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**VIRTUAL/TELECONFERENCE  
CONVEYANCE SAFETY CODE COUNCIL  
Virtual, 4822 Madison Yards Way, 2<sup>nd</sup> Floor, Madison  
Contact: Will Johnson (608) 266-2112  
April 15, 2025**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.*

**AGENDA**

**9:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of October 11, 2019 (4-5)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns**
- D. Introduction, Announcements, and Recognition**
  - 1) Introductions
    - a. Braun, Andrew – Elevator Servicing Business Representative (Succeeds: Uy)
    - b. David Danowski – Public Member (Succeeds: Smith)
    - c. Adam Lex – Labor Organization Representative (Succeeds: Ketelboeter)
    - d. Maiya Whelan – Owner/Manager of a Building Member (Succeeds: Macaluso)
  - 2) Recognitions
    - a. Steven Ketelboeter – Labor Organization Representative (Resigned: 1/13/2025)
    - b. Jennie Macaluso – Owner/Manager of a Building Member (Resigned: 10/1/2024)
    - c. Kenneth Smith – Public Member (Resigned: 9/9/2024)
    - d. Mark Uy – Elevator Servicing Business Representative (Resigned: 1/14/2025)
- E. Administrative Matters**
  - 1) **Department, Staff and Board Updates**
  - 2) **2025 Meeting Dates (6)**
  - 3) **Annual Policy Review (7-8)**
  - 4) **Election of Officers (9)**
  - 5) **Council Members**
    - a. Braun, Andrew
    - b. Danowski, David
    - c. Lex, Adam
    - d. Misustin, Keith

- e. Mueller, Ronald
- f. Rausch, Brian
- g. Rosenberg, Paul
- h. Thurmer, Harold
- i. Whelan, Maiya

**F. Administrative Rule Matters – Discussion and Consideration (10-14)**

- 1) Brief Overview of Rule Making Process (11)
- 2) Scope Statement: SPS 302, 305, 318, 321, and 362, relating to Conveyance Safety Code Comprehensive Review (12-14)
- 3) Pending or Possible Rulemaking Projects

**G. Discussion and Consideration of Items Added After Preparation of Agenda:**

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Election of Officers
- 4) Appointment of Liaisons and Alternates
- 5) Delegation of Authorities
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislative and Policy Matters
- 10) Public Health Emergencies
- 11) Administrative Rule Matters
- 12) Liaison Reports
- 13) Board Liaison Training and Appointment of Mentors
- 14) Informational Items
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports

**H. Public Comments**

**ADJOURNMENT**

**NEXT MEETING: MAY 27, 2025**

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that the meeting at which final action may be taken against the credential be held in open session. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer or reach the Meeting Staff by calling 608-267-7213.

**CONVEYANCE SAFETY CODE COUNCIL  
MEETING MINUTES  
OCTOBER 11, 2019**

**PRESENT:** Steven Ketelboeter, Jennie Macaluso, Keith Misustin, Ronald Mueller, Brian Rausch, Paul Rosenberg, Kenneth Smith, Harold Thurmer

**EXCUSED:** Scot Bromann

**STAFF:** Dale Kleven, Administrative Rules Coordinator; Kimberly Wood, Program Assistant Supervisor-Adv.

Paul Rosenberg, Chairperson, called the meeting to order at 9:05 a.m. A quorum was confirmed with eight (8) members present.

**ADOPTION OF AGENDA**

**MOTION:** Kenneth Smith moved, seconded by Harold Thurmer, to adopt the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF JUNE 10, 2019**

**MOTION:** Kenneth Smith moved, seconded by Steven Ketelboeter, to approve the minutes of June 10, 2019 as published. Motion carried unanimously.

*(Keith Misustin joined the meeting at 9:08 a.m.)*

**LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS**

**Review of CR 19-118, SPS 305 and 308, Relating to the Wisconsin Conveyance Safety Code**

**MOTION:** Ronald Mueller moved, seconded by Harold Thurmer, recommend that DSPS revise SPS 318.1011 (8) (c) 3. to change the stated time frame from 24 hours to 5 business days in order to resolve the conflict within 318.1011 (8) (a). Motion carried unanimously.

**MOTION:** Kenneth Smith moved, seconded by Steve Ketelboeter, to change 318.17086 (10) (a) to 318.17086 (11) (a) in SECTION 78 of the rule draft to correct an incorrect reference. Motion carried unanimously.

**Review and Respond to Public Comments and Clearinghouse Report**

**MOTION:** Kenneth Smith moved, seconded by Keith Misustin, to affirm that the Council has reviewed the comments provided by NEII and recommends that the Department take no action in response to the comments. Motion carried. *Abstained: Thurmer*

**MOTION:** Kenneth Smith moved, seconded by Keith Misustin, to affirm that the Council has reviewed the comments provided by Elevator Industry Work Preservation Fund and thank them for their comments. Motion carried unanimously.

**MOTION:** Kenneth Smith moved, seconded by Keith Misustin, to affirm that the Council has reviewed the comments provided by International Union of Elevator Constructors, Local 132, and thank them for their comments. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Ronald Mueller moved, seconded by Kenneth Smith, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:51 a.m.


