Board chooses to  
4           make a permanent variance to the requirement  
5           to allow the tags --

6           MR. GREGORY: We made a temporary variance  
7           pending my making a request for  
8           interpretation, and we have to wait for the  
9           interpretation so we could just work under  
10          the old --

11          MR. FENNEL: We can work under that motion  
12          and approval.

13          MR. GREGORY: Yes.

14          MR. CHRISTENSEN: And no motion. All  
15          right. Continued discussion regarding the  
16          five years of work experience to issue a  
17          contractors license.

18          MR. CAPUANI: I believe the question was  
19          for five years work experience, should it  
20          be -- is there a time limit within the past  
21          10 years, past 20 years, past 30 years; that  
22          was the question.

23          MR. CHRISTENSEN: Does anybody have any  
24          answers to this?

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1                   We're talking about a contractor  
2                   that has been around for five years or ten  
3                   years or 15 years.

4                   MR. GREGORY: Dick Gregory. If our rules  
5                   say that you have to have been around for  
6                   five years --

7                   MR. CAPUANI: Our rules doesn't say it.

8                   MR. GREGORY: Doesn't say anything.

9                   MR. CHRISTENSEN: We have to decide.

10                  MR. FENNEL: The question is -- John  
11                  Fennel -- if a contractor has a single year's  
12                  experience ten years ago, has three years  
13                  experience five years ago, has one year's  
14                  experience two years ago, does that qualify  
15                  as the five years of experience? Is the  
16                  total experience over the individual's  
17                  lifetime or is it total experience within a  
18                  certain amount of time? The rule is silent  
19                  as to when that five years of experience has  
20                  to be gained. That could have been five  
21                  years experience in 1952, from '52 to '57,  
22                  and that person has not worked in the  
23                  elevator industry since then, now comes in  
24                  and wants a contractor's license, but has

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1 five years of experience so complies with the  
2 rules. The question for the Board is that  
3 experience sufficient to allow the Board to  
4 issue a contractor's license? That's what we  
5 were supposed to consider and discuss at the  
6 last meeting which wasn't. And so if the  
7 board is not prepared to discuss it today, I  
8 think the Board needs to be prepared to  
9 discuss it at the next meeting.

10 MR. GREGORY: Gregory. What you're  
11 saying, we have a rule that requires five  
12 years of experience. The question is, can  
13 this be split experience or continuous.

14 MR. CAPUANI: Or is it five years  
15 experience within the last 10, 15, 30 years?

16 MR. CHRISTENSEN: Hold off on this one.

17 MR. GREGORY: But you I think we --

18 MR. GANIERE: Ganiere. I know a couple of  
19 other licenses that I hold for the state.  
20 The experience requirement required  
21 immediately prior to your license. It can't  
22 be five years ago and then you get your  
23 license. Now, I'm not suggesting that's what  
24 it needs to be here, but I think it should be

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1 five, at least five out of the last ten would  
2 be my suggestion. I don't think we should be  
3 going back like John mentioned, somebody who  
4 had five years experience back in the '50s.  
5 I don't think we should issue him a license,  
6 the technology has changed so much since the  
7 '50s, it's not fun.

8 MR. CHRISTENSEN: Are you making a motion?

9 MR. GANIERE: So moved, five out of the  
10 last ten.

11 MR. CHRISTENSEN: There's been a motion  
12 made. Is there a second?

13 MR. JIRIK: Second the motion.

14 MR. CHRISTENSEN: Okay. On the question.

15 MR. WELLER: Weller on the question. How  
16 are we going to certify on that? Does the  
17 employer or the past employer have to certify  
18 it? How are we going to verify that they had  
19 acceptable work experience and that working  
20 experience was in the specifics to this  
21 application?

22 MR. CHRISTENSEN: I would think it would  
23 go with contacts and contacts, correct?

24 MR. JANUS: Letters of incorporation.

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1           MR. CAPUANI: Or you have your -- on your  
2 application it will tell you what years --  
3 you have to specify what years of experience  
4 you had.

5           MR. WELLER: And what has to accompany  
6 that?

7           MR. CAPUANI: It's just requirement from  
8 the application. So they will write down  
9 five years work experience, last ten with his  
10 like, say, NIEP certificate.

11          MR. FENNEL: The documentation to verify,  
12 the application of the contractor's license  
13 showing five years worth of experience has to  
14 be accompanied by some documentation that  
15 satisfies the administrator that, in fact, it  
16 is five years of work experience. So that  
17 would be statements from contractors. That  
18 would be some documentation that verifies  
19 five years of working experience. The rule  
20 is open as to what exactly constitutes five  
21 years -- or proper documentation, but it has  
22 to satisfy the administrator that it was, in  
23 fact, five years of experience.

24          MR. CHRISTENSEN: Anymore questions? Ken.

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1           MR. MASON: I like the term five years in  
2           the last ten. I'll throw this out there.  
3           One of those years has to be within the  
4           current five years, the current five years  
5           application, or something. I just think five  
6           years, you use the first five years and  
7           there's five years past, I think you need  
8           something in there that's current or more  
9           current.

10          MR. CHRISTENSEN: Are you amending the  
11          motion?

12          MR. GREGORY: You move to amend it?

13          MR. MASON: I move to amend.

14          MR. GREGORY: To require one year within  
15          the last five?

16          MR. MASON: Of those five at least.

17          MR. CHRISTENSEN: Is there a second on  
18          that?

19          MR. GREGORY: Well, if the mover accepts  
20          it and if the seconder accepts, you can  
21          just --

22          MR. GANIERE: I would be agreeable to  
23          that.

24          MR. GREGORY: Is the seconder agreeable?

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1 MR. JIRIK: I agree.

2 MR. CHRISTENSEN: Anymore questions?

3 MR. SWIENTON: Yes. Darrel Swienton.

4 Five years experience, is that anywhere in  
5 the states or just Illinois or how does that  
6 work?

7 MR. CHRISTENSEN: Verified by  
8 documentation.

9 MR. FENNEL: Requires five years work  
10 experience in the elevator industry and  
11 construction, maintenance service, or repair,  
12 verified by documentation required by the  
13 Board.

14 MR. CHRISTENSEN: It doesn't say that, but  
15 would we be able to add that to the rule?

16 MR. GREGORY: It's in there.

17 MR. SWIENTON: A guy from New York comes  
18 in here, can he do it?

19 MR. CHRISTENSEN: Sure. Why not?

20 MR. FENNEL: The Act requires -- I'm  
21 sorry. Five years work experience. That is  
22 not five years work experience in this state,  
23 it's not limited to that. Satisfactory  
24 completion of a written examination.

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1 MR. GREGORY: Or?

2 MR. FENNEL: Or proof the individual or  
3 firm holds a valid license from the state and  
4 its standard is substantially equal to those  
5 of this state. So the work experience is not  
6 required to be in Illinois.

7 MR. SWIENTON: The another question I was  
8 going to have then, if he came from out of  
9 state, if he was run out of there because he  
10 was crappy, we would know that. That would  
11 be the other question. We have to somehow  
12 investigate the guy then. He wasn't run out  
13 of some state and come here.

14 MR. FENNEL: John Fennel. I think there  
15 would be some inquiry in that regard.

16 MR. CHRISTENSEN: Go ahead, Tom.

17 MR. WELLER: Going back to Section 1000.8  
18 for the elevator mechanic's license, wouldn't  
19 it be consistent with the mechanic's license  
20 that it had to be in state time, a  
21 contractor's license be in state time?

22 MR. FENNEL: No.

23 MR. WELLER: So you're saying the absence  
24 of it.

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1           MR. FENNEL: Absolutely.

2           MR. JANUS: If you have a contractor's  
3 license with the neighboring states such as  
4 Indiana, Missouri, Wisconsin, Michigan; if we  
5 require, if I'm correct in saying this, on  
6 the review of the contractor's application,  
7 if the individual who is the owner of the  
8 company or the company itself has letters of  
9 incorporation dating at least five years  
10 recent from another state as in Indiana,  
11 Missouri, but he has a current letter from  
12 the Secretary of State's office to do  
13 business in Illinois or letters of  
14 incorporation also in Illinois, the total  
15 amount together would allow him to have his  
16 license. And if he doesn't have letters of  
17 incorporation in Illinois, or he has a recent  
18 letter of incorporation in Illinois, but the  
19 overhead, like I say, has 30 years in the  
20 elevator industry validates with me, that too  
21 would allow him to get a license. Because we  
22 have a lot of neighboring states that we're  
23 going to have eventually going to have  
24 reciprocity with. States I mentioned,

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1 Indiana, Missouri, especially in Wisconsin,  
2 Michigan, these people work, cross borders  
3 constantly. All the companies from Otis and  
4 Schindler understand that. So we have --

5 The same thing applies for the  
6 mechanic's license. If he's completed  
7 requirements for the mechanic's license  
8 through a DOL licensing agency, same thing  
9 applies for the mechanic. He may not  
10 geographically live in the state, but he  
11 works in Illinois. Same thing with the  
12 contractors.

13 MR. GANIERE: Ganiere. I have a question.  
14 How much does the filing of articles of  
15 incorporation denote experience? I can file  
16 an article of incorporation for Ganiere  
17 Elevator Service tomorrow and never do any  
18 work in the elevator business, and five years  
19 later I could get a contractor's license?

