



# Elevator Advisory Board Compliance Staff Report December 15, 2015

Business and Building Section  
Compliance Division - TDLR





# Accomplishments & Current Projects

- Welcomed (10) new Licensed Inspectors by going over statute, rules, and policies with them as part of the Inspectors Orientation.
- Have filed numerous complaints and assisted Enforcement Division on all technical matters related to non-compliant equipment.
- Coordinated internally with Enforcement Division on prioritization of Elevator Complaints for elevators with no door restrictors, non-operational door restrictors, no Fire Service, and non-operational Phase I Fire Service that allows for "all hands on deck" without burdening General Counsel for emergency orders until absolutely necessary.
- Have visited numerous job-sites to provide technical assistance to owners, contractors, and inspectors in areas throughout Texas including Austin, San Antonio, and Dallas/Ft. Worth Metro-plex
- Have worked extensively with Licensed Contractors and their staff to assist them in understanding the Plan Review Process in hopes of having them streamline and standardize their processes.
- Leading HB3741 Bill Implementation Team to establish the "Removed From Service" classification which was recently approved by the Legislature and will give the owners another alternative for keeping their equipment in compliance. Basically "one stop shopping".

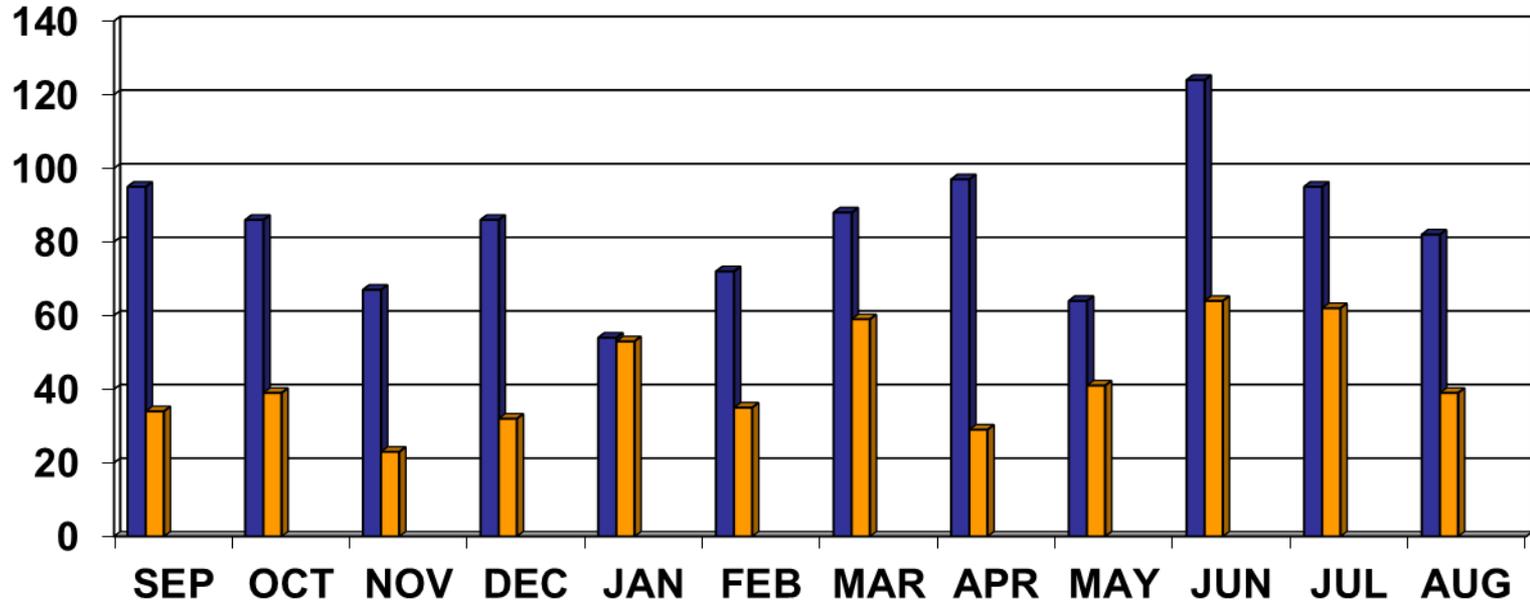


# Trainings & Seminars

- Met with Inspectors in February in (San Antonio & Dallas) to obtain CEs and assist in providing EIWPF Continuing Education Class going over any changes to Statute, Rules, and agency policies.
- In June, presentation on elevator equipment for various types of buildings for the West Texas Architects and Engineers Association in Lubbock, Tx.
- October 30 – Presentation with the Plano Fire Department (@20 attendees) on the different types of elevator equipment and safe passenger extrication.
- Will be meeting in February (San Antonio & Dallas) for an opportunity to obtain CEs and assist in providing EIWPF Continuing Education Class going over any changes to Statute, Rules, and agency policies.



# FY 2015: Plan Reviews

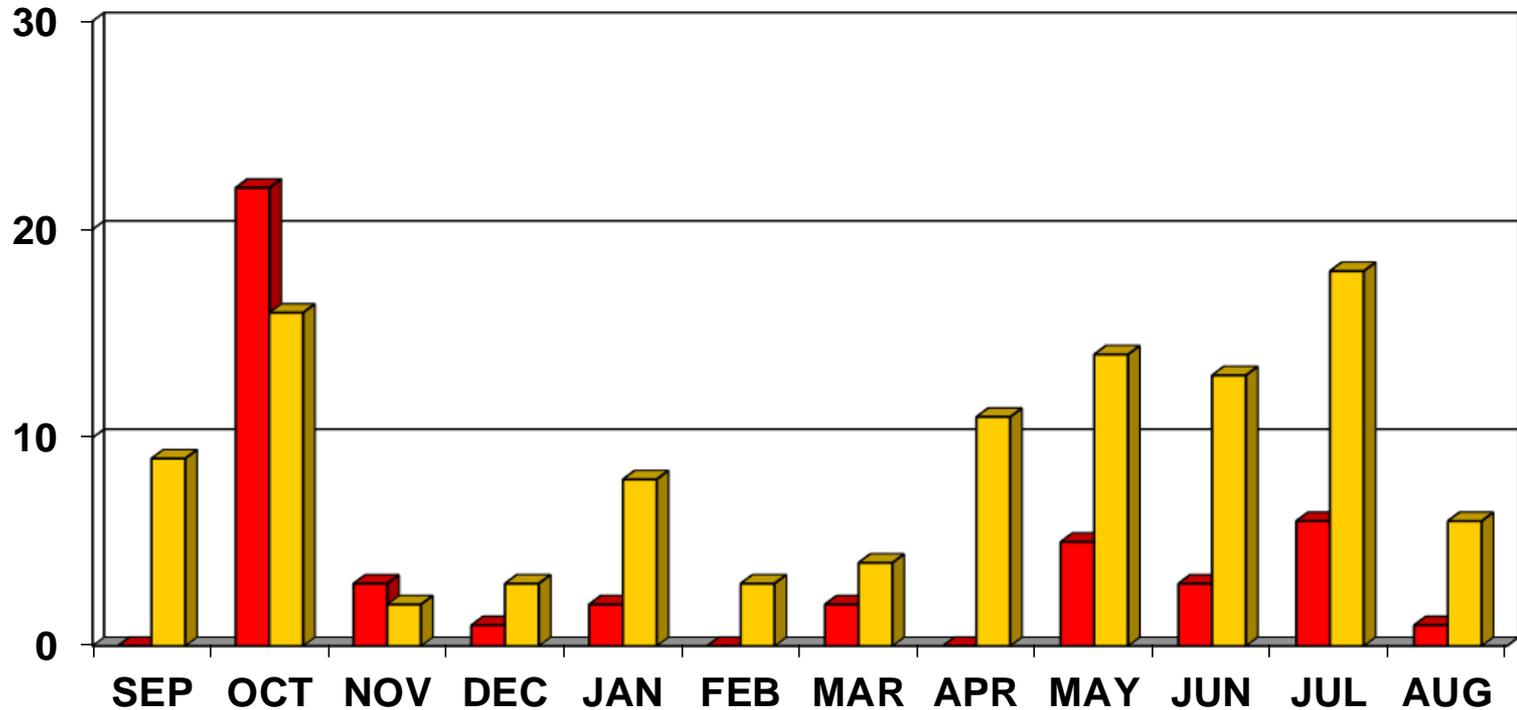


<b>FY 2015</b>	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	<b>TOTALS</b>
New Installations	95	86	67	86	54	72	88	97	64	124	95	82	1010
Alterations	34	39	23	32	53	35	59	29	41	64	62	39	510
<b>TOTALS</b>	129	125	90	118	107	107	147	126	105	188	157	121	1520





