

CONVEYANCE SAFETY CODE COUNCIL

June 19, 2013
9:30 a.m. – 2:30 p.m.
Conference Room 121C
Safety and Professional Services
1400 East Washington Avenue
Madison, Wisconsin

Agenda

| | | |
|---|----------------|---------------------|
| 1. Welcome and review agenda | Paul Rosenberg | 9:30 am – 9:40 am |
| 2. Review progress report from previous meeting | Paul Rosenberg | 9:40 am – 9:45 am |
| 3. Department updates | Jim Quast | 9:45 am – 10:00 am |
| 4. Review administration and enforcement working draft | All | 10:00 am – 11:45 am |
| 5. Lunch* | | 11:45 am – 12:30 pm |
| 6. Continue review administration and enforcement working draft | All | 12:30 pm – 2:15 pm |
| 7. Other comments | Paul Rosenberg | 2:15 pm – 2:25 pm |
| 8. Confirm next meeting and adjourn | Paul Rosenberg | 2:25 pm – 2:30 pm |

REMINDER: Please bring calendars to set future meeting dates and all materials emailed to you for Council activities.

* **Lunch** will be provided for members and invited guests. If you are unable to make this meeting or will be sending an alternate, please bring this to staff's attention before the meeting date. Contact: Jim Quast at (608) 266-9292 or email at jim.quast@wi.gov.

Directions: The Department of Safety and Professional Services (formerly the Department of Regulation and Licensing) is located at 1400 East Washington Avenue in Madison. Parking is available on Dickinson Street across from the building. Enter the building through Door #55.

Questions: Direct questions about the meeting to Jim Quast, Department of Safety and Professional Services, at (608) 266-9292 or email jim.quast@wi.gov.

PROGRESS REPORT

Conveyance Safety Code Council

DATE: Wednesday, May 15, 2013

TIME: 9:30 a.m. to 2:30 p.m.

LOCATION: Department of Safety and Professional Services
Conference Room 121C
1400 East Washington Avenue
Madison, Wisconsin

ATTENDANCE:

Council Members

| | |
|---------------------------|----------------|
| Public member | <u>Vacancy</u> |
| Brian Hornung | <u>Excused</u> |
| Michael Dauck | <u>Present</u> |
| Kelvin Nord | <u>Present</u> |
| Paul Rosenberg, Chair | <u>Present</u> |
| Adam Smith | <u>Present</u> |
| Kenneth Smith | <u>Present</u> |
| Andrew Zielke, Vice-Chair | <u>Present</u> |

Department Staff

Jim Quast, Program Development Bureau, DSPS Policy Development Division
Jeff Weigand, DSPS Policy Development Division
Brian Rausch, Field Services Bureau, DSPS Industry Services Division

Guests

Rick Jandora, Otis Elevator
Jim Stewart, Otis Elevator
Bob DuPont, Alliance for Regulatory Coordination
George Klaetsch, Elevator Industry Work Preservation Fund (EIWPF)
Eric Upchurch, City of Milwaukee
Jim Ruszkowski, Madison Fire Department
Greg Kuker, Schumacher Elevator
Kyle Reinert, Schindler Elevator

Review progress report from previous meeting:

Progress report from the January 24, 2012 meeting was accepted.

Department Update

- A motion has been made to the proposed state budget bill that would:
 - Exempt dumbwaiters and elevators serving individual residential units from annual inspections and operating permits.
 - Require an inspection of a dumbwaiter or elevator serving an individual residential unit at the time of sale or transfer of the property.
- The SPS 305 revisions, CR 13-014 that provides another qualifying method for elevator mechanic licensing has been submitted to the legislature for standing committee review.
- It was indicated that the National Association of Elevator Safety Authorities International is working with ANSI to address inspector certification with respect to ASME no longer accrediting organizations to certify inspectors in 2014.

ASME A17.1 – Items for Discussion

In reviewing the analysis of the preliminary information on the 2013 edition of ASME A17.1, the following significant comments, suggestions and questions were raised:

- 2.11.6.3; note application for Won-doors and Smoke Guard doors and require vision panels on those doors typically on magnetic hold-open devices.
- 2.15.9.5; hold for further analysis upon the publication of A17.1.
- 2.18.4.13; hold for further analysis upon the publication of A17.1, the note (definition) appears to be inconsistent with that for manual reset.
- 3.19.2.7; hold for further analysis upon the publication of A17.1, note relationship with existing provision 3.19.2.6.
- 5.11; the establishment of provisions for wind turbine elevators would have a series of potential impacts, including licensure, PTO's and inspections.
- 6.1.6.9.2; hold for further analysis upon the publication of A17.1, note the
- 8.6.1.2.1; note the reference to “viewable” and the relationship to inspections.
- 8.6.1.4; concern raised for electronic records.
- 8.6.3.13; concern raised that the provision protects OEM's.
- 8.6.7; hold for further analysis upon the publication of A17.1 – outside emergency elevators.
- 8.11.1.11; hold for further analysis depending upon inspector certification resolution.

Set next meeting and adjourn:

The next meeting was tentatively scheduled for Wednesday, June 19, 2013.



State of Wisconsin \ Department of Safety and Professional Services

Working Draft

Rule No.: Chapter SPS 318
Relating to: Elevators, Escalators and Lift Devices
Draft Date: June 14, 2013

COM-10535 (N.8/11)

SECTION 1. Place holder for revisions to SPS 302.