20 MR. JANUS: No, that's one of the  
21 appendices. One of them.

22 MR. CHRISTENSEN: Anymore questions? The  
23 motion has been amended and it's been  
24 accepted by both the motion and the second.

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1 Is there anymore questions?

2 MR. FENNEL: So the motion reads that five  
3 years of work experience to get a  
4 contractor's license must be five years out  
5 of the immediately previous ten years with  
6 one of those years being in the immediately  
7 previous five years.

8 MR. CHRISTENSEN: Correct.

9 MR. MASON: That's good.

10 MR. CHRISTENSEN: No questions. All those  
11 in favor say aye.

12 {All say aye.}

13 MR. CHRISTENSEN: All those against. Ayes  
14 have it.

15 Any new business?

16 MR. CAPUANI: Yes. We're getting flooded  
17 with calls about periodic test.

18 MR. GREGORY: That's my new business also.

19 MR. CAPUANI: Okay. The complaints we're  
20 receiving in our office up here and in  
21 Springfield, there's an insufficient amount  
22 of inspectors to handle the load of pressure  
23 tests out there. My suggestion to the Board,  
24 couple of suggestions, one, maybe grandfather

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1 inspections that have happened in up to a  
2 certain date so there's time to schedule  
3 them, or have the company have one of their  
4 QEIs physically witness the test with a  
5 mechanic. Just a couple of suggestions.  
6 Like I said, we're getting flooded with calls  
7 stating that the inspection companies cannot  
8 keep up with the load.

9 MR. CHRISTENSEN: Dick?

10 MR. GREGORY: Gregory. I've gotten  
11 similar calls and I have prepared a -- I'm  
12 just passing them around and it will come  
13 around, prepared a motion for the Board to  
14 consider. And this pretty much stems from  
15 something that did I and I'll take the hit on  
16 that when I -- number of meetings ago, I said  
17 well, section 8.11 says that periodic tests  
18 shall be witnessed by an inspector employed  
19 by the authority having jurisdiction or by  
20 persons authorized by the AHJ. And that's  
21 what it says in A 17.1 And so periodic  
22 tests come in several varieties, category for  
23 one, category three, category five; which  
24 essentially are one year, three year five

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1 available to be inspectors, there's not  
2 enough. It just doesn't happen. That was  
3 taken off the table in the City of Chicago  
4 for that reason. The City could not go out  
5 and hire somebody to do it because there was  
6 nobody to hire. That was the real crux of  
7 the matter. We're in the same boat. Of  
8 course, we don't want to be lumped with the  
9 City of Chicago, because we aren't them, but  
10 I'm just telling you some background there.

11 So I have prepared a motion which  
12 based on conversation earlier today, I made a  
13 slight change to and that motion is in front  
14 of you as motion 9 August 2007 by Richard A.  
15 Gregory, that the State of Illinois, Division  
16 of Elevator Safety, by order of the Elevator  
17 Safety Review Board hereby authorizes the  
18 category one test for traction and hydraulic  
19 elevators. And we'll discuss why I'm  
20 narrowing it down to that traction and  
21 hydraulic elevators alone, but we can argue  
22 that point out. Category one test which the  
23 Board has previously defined its annual test  
24 required by ASME A 17.1 2004 including a 17.1

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1 A 2005 requirement 8.11 to be witnessed by  
2 any inspector that is certified by an  
3 accredited organization as meeting  
4 requirements of ASME QEI 1 and is licensed by  
5 the State of Illinois as an elevator  
6 inspector.

7 The affect of that is that if  
8 ThyssenKrupp has QEI certified elevator  
9 inspectors -- and I only pick on you because  
10 I can see you across the table here. If they  
11 have them working for them and they are also  
12 licensed by the state of Illinois, that's in  
13 this motion, then they could use that person  
14 to witness the test. And this category one  
15 tests are listed just so you can see what  
16 they are. Therefore, traction and hydraulic  
17 elevators. It's the only way it's going to  
18 get done. I don't know, with all due respect  
19 of Mr. Cervone who I can see over here, and  
20 certainly Thompson people over there, they  
21 don't have enough people and there's no way  
22 they can get the people. Okay. It's not  
23 possible.

24 People have suggested to me that

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1 well, we could make this good for the next  
2 week or the next month or the next year or  
3 the next five to ten years, and I just say  
4 make it blanket because we can always revoke  
5 it. I mean, we can always change it if there  
6 becomes enough inspectors. Other states do  
7 this. Indiana does this for the last year or  
8 two years, whichever. Texas has done this  
9 from the very beginning. And Texas -- it's  
10 been over ten years. It's so long ago that I  
11 can't remember when it was anymore, but it's  
12 been that way in Texas for years.

13 MR. CAPUANI: Indiana does not physically  
14 have to witness the test unless the QEI  
15 assigns it.

16 MR. GREGORY: I'm asking that the QEI  
17 witness the test.

18 MR. CAPUANI: Physically witness the test?

19 MR. GREGORY: Physically witness. This is  
20 not allowing pencil test.

21 MR. CHRISTENSEN: I'm going to give my  
22 comment on here. You already know it. I  
23 think it's a great motion. The only problem  
24 I have is, I would like to have a grandfather

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1 date to that, like October 31st or January  
2 1st of 2008. The reason is I was a  
3 maintenance guy for many years and I know  
4 there's a lot of companies out there that  
5 used to tell their guys, Just sign off on  
6 this test. Take the rest of the day off. We  
7 all know it in this room. Take the rest of  
8 the day off. I see some of the guys in the  
9 background that know what I'm talking about  
10 here, where guys, you know, you two, the  
11 safety test, take the rest of the day off.  
12 What would the guy do? Just sign his name to  
13 it. You're allowing -- by doing this and not  
14 putting a date on it, where we have a  
15 different inspector check that instead of a  
16 company, the same elevator company doing an  
17 inspection on it, you're allowing it to  
18 happen again, and I can't see that happening.

19 So what I would like to do is  
20 give the chance for some of the private  
21 inspectors to catch up, maybe get more QEI  
22 inspectors working for them; give them the  
23 chance to do it, give them a certain date.  
24 But you're giving the companies a chance to

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1 catch up. Let them use the QEI for now, the  
2 people that are working for them. A lot of  
3 companies have QEI inspectors working for  
4 them or pass the test for that company, like  
5 Otis and Kone and all that, but make it a  
6 certain date. I do not agree with that same  
7 company doing an inspection of that test. I  
8 would be in agreement to grandfather it in  
9 for now, but I think there's a certain date  
10 that you've got to drop that off.

11 MR. WELLER: While we're on that  
12 discussion, we have a provision for emergency  
13 mechanic's license, but no provision for  
14 emergency inspector's license.

15 MR. CAPUANI: No; no, because the  
16 requirements for an inspector, he has to be  
17 QEI. That is a major requirement.

18 MR. CHRISTENSEN: You have to go through a  
19 test.

20 MR. WELLER: Procedurally, we have a  
21 system in place if there is no qualified  
22 mechanics, there's a temporary process in the  
23 Code that allows that to be filled, but we  
24 have nothing like that in the Code for

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1 inspectors, is that what I'm hearing?

2 MR. CAPUANI: Yes.

3 MR. WELLER: Why wouldn't we near the  
4 large we already have and just add those  
5 requirements?

6 MR. GREGORY: I think that the  
7 requirements for an inspector are that you --  
8 to be an inspector, you really need to have  
9 passed the test by an organization that is  
10 certified by the American Society of  
11 Mechanical Engineers.

12 MR. WELLER: I'm not worried about -- we  
13 got what all of that is. We also got what  
14 dictates an emergency, when the emergency  
15 exists, how we apply it and how long it is  
16 before we -- you know, the market should  
17 correct itself. We already have the  
18 provisions in the --

19 MR. GREGORY: Dick Gregory again. The  
20 problem is if we certify and there's nobody  
21 here that I could point the finger at -- you,  
22 yes. What would you do if a guy says, This  
23 is -- I'm doing the pressure test on this  
24 hydraulic elevator. How would you understand

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1           that he was doing it or not?  If we had an  
2           emergency inspector, unless he had the  
3           background, he wouldn't know what the heck he  
4           was doing.

5           MR. WELLER:  I'm not talking in any way,  
6           shape or form about the requirements being an  
7           inspector, just when we go to the emergency  
8           procedure that you're describing.  You're  
9           saying right now we have an emergency, what  
10          would technically be deemed an emergency  
11          situation?

12          MR. CHRISTENSEN:  Kelly, so you  
13          understand, like Otis Elevator, they probably  
14          got 20 QEI people working for them right now,  
15          you know.  They wouldn't have a problem.  
16          There's a lot of companies out there that  
17          have QEI guys already sitting there.  What  
18          we're trying to do right now is get it just  
19          where they have QEI -- they could do the test  
20          right now on their own.  They could have a  
21          qualified elevator inspector do that test,  
22          that pressure relief test or whatever, for  
23          now, until they all get caught up with all  
24          these tests they've got to do and then have

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1           that private inspector or the state come in  
2           and do the inspection.