# FY 2015 - Waivers & Delays



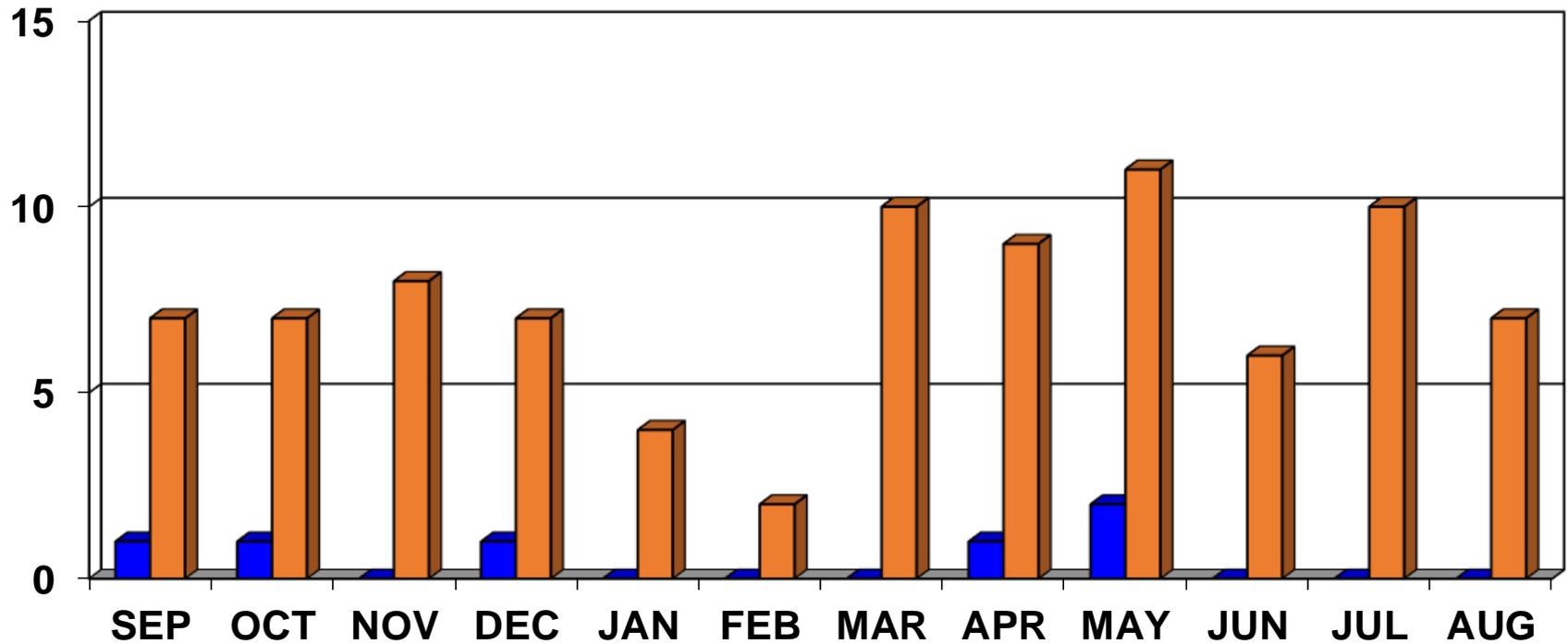
■ **Waivers**
■ **Delays**

FY 2015	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	TOTALS
Waivers	0	22	3	1	2	0	2	0	5	3	6	1	45
Delays	9	16	2	3	8	3	4	11	14	13	18	6	107
<b>TOTALS</b>	9	38	5	4	10	3	6	11	14	16	24	7	152





