



NATIONAL ELEVATOR INDUSTRY, INC.

SETTING STANDARDS IN MOTION

**National Elevator Industry, Inc.
Statement for the Record
Hearing on Proposed Amendments to the Elevator Code**

**Submitted to
Department of Buildings
City of New York**

**New York, New York
August 30, 2022**

The National Elevator Industry, Inc. (NEII) is the leading trade association for companies that manufacture, install, and maintain elevators, escalators, moving walks, and other building transportation products. NEII members collectively represent over eighty-five percent of the work hours in the building transportation industry.

ASME A17.1/CSA B44 (ASME A17.1), the consensus model safety code for building transportation equipment in North America, is the foundation of the New York City elevator rule. ASME A17.1 is developed on a three-year cycle with expertise derived from various sectors, including industry, organized labor, architects, building owners and operators, regulators at the state and provincial level, and, importantly for this discussion, fire service officials. The ASME Emergency Operations Committee is responsible for the firefighters' emergency operations (FEO) requirements included in ASME A17.1. Key experts from the firefighting community shaped the requirements of the 2013 edition of ASME A17.1, the baseline for the current elevator code in New York City, and have continued to do so for subsequent editions.

While all jurisdictions retain their authority to modify the model safety code to meet unique operational or policy requirements, the model code provides a solid baseline to provide for the safety of the riding public and the industry workforce. NEII generally promotes the adoption of ASME A17.1 without modification unless there is a clear safety issue or unique circumstance within a specific jurisdiction to justify deviations. The City of New York has consistently made numerous modifications to ASME A17.1 and incorporated them into Appendix K of the City's building code. NEII and representatives of its member companies participate throughout the code development process to collaborate with the Department of Buildings on reasonable, safe, and designable modifications to the model code. NEII supported the adoption of the current rule effective November 7, 2022.

NEII welcomes the opportunity to continue the dialogue with the Department on proposed amendments to the Rules of the City of New York and Appendix K of the 2022 building code regarding various aspects of elevator emergency operations. The proposed rule would:

- repeal and replace rules relating to emergency operation and signaling devices;
- repeal rules relating to multicompartment elevators;

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- repeal and replace rules relating to capacity and loading;
- add an exception to the section on overload detection; and
- add a new rule regarding rated load performance.

NEII members have engaged in discussions with the Department and the Fire Department of the City of New York over several months concerning proposed amendments to Appendix K. We regret that we have not arrived at a consensus on either the need for these amendments nor their terms. We continue to question the need for disabling load weighing during FEO phase I, which, unlike phase II which proceeds under the direction of a firefighter, could permit the automatic operation of an overweight car. During consultations on these matters and while urging no changes to the code be made, the industry recommended a compromise on FEO phase II, proposing that testing of the load weighing system be included as part of the CAT 5 test in lieu of disabling the load weighing system in phase II operations in order to address questions about the reliability of the system. The proposed amendments would add the requirement to the CAT 5 test, but retain the ability to disable load weighing during FEO phase II. NEII is disappointed in this partial result and believes it does not adequately address risk.

The FEO requirements currently in Appendix K have undergone appropriate risk management assessment and elevating devices based on those requirements are manufactured and maintained to those specifications. NEII urges the Department to reconsider amendments to Appendix K that would be unique to the City and which do not provide demonstrable improvement in the safety of industry personnel and the riding public. The proposed amendments would establish rules that have no precedent, are not contained in the consensus model code, and are not imposed in any other jurisdiction in the United States. Changes to FEO procedures, effective in ten weeks with added design, testing, and safety assessment requirements for the equipment, could lead to delay in the installation of needed elevating devices. The industry retains serious reservations about the proposed amendments and opposes them in their current form.

NEII urges the Department to reconsider proposed requirements unique to the City of New York that unnecessarily complicate the management of building transportation systems. The industry appreciates the opportunity to comment on the proposed amendments to the elevator rule. NEII staff and member companies are available to provide any additional information as needed.

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