SPS 302.15 Elevators, power dumbwaiters, escalators, moving walks and ramps, lifts for accessibility and material lifts. (1) PLAN EXAMINATION, APPLICATION AND INITIAL INSPECTION FEES. Fees for the initial inspection and for the examination of plans or for an application for installation or alteration, or both, submitted in accordance with the requirements of s. [SPS 318.1013](#), shall be determined in accordance with Table 302.15. A reinspection fee as specified in Table 302.15 shall be charged for each inspection conducted until the installation or alteration qualifies for a permit to operate.

(2) PERIODIC INSPECTION AND REINSPECTION FEES. Fees for periodic inspections and reinspections of all classes of elevators and lifting devices within the scope of ch. [SPS 318](#) shall be determined in accordance with Table 302.15. An inspection fee shall also be charged for each reinspection of an elevator in accordance with Table 302.15 until the installation or alteration qualifies for a permit to operate.

(3) FEE FOR FAILURE TO HAVE EQUIPMENT READY FOR INSPECTION. A fee equal to 50% of the applicable inspection fee shall be assessed for failure to have the elevator or lifting device ready for inspection on the date specified, unless the department is notified, in writing, 7 business days prior to the specified inspection date.

(4) PERMIT TO OPERATE. The fee for the issuance of a permit to operate each conveyance shall be \$50.00.

**Table 302.15
Plan Examination and Inspection Fees
for Elevators, Escalators and Lift Devices**

| Type of Unit | Plan Examination | | Type of Inspection | | |
|--|-------------------|-------------------------------------|--|-------------------------------------|------------------------------------|
| | New Installations | Alterations, Repairs and Remodeling | Acceptance or Acceptance Re-inspection | | Periodic or Periodic Re-inspection |
| | | | New Installations | Alterations, Repairs and Remodeling | |
| 1. Traction elevator, other elevator driving machines | \$400.00 | \$200.00 | \$800.00 | \$400.00 | \$320.00 |
| 2. Hydraulic elevator | \$320.00 | \$160.00 | \$720.00 | \$360.00 | \$240.00 |
| 3. Dumbwaiter, platform lift, stair chair lift, special application elevator | \$320.00 | \$160.00 | \$640.00 | \$320.00 | \$160.00 |
| 4. Escalator, moving walk | \$320.00 | \$160.00 | \$800.00 | \$400.00 | \$320.00 |

SECTION 2. Chapter SPS 318 is repealed and recreated to read:

Subchapter I – Scope and Application

SPS 318.1001 Purpose. Pursuant to ss. 101.982 and 101.983, Stats., the purpose of this chapter is to establish minimum safety standards for the design, construction, installation, operation, inspection, testing, maintenance, alteration, repair and replacement of conveyances.

SPS 318.1002 Scope. (1) This chapter applies to conveyances as defined in s. SPS 318.1004.

SPS 318.1003 Application. (1) RETROACTIVITY. (a) 1. The design, construction and installation rules of this code, including the applied criteria from the standards adopted in s. SPS 318.1011, do not apply retroactively to conveyances existing prior to the effective date of the rule unless specifically stated in the administrative rule or standard.

(b) 1. Except as provided in subd. 2., the operation, testing, maintenance, inspection and permitting requirements of this chapter apply to all conveyances that exist on or after [the effective date of this rule...LEGISLATIVE REFERENCE BUREAU TO INSERT DATE].

2. The provisions of subd. 1. do not apply to a conveyance existing prior to January 1, 2009 that serves an individual dwelling unit.

(c) 1. Except as provided in subd. 2., the design, construction and installation requirements of this chapter apply to any alterations, repairs, and replacement parts or components for any conveyance that exists on or after [the effective date of this rule...LEGISLATIVE REFERENCE BUREAU TO INSERT DATE].

2. ?The provisions of subd. 1. do not apply to a conveyance existing prior to January 1, 2009 that serves an individual dwelling unit.?

Note: A proposed alteration for an existing conveyance may necessitate modifying other components of the conveyance to make the proposed alteration comply with this chapter – and some alterations may necessitate modifying other features of a building that must comply with requirements in chapters SPS 320 to 325, the Wisconsin Uniform Dwelling (One- and 2-Families Dwellings) Code, and chapters SPS 361 to 366, the Wisconsin Commercial Building Code.

(2) DIFFERING RULES. (a) Where any department-written rule in this chapter differs from a requirement within a standard referenced in this chapter, the department-written rule shall govern.

(b) Where a provision of this chapter prescribes a general requirement and another provision of this chapter prescribes a specific or more detailed requirement regarding the same subject, the specific or more detailed requirement shall govern, except as provided in par. (a).

(c) Where different sections of this chapter specify conflicting requirements, the most restrictive requirement, as determined by the department, shall govern, except as provided in pars. (a) and (b).

(3) INTERPRETATIONS. Under s. 101.02 (1), Stats., the department reserves the right to interpret the requirements in this chapter and in all adopted codes and standards adopted under s. SPS 318.1005.

Note: Section 101.02 (1) of the Statutes reads as follows: “The department shall adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings.”

(4) LOCAL REQUIREMENTS. (a) Except as provided in par. (b), this chapter does not limit the power of cities, villages and towns to make or enforce additional or more stringent requirements, provided the requirements do not conflict with this chapter, any other rule of the department or law.

(b) 1. Pursuant to s. 101.02 (7m), Stats., a city, village, town or county may not enact and enforce additional or more restrictive standards for conveyances serving multifamily dwellings, except as provided under s. 101.975, Stats., and that do not conflict with this chapter.