# FY 2015 - Reported Incidents



■ Incidents - ELEVATORS

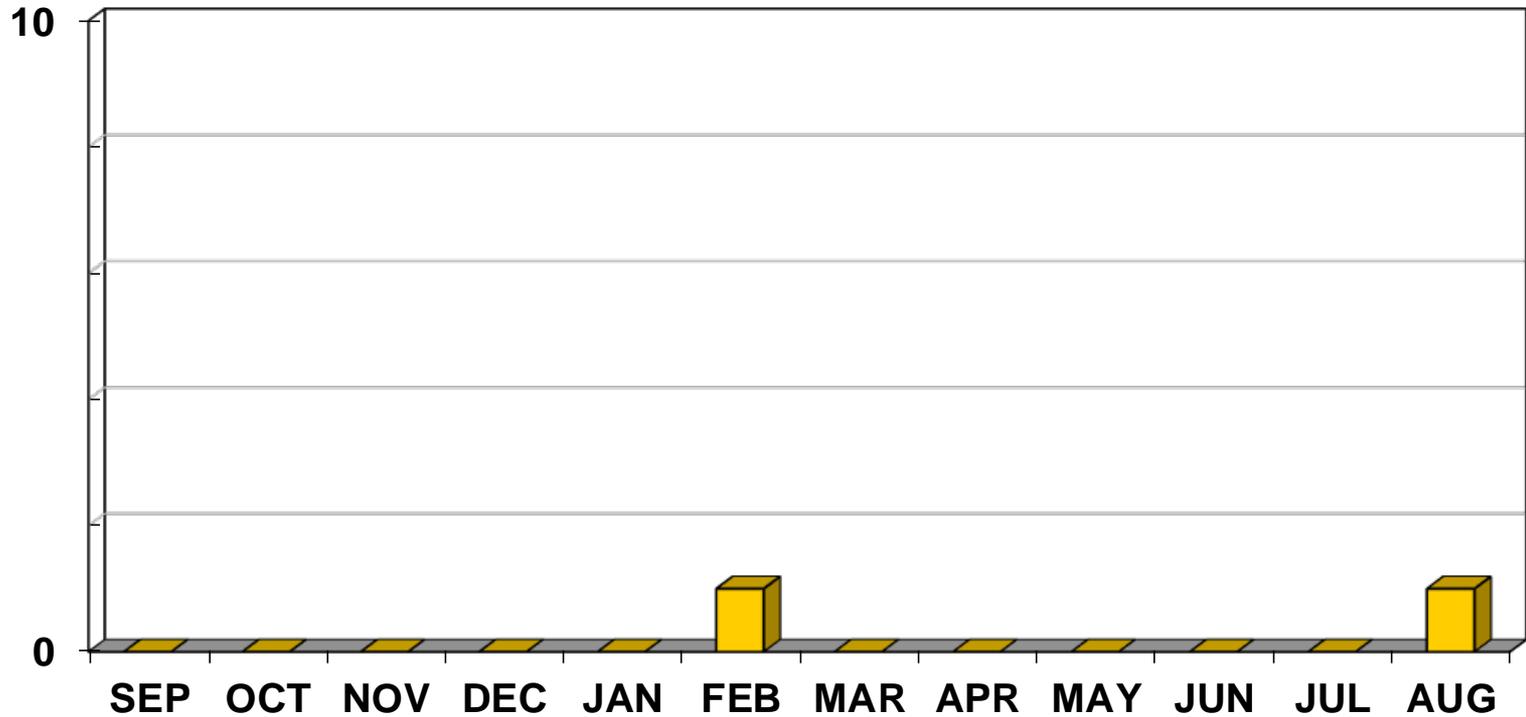
■ Incidents - ESCALATORS

FY 2015	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	TOTALS
Incidents - ELE	1	1	0	1	0	0	0	1	2	0	0	3	9
Incidents - ESC	7	7	8	7	4	2	10	9	11	6	10	7	88
<b>TOTALS</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>4</b>	<b>2</b>	<b>10</b>	<b>10</b>	<b>13</b>	<b>6</b>	<b>10</b>	<b>10</b>	<b>97</b>





# FY 2015 - New Technology Variances



■ Variances Issued

FY 2015	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	TOTALS
Variances	0	0	0	0	0	1	0	0	0	0	0	1	2
TOTALS	0	0	0	0	0	1	0	0	0	0	0	1	





# Main Goal

Develop a more effective Elevator Program which greatly increases safety. Preferably not through penalizations, but through education.



