

MY NAME IS GREGG ROGERS,

I AM A NATIONAL COORDINATOR FOR THE ELEVATOR INDUSTRY WORK PRESERVATION FUND. A JOINT LABOR MANAGEMENT FIRM, BETWEEN THE NATIONAL ELEVATOR INDUSTRY, INC. A MANAGEMENT GROUP THAT REPRESENTS OVER 750 CONTRACTORS FOR COLLECTIVE BARGAINING PURPOSES AND OTHER MANAGEMENT DUTIES, AND THE INTERNATIONAL UNION OF ELEVATOR CONSTRUCTORS WHO REPRESENT OVER 25,000 ELEVATOR CONSTRUCTORS, IN THE UNITED STATES AND CANADA. PLUS THE ELEVATOR CONTRACTORS OF AMERICA WHICH REPRESENTS OVER 90 INDEPENDENT ELEVATOR CONTRACTORS IN THE UNITED STATES

THOSE ORGANIZATIONS HAVE ENDORSED OUR EFFORTS TO IMPROVE LAWS THAT WILL HELP PROTECT THE RIDING PUBLIC AND WORKERS INVOLVED IN THE ELEVATOR INDUSTRY. IN ADDITION TO THOSE THREE ORGANIZATIONS ENDORSING OUR EFFORTS

THE NATIONAL ASSOCIATION OF VERTICAL TRANSPORTATION PROFESSIONALS ENDORSED OUR EFFORTS AT THEIR ANNUAL MEETING IN MAY OF 2001. THESE ARE THE CONSULTANTS AND PROFESSIONAL

WHO ARE USED FROM THE DESIGN OF ELEVATOR SERVICE FOR A BUILDING TO EXPERT WITNESS USED IN LEGAL PROCEEDINGS FROM ACCIDENTS ON AND AROUND THE EQUIPMENT.

THERE IS A GROWING CONCERN OF THE NUMBER OF ACCIDENTS THAT RESULT IN INJURY AND DEATH ON ELEVATORS AND OTHER CONVEYANCES.

WHEN ACCIDENTS OCCURE IN THIS INDUSTRY, THEY ARE USUALLY CATISTROPHIC BECAUSE THE EQUIPMENT IS POWERFUL IN NATURE AND UNFORGIVING WHEN THEY MALFUNCTION.

AN INDUSTRY REPORT PREPARED UNDER A GRANT FROM THE NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH IN SEPTEMBER 2000, AND UP DATED IN MARCH OF 2004, FOR THE VERY FIRST TIME OFFERS A SHOCKING LOOK AT AN INDUSTRY THAT PROCLAIMS TO BE THE SAFEST FORM OF TRAVEL.

WE IN THE INDUSTRY TOOK THIS REPORT VERY SERIOUSLY.

THE STUDY COVERED A TEN-YEAR PERIOD 1992 to 2001. DURING THAT TIME, 207 EMPLOYEES WERE KILLED OF WHICH 64 WERE ELEVATOR PERSONNEL. THE CONSUMER PRODUCT SAFETY COMMISSION STUDY

SHOWS THAT ON THE AVERAGE, THERE ARE 17,100 ACCIDENTS ON ELEVATOR AND ESCALATORS EACH YEAR, SERIOUS ENOUGH TO REQUIRE HOSPITALIZATION. UNFORTUNATELY, THERE ARE NO RECORDS KEPT FOR THE PUBLIC, ONLY EMPLOYEES.

THE DOCUMENT THAT IS BEFORE YOU TODAY IS THE PRODUCT OF OVER 25 MONTHS OF WORK. THAT STARTED AS A RESULT OF THE HARMONIZATION PROCESS OF THE A17 AND B44 CODES, THESE ARE THE ELEVATOR SAFETY CODES OF THE UNITED STATES AND CANADA. THIS RESULTED IN THE SPIN-OFF OF PLATFORM LIFTS AND STAIRWAY CHAIRLIFTS FROM A17 TO A NEW SECTION DOCUMENT, A18.

THIS DOCUMENT IS THE INDUSTRY'S BEST EFFORT TO ADDRESS THESE SAFETY CONCERNS.

PASSAGE OF THIS LEGISLATION WILL DRAMATICALLY REDUCE THE ACCIDENTS AND DEATHS TO EMPLOYEES, ELEVATOR PERSONNEL AND MOST IMPORTANTLY, THE RIDING PUBLIC.

LEGISLATURES AROUND THE COUNTRY HAVE BEEN VERY CONCERNED ABOUT THIS INDUSTRY'S SAFETY.