2. Any municipality exercising or intending to exercise jurisdiction under this chapter may apply to the department for a variance permitting the municipality to adopt an ordinance pertaining to conveyances serving multifamily dwellings not in conformance with this chapter. The department shall review and make a determination on a municipal request under this section within 60 business days of receipt of the request.

3. a. The department may grant a municipal variance only where all of the conditions in subs. 3. b. and c. are demonstrated.

b. The municipality demonstrates that the variance is necessary to protect the health, safety, and welfare of individuals within the municipality because of specific climate or soil conditions generally existing within the municipality.

c. The municipality demonstrates that the granting of the variance, when viewed both individually and in conjunction with other variances requested by the municipality, does not impair the statewide uniformity of this chapter.

d. Prior to making a determination on a municipal variance, the department shall solicit within the municipality and consider the statements of any interested persons as to whether the variance should be granted.

e. This subdivision shall be strictly construed in accordance with the goal of promoting statewide uniformity.

4. Pursuant s. 101.121, Stats., a city, village, town or county may not enact or enforce additional or more restrictive standards regarding issues addressed under this chapter that would apply to alteration or change of occupancy for a historic building.

Subchapter II – Definitions and Standards

SPS 318.1004 Definitions. In this chapter:

(1) “Alteration” means any change to equipment, including its parts, components, or subsystems, other than maintenance, repair, or replacement.

(2) “Approved” means acceptable to the department.

(3) “ANSI” means the American National Standards Institute.

(4) “ASME” means the American Society of Mechanical Engineers.

(5) “Building code” means chs. [SPS 361](#) to [366](#), which is the Wisconsin Commercial Building Code.

Comment [DoC1]: Where do we use the term “building code” in our rules versus the adopted standards?

Note: The Wisconsin Commercial Building Code, chs. [SPS 361](#) to [366](#), adopts by reference the *International Building Code*® (IBC), the *International Energy Conservation Code*® (IECC), the *International Mechanical Code*® (IMC), the *International Fuel Gas Code*® (IFGC) and the *International Existing Building Code*® (IEBC). SPS 314, Fire Prevention Code, may have rules that may affect the maintenance and use of an existing building.

(6) “Conveyance” has the meaning as given in s. 101.981 (1) (c), Stats., and under s. 101.981 (2), Stats., are limited to the following types of devices:

- (a) Passenger elevator.
- (b) Freight elevator.
- (c) Limited-use/limited application elevator.
- (d) Inclined elevator.
- (e) Power sidewalk elevator.
- (f) Rooftop elevator.
- (g) Special purpose personnel elevator.
- (h) Private residence elevator.
- (i) Power dumbwaiter.
- (j) Escalator.
- (k) Moving walk.
- (L) Stage and orchestra lift.

(m) Material lift, type B.

(n) Vertical platform lift.

(o) Inclined platform lift.

(p) Stairway chairlift.

(q) Automated people mover.

Comment [DoC2]: Specifically mentioned under the statutory definition of “conveyance”.

Note: Section 101.981 (1) (c) of the Statutes reads: “ ‘Conveyance’ means an elevator, an escalator, a dumbwaiter, a belt manlift, a moving walkway, a platform lift, and a stairway chair lift, and any other similar device, such as an automated people mover, used to elevate or move people or things, as provided in the rules of the department. ‘Conveyance’ does not include a personnel hoist; a material hoist; a grain elevator; a lift as defined in s. 167.33 (1) (f); an amusement or thrill ride; or a vertical platform lift, inclined platform lift, or a stairway chair lift that serves an individual residential dwelling unit.”

(7) “Department” means the department of safety and professional services.

(8) “Dwelling unit” has the meaning given in s. 101.61 (1), Stats.

Note: Section 101.61 (1), Stats., reads: “Dwelling unit” means a structure or that part of a structure which is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.

(9) “Licensed elevator inspector” means an individual who holds a valid credential issued by the department under ch. SPS 305 as an elevator inspector.

(10) “Maintenance” means a process or routine examination, lubrication, cleaning, and adjustment of parts, components or subsystems.

(11) “Repair” means the reconditioning or renewal of parts, components, or subsystems.

(12) “Replacement” means the substitution of a device, component or subsystems, in its entirety, with a similar device, component or subsystem.

SPS 318.1005 Adoption of standards by reference. (1) PRIMARY STANDARDS. The following ASME standards are hereby incorporated by reference into this chapter, subject to the modifications specified in this chapter:

(a) *Safety Code for Elevators and Escalators, A17.1/CSA B44 – 2013.*

(b) *Standard for Elevator Suspension, Compensation, and Governor Systems, A17.6-2010.*

Comment [DoC3]: Exactly where is A17.6 referenced by A17.1?

(c) *Safety Standard for Platform Lifts and Stairway Chairlifts, A18.1 – 2011.*

Note: Copies of the listed standards are on file in the offices of the Department and the Legislative Reference Bureau. Copies of these standards may be purchased from the ASME Order Department, P.O. Box 2900, Fairfield, NJ 07007-2900, telephone 800/843-2763, www.asme.org.

(2) **SECONDARY REFERENCES.** Any codes or standards referenced in the standards adopted in sub. (1) shall apply to the prescribed extent of each such reference, except as modified by this chapter.

(3) **ALTERNATE STANDARDS.** Any alternate standard that is equivalent to or more stringent than a standard incorporated by reference or otherwise referenced under this chapter may be used in lieu of the incorporated or referenced standard if the alternate standard is accepted in writing by the department.

Subchapter III – Administration and Enforcement

SPS 318.1006 Fees. Fees for plan review, permit application, inspection, permit to operate and other services performed by the department pertaining to elevators, escalators and lift devices shall be as determined in ch. [SPS 302](#).