## ELEVATOR ADVISORY BOARD MEETING

December 15, 2015



### **GROWTH & CHANGES IN THE EDUCATION & EXAMINATION DIVISION:**

- The Education and Examination Division has begun utilizing Zeacom for emails. Zeacom allows us to track what has been completed and the time it has taken to answer emails. Currently, E&E receives more than 1,000 emails a month. The goal is to be able to report work staff has accomplished. As we continue to grow as a model agency our workload and performance numbers will increase. The use of Zeacom is a step to utilizing the effectiveness of innovation.
- Marco Rodriguez is the new Team Leader for the newly created School Inspections/Site Visits section within the Education and Examination Division. Having an extensive background and the ability to command both English and Spanish, Marco will without a doubt help E&E establish uniform procedures to inspect Education School Providers and their courses.
- Cari Hodges is the new Team Leader for Driver Education and Safety Section within the Education and Examination Division. Cari comes to us from The Texas Department of Public Safety (DPS). She has more than 8 years' experience with the laws, rules and procedures for the Driver Training program. Cari without a doubt will be able to lead the new Driver Education and Safety team into thinking outside the box and incorporate new ideas to improve the service we provide for the citizens of Texas.

## Elevator Contractor Responsible Party

### Continuing Education Statistics

In November 2013, the Texas Commission of Licensing and Regulation approved a reduction in the application fees for Continuing Education Providers. The initial and renewal application fees were reduced from **\$250 to \$200**. The fee reductions were effective March 1, 2014 for initial applications and April 1, 2014 for renewals.

The Commission also changed CE provider registrations so that they are no longer required to register for each occupation. One provider registration covers all TDLR programs. The total number of providers below is the overall number of active TDLR approved providers.

FY 2015	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
COURSE APPROVALS ISSUED	0	0	0	0	0	0	1	1	15	0	1	16	0	0	1	1	18
TOTAL COURSES	34	29	29	29	29	29	20	20	32	26	27	27	27	27	17	17	17
**TOTAL PROVIDERS	393	386	393	393	388	381	382	382	388	388	389	389	390	395	396	396	396

### Continuing Education Providers

Provider	Provider #	City	State	Expiration Date
ALL STAR TRAINING INC	1234	ADDISON	TX	3/6/2016
@CLASES MOVILES EN ESPANOL	1992	WHITE HALL	AR	3/2/2016
AARON'S MOBILE & PC A/V CLASSROOM	1924	WHITE HALL	AR	3/18/2016
NATIONAL ASSOC OF ELEVATOR CONTRACTORS	1885	CONYERS	GA	9/7/2016
NAESA INTERNATIONAL	1897	ROCHESTER	WA	12/21/2015

## **ELEVATOR ADVISORY BOARD**

### **Enforcement Division Staff Report December 15, 2015**

#### **Case Highlights**

- On June 6, 2014, an agreed order was entered against HEI Austin Hotel assessing an administrative penalty of \$15,000 for failure to have each piece of equipment inspected actually, failure to file a copy of the inspection reports and filing fees with the Department within 60 days of inspection, and failure to submit to the Department verification that any deficiencies had been remedied.
- On June 9, 2014, an agreed order was entered against North Star Mall assessing an administrative penalty of \$9,375 for failure to have multiple pieces of equipment inspected annually and failure to submit to the Department verification that any deficiencies had been remedied.
- On June 18, 2014, an agreed order was entered against Valley Baptist Realty Company assessing an administrative penalty of \$10,250 for failure to have 12 pieces of equipment inspected annually.
- On July 17, 2015, an agreed order was entered against Golfcrest Country Club assessing an administrative penalty of \$15,000 for failing to have equipment inspected for three years.
- On August 26, 2015, an agreed order was entered against Elevators of Texas assessing an administrative penalty of \$9,000 for multiple violations of failure to adhere to the requirements of ASME Code in performance of the required acceptance tests.