THE LEGISLATION WE ARE DISCUSSING TODAY WAS ASSEMBLED USING LANGUAGE THAT WAS PASSED IN OTHER STATES AND HAS BEEN USED TO COMPILE THE MODEL ELEVATOR BILL.

THE DOCUMENT IS VERY TECHNICAL IN CONTENT AND RELATES TO THE NATIONAL CONSENSUS STANDARDS ADOPTED BY THE AMERICAN SOCIETY OF MECHANICAL ENGINEERS (A.S.M.E.) AND OTHER CODE AUTHORITIES HAVING JURISDICTION IN THE INDUSTRY.

WHILE THESE CODE AUTHORITIES HAVE THE EXPERTISES TO DRAFT CODE DOCUMENTS THAT ARE WRITTEN TO PROVIDE THE SAFEST FORM OF VERTICAL TRANSPORTATION. IT FALLS ON THE STATE LEGISLATURE TO ADOPT THE CODES AND LAWS DESIGNED TO PROTECT THE RIDERS AND WORKERS OF THEIR STATE.

AS TECHNOLOGY INCREASES AND THE EQUIPMENT BECOMES MORE COMPLICATED IT ONLY STANDS TO REASON THAT THOSE INVOLVED IN THE PROCESS OF DESIGNING, MANUFACTURING, INSTALLING, SERVICING, TESTING, REPAIRING AND INSPECTING THE EQUIPMENT NEED TO HAVE THE EDUCATION AND

TRAINING NECESSARY TO SAFELY WORK ON OR AROUND THE EQUIPMENT.

IN MOST STATES A PERSON NEEDS TO BE LICENSED TO CUT HAIR OR APPLY TATTOOS. BUT UNFORTUNATLY THOSE SAME REQUIRMENTS DON'T ALWAYS APPLY TO THE ELEVATOR INDUSTRY.

AS A MATTER OF FACT MOST PEOPLE DON'T EVEN KNOW THERE IS A SPECIALIZED INDUSTRY THAT PERFORMS THIS WORK UNTIL THE EQUIPMENT BREAKS OR THERE IS AN ACCIDENT. ONCE THAT HAPPENS EVERYONE STARTS LOOKING FOR A CAUSE AND WHERE TO LAY THE BLAME.

ALMOST EVERY ACCIDENT REPORT I HAVE SEEN SUGGEST THAT BY USING QUALIFIED PERSONS TO PERFORM THE WORK, THOSE TYPES OF ACCIDENTS CAN BE PREVENTED IN THE FUTURE. WE ARE NOT TALKING ROCKET SCIENCE HERE, WE'RE TALKING ABOUT HAVING AN EDUCATED AND TRAINED WORK FORCE, WORKING FOR COMPETENT CONTRACTORS, WITH QUALIFIED INSPECTORS DOING FOLLOW UP INSPECTIONS TO INSURE THE WORK PERFORMED MEETS THE CODES DESIGNED TO PROVIDE FOR THE SAFETY OF THE RIDERS AND WORKERS

WHAT THE BILL DOES IS ESTABLISH MINIMUM STANDARD THAT ALL PARTIES WHO PERFORM THIS TYPE OF WORK MUST MEET IN ORDER TO BE REGISTERED WITH THE STATE.

IT ADOPTS THE LATEST VERSIONS OF THE CODES DESIGNED TO PROTECT THE RIDING PUBLIC.

IT REQUIRES EQUIPMENT REGISTRATION AND ACCIDENT REPORTING.

IT REQUIRES CONTINUING EDUCATION ON THE CODES AND SAFETY ISSUES FOR THE WORKERS BEFORE THEY CAN RENEW THEIR LICENSE OR CERTIFICATON AS MECHANICS.

IT REQUIRES CONTRACTORS TO CARRY MINIMUM LIABILITY AND PROPERTY DAMAGE INSURANCE AND REGISTER WITH THE STATE

IT REQUIRES INSPECTORS TO BE QUALIFIED AND INSURED.

IT IS A FEE BASED PROGRAM THAT DOES NOT USE TAX PAYER FUNDING TO OPERATE

CURRENTLY THIS LEGISLATION HAS PASSED IN 9 STATES AND PORTIONS OF IT ARE USED IN 23 ADDITIONAL STATES

I WOULD URGE YOUR SUPPORT FOR THIS EFFORT OF THE INDUSTRY AND WOULD BE GLAD TO ANSWER ANY QUESTIONS THAT YOU MAY HAVE.

GREGG ROGERS, NATIONAL COORDINATOR, EIWPF