3           MR. WELLER: We technically have what the  
4           Code calls -- we have more work than we have  
5           applicable people to do. So we already have  
6           that in the Code. The Code says we give them  
7           30 days. Now, we can modify the inspector  
8           piece and give him 90 days, we give them 120  
9           days. But I'm trying to kind of substantiate  
10          your point, but I don't think we should leave  
11          it open because there's not constantly going  
12          to be an emergency --

13          MR. CHRISTENSEN: No, there isn't it.

14          MR. WELLER: It comes back up again.  
15          Maybe the technical way for us to do this is,  
16          all right, we are stating that we have more  
17          work than we have applicable inspectors,  
18          therefore, we deem the next six months an  
19          emergency situation to allow this procedure  
20          to occur. At the end of that, we'll  
21          reexamine to see if there's still an  
22          emergency situation.

23          MR. GREGORY: Gregory. Who seconded my  
24          motion?

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1           MR. CHRISTENSEN: I don't think it's been  
2 seconded.

3           MR. JIRIK: Not yet.

4           MR. GREGORY: Well, if somebody seconded  
5 it and you're amending.

6           MR. WELLER: I'm just discussing.

7           MR. GREGORY: I would be fine with  
8 altering my motion to making it applicable  
9 until December 31st, 2008, because it takes  
10 time to get people through QEI training.  
11 It's a time-consuming process.

12          MR. GANIERE: If that's the motion, I'd  
13 second it.

14          MR. JIRIK: Tom Jirik. I have one more  
15 question. I think what Frank said, I think  
16 we have enough people QEI trained now to  
17 catch up, correct?

18          MR. CHRISTENSEN: Correct.

19          MR. GREGORY: But there won't be enough --  
20 I mean, you can catch up with the test that  
21 are due for the next few months, but if this  
22 expired in October and then a whole bunch  
23 more tests come due, now you're in trouble  
24 again.

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1           MR. JIRIK: So are we looking for the  
2 inspection companies to --

3           MR. GREGORY: Well, we would hope. What  
4 Frank is saying, and I'm not -- you know,  
5 we've talked about this a little bit. What  
6 Frank is saying that he's uncomfortable with  
7 this going on forever and ever.

8           MR. JIRIK: I agree.

9           MR. GREGORY: So I'm saying, okay. I'm  
10 amenable to saying, because I know that it  
11 takes time to get people on board and QEI  
12 certified with the three agencies who do that  
13 with the ASME approves to do certifications,  
14 that's time. So I'm saying, I will alter my  
15 motion, therefore, and since nobody seconded  
16 it, I can alter it right now and say that  
17 this extends through December 31st, 2008, and  
18 that motion then was seconded.

19          MR. CHRISTENSEN: Okay. It has been  
20 seconded on the question, I'll give you my  
21 question on it, I think that's then too long,  
22 but that's my opinion on it. I think you're  
23 giving them almost a year and a half and I  
24 would say maybe a year, maybe less than that

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1 would be more than sufficient for them to get  
2 caught up with their inspections.

3 MR. JIRIK: Can we revisit this every  
4 three months?

5 MR. GREGORY: Well, we can always revisit  
6 it.

7 MR. JIRIK: I'm a little concerned about  
8 that time on there.

9 MR. CAPUANI: Question. Suggestion. How  
10 about making it January 1st, 2008 and let's  
11 review it in the January meeting and let's  
12 see what the question is in the January  
13 meeting.

14 MR. GREGORY: January 1st, that's a  
15 quarter of a year away.

16 MR. CAPUANI: How long does it take to get  
17 a QEI? You can get it in a QEI.

18 MR. GREGORY: No, you cannot get it in a  
19 week. You have to go to one of the -- there  
20 are three people who do QEI certification.

21 MR. CAPUANI: But it takes a week to get  
22 it once you're enrolled.

23 MR. GREGORY: No, no, no. They don't give  
24 a test every week.

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1           MR. CAPUANI: No, no, I understand, but  
2           once you're enrolled you're in the class,  
3           it's one week.

4           MR. GREGORY: Once you're enrolled, and  
5           you're in the class. So what you have to do,  
6           you know, we would have to call my friends at  
7           EIDWPF and find out when they're doing  
8           classes.

9           MR. CHRISTENSEN: How about six months?

10          MR. GREGORY: I think we need longer than  
11          three months to do it. Do you want to make  
12          it July 1st of 2008?

13          MR. SWIENTON: Well, it's in there to  
14          review in January. So if we need three  
15          more --

16          MR. GREGORY: But we need to review it  
17          before January because if it's not done,  
18          we're going to end up between a rock and a  
19          hard place this coming January. We don't  
20          meet in December. We'll just continually  
21          be --

22          MR. CHRISTENSEN: Would you be agreeable  
23          with six months, Dick?

24          MR. GREGORY: Fine.

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1 MR. GANIERE: Yes, I agree.

2 MR. GREGORY: Can we stick an actual date  
3 so when people look at this --

4 MR. CHRISTENSEN: When is our next  
5 meeting?

6 MR. CAPUANI: I got the meeting scheduled  
7 for 2008.

8 MR. CHRISTENSEN: July 10th?

9 MR. CAPUANI: No; six months would  
10 probably the February 14th meeting. February  
11 14th meeting.

12 MR. GANIERE: Can I make a suggestion?  
13 Why don't we make it through the end of  
14 February to review at our February meeting.  
15 Then if you need to extend it, then we can  
16 extend it and we'll extend it before it  
17 expires.

18 MR. GREGORY: Good idea. I'm agreeable to  
19 that. So end of February, because we can  
20 never remember what the last day of February  
21 is.

22 MR. FENNEL: I think this years it's 28.  
23 2008 is not a Leap Year.

24 MR. CHRISTENSEN: Does anybody have a

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1 motion now for this? We're actually giving  
2 six months to catch up and then we'll review  
3 it again.

4 MR. CAPUANI: Six months dating what, QEI  
5 for any company can physically witness their  
6 own test?

7 MR. HERTZBERG: Correct.

8 MR. CHRISTENSEN: It has to be a licensed  
9 QEI by the state of Illinois.

10 MR. CAPUANI: What about the previous  
11 tests that are out there?

12 MR. GREGORY: Previous tests are done.

13 MR. CAPUANI: They weren't witnessed by  
14 anyone. That's the question I'm getting in  
15 our office.

16 MR. CHRISTENSEN: That would be another  
17 one we'll have to talk about. Let's get this  
18 motion done and then we'll go back to the  
19 previous test, okay?

20 MR. JANUS: Mr. Chairman.

21 MR. CHRISTENSEN: Yes.

22 MR. JANIS: As the reviewer, are they  
23 going to be required, the gentleman who  
24 worked for ThyssenKrupp and Schindler, to get

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1 a state license as well as the license they  
2 hold QEI?

3 MR. GREGORY: Yes.

4 MR. JANIS: The regular inspector.

5 MR. GREGORY: Yes.

6 MR. JANIS: So I'm going to be expecting  
7 in my office reviewing applications for state  
8 inspectors -- which I have some already  
9 signatory copies. What I'm saying is it will  
10 be an influx from Long Elevator, Schindler,  
11 ThyssenKrupp, Kone to actually inspect these.

12 MR. GREGORY: Yes.

13 MR. JANUS: I should expect these.

14 MR. GREGORY: No, maybe they're just not  
15 going to do tests, I don't know.

16 MR. JANUS: For people doing tests, they  
17 have to have a state license.

18 MR. GREGORY: They have to have a state  
19 license, period --

20 MR. CHRISTENSEN: Okay. Anymore  
21 questions? All those in favor say aye.

22 {All say aye.}

23 MR. CHRISTENSEN: All those against. Ayes  
24 have it.

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1 All right. Now, do you want to  
2 go back to yours?

3 MR. CAPUANI: Okay. Gilbert called the  
4 office or companies have gone out and done  
5 pressure tests. What do we do with all these  
6 pressure tests not were witnessed after May  
7 the 14th when the rules came into effect?

8 MR. CHRISTENSEN: I would say they have to  
9 be redone. The law was in effect. Jack?

10 MR. FENNEL: How often are those pressure  
11 tests done?

12 MR. GREGORY: Annual.

13 MR. FENNEL: I'll tell you what, I have to  
14 sit and consider that.

15 MR. CHRISTENSEN: Hold it over? Okay.

16 Any other new business? Do you want  
17 to go on?

18 MR. FENNEL: No, you didn't finish the  
19 meeting.

20 MR. CHRISTENSEN: No, I know that. Okay.  
21 Now, we'll take public comment. When you are  
22 coming up or stand up, speak loud enough,  
23 please state your name for the court  
24 reporter. So you know, this is new what we

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1           have here. We have a legal court reporter  
2           taking the minutes of the meeting.

3           MR. TURCHIOE: George Turchioe, Schindler  
4           Elevator, Chicago, Illinois. One question  
5           for clarification. Can we contract with  
6           other inspection companies in the  
7           municipalities in suburban Chicago here to do  
8           inspections in the event that the contracted  
9           inspection company is not available?

10          MR. CAPUANI: You're saying that, say, Des  
11          Plaines has, say, Thompson Elevator  
12          Inspection Company, but yet you want to call  
13          in a different inspection company?