#### **Procedure for defaults in “No Inspection” cases**

*During the last Elevator Advisory Board meeting, the board requested an update on the Enforcement Division’s process regarding default orders that arise from elevator “No Inspection” cases.*

- The vast majority of Enforcement’s “No Inspection” cases end with the owner cooperating to obtain an inspection and agreeing to pay a penalty. However, when Enforcement is on the cusp of obtaining a default order for an elevator which has still not been inspected, that case is assigned to an investigator for a fast track investigation.
- The investigator will confirm that the building is still intact, the equipment is being used, and that the Department has identified the correct owner. When the owner has been verified, the investigator will explain the need for annual inspections, and encourage the owner to bring the equipment into compliance. The investigator will also explain that TDLR may seek an emergency order to lock out the equipment if compliance is not met.
- When the investigation is complete, a Department Prosecutor determines if the equipment is in compliance and, with the guidance of the Compliance Division, whether a potential imminent and significant danger exists. If the elevator is still not in compliance and that danger does exist, the Prosecutor will seek an emergency order to shut down the equipment. The default order also becomes final at this point, assuming the ownership has been confirmed.

## **Key Statistics – Fiscal Year 2015**

Shown below are key statistics for the Electrician program and for all TDLR programs combined for Fiscal Year 2015.

<b><u>Statistic</u></b>	<b><u>ELE</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	493	10,511
• Number of cases resolved:	504	13,155
• Number of Agreed Orders:	230	2,270
• Total amount of penalties assessed:	\$290,375	\$4,525,675
• Total amount of penalties collected:	\$269,895	\$2,362,706

## **Key Statistics – Fiscal Year 2014**

Shown below are key statistics for the Electrician program and for all TDLR programs combined for Fiscal Year 2014.

<b><u>Statistic</u></b>	<b><u>ELE</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	328	12,172
• Number of cases resolved:	299	11,346
• Number of Agreed Orders:	96	1,924
• Total amount of penalties assessed:	\$205,850	\$3,665,279
• Total amount of penalties collected:	\$192,350	\$1,927,716

**Elevator Advisory Board  
December 15, 2015  
Elevator Contractors, Inspectors, & Equipment  
Licensing Statistics**

	<b>FY 2016 (thru 10/31/15)</b>	<b>FY 2015 (thru 08/31/15)</b>	<b>FY 2013 (thru 08/31/13)</b>	<b>FY 2013 (thru 07/31/13)</b>	<b>FY 2012 (thru 04/30/12)</b>	<b>FY 2012 (thru 01/31/12)</b>
<b>REGISTRANTS</b>						
Total # of Active Contractors	162	166	159	158	166	165
Total # of Active Inspectors	155	156	165	164	152	151
Total # of Active Designee's	184	184	123	113	-	-

	<b>FY 2016 (thru 10/31/15)</b>	<b>FY 2015 (thru 08/31/15)</b>	<b>FY 2013 (thru 08/31/13)</b>	<b>FY 2013 (thru 07/31/13)</b>	<b>FY 2012 (thru 04/30/12)</b>	<b>FY 2012 (thru 01/31/12)</b>
<b>ELEVATOR EQUIPMENT</b>						
Total # of Active Certificates	40,095	40,002	37,132	37,336	34,709	33,755

<b>CERTIFICATES ISSUED BY TYPE</b>	<b>As of October 31, 2015</b>	<b>As of August 31, 2015</b>	<b>As of August 31, 2013</b>	<b>As of July 31, 2013</b>	<b>As of April 30, 2012</b>	<b>As of January 31, 2012</b>
Escalator	225	1912	120	1,557	1,382	1,487
Freight	135	894	55	724	628	606
Limited Use Limited Access	24	146	20	115	101	91
Moving Sidewalk	12	78		49	48	54
*Passenger	6891	40297	3,323	36,071	31,382	30,390
New Equipment	270	1501		940	-	-
Wheelchair Lift	321	1757	143	1,495	1,163	1,157
Stair Climber	0	1		3	2	2
Other	5	21		9	6	4
**Unknown		-		-	-	-
<b>***Total Population</b>	<b>40,316</b>	<b>41,324</b>	<b>37,215</b>	<b>40,023</b>	<b>34,712</b>	<b>33,791</b>

\*\*\*The population number is a snapshot of the number of active licenses on the first day of the month. The number of certificates issued and renewed is the total activity performed during the fiscal year.

\* Passenger includes electronic and hydraulic elevators

\*\* Pieces of equipment designated as 'unknown' do not receive a certificate of operation