SPS 318.1007 Plan review and approval. (1) APPROVALS. (a) 1. Before commencing the construction or installation of a conveyance, an approval shall be obtained from the department or designated agent municipality within whose boundaries the conveyance is to be located.

2. Before commencing an alteration of an existing conveyance as delineated in Tables SPS 318.1007-1 to 318.1007-4, an approval shall be obtained from the department or designated agent municipality within whose boundaries the conveyance is located.

(b) Pursuant to s. 101.983 (1) (a), Stats., the approval issued by the department or agent municipality shall be considered a permit.

Note: Section 101.983 (1) (a), Stats., reads: “No person may construct, install, or alter a conveyance in this state unless an elevator contractor licensed by the department under s. 101.985 (1) has received a permit for the construction, installation, or alteration from the department.”

(2) **NEW INSTALLATIONS.** (a) 1. Except as provided in subd. 2., when seeking an approval from the department, at least 3 copies of plans and one set of specifications shall be submitted for review for a new conveyance installation.

2. In lieu of 3 copies of equipment plan, a plan, in an electronic format acceptable to the department, may be submitted.

Note: An acceptable electronic format does not include a facsimile.

(b) An installation plan submitted for review shall be of sufficient clarity, character and detail to show how the proposed design will conform to the chapter.

(c) 1. A plan submittal to the department for installation approval shall be accompanied by all of the following:

- a. A completed application, form SBD – 22.
- b. A plan review fee.
- c. An acceptance inspection fee.
- d. The initial permit to operate fee.
- e. Sufficient information, calculations or data to substantiate compliance with this chapter.

2. The submitted plan for review for an elevator or dumbwaiter shall include at least all of the following:

- a. A plan of the car, hoistway and machine room, control room or control space showing all clearances, including all inside car or platform dimensions specified in this chapter and the building code.
- b. A cross-section drawing through the hoistway, pit, car and machine room, control room or control space that shows all applicable dimensions.
- c. Landings indicating types of hoistway doors or gates.
- d. A complete dimensioned layout of the machine room, control room or control space showing working clearances around machine, controller and disconnecting means.
- e. The size and weight per foot of guiderails and details of their support, including reinforcements where required.

(3) ALTERATIONS. (a) For proposed alterations listed in Table 318.1007-1 Items 1. to 2., and Tables 318.1007-2, 318.1007-3 and 318.1007-4 all of the following shall be submitted with the request for approval:

1. At least 3 copies of bound equipment layout plans and specifications that conform to the applicable sections in ASME A17.1 and ASME A18.1.
2. A plan review fee.
3. An acceptance inspection fee.

Note: See s. SPS 302.15 for the amount of the fee remitted to the department when a conveyance plan is filed.

4. Sufficient data and information to determine if the proposed alteration complies with the requirements of this chapter.

(b) For proposed alterations listed in Table 318.1007-1 Items 2. to 22., all of the following shall be submitted with the request for approval:

1. At least 3 copies of the completed department form.
2. A plan review fee.
3. An acceptance inspection fee.
4. Sufficient data and information to determine if the proposed alteration complies with the requirements of this chapter.

(4) An application for approval to the department pertaining to the construction, installation, or alteration of any conveyance shall be made on form SBD-22.

Note: The department forms required in this chapter are available for a nominal fee at telephone 800-362-7253 or Contact Through Relay, or at docsales@doa.state.wi.us, or at no charge at the department's web site at www.dsp.wi.gov, through links to Industry Services Division forms.

**Table SPS 318.1007-1
Alterations for Passenger and Freight Elevators**

| Item | Scope of Work |
|------|--|
| 1. | Change to a machine room |
| 2. | Change of machinery location or layout |
| 3. | Change in the rated load |
| 3. | Increase or decrease of more than 5% of the total load, a car deadweight plus rated load |
| 4. | Increase or decrease in rise |
| 6. | Change to guide rails, supports and fastenings (?more than 5%?) |
| 7. | Decrease in rated load |
| 8. | Conversions: |
| | a. Type of service, freight to passenger or passenger to freight |
| | b. Type of service, freight only to freight and passenger |
| 9. | Change in class of loading for a freight elevator |
| 10. | Change to hoistway a door or gate |
| 11. | Installation/addition of hoistway-door combination mechanical lock and contacts |
| 12. | Change in a suspension member, type, material, grade, size |
| 13. | Change to driving machine |
| 14. | Change in type of a hydraulic control valve |
| 15. | Change to hydraulic plunger or cylinder |
| 16. | Increase in hydraulic working pressure (?more than 5%?) |
| 17. | Change to car a oil buffer or bumper |
| 18. | Change to terminal operating device |
| 19. | Change or addition of a top-of-car operating device |
| 20. | Change of speed governor |
| 21. | Change (?in type?) or addition of a device protecting against unintended movement or ascending car overspeed |
| 22. | Change (?in type?) of a safety device |

| | |
|-----|--|
| 23. | Change (?in type?) or addition of auxiliary power lowering operation |
| 24. | Change (?in type?) or connection to emergency or standby power system |
| 25. | Change in type of motion control |
| 26. | Change in type of operation control |
| 27. | Change to or addition of a car emergency signaling device |
| 28. | Change to or addition of non-contact type reopening device |
| 29. | Installation of a fire sprinkler in a machine/control room or hoistway |

**Table SPS 318.1007-2
Alterations for Escalators and Moving Walks**

| Item | Scope of Work |
|------|--|
| 1. | Relocation of escalator or moving walk |
| 2. | Change to trusses |
| 3. | Change to machinery spaces |
| 4. | Increase of rated load or speed |
| 5. | Change to or addition of lighting access and electrical work |
| 6. | Installation/addition of skirt brushes |

**Table SPS 318.1007-3
Alterations for Dumbwaiters and Material Lifts**

| Item | Scope of Work |
|------|-------------------------|
| 1. | Increase in rated load |
| 2. | Increase in rated speed |
| 3. | Change to car size |

**Table SPS 318.1007-4
Alterations for Platform Lifts**

| Item | Scope of Work |
|------|---|
| 1. | Change (?type of?) to safeties or speed governors |
| 2. | Change to jacks |
| 3. | Change to or addition of machine room |
| 4. | Change to hydraulic valves |

Note: “NA” in Tables SPS 318.1023–1 and SPS 318.1023–7 means “Not applicable”.

Note: See SPS 302.15 for fee requirements.

Note: The department forms required in this chapter are available for a nominal fee at telephone 800-362-7253 or Contact Through Relay, or at docsales@doa.state.wi.us, or at no charge at the department’s web site at www.dsps.wi.gov, through links to Industry Services Division forms.

SPS 318.1008 Plan review actions. (1) PROCESSING. The department shall review and make a determination on a request for plan approval within 15 business days, except as provided in par. (d).

(2) DETERMINATIONS. (a) *Conditional approval.* If the department determines the application and plans for installation or alteration substantially comply with the provisions of this chapter, the department shall grant a conditional approval in writing.

1. Non-code-complying conditions stated in the conditional approval shall be corrected before or during installation.

2. A conditional approval issued by the department may not be construed as an assumption of any responsibility for the design or construction of the equipment.

3. The issuance of a conditional approval by the department does not alleviate the responsibility to correct any non-code-complying condition, element or component not specifically enumerated in a conditional approval.

(b) *Revocation of approval.* The department may revoke any approval issued by department if the department determines any of the following:

1. That information provided for obtaining the approval contains false statements or misinterpretations of material fact.

2. That the approval was issued in error.

3. That the work performed is not consistent with the approval or is in violation with this chapter.

(c) *Denial of approval.* The request for plan approval shall be denied, in writing, if the department determines that the plans or the application do not substantially comply with the provisions of this chapter.

(d) *Hold.* 1. The request for plan approval shall be on hold, if the department determines that the submittal is not of sufficient detail or missing information to determine whether the proposal conforms to this chapter.

2. If the request for plan approval is placed on hold, the permit-processing timeframe par. (a) shall also be hold until such time appropriate information is submitted to complete the review.

(e) *Expiration.* An approval issued under this chapter expires under any of the following circumstances:

1. If the work authorized under the approval does not commence within 6 months after the date on which the approval is issued.

2. If the work authorized under the approval is suspended or abandoned for 60 consecutive days at any time following the commencement of the work.

(f) *Resubmittal.* When an approval expires under par. (e), plans shall be resubmitted in accordance with s. SPS 318.1007.

(3) REVISIONS TO APPROVED PLANS. (a) 1. All proposed revisions and modifications which involve rules under this chapter and which are made to construction documents that have

previously been granted approval by the department or agent municipality shall be submitted for review to the entity that granted the approval.

2. All revisions and modifications to the plans shall be approved in writing by the department or agent municipality prior to the work involved in the revision or modification being carried out.

(4) EVIDENCE OF APPROVAL. (a) 1. Where plan approval is required by this chapter, one set of plans bearing the stamp of conditional approval and a copy of the specifications shall be kept at the installation or alteration site.

2. The plans and specifications shall be open to inspection by the department or its authorized representative.

(b) 1. The approval letter issued by the department shall be posted prior to initiating the installation or alteration at or near the equipment space.

2. The approval letter shall remain posted until an inspection determines compliance with this chapter for the approved scope of work.

SPS 318.1009 Identification of conveyances. (1) REGISTRATION NUMBER. All conveyances, including those conveyances existing before the effective date of this rule, requiring a permit to operate shall be identified by a registration number supplied by the department or agent municipality.

Comment [DoC4]: Use a delayed effective date!?!

(2) POSTING. The registration number shall be in a location that can be easily viewed by an inspector.

SPS 318.1010 Product approvals. (1) VOLUNTARY APPROVAL. (a) Materials, equipment and products regulated by this chapter may receive a written approval from the department indicating code compliance.

(b) 1. Approval of materials, equipment, and products shall be based on sufficient data, tests and other evidence that prove the material, equipment or product is in compliance with the standards specified in this code.

2. Tests, compilation of data, and calculations documenting compliance shall be provided by one of the following:

- a. A qualified independent third party.
- b. A Wisconsin-registered architect or engineer.

(2) REVIEW, APPROVAL AND REVOCATION PROCESSES. (a) 1. Upon receipt of a fee and a written request, the department may issue an approval for a material, equipment or product.

2. The department shall review and make a determination on an application for approval after receipt of all forms, fees, plans and information required to complete the review.

3. A determination shall be made within 40 business days of receipt of all required materials.

(b) 1. The department may include specific conditions in issuing an approval, including an expiration date for the approval.

2. Violations of the conditions under which an approval is issued shall constitute a violation of this chapter.

(c) If the department determines that the material, equipment or product does not comply with this code or the intent of this code, the request for approval shall be denied in writing.

(d) If an approved material, equipment or product is modified, the approval shall be considered null and void, unless the material, equipment or product is resubmitted to the department for review and approval is granted.

(e) 1. The department may revoke or deny an approval for any false statements or misrepresentations of relevant facts or data, unacceptability of a third party that provided any information on which the approval was based, or as a result of material, equipment or product failure.

2. The department may reexamine an approved material, equipment or product and issue a revised approval at any time.

3. The department may revoke an approval if the department determines that the material, equipment or product does not comply with this code or the intent of this chapter due to a change in the chapter or department interpretation of the chapter.

SPS 318.1011 Inspections and permits to operate. (1) GENERAL. Pursuant to s. 101.983 (2), Stats., no person may allow a conveyance to operate on property owned by the person, unless the person holds a valid permit to operate for the conveyance.

(2) INITIAL ISSUANCE. (a) The department or agent municipality shall issue a permit to operate for the installation of a conveyance after an inspection determines and documents that conveyance was installed and constructed to be in compliance with this chapter.

(b) The issuance of a permit to operate by the department shall occur within 10 business days of completing and filing the inspection report.

(c) *Place holder for pre-2009 elevators and dumbwaiters within dwellings. How to register the pre-2009 – obligation of the owner to get registered – by scheduling with any elevator inspector – the inspection is based upon what? The inspection of a residential elevator or*

dumbwaiter existing prior to 2009 for the purpose of obtaining a operating permit is based upon ASME A17.3, Part X?

(3) PERMIT POSTING. The permit to operate shall be posted in the conveyance, in the machine room, control room or control space or in a location approved by the department or agent municipality.

(4) PERMIT EXPIRATION. (a) Each conveyance shall be assigned an inspection anniversary date by the department or agent municipality.

(b) 1. Except as provided in subd. 2., A permit to operate shall be valid for one year from the assigned inspection anniversary date.

2. Placeholder for residential elevators and dumbwaiters and the term for the PTO's, if statutory provisions are revised.

(5) PERMIT RENEWAL. (a) 1. The renewal of a permit to operate shall be contingent upon one or more inspections that determine that an existing conveyance is in compliance with this chapter.

2. The inspection or inspections under subd. 1. shall be conducted no sooner than 120 days prior to the expiration of the permit to operate.

3. The owner of an existing conveyance for which a permit to operate was issued by the department may have the inspection or inspections for the renewal of the permit to be conducted by one of the following:

- a. The department.
- b. An independent licensed elevator inspector.

4. If an independent licensed elevator inspector conducts the inspection or inspections under subd. 1, the renewal of the permit by the department shall be contingent upon receipt of a report under sub. (9) and the recommendation to issue the permit to operate.

(b) The inspection to renew a permit to operate shall to determine whether the conveyance is in compliance with applicable rules, including the condition and functionality of components.

(c) The inspection to renew a permit to operate shall include at least all of the following items listed in:

1. ASME A17.1 sections 8.6 and 8.11.2 to 8.11.5, as modified by this chapter and depending upon the type of conveyance, for elevators, escalators, moving walks, dumbwaiter and material lifts.

Comment [DoC5]: If there are Wisconsin's to these provisions

2. ASME A18.1 section 10.2.2 and 10.3.1.1 to 10.3.1.7, as modified by this chapter and depending upon the type of conveyance, for platform lifts and stairway chairlifts.

Comment [DoC6]: If there are Wisconsin's to these provisions

(6) ALTERATION INSPECTIONS. (a) The alteration of a conveyance requiring plan approval as specified under s. SPS 318.1007 shall be inspected by the department or agent municipality before placing the conveyance back into service.

(7) PREPARATIONS FOR DEPARTMENT INSPECTION. (a) *Notice of inspection.* Where the installation or alteration inspection is to be conducted by the department, the owner or their agent of a conveyance for which an approval has been issued under SPS 318.1007 shall notify the department at least 5 business days in advance of when all work will be completed and the conveyance will be ready for inspection.

(b) The owner or their agent shall make arrangements to enable the department to inspect all parts of the conveyance and any related equipment during the scheduled time. If the equipment is not complete and ready for inspection at the scheduled time, all of the following may occur:

1. The inspection will be cancelled.
2. A cancellation fee will be assessed in accordance with ch. SPS 302.
3. The inspection will be rescheduled.

(c) Where a scheduled inspection is to be cancelled, the owner or their agent of a conveyance shall notify the department at least 2 business days before the scheduled time. Failure to do so may result in a cancellation fee assessed in accordance with ch. SPS 302.

(9) INSPECTION REPORT. (a) Where an inspection specified in sub. (5) is performed by other than an inspector of the department, the inspector shall file an inspection report with the department.

(b) Except as provided in par. (c), reports of inspections for conveyances shall be sent to the department in accordance with the department's electronic data interchange transfer guidelines, within 5 business days after completing the inspection, unless additional time is authorized by the department.

Note: The Department will provide assistance at no charge regarding the use of the electronic data interchange system. The guidelines are available at the Department's Web site at www.dps.wi.gov/sb/docs/sb-BoilerEdiGuidelines.pdf.

(c) The department's 10663-E inspection form may be used in lieu of the electronic data interchange system where approved in advance by the department.

Note: The Department forms required in this chapter are available for a nominal fee at telephone 800-362-7253 or Contact Through Relay, or at docsales@doa.state.wi.us, or at no charge at the Department's Web site at www.dps.wi.gov, through links to Safety and Buildings Division forms.

(d) 1. The inspection report shall explain any violation or unsafe condition with references to code section numbers. Recommendations to the owner of the conveyance to code violations shall be included in the report to the department.

2. Where an inspection report denotes conditions that pose an imminent threat to life or limb and require the conveyance to be taken out of service, the inspector shall notify the department immediately.

Note: The department may be contacted at phone: (608) 266-7548 during normal business hours. The State Division of Emergency Management can be contacted at (800) 943-0003 during non-business hours.

3. The inspector shall provide the owner or owner's agent a copy of the inspection report within 24 hours of the inspection.

(e) The inspection report shall be legible and complete.

(f) A verification that an inspection has been performed shall be posted on or near the inspected item.

SPS 318.1012 Agent municipalities. (1) DESIGNATION. (a) Pursuant to ss. 101.12 and 101.983, Stats., the department may designate a municipality as an agent of the department the authority to review and approve conveyance plans and specifications, conduct inspections and issue permits to operate those installations located within the municipality's boundary limits.

(b) The plan review activities of municipalities that are not a 1st or 2nd class city shall be limited to parameters specified in s. 101.12 (3) (b), Stats.

Note: Section 101.12 (3) (b), Stats., reads: Accept the examination of essential drawings, calculations and specifications in accordance with sub. (1) for buildings containing less than 50,000 cubic feet of volume and alterations to buildings containing less than 100,000 cubic feet of volume performed by cities, villages, towns or counties, provided the same are examined in a manner approved by the department. The department shall determine and certify the competency of all such examiners.

(2) CONDITIONS OF AGENT DESIGNATION. (a) In addition to the statutory provisions under s. 101.12 (3) (a) 3., Stats., all agent municipalities shall comply with all of the following:

1. Employ or contract with licensed elevator inspectors to perform plan review and inspection functions.

2. Forward to the department any information requested by the department relative to the examination of plans and inspections of conveyances.

3. Notify the department, in writing, at least 60 days prior to the date upon which the agent municipality intends to relinquish the plan examination and inspection responsibilities for equipment covered under this chapter.

Note: Section 101.12 (3) (a) 3., Stats., reads: A 2nd class city may apply for certification by the department for the purposes of this paragraph if that city employs at least one architect or one professional engineer who has been granted a certificate of registration under s. 443.10. The department shall certify a 2nd class city when the department determines and certifies the competency of all examiners employed by the city. The department shall review the competency of the examiners of a city that is certified under this paragraph on a regular basis and may revoke the certification of a city if the examiners do not meet standards specified by the department.

(b) An agent municipality may waive its jurisdiction for plan review and approval for any project, in that case, plans shall be submitted to the department for review and approval.

SPS 318.1013 Accident reporting. (1) (a) Except as provided in par. (b), the malfunction of a conveyance that results in bodily injury requiring more than first aid treatment shall be reported to the department or agent municipality within 2 business days of the malfunction.

(b) 1. A malfunction under par. (a) resulting in a fatality shall be reported to the department or agent municipality within 24 hours of the malfunction.

2. For the purposes of this section the agent municipality is the entity that issued the permit to operate for the conveyance.

(c) At minimum, a report in an acceptable format shall be submitted to the department.

Note: The department may be contacted at phone: (608) 266-7548 during normal business hours. The State Division of Emergency Management can be contacted at (800) 943-0003 during non-business hours. A copy of the elevator/escalator accident report form SBD-10782 and the minimum information needed is available on the Industry Services' web site at <http://dsps.wi.gov/programs/industry-services>.

(2) The owner of a conveyance that malfunctions resulting in bodily injury under sub. (1) may not remove or disturb the conveyance or any of its components or permit any such removal or disturbance prior to receiving authorization from the department or authorized agent, except for the purpose of reducing further bodily harm or property damage.

(3) The owner of a conveyance that malfunctions resulting in bodily injury may not return or allow the return the conveyance back into operation or service until receiving authorization from the department or agent municipality that issued the permit to operate.

SPS 318.1014 Petition for variance. The request for a petition for variance relating to a provision in this chapter may be submitted and shall be processed in accordance with ch. SPS 303. The petition for variance shall include, where applicable, a position statement from the fire department or local building official having jurisdiction, or both.

Note: Chapter SPS 303 requires the submittal of a petition for variance form (SBD 9890) and a fee, and that an equivalency is established in the petition for variance that meets the intent of the rule being petitioned. Chapter SPS 303 also requires the department to process regular petitions within 30 business days and priority petitions within 10 business days.

Copies of the petition for variance form SBD-9890 are available at no charge from the Industry Services Division, P.O. Box 7162, Madison, Wisconsin 53707-7162, or telephone (608) 266-3151 and TTY (608) 264-8777, or at the Industry Services Division web site at <http://dsps.wi.gov/SB>.

SPS 318.1015 Enforcement. Where an agent municipality administers and enforces this chapter in conjunction with the department, the agent municipality's administration and enforcement shall be exercised in advance of the department's administration and enforcement.

SPS 318.1016 Penalties. Penalties for violations of this chapter are subject to and may be assessed in accordance with s. 101.988 (3), Stats.

Note: Section 101.988 (3), Stats., reads: "Any person who violates this subchapter or rules promulgated under this subchapter may be fined not more than \$1,500 or imprisoned for not more than 30 days or both, except that, notwithstanding s. 939.61 (1), the owner of a private residence in which a conveyance is located may not be fined or required to pay a forfeiture to this state as a result of any violation involving that conveyance."

Subchapter IV – Changes, Additions or Omissions to ASME A17.1

SPS 318.1700 Changes, additions or omissions to ASME A17.1. (1) GENERAL. Elevators, escalators, moving walks and lifts shall be designed, constructed, installed, operated, maintained, tested and inspected in accordance with ASME standard 17.1.