14          MR. TURCHIOE: In the event that they were  
15          unavailable for scheduled inspections.

16          MR. CAPUANI: Correct me if I'm wrong,  
17          they sign a contract with us stating that  
18          Thompson Elevator Company is their inspection  
19          company --

20          MR. TURCHIOE: I wouldn't know that.

21          MR. CAPUANI: -- correct?

22          MR. FENNEL: Yes, they would be limited to  
23          the inspection company that's list as the  
24          official company for the municipality.

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1           MR. GREGORY: I think that's a question  
2           for the municipality because we don't have  
3           anything to do with that. I mean, we are --  
4           municipalities or counties can sign an  
5           agreement with the state that says, We opt to  
6           do this all ourselves. Like, we're picking  
7           on Des Plaines, so we'll pick on Des Plaines.  
8           So they decide they want to use ABC  
9           inspection company and they sign a contract  
10          with them and say, You're the guy.

11                         So your question really is for  
12          the municipality. They could sign an  
13          agreement that you can have ABC and also XYZ  
14          if you want. That's their question and they  
15          would have to tell us that we've contracted  
16          two inspection companies. We don't have any  
17          control.

18          MR. TURCHIOE: George Turchioe, Schindler.  
19          Just a comment. That's an undo burden on the  
20          contractor. How do we possibly schedule our  
21          mechanics doing an annual tests. We have a  
22          rigorous program to make sure we actually do  
23          those tests, Frank, and how do we possibly do  
24          that now? I understand the provisions that

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1           have been made and the motions made before  
2           the Board to allow for QEI certified licensed  
3           state inspectors for the contractors to do  
4           the witnessing, but we need time to -- not  
5           only with the QEI, but also with the state to  
6           get a license with the state.

7           MR. CHRISTENSEN: My opinion on it, if an  
8           inspection company is not keeping up with the  
9           program the state has set that they're  
10          supposed to be equivalent to or better, then  
11          they're not following the procedures and I  
12          would say then the state would have to give a  
13          decision and say they're part of the state's  
14          program now.

15          MR. TURCHIOE: And that would -- I'm  
16          sorry, Frank. Would that be something we  
17          make with the state to make those assertions  
18          in the event those companies weren't able to  
19          meet those scheduled requirements?

20          MR. CHRISTENSEN: I would say the  
21          gentleman would have to give his opinion on  
22          that one.

23          MR. FENNEL: John Fennel. My opinion that  
24          anybody can make an assertion and the

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1 administrator would investigate the  
2 allegations and make a determination as to  
3 what is to be done. I don't see this is any  
4 different than a building inspector or  
5 electrical inspector or a plumbing inspector.  
6 When the City hires an inspector, the  
7 inspector represents the City and it becomes  
8 the City's responsibility to have their  
9 inspector working at a pace that they're  
10 comfortable with. The complaint of  
11 inspections not getting done in a timely  
12 fashion always goes back to the City.

13 MR. GREGORY: Gregory. I wonder if there  
14 are -- if you got a list of QEI and Illinois  
15 licensed inspectors, if you could approach  
16 and we're just -- since we started with Des  
17 Plaines, we'll keep picking on them, and say  
18 Okay, the state has temporarily allowed  
19 Illinois licensed inspectors to witness  
20 tests, can I use, you know -- so obviously I  
21 can use my own because you're talking  
22 about --

23 MR. CAPUANI: No, they sign a contract  
24 with the state.

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1           MR. FENNEL: No, the City signed a  
2 contract with the state. If they're going to  
3 allow extra inspectors, then the City has to  
4 notify the state. They have to amend their  
5 agreement. They do not go out and just do  
6 it. They don't.

7           MR. GREGORY: But we just passed a motion  
8 that said that the companies could use their  
9 own QEIs to witness category one tests only  
10 for electric and traction elevators.

11          MR. FENNEL: That specifically test for  
12 those specific elevators is allowed to  
13 happen, but not general overall inspections.

14          MR. GREGORY: I totally agree.

15          MR. FENNEL: You're talking about that  
16 category? That's different.

17          MR. GREGORY: I thought that George  
18 TURCHIOE -- obviously he's confused me or  
19 maybe I'm just easily confused, but I thought  
20 he started out with the way it sounded like,  
21 initial acceptance inspections, but then he  
22 started talking about tests. So I don't know  
23 what you're talking about then, George.

24          MR. TURCHIOE: I'm sorry. I was speaking

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1 to annual tests single category one test.

2 MR. CHRISTENSEN: We just allowed them to  
3 use --

4 MR. GREGORY: That's covered now by this  
5 current --

6 MR. CAPUANI: Yes. I think his question  
7 was, he wanted to bring in a different  
8 inspection company into a municipality  
9 already has a contract with one inspection  
10 company. You can't do that.

11 MR. GREGORY: But he can use QEI people  
12 from Schindler if they are licensed by the  
13 state.

14 MR. CAPUANI: An inspection company,  
15 that's his question.

16 MR. GREGORY: No.

17 MR. CAPUANI: He can't do that.

18 MR. FENNEL: Can he use his own or the  
19 City's.

20 MR. CAPUANI: Yes.

21 MR. CHRISTENSEN: Okay, George?

22 MR. TURCHIOE: Thank you.

23 MR. CHRISTENSEN: Tom.

24 MR. BRENNAN: My name Tom Brennan from ALM

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1 Elevator. In regards to George's question  
2 and going back to the Board here, what would  
3 the difference be if an elevator company  
4 hired a QEI inspector, maybe shared this QEI  
5 inspector to witness category one test in  
6 this grandfather period. I'm QEI myself. If  
7 I witness a test, I'm not working for the AHJ  
8 in Des Plaines or, say, ABC Elevator or ABC  
9 Inspection Services, where would you  
10 differentiate that? You might be able to  
11 get -- we have a very limited pool where you  
12 can get QEIs from basically because you have  
13 to have elevator experience basically to get  
14 a QEI.

15 MR. CAPUANI: Basically what we're doing  
16 is giving the company a temporary variance,  
17 that's all this is.

18 MR. BRENNAN: I understand that part, but  
19 my question is this, could we contract a  
20 person, say, that's retired elevator man who  
21 is QEI, he could be contracted by ACM,  
22 Schindler, Kone, Otis, whatever, or we can  
23 kind of coordinate our annual inspections, we  
24 could have a little better handle on

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1 coordinating our annual inspections --

2 MR. GREGORY: Test. Test. Not  
3 inspections.

4 MR. FENNEL: We're only talking about one  
5 test, that's it.

6 MR. BRENNAN: Correct.

7 MR. FENNEL: Not an annual inspection.

8 MR. GREGORY: Right.

9 MR. BRENNAN: Correct.

10 MR. BRENNAN: I apologize for speaking the  
11 wrong words there.

12 MR. FENNEL: That is very important to  
13 understand that it is one single test on a  
14 conveyance that is being allowed under this  
15 variance. We are not allowing annual  
16 certification inspections to be conducted by  
17 other than independent QEIs.

18 MR. GREGORY: Other than in the case of a  
19 municipality there is an agreement with us.

20 MR. FENNEL: That's independent of the  
21 manufacturer.

22 MR. GREGORY: Right.

23 MR. FENNEL: That's an independent QEI  
24 whether it's employed by the state or

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1           employed by a municipality, it doesn't  
2           matter, but it's an independent QEI. We are  
3           allowing company employed QEIs to conduct one  
4           single test, pressure test.

5           MR. GREGORY: Well, there's more than that  
6           in the test, but that's okay.

7           MR. CHRISTENSEN: I'll answer this. Tom,  
8           you're asking a question. Here's what you  
9           just said, if you hire a retiree with a QEI.  
10          An ACM Elevator can hire the guy, pay them  
11          under their ACM Elevator. We just gave the  
12          companies a big break to catch up. How they  
13          figure out what to do with her, it's up to  
14          them, but they just got a big break to catch  
15          up. And if you guys want to hire a retiree  
16          to do an inspection, you want to put the  
17          check that says ACM on there, there wouldn't  
18          be a problem with that.

19          MR. GREGORY: But you would have to make  
20          sure the guy gets licensed by the state of  
21          Illinois.

22          MR. CHRISTENSEN: That's right, it has to  
23          be a state.

24          MR. BRENNAN: Tom Brennan again. I

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1           wouldn't say we would hire him as ACM, we  
2           would contract him as an independent person.

3           MR. FENNEL:   No, no.

4           MR. GREGORY:   Can't do that.

5           MR. BRENNAN:   So we wouldn't have to pay  
6           benefits for whatever.

7           MR. CAPUANI:   He has to be an employee  
8           because you'd have to be insured by ACM  
9           Elevator to get your state license.

10          MR. JANUS:   He would have to have  
11          insurance from five companies.

12          MR. CHRISTENSEN:  Are you done?

13                           Bill?

14          MR. ROOK:   Bill Rook with Cook County.  
15          I'm certified as a QEI inspector.  I  
16          understand if I get my state license, I would  
17          be able to witness periodic pressure test,  
18          safety test.  Is that okay working for the  
19          county the same as working for a company?  
20          I'm working for the owner.

21          MR. GREGORY:  Well, you inspect elevators  
22          other than just county elevators, correct?

23          MR. ROOK:   No, I just oversee Cook County  
24          elevators right now.

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1           MR. GREGORY: Does Cook County have an  
2 agreement with the state as far as doing  
3 inspections?

4           MR. ROOK: No, they don't.

5           MR. GREGORY: So all the other --

6           MR. ROOK: I'm not doing inspections right  
7 now, I'm talking about witnessing a test like  
8 the company.

9           MR. CHRISTENSEN: I'll take the legal  
10 opinion. Go ahead.

11          MR. FENNEL: Anybody who is witnessing a  
12 test, whether they work for a company or  
13 they're independent, has to be a state  
14 licensed inspector. In order to be a state  
15 licensed inspector, you have to have QEI  
16 certification and insurance. You have to be  
17 licensed by the City.

18          MR. ROOK: I understand that. I could be  
19 licensed.

20          MR. FENNEL: Once you're licensed by the  
21 state.

22          MR. ROOK: Would I still be allowed to  
23 witness them after February 28th, whatever,  
24 and you go to the other?

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1           MR. CAPUANI: Are you employed at the  
2 County -- from the County as a county  
3 inspector?

4           MR. ROOK: No, that was my other question.  
5 I'm licensed by the state as a mechanic and I  
6 also have an inspector's license from the  
7 state that I hold.

8           MR. FENNEL: Yes.

9           MR. CAPUANI: Yes.

10          MR. FENNEL: What you can inspect and what  
11 you can work on depends on the --

12          MR. ROOK: I'm not talking about next, I'm  
13 talking about witnessing a test so we don't  
14 have to pay a private agency \$150 or whatever  
15 it is.

16          MR. GREGORY: For a test.

17          MR. CHRISTENSEN: They use a county  
18 inspector.

19          MR. GREGORY: Let me ask a stupid  
20 question. You get a new elevator installed  
21 in the County Jail. Okay. Nice fun place to  
22 work. Who does the acceptance inspection for  
23 that?

24          MR. ROOK: Well, that's the City of

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1 Chicago. That's my other question. Does  
2 every elevator in the City of Chicago exempt  
3 from this whole act?

4 MR. CHRISTENSEN: Yes.

5 MR. GREGORY: No.

6 MR. FENNEL: Yes, yes, yes.

7 MR. GREGORY: Well, this building is  
8 not -- this building may be in the City of  
9 Chicago, but this is state property.

10 MR. ROOK: It's inspected by state  
11 inspector?

12 MR. GREGORY: It should be.

13 MR. ROOK: If any elevator in the City of  
14 Chicago is inspected by a City elevator  
15 inspector, is that elevator exempt completely  
16 from this act?

17 MR. GREGORY: Yes.

18 MR. FENNEL: Elevators contained within  
19 the corporate owned of the City of Chicago  
20 are exempt from the provisions of the act.  
21 Buildings owned by the State of Illinois are  
22 subject to the jurisdiction of the State of  
23 Illinois.

24 MR. ROOK: Understand that. But even

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1           though these elevators are in the City of  
2           Chicago, inspected by the City of Chicago,  
3           all mechanics must be licensed to work on it,  
4           all companies must be licensed to work on it?

5           MR. CAPUANI: No, not in the City of  
6           Chicago, they do not have to have a state  
7           license.

8           MR. ROOK: To work on elevators in the  
9           City of Chicago, you do not need a state --

10          MR. FENNEL: No, I'm sorry.

11          MR. ROOK: Okay. I thought any mechanic  
12          that worked in the state had to have --

13          MR. FENNEL: Any mechanic who works in the  
14          state. If an elevator mechanic who works in  
15          Chicago, but does one elevator in Stickney,  
16          then they have to have a state license.

17          MR. ROOK: So if you're strictly working  
18          on the City of Chicago inspected elevators,  
19          you do not have to --

20          MR. CHRISTENSEN: They went under a thing  
21          called home rule.

22          MR. FENNEL: No. Went under a specific  
23          exemption in the statute for the City of  
24          Chicago. Anything within the corporate

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1 limits of the City of Chicago is exempt from  
2 the provisions of the Act. The mechanical  
3 inspector who steps outside the City of  
4 Chicago to work is subject to the act.

5 MR. ROOK: No, I'm talking about a  
6 mechanic.

7 MR. CHRISTENSEN: If any inspector or  
8 mechanic steps outside --

9 MR. ROOK: So if a contractor strictly  
10 works on a City of Chicago elevator inspected  
11 by the City, does not have to have a  
12 contracts.

13 MR. GREGORY: There's City requirements,  
14 you realize.

15 MR. ROOK: I understand.

16 MR. CHRISTENSEN: Okay. The problem is,  
17 some of these guys think they're working in  
18 the City, then they take a trouble call  
19 outside the City of Chicago, they should have  
20 a license.

21 MR. ROOK: I'm trying to clarify  
22 something. I'm still back to after February  
23 28th, would I still be able to witness a  
24 periodic test?

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1           MR. FENNEL: I think the answer to that  
2 question I need two answers. First of all,  
3 who installed the Elevator.

4           MR. ROOK: If it's an existing elevator.

5           MR. FENNEL: Who maintained the elevator?

6           MR. ROOK: The company that had the  
7 contract at the time.

8           MR. FENNEL: It's a company that  
9 maintaining the elevator?

10          MR. ROOK: We always have a contract with  
11 an elevator company. We do not have in-house  
12 mechanics.

13          MR. FENNEL: You are not working on the  
14 elevator?

15          MR. ROOK: No.

16          MR. FENNEL: Then you can inspect it.

17          MR. ROOK: Thank you.

18          MR. WELLER: Mr. Chairman, this is going  
19 to be very difficult for us over an  
20 institutional time frame to keep track of all  
21 of these things that we're kind of making  
22 spontaneous decisions on. I would recommend  
23 that before we start answering these kind of  
24 questions from the floor with direct -- that

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1 we get these people who want an  
2 interpretation, to send it to us or to bring  
3 it to us in writing so that we can have a  
4 knowledge base to say, we've already made  
5 this decision once, so. Because I don't want  
6 there to be a lot of inconsistencies with one  
7 firm or another firm hearing us saying  
8 different things. There's going to be rules  
9 that we're going to make or what I would call  
10 bench decisions we're going to make. Let's  
11 get them in writing.

12 MR. CAPUANI: And the minutes of the  
13 meetings are on the website after they've  
14 been approved by the Board. They will be  
15 posted on every meeting on the website.

16 MR. WELLER: I don't want to see us to  
17 address these kind of questions without us  
18 having sufficient knowledge within ourselves.

19 MR. CHRISTENSEN: I think no matter what  
20 you're always going to get that, but if they  
21 would like to send in some information two  
22 weeks ahead of time.

23 MR. FENNEL: I think Board Member Weller  
24 makes a good point. We can put in the

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1 elevator division section of the website a  
2 similar page that exists for patrolling the  
3 safety where taking statements from various  
4 of the Board are issued in writing, they are  
5 dated, they are -- if they are revised, the  
6 revision dates are put on them, and those are  
7 available for the public to read, and that's  
8 the official interpretation Board with regard  
9 to any of these questions.

10 MR. WELLER: Can I make a motion along  
11 that affect that anything we say in open or  
12 forum like this is not institutionalized  
13 until it's submitted. If these individuals  
14 want a certain answer, they can resubmit that  
15 question to us and we can institutionalize on  
16 the website and we can move on.

17 MR. GREGORY: I think that you have best  
18 idea and that is posting these various  
19 interpretations and rulings. I think that  
20 works really well.

21 MR. WELLER: Yes. Whose responsibility,  
22 ours or the people seeking the variance?

23 MR. FENNEL: No, it's our responsibility  
24 to post the answers that we give. If there

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1 is a question posed which does not have a  
2 clear answer, either by the rules or by the  
3 statute. If there is a question is posed,  
4 then we will take it under advisement for  
5 submission in writing and there will be an  
6 interpretation issued at the next Board  
7 meeting. A decision at the next Board  
8 meeting. Those will be in writing. The  
9 answer with regards to licensing, that is cut  
10 and dry. There is no gray area there.

11 MR. WELLER: So somebody is going to have  
12 an appeal to that. Let's say it's cut and  
13 dry, they say, Well, there could be some  
14 latitude there for us to revisit it. They  
15 could submit the question and then we could  
16 revisit it?

17 MR. FENNEL: Yes, we could.

18 MR. WELLER: So there's always some backup  
19 procedure if someone doesn't agree with it.

20 MR. FENNEL: Absolutely.

21 MR. WELLER: Okay. I can agree with that.

22 MR. CHRISTENSEN: You made a motion, do  
23 you want --

24 MR. FENNEL: We don't need a motion.

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1           MR. WELLER: I don't think we need a  
2 motion if we're going to do that.

3           MR. CHRISTENSEN: Okay.

4           MR. KOSHAK: John Koshak, ThyseenKrupp  
5 Elevator. Just listening to the  
6 conversation, I agree with Dick's comments.  
7 This is common throughout the U.S., the  
8 shortage and the time it takes to get QEI.  
9 In fact, listening to the conversation, if  
10 I'm ABC Inspection and contracted with Des  
11 Plaines and I don't have enough people to do  
12 the required inspections, you guys have  
13 passed a law for a resolution that allows my  
14 company and everybody else under those  
15 provisos, what prevents ABC Inspection  
16 Company from going to Dick or Frank and say,  
17 Hey, you guys got QEI, would you guys come  
18 and work under my umbrella as ABC Inspection  
19 Company and do --

20          MR. GREGORY: Nothing.

21          MR. KOSHAK: I don't see the big problem  
22 here, I really don't because that.

23          MR. GREGORY: Well, run it out on the  
24 website so the certifying organizations and

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1           you'll find out that you won't find enough  
2           people who are available for you to hire to  
3           do that.

4           MR. KOSHAK: Well, if I'm a clever ABC  
5           inspection company and I call all of my QEI  
6           guys for once a weekend work, or whatever. I  
7           want to make sure that wasn't disallowed by  
8           some obscure rule.

9           MR. FENNEL: No.

10          MR. KOSHAK: It's not. Okay.

11          MR. CHRISTENSEN: Go ahead.

12          MR. ROAD: My name is George Road, I'm  
13          with Garaventa, we're a manufacturer of  
14          handicap lifts, wheelchair lifts. I guess  
15          I'm going to change direction here a little  
16          bit. The old 1996 codes governing wheelchair  
17          lifts required them to be key operated. I'd  
18          like to know, what -- the new 2004 code and  
19          the 2005 code do not mention keys whatsoever.

20          MR. GREGORY: I'm going to our codex.  
21          Dick Gregory here. I do not have a copy of A  
22          18.1 code with me, nor do I even have it in  
23          electronic format. That's what we'd have to  
24          do. What does it say in the A 18.1 code?

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1           MR. FENNEL: Mr. Chairman, this is one  
2 those questions that's going to have to be  
3 submitted in writing.

4           MR. GREGORY: We have to look it up.

5           MR. ROAD: I have no problem with  
6 submitting to it you. Number one, you need a  
7 place to submit it to.

8           MR. FENNEL: The office of the safety  
9 elevator in Springfield.

10          MR. CHRISTENSEN: You can email any of  
11 them.

12          MR. ROAD: Next question I have is the  
13 State of Illinois is moving to the new 18.1  
14 ANSI Codes, or actually has already. How  
15 does that pertain to this document, the  
16 Illinois accessibility code book which is  
17 based on the old codes, the 1996 code. Does  
18 it override this document?

19          MR. FENNEL: Yes; yes, it does.

20          MR. ROAD: Okay. Very good.

21          MR. GREGORY: When do these variances come  
22 up?

23          MR. CHRISTENSEN: After the meeting.

24          After the public meeting, we adjourn the

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1 Board meeting, then we open the meeting on  
2 variances.

3 MR. GREGORY: That's another meeting?

4 MR. FENNEL: That's meeting following.

5 MR. GREGORY: That's fine.

6 MR. FENNEL: That was for the benefit of  
7 people not interested in the appeals  
8 whatsoever.

9 MR. CHRISTENSEN: Is there anymore public  
10 comment?

11 MR. GIBBS: Let me ask if the new codes --

12 MR. FENNEL: Excuse me, could you state  
13 your name, please?

14 MR. GIBBS: Mike Gibbs, Anderson. The new  
15 code, accessibility code, is that just what  
16 happened there?

17 MR. CHRISTENSEN: Yes.

18 MS. YOUNG: Patricia Young, Thompson. I  
19 want to get some communication to try when we  
20 receive calls. Recognizing that we have  
21 granted this extension for having internal  
22 QEI with the company. In approximately  
23 February 28, 2005, basically rule four until  
24 the rules kicked in until today. I believe

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1 we weren't able to get quite an answer as to  
2 how do address situations where pressure test  
3 was cited during this particular time frame.  
4 I am now in a position that I have commands  
5 that are in a failed mode or failed status, I  
6 should say, due to having pressure tests not  
7 being in compliance and/or not witnessed.  
8 How am I going to address this time frame  
9 from May 4th to today?

10 MR. CAPUANI: I see your point. They  
11 cannot issue a certificate of operation  
12 because the tests really weren't witnessed  
13 and by our rules, they actually failed.

14 MR. CHRISTENSEN: Dick.

15 MR. GREGORY: I think there's two ways  
16 they could be corrected and made compliant.  
17 Okay. Number one, the pressure test is done  
18 and witnessed by your company or whoever's  
19 company it is, Frank's company or whatever.  
20 Number two, based on our temporary extension  
21 of allowing the companies to do their  
22 certification with there QEI inspector who is  
23 licensed by the state, they could do that  
24 now. They've got two ways to get around the

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1           problem.

2           MR. CAPUANI: But what happened from May  
3           1st to today?

4           MR. CHRISTENSEN: The ones that were  
5           already inspected without inspector there, my  
6           opinion is they need to be inspected again.

7           MR. GREGORY: Tested again.

8           MR. CHRISTENSEN: Or tested again, I'm  
9           sorry.

10          MR. GREGORY: That's what I said. They  
11          got two ways to test them. You can come out  
12          there and witness the test or based on what  
13          we passed today, they can witness the test  
14          under those temporary rules and either way,  
15          they will then come in compliance.

16          MR. CAPUANI: Well, wait, the Board did  
17          not make a decision on that. That was for  
18          discussion at the next meeting, I believe.

19          MR. GREGORY: What I'm telling you,  
20          however, they could become in compliance if  
21          they were tested.

22          MR. FENNEL: As it sits right now, they  
23          have to be retested.

24          MR. GREGORY: And I'm telling, you got two

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1           ways.

2           MR. FENNEL: That's how it sits right now.  
3           The Board did not make a decision with  
4           regards to an exception that would somehow  
5           not require retesting. The Board never made  
6           that decision. We were putting it off until  
7           next month. If the Board wants to discuss it  
8           right now, we can.

9           MR. CHRISTENSEN: I actually think we  
10          should because as Patty said, they're kind of  
11          in a jam and they want to know what to do  
12          right now, and if we're going to hold it over  
13          a whole month, then we're backlogging  
14          everything again.

15          MR. FENNEL: That's fine. We can talk  
16          about it right now.

17          MR. CHRISTENSEN: Do you want to say  
18          something about this?

19          A VOICE: Just another question.

20          MR. CHRISTENSEN: Can we bring this back  
21          up?

22          MR. GREGORY: You're the boss.

23          MR. CHRISTENSEN: Sometimes I wonder.  
24          We're back talking about this, where the ones

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1 that were done, the tests were done without  
2 an inspector with them back in March.

3 MR. GREGORY: After May and before now.

4 MR. CHRISTENSEN: I think they need to be  
5 redone, but that's my opinion on it.

6 MR. GREGORY: Dick Gregory. I think they  
7 have got two ways to redo them now. I think  
8 they can do them with the inspector that's  
9 employed or whatever by AHJ, or based on our  
10 temporary rule, they can use their QEI guy  
11 who is licensed by the state. They've got  
12 two ways to do it so they can just do it.

13 MR. CAPUANI: I think you have to clarify  
14 that. It's either going to be the inspection  
15 company or the company in my opinion.

16 MR. GREGORY: No, no, no. It can be  
17 exactly as here. Witnessed by any inspector  
18 that is certified by the state period.

19 MR. CHRISTENSEN: Schindler can go and use  
20 their QEI person from the company.

21 MR. GREGORY: Yes, or they can use Otis'  
22 QEI guy.

23 MR. CHRISTENSEN: Kelly?

24 MR. WELLER: Are you guys saying the same

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1 thing?

2 MR. GREGORY: Yes.

3 MR. WELLER: Okay. So you two are both in  
4 agreement that we need to go back and retest  
5 everything?

6 MR. GREGORY: Yes.

7 MS. YOUNG: Second question to that point,  
8 if that's acceptable and we're all in  
9 agreement on that --

10 MR. CHRISTENSEN: We haven't voted on it  
11 yet.

12 MS. YOUNG: How am I going to know, we  
13 look at the tag, how are we going to know  
14 that their QEI and their state license, how  
15 are we going to look on the tag? We're  
16 looking for proof that the test has been  
17 completed.

18 MR. CAPUANI: I think in my opinion,  
19 you're supposed to fill a sheet when you do a  
20 pressure test. The mechanic's state license  
21 should be on that sheet and the QEI person  
22 with their QEI number on that sheet, and the  
23 sheet left in the machine, a copy left in the  
24 machinery. My opinion.

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1 MR. CHRISTENSEN: Would that help, Patty?

2 MS. YOUNG: That will help. Now that  
3 consistency, where are we going to find the  
4 sheet. Some feel are good housekeeping, some  
5 people are not. Okay. To look at the tag,  
6 is there some sort of label that the  
7 companies can make that has that and then the  
8 person can sign off on it that adheres to the  
9 tag?

10 MR. CAPUANI: Marc just brought up that a  
11 copy can be mailed to you.

12 MS. YOUNG: Okay. I'm at the site and it  
13 says that it didn't pass because the date,  
14 somebody forgot the put the date. Piece of  
15 paper three weeks down the road, it's gone to  
16 the building. I'm not going to get it. It's  
17 still in a failed mode. I could be set for  
18 reinspection, I could be shutdown because of  
19 paperwork.

20 MR. BUDMATS: Nick Budmats. The code  
21 calls for maintenance to be available to the  
22 inspector. So it's the company's  
23 responsibility -- the owner's responsibility,  
24 I'm sure he wants his company to have a

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1 program available for the inspector. It  
2 should be on site or available to the  
3 inspectors so it would be the company's basic  
4 duty to keep the copy of those tests  
5 available on site for the inspector to view  
6 the results of and all the pertinent  
7 information relative to the inspection. If  
8 not, the inspector can say the program wasn't  
9 compliant and cite the elevator.

10 MR. CHRISTENSEN: I get where you're  
11 going, Patty, and I think it should be on  
12 site. I think we're going into something  
13 that's only for six months, then you'll be  
14 taken over. I would say it just has to be on  
15 site. It can be in the manager's office, it  
16 could be in the machine room. I think we're  
17 going a little farther.

18 MS. YOUNG: I'm trying to make life a  
19 little more efficient for everybody, because  
20 what's going to be happening is I'm going to  
21 end up getting calls from different companies  
22 saying, Hey, you failed for this and people  
23 are going to be calling. Just trying to go  
24 about it a more efficient way to eliminate a

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1 lot of grief for everybody for next six  
2 months or whatever down the road.

3 MR. CAPUANI: I think what's Patty's  
4 concern is, they go out and do an inspection  
5 of the elevator. They have to look at the  
6 tag. They look at the tag. Okay. The  
7 pressure test was done in June, or, say  
8 tomorrow. Her question, I believe, is how do  
9 we know that a qualified state inspector  
10 witnessed that test? They wouldn't know.  
11 She wouldn't know. The inspector wouldn't  
12 know.

13 MR. JIRIK: But you answered that question  
14 by leaving that paperwork in the machinery.

15 MR. CAPUANI: Right, right. That's what  
16 I'm presenting to the Board.

17 MR. CHRISTENSEN: But are we saying now,  
18 let's say ThyssenKrupp, Kone, something like  
19 that, We did the test, should we send a copy  
20 over to Thompson because they have that in  
21 the municipality?

22 MR. GREGORY: That would be convenient.

23 MS. YOUNG: Well, I've had that for years  
24 and years and there's a total dissonance

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1           because one, I don't get all the papers; and  
2           two, what I've been looking is at the tag.  
3           So really the piece of paper in the past did  
4           not hold that much value, the tag is what  
5           held the value. So trying to hone in on  
6           where are we going to get what we need to  
7           satisfy the requirements and to ensure that  
8           the companies have done it properly and  
9           you're protected as well from the state  
10          compliance.

11                 MR. CAPUANI: On our end, too, if Jim or  
12           Chet go out to the site, they have no idea.  
13           They would have to go back to Patty and find  
14           out who did the test. I don't think it's a  
15           big deal to leave a copy in the machine.

16                 MS. YOUNG: What I'm proposing is just a  
17           little mailing label size that can be  
18           preprinted by an adman in any office that at  
19           a minimum has the elevator company, has a  
20           spot that a person to write their name, their  
21           signature, the QEI number, and their state  
22           license number, slap that right onto the tag  
23           itself. Everybody can look it over and they  
24           can see what they need and everybody's out of

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1           there.

2           MR. CHRISTENSEN: I don't think it's a big  
3           deal either. That wouldn't be a problem.

4           MS. YOUNG: Am I getting head noddings?  
5           Or, I don't know.

6           MR. CHRISTENSEN: You're getting head  
7           noddings, but we've still got a motion on  
8           here and then we'll get to that. Okay.

9           MR. KOSHAK: John Koshak, ThyssenKrupp.  
10          Did you guys exclude 8.6.12 from the code  
11          adoption? I don't think you did in your  
12          adoption of the 2004 supplement. If you  
13          didn't, 8.6.12 is the maintenance control  
14          program that Nick --

15          MR. GREGORY: We did not exclude it.

16          MR. KOSHAK: That requires witnessing the  
17          test to be in the document to be in the  
18          machine room or the location of it posted on  
19          the controller or the district. So it's not  
20          correct to say that that paperwork is lost or  
21          that information is lost, it's required by  
22          code to not be lost.

23                                So if I'm the QEI and I witness  
24          a test, there's a spot I should be required

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1 to put my QEI number on it and in case of a  
2 discrepancy they got the MCP we call them, is  
3 there. I've done the test, I've got a state  
4 license and I've got put my QEI number on it,  
5 and that's got to be right there. So you've  
6 got all that information. And if you go  
7 there after the fact as Thompson inspection  
8 and you can't find it, well the building is  
9 in violation because they don't have that  
10 available to you. And that to me is the way  
11 forward from here on in.

12 MR. CHRISTENSEN: Dick?

13 MR. GREGORY: Requirement 8.11.16 test  
14 tag. A metal test tag with the test date,  
15 requiring the test and the name of the person  
16 or firm performing the test shall be  
17 installed in the machine room for all  
18 category, blah blah blah, test. There should  
19 be a tag that's got that information in it.

20 MR. BUDMATS: The tag doesn't have who the  
21 QEI is to witness it because it's not  
22 required by the control. However, the  
23 maintenance control room of the provision of  
24 the code requires that that information is

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1           there so the maintenance control program is  
2           required, should be on site and accessible,  
3           or if it's not on site, there need to be  
4           instructions on site as to how the inspector  
5           finds it. So if that information isn't on  
6           there or not on site, the elevator is not in  
7           compliance. Whether or not it had a pressure  
8           test done or not, it's not in compliance  
9           because the information is not available for  
10          the inspector to view.

11           MR. CAPUANI: I believe a simple solution  
12          to this is just put a copy of it in the  
13          machinery and you're done.

14           MR. CHRISTENSEN: Hang on. Let's go back  
15          to the original motion here. Okay. There  
16          was a motion made and it's been seconded  
17          already, I believe. We did second it.

18           MR. GREGORY: The motion was that  
19          elevators that had category one tests between  
20          May 4th and now that were not done by a  
21          licensed State of Illinois inspector  
22          authorized by the AHA or blah blah blah, that  
23          those do have to be tested now.

24           MR. WELLER: Retested.

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1           MR. GREGORY: Retested. Yes, that's the  
2 motion.

3           MR. CHRISTENSEN: I believe it was  
4 seconded or if someone wants to second that  
5 again.

6           MR. SWIENTON: Darrel Swienton. Second.

7           MR. CHRISTENSEN: All in favor say aye.

8                           {All say aye.}

9           MR. CHRISTENSEN: Those against. Ayes  
10 have it.

11                           Now, back to keeping something on  
12 site. It's in the code already, I don't  
13 think we have to go --

14           MR. GREGORY: Don't have to do anything  
15 else.

16           MR. CHRISTENSEN: Thanks, Nick. Thank  
17 you. Bill?

18           MR. ROOK: Got a couple of other questions  
19 about incident reports. And I'm not the  
20 owner, the County is. I noticed on here that  
21 you must report all injuries and any damages  
22 over 1,000. By damages are you talking about  
23 damages to the elevator or injuries to the  
24 person?

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1           MR. CHRISTENSEN: I don't think we know  
2           what the damages, how much the money amount  
3           was for the injuries of a person, I think  
4           damages of the elevator.

5           MR. ROOK: I know that it says it must be  
6           sent to the state by the close of the next  
7           business day. Our problem is, most of the  
8           time we don't even here about an injury until  
9           a day or two later. A lot times if the  
10          engineers don't notify me about it, they're  
11          not aware of it. Most of the time they will  
12          go to the sheriff. Sometimes the sheriff  
13          makes out an incident report, sometimes they  
14          don't. Sometimes we don't have the  
15          information of who these people were, what  
16          their address were, their phone number or  
17          anything, we don't know how badly they're  
18          hurt. Lot of times I don't find out about  
19          these until they're ready to go to court and  
20          they subpoena us for the records on the  
21          elevator.

22    In that case, would it be from  
23          the date that you find out about this injury  
24          or from the date it happened? I mean,

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1           sometimes you don't even hear about it with  
2           all of the --

3           MR. CAPUANI: The way I'm hearing about it  
4           right now is the injured party has emailed  
5           me. I got two emails from the accident  
6           within 24 hours.

7           MR. ROOK: Right. And as far as damages  
8           go up to \$1,000, we got a lot of vandalism.  
9           It might be more than a day if it's over  
10          1,000.

11          MR. CAPUANI: We're not worried about  
12          vandalism. We're worried about safety.

13          MR. ROOK: You're not talking about  
14          damages to the elevator. Only if it's  
15          related to --

16          MR. CAPUANI: Not damages. Public safety,  
17          that's what we're worried about.

18          MR. ROOK: Okay. The other part is the  
19          detailed description of an incident. If the  
20          sheriff does take an incident report from the  
21          person, most of them there's not a witness,  
22          you're getting the person who says they got  
23          hurt, their version of what they said  
24          happened.

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1 MR. CAPUANI: Correct. That's normal.