DRAFT

**CONVEYANCE SAFETY CODE COUNCIL**  
**2025 Meeting Dates**

<b>Meeting Date</b>	<b>Start time</b>	<b>Location</b>	<b>Agenda Item Deadline</b>
Tuesday, April 15, 2025	9:00 AM	Virtual	<b>4/3/25</b>
Tuesday, May 27, 2025	9:00 AM	Virtual	<b>5/15/25</b>

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Brenda Taylor, Board Services Supervisor		2) Date when request submitted: 12/1/2024	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date: First Meeting of 2025	5) Attachments: <input checked="" type="checkbox"/> Yes	6) How should the item be titled on the agenda page? Administrative Matters: Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session	8) Is an appearance before the Board being scheduled? <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
<p>10) Describe the issue and action that should be addressed:</p> <p><b>Please be advised of the following Policy Items:</b></p> <ol style="list-style-type: none"> <li>1. <b>In-Person and Virtual Meetings:</b> Depending on the frequency of scheduled meetings, discussion topics, and member availability, DSPS may host one or more in-person meetings. Virtual connection options are available for all board meetings.</li> <li>2. <b>Attendance/Quorum:</b> Thank you for your service and commitment to meeting attendance. If you cannot attend a meeting or have scheduling conflicts impacting your attendance, please let us know as soon as possible. A quorum is required for Boards, Sections, and Councils to meet pursuant to Open Meetings Law. Connect to / arrive at meetings 10 minutes before posted start time to allow for audio/connection testing, and timely Call to Order and Roll Call. Virtual meetings include viewable onscreen materials and A/V (speaker/microphone/video) connections.</li> <li>3. <b>Walking Quorum:</b> Board/Section/Council members must not collectively discuss the body's business outside a properly noticed meeting. If several members of a body do so, they could be violating the open meetings law.</li> <li>4. <b>Mandatory Training:</b> All Board Members must complete Public Records and Ethics Training, annually. <a href="#">Register to set up an account</a> in the Cornerstone LearnCenter online portal or <a href="#">Log in</a> to an existing account.</li> <li>5. <b>Agenda Deadlines:</b> Please communicate agenda topics to your Executive Director before the agenda submission deadline at 12:00 p.m., eight business days before a meeting. (Attachment: Timeline of a Meeting)</li> <li>6. <b>Travel Voucher Submissions:</b> Please submit all Mileage Reimbursement claims for in-person meetings to DSPS within 30 days of the close of each month in which expenses are incurred.</li> <li>7. <b>Lodging Accommodations/Hotel Cancellation Policy:</b> Lodging accommodations are available to eligible members for in-person meetings. Standard eligibility: the member must leave home before 6:00 a.m. to attend an in-person meeting by the scheduled start time.               <ol style="list-style-type: none"> <li>a. If a member cannot attend a meeting, they must cancel their reservation with the hotel within the applicable cancellation timeframe.</li> <li>b. If a meeting is changed to occur remotely, is canceled, or rescheduled, DSPS staff will cancel or modify reservations as appropriate.</li> </ol> </li> <li>8. <b>Inclement Weather Policy:</b> In inclement weather, the DSPS may change a meeting from an in-person venue to a virtual/teleconference only.</li> </ol>			
<p>11) Authorization </p> <p style="text-align: right; margin-right: 100px;">12/02/2024</p>			
<p><b>Directions for including supporting documents:</b></p> <ol style="list-style-type: none"> <li>1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director</li> </ol>			

## Timeline of a Meeting

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**8 business days prior to the meeting:** All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

**7 business days prior to the meeting:** The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

**5 business days prior to the meeting:** The approved agenda is returned to the Board Administration Specialist for agenda packet production and compilation.

**4 business days prior to the meeting:** Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

### **Agenda Item Examples:**

- Approval of the Agenda and previous meeting Minutes
- Open Session Items
  - Public Hearings (relating to Administrative Rules)
  - Administrative Matters
  - Legislation and Policy Matters
  - Administrative Rules Matters
  - Credentialing Matters
  - Education and Exam Issues
  - Public Agenda Requests
  - Current Issues Affecting the Profession
  - Public Comments
- Closed Session items
  - Deliberations on Proposed Disciplinary Actions
    - Stipulations
    - Administrative Warnings
    - Case Closings
    - Monitoring Matters
    - Professional Assistance Procedure (PAP) Issues
  - Proposed Final Decisions and Orders
  - Orders Fixing Costs/Matters Relating to Costs
  - Credentialing Matters
  - Education and Exam Issues

**Thursday of the Week Prior to the Meeting:** Agendas are published for public notice on the Public Notices and Meeting Minutes website: [publicmeetings.wi.gov](http://publicmeetings.wi.gov).

**1 business day after the Meeting:** "Action" lists are distributed by staff detailing board actions on closed session business.

**5 business days after the Meeting:** "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the the Public Notices and Meeting Minutes website: [publicmeetings.wi.gov](http://publicmeetings.wi.gