

**NEW YORK CITY DEPARTMENT OF BUILDINGS**

**NOTICE OF ADOPTION OF RULE**

**NOTICE IS HEREBY GIVEN**, pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the amendments to Chapter 3600 of Title 1 of the Rules of the City of New York regarding elevator emergency operation and signaling devices, elevator capacity and loading and the addition of a new rule regarding maintenance and testing of electric elevators. .

This rule was published in the City Record on July 29, 2022, and a public hearing thereon was held on August 30, 2022.

Dated: 9/28/22  
New York, New York

/s/  
Eric A. Ulrich  
Commissioner

## Statement of Basis and Purpose of Rule

Sections one through three of the rule repeal and replace sections 3610-03 and 3610-05 and repeal section 3610-04 of Title 1 of the Rules of the City of New York (RCNY), because those sections have been superseded by Chapter K1 of Appendix K of the 2022 Building Code and other sections of American Society of Mechanical Engineers (“ASME”) standard A17.1-2013, as modified by Chapter K1, need to be amended.

Section four of the rule adds a new section 3610-06 to Title 1 of the RCNY to update the provisions of section 8.6.4.20 of ASME standard A17.1-2013 to address issues with load weighing devices on elevators.

Section five of the rule makes it effective the same day as the 2022 Construction Codes.

The rule:

- repeals and replaces rules relating to emergency operation and signaling devices
- repeals rules relating to multicompartments elevators;
- repeals and replaces rules relating to capacity and loading;
- adds an exception to the section on overload detection and
- adds a new rule regarding rated load performance

The Department of Buildings’ authority for this rule is found in sections 643 and 1043 of the New York City Charter and section 28-103.19 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (\*\*\*) indicate unamended text.

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Section 3610-03 of Subchapter K of Chapter 3600 of Title 1 of the Rules of the City of New York, relating to Emergency Operation and Signaling Devices, is REPEALED and a new section 3610-03 is added to read as follows:

§ 3610-03 Emergency operation and signaling devices. Pursuant to Section 28-103.19 of the New York City Administrative Code, Section 2.27 of American Society of Mechanical Engineers A17.1-2013, as modified by Chapter K1 of Appendix K of the New York City Building Code, is hereby amended to read as follows:

SECTION 2.27  
EMERGENCY OPERATION AND SIGNALING DEVICES

**2.27.3 Firefighters' Emergency Operation: Automatic elevators.**

**Revise Section 2.27.3.1.6(m) to read as follows:**

(m) No device that measures load shall prevent Phase I Emergency Recall Operation of the elevator.

**Revise Section 2.27.3.3.1(l) to read as follows:**

(l) No device that measures load shall prevent Phase II Emergency In-car Operation of the elevator.

**Revise Section 2.27.3.3.7 to read as follows:**

**2.27.3.3.7** The "FIRE OPERATION" switch (2.27.3.3), the "CALL CANCEL" button (2.27.3.3.1(h)), and the visual signal (2.27.3.1.6(h)), shall be grouped together exposed and accessible, on the cover of the main car operating panel and shall be located more than 1 220 mm (48 in.) and less than 1 830 mm (72 in.) above the floor as measured to the centerline of the "CALL CANCEL" button, "FIRE OPERATION" switch and visual signal.

**Delete Figure 2.27.3.3.7.**

**2.27.4 Firefighters' Emergency Operation: Nonautomatic elevators.**

**Revise the last sentence of Section 2.27.4.1 Phase I Emergency Recall Operation to read as follows:**

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No device, that measures load, shall prevent Firefighters' Emergency Operations for Non-automatic Elevators.

§2. Section 3610-04 of Subchapter K of Chapter 3600 of Title 1 of the Rules of the City of New York, relating to multicompartiment elevators, is REPEALED.

§3. Section 3610-05 of Subchapter K of Chapter 3600 of Title 1 of the Rules of the City of New York, relating to elevator capacity and loading is REPEALED and a new section 3610-05 is added to read as follows:

§ 3610-05 Capacity and loading.

(a) New and altered elevator devices must comply with the requirements of this rule.

(b) Pursuant to Section 28-103.19 of the New York City Administrative Code, Section 2.16.10 of American Society of Mechanical Engineers A17.1-2013, as modified by Chapter K1 of Appendix K of the New York City Building Code, is amended to read as follows:

SECTION 2.16  
CAPACITY AND LOADING

**Revise Section 2.16.10 to read as follows:**

**2.16.10 Detection of Overload on Passenger Elevators and Freight Elevators Permitted by 2.16.4 to Carry Passengers.**

Passenger elevators and freight elevators permitted by 2.16.4 to carry passengers must be designed with the means to detect if the load exceeds the rated capacity of the elevator. If an overload is detected, the elevator doors shall reopen and remain open and a voice notification and visual signal must indicate that the car is overloaded.

**Exception:** If Firefighters' Emergency Operations required in Sections 2.27.3 or 2.27.4 are initiated, the elevator shall operate in accordance with 2.27.3 or 2.27.4.

§4. Subchapter K of Chapter 3600 of Title 1 of the Rules of the City of New York is amended by adding a new Section 3610-06, to read as follows:

§ 3610-06 Maintenance, repair, replacement and testing. Pursuant to Section 28-103.19 of the New York City Administrative Code, Section 8.6.4.20 of American Society of Mechanical

Engineers A17.1-2013, as modified by Chapter K1 of Appendix K of the New York City Building Code, is amended to read as follows:

**SECTION 8.6**  
**MAINTENANCE, REPAIR, REPLACEMENT, AND TESTING**

**8.6.4 Maintenance and testing of electric elevators.**

**Add a new Section to 8.6.4.20 Periodic Test Requirements – Category 5**

**8.6.4.20.12 Rated Load Performance.**

In order to successfully complete the periodic tests specified in 8.6.4.20.1 through 8.6.4.20.11, passenger elevators and freight elevators permitted by 2.16.4 to carry passengers shall perform with loads up to 100% of the rated load. When loads exceed 100% of the rated load by not more than 25%, the passenger elevators and freight elevators shall operate in accordance with 2.16.8. The entity performing the Category 5 test must verify compliance with 2.16.10, where required.

§5. This rule takes effect on November 7, 2022.