2 MR. ROOK: The County is only liable by  
3 putting their version of what happened.

4 MR. CAPUANI: We're not attorneys. All  
5 we're going to do is go out and do an  
6 investigation of what happened.

7 MR. ROOK: Is it okay to say as reported  
8 by the injured person describing what  
9 happened?

10 MR. CHRISTENSEN: Sure it is.

11 MR. CAPUANI: But it will say it has to be  
12 reported by the building owner within 24  
13 hours.

14 MR. GREGORY: But the building owner can  
15 only report what they're told by somebody  
16 else. So you can put on your form, your form  
17 of gathering information, we were told this  
18 by XYZ who claims injury. I mean, I see  
19 those from all over the country.

20 That's why I always ask when the  
21 attorney calls me up and says my guy was  
22 injured in the elevator. I tell them want no  
23 see the -- he fell in the pit. I said, I  
24 want to see the fire department report taking

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1           him out of the pit. Why? Because of the bad  
2           neighborhood. How do I know he wasn't beat  
3           up in the alley.

4           MR. ROOK: That's what I'm saying. A lot  
5           of times we don't know if somebody was really  
6           injured or not. We hear this or that.  
7           Unless they fill out an incident report or  
8           some report before they leave, we don't even  
9           hear about it. In that case, is the owner  
10          still okay until if he hears about this or  
11          what?

12          MR. CAPUANI: Well if no one has informed  
13          you there's an incident, yes.

14          MR. ROOK: Okay.

15          MS. CARLTON: Lisa Carlton, I was involved  
16          in an elevator accident on February 10th,  
17          2007. I'm permanently disabled in my  
18          right-hand. Thompson is our inspection  
19          company and they've been wonderful. We  
20          contacted them after the accident.

21                 My question is, when the elevator  
22          company doesn't get permits and applications  
23          and an elevator is involved in an incident in  
24          a major accident, and our Fire Marshal has

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1           been involved and he finally contacted by Tom  
2           step in The question there our knowledge is,  
3           are there any laws on the books in the future  
4           that there's going to be some type of  
5           penalties for elevator companies who don't,  
6           give building inspections or specifications?

7                         At our condominium meeting, I was  
8           not there but they tape recorded the meeting  
9           and they went on the record saying no, we  
10          didn't have permits, it's no big deal. The  
11          accident would have happened anyways and  
12          Thompson was out and said everything was fine  
13          and they slapped Sterling on the hands and  
14          that's it, and end of discussion. So my  
15          question really is, is there anything on the  
16          books in the future that there's penalties  
17          for companies that do not give building  
18          permits? And I do have two witnesses to my  
19          accident and it was never reported until I  
20          called them and agreed by the management.

21                        MR. CHRISTENSEN: I am told that this  
22          accident is under investigation by the Fire  
23          Marshall's office. I will tell you this, in  
24          my opinion then, why the bill has been passed

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1 in Illinois which is a long time coming is  
2 for incidents like this, by you getting hurt,  
3 and other people getting hurt and now you  
4 have that protection out there. And there is  
5 things to be done, and hopefully if there was  
6 negligence by somebody, that after  
7 investigation, they do come out with fines or  
8 whatever against them.

9 MS. CARLTON: I just want to say one  
10 thing. Thompson Elevator after my accident  
11 was helpful and I appreciate that. And  
12 that's it. Thank you so much. I'm sorry I  
13 sound so earnest I appreciate all this.

14 MR. CHRISTENSEN: Thank you. Go ahead.

15 MR. HENDERSON: Jeff Henderson. Is there  
16 an email address with the website for these  
17 questions?

18 MR. CAPUANI: Fire Marshall's website.  
19 There's a link right there.

20 MR. CHRISTENSEN: Elevator Division.

21 Patty.

22 MS. YOUNG: Patty Young with Thompson.  
23 Getting back to the pressure test. We had a  
24 lot of discussion to say about it. It's the

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1 hot topic in the industry. How is the Fire  
2 Marshal going to communicate to the industry  
3 what the new variance is here with the  
4 extension to February and how we're going to  
5 proceed during these next six months?

6 MR. CAPUANI: If you look at the website,  
7 I believe there's a link that says -- or  
8 elevator update. It's something like this  
9 with the ruling. I will put it on that  
10 website. Website doesn't go as quick as you  
11 think with the state. If I put it in  
12 tomorrow, it might not be there for a week.  
13 I have to keep on, so have patience, but  
14 I will try to get it on the website.

15 MS. YOUNG: Okay. I just want to know  
16 where to lean to for the decision to --

17 MR. CAPUANI: Right. Just give it some  
18 time.

19 Nick.

20 MR. BUDMATS: Following up on this lady's  
21 question. I've been received license  
22 elevator inspections. I received several  
23 calls from different building owners who find  
24 that their elevators were never inspected,

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1           permits were never pulled when they were  
2           installed 20 years ago. What is the Board --  
3           do I look at it as a brand new inspection  
4           from today's date? Do I do some discovery to  
5           find out what date it was installed and  
6           inspect it to that code? Or do I only  
7           inspect it to the A 17.3 conveyance code and  
8           possibly miss all of the previously required  
9           testing that would have been required in  
10          acceptance. I kind of need some direction as  
11          to what to do.

12                 MR. CAPUANI: You walk into a building,  
13                 say this building here, okay. It's never  
14                 been inspected. Do they register the  
15                 elevators?

16                 MR. BUDMATS: Yes, that's what's driving  
17                 this because they're trying to register the  
18                 elevator. It's never been inspected.

19                 MR. CAPUANI: They can register the  
20                 elevator and what we'll do is the date that  
21                 we get the registration is the date they're  
22                 confirmed inspection. There's a lot of the  
23                 elevators in the state that haven't been  
24                 inspected. What we'll do in our system, is

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1           that your overdue already and they need to be  
2           inspected now.

3           MR. BUDMATS:  So they're calling to get a  
4           licensed inspector saying that they need to  
5           be inspected and I'm asking you as an  
6           inspector, what standard am I inspecting it  
7           to?

8           MR. CAPUANI:  Inspecting it to our  
9           standards, state standard.

10          MR. BUDMATS:  For new elevator or existing  
11          elevator?

12          MR. CAPUANI:  Existing elevators.

13          MR. GREGORY:  Even in A 17.1, which is for  
14          new elevators, but it tells you that the Code  
15          that applies to an elevator is the code under  
16          which it was installed that was effective.  
17          So if this elevator was installed in 1967,  
18          then that '67 Code applies, the '65 Code  
19          applies.  A 17.3 if adopted by the  
20          Authority -- that's us, we adopted it.  So A  
21          17.3, and the Code in effect when any  
22          alterations were done.

23                        So that's what you inspect it to.  
24          Code when installed A 17.3 and the Code of

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1           any alteration. And that is right in A 17.1  
2           and A 17.3.

3           MR. BUDMATS: I'm walking in an elevator,  
4           I have no drawings approved by anybody. So  
5           I'm taking these people at their word that  
6           they built the building in 1976. So I  
7           inspect A 17 1976 and then I inspect to A 17  
8           2004?

9           MR. GREGORY: That's the best you can do.  
10          Now, if you have many people's elevator have  
11          a tag on it that says, you know, controller  
12          or inspected by Joe Blow on September 1976,  
13          you know in the factory, you know what I  
14          mean?

15          MR. BUDMATS: I understand.

16          MR. GREGORY: There are crosshead data  
17          plates, if they were put in by a legitimate  
18          outfit would give you some date.

19          MR. BUDMATS: This is happening quite a  
20          bit. They're saying my elevator has never  
21          been inspected.

22          MR. CHRISTENSEN: That's great. Any other  
23          public comments?

24          MR. BUTMATS: Your earlier motion today

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1 work experience I have a question on that  
2 motion. For example, let's say there's an  
3 Otis superintendent or elevator inspector for  
4 the last 30 years and he's required to become  
5 a licensed contractor to provide work, but  
6 they haven't physically done work in the last  
7 five years. Because of this he tells  
8 superintendent in the last ten years, does  
9 that mean that their license is no longer  
10 valid because they haven't worked for --

11 MR. CHRISTENSEN: Not as a mechanic.  
12 We're talking about the contractors, right.

13 MR. CAPUANI: Yes.

14 MR. CHRISTENSEN: We're not talking  
15 mechanics, we're talking contractors.

16 MR. BUDMATS: What are you calling work  
17 experience for a contractor. Work experience  
18 working for any elevator contractor for the  
19 last five years or working with the tools?

20 MR. WELLER: It's pretty vague. It says  
21 five years work experience in the elevator  
22 industry, maintenance service and repair.

23 MR. GREGORY: Or construction.

24 MR. BUDMATS: So working in the industry

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1 or maintenance service and repair, so if  
2 you're working in the office in the industry,  
3 you're technically not working in maintenance  
4 service or repair, right?

5 MR. GREGORY: Well, that's a separate  
6 question. We would have to consider that. I  
7 think that -- you know, if you were an Otis  
8 superintendent for the last 30 years, you're  
9 probably working in the industry. But, you  
10 know what, I think we're not going to cover  
11 that today.

12 MR. CHRISTENSEN: I don't think it's  
13 something that needs to be covered today.

14 Any other questions?

15 No more public comment? Is there a move  
16 to adjourn?

17 MR. GREGORY: So moved.

18 MR. CHRISTENSEN: Second. All those in  
19 favor say aye.

20 {All say aye.}

21

22

23

24

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