(2) CHANGES, ADDITIONS AND OMISSIONS. Changes, additions or omissions to the ASME A17.1 are specified in this subchapter and are rules of the department and are not requirements of the ASME A17.1.

Note: The sections in this subchapter are generally numbered to correspond with the section numbering in the ASME A17.1. For example, s. SPS 318.1702 corresponds to ASME A17.1 Part 2.

(place holder for Wisconsin modifications)

SPS 318.1709 Reference codes, standards and specifications. (1) This is a department rule in addition to the requirements in ASME A17.1 Part 9: Any code or standard listed in section 9.1 without a specific year of issuance shall mean the published edition of that code or standard that was available on *(A17.1 date of issuance)*, 2013.

(2) Substitute the following in ASME A17.1 section 9.1:

- (a) Chapters SPS 361 to 366 for the reference to ICC/ANSI A117.1.
- (b) Chapter SPS 316 for the reference to NFPA 70.

Subchapter V – Changes, Additions or Omissions to ASME A18.1

SPS 318.1800 Platform lifts and stairway lifts. (1) GENERAL. Platform lifts and stairway lifts shall be designed, constructed, installed, operated, maintained, tested and inspected in accordance with ASME standard 18.1, except as otherwise provided in this chapter.

(2) CHANGES, ADDITIONS AND OMISSIONS. Changes, additions or omissions to the ASME A18.1 are specified in this subchapter and are rules of the department and are not requirements of the ASME A18.1.

Note: The sections in this chapter are generally numbered to correspond with the section numbering in the ASME A18.1; e.g., s. [SPS 318.1801](#) corresponds to ASME A18.1 Part 1.

(place holder for Wisconsin modifications)

SECTION 3. SPS 362.1109 is created to read:

SPS 362.1109 Lifts. (1) Substitute the following wording for the requirements in ICC/ANSI A117.1 section 410.2.1 as referenced by IBC section 1109.7:

Comment [DoC7]: The substitution is straight out of the 2009 edition of the ICC/ANSI A117.1 standard.

(a) Except as provided in par. (b), Doors and gates shall be low energy power operated doors or gates complying with A117.1 section 404.3. Doors shall remain open for 20 seconds minimum. On lifts with one door or with doors on opposite ends, the end door clear opening width shall be 32 inches minimum. On lifts with one door on a narrow end and one door on a long side, the end door clear opening width shall be 36 minimum. Side door clear opening width shall be 42 inches minimum. Where a door is provided on a long side and on a narrow end of a lift, the side door shall be located with either the strike side or the hinge side in the corner furthest from the door on the narrow end.

(b) 1. Doors or gates shall be permitted to be of the self-closing, manual type, where that door or gate provides access to a narrow end of the platform that serves only one landing. This exception does not apply to doors or gate with ramps.

2. Lifts serving two landings maximum and having doors or gates on adjacent sides shall be permitted to have self closing manual doors or gates provided that the side door or gate is located with the strike side furthest from the end door. This exception does not apply to door or gates with ramps.

(2) **Substitute** the following wording for the requirements in ICC/ANSI A117.1 section 410.5 as referenced by IBC section 1109.7: Clear floor space of platform lifts shall comply with one of the following:

Comment [DoC8]: The substitution is straight out of the 2009 edition of the ICC/ANSI A117.1 standard.

(a) Platform lifts with a single door or with doors on opposite ends shall provide a clear floor width of 36 inches minimum and a clear floor depth of 48 inches minimum.

(b) Platform lifts with doors on adjacent sides shall provide a clear floor width of 42 inches minimum and clear floor depth of 60 minimum.

SECTION 4. SPS 366.0605 is created to read:

SPS 366.0605 Lifts. (1) **Substitute** the following wording for the requirements in ICC/ANSI A117.1 section 410.2.1 as referenced by IBC section 1109.7:

Comment [DoC9]: The substitution is straight out of the 2009 edition of the ICC/ANSI A117.1 standard.

(a) Except as provided in par. (b), Doors and gates shall be low energy power operated doors or gates complying with A117.1 section 404.3. Doors shall remain open for 20 seconds minimum. On lifts with one door or with doors on opposite ends, the end door clear opening width shall be 32 inches minimum. On lifts with one door on a narrow end and one door on a long side, the end door clear opening width shall be 36 minimum. Side door clear opening width shall be 42 inches minimum. Where a door is provided on a long side and on a narrow end of a lift, the side door shall be located with either the strike side or the hinge side in the corner furthest from the door on the narrow end.

(b) 1. Doors or gates shall be permitted to be of the self-closing, manual type, where that door or gate provides access to a narrow end of the platform that serves only one landing. This exception does not apply to doors or gate with ramps.

2. Lifts serving two landings maximum and having doors or gates on adjacent sides shall be permitted to have self closing manual doors or gates provided that the side door or gate is located with the strike side furthest from the end door. This exception does not apply to door or gates with ramps.

(2) **Substitute** the following wording for the requirements in ICC/ANSI A117.1 section 410.5 as referenced by IBC section 1109.7: Clear floor space of platform lifts shall comply with one of the following:

Comment [DoC10]: The substitution is straight out of the 2009 edition of the ICC/ANSI A117.1 standard.

(a) Platform lifts with a single door or with doors on opposite ends shall provide a clear floor width of 36 inches minimum and a clear floor depth of 48 inches minimum.

(b) Platform lifts with doors on adjacent sides shall provide a clear floor width of 36 inches minimum and clear floor depth of 60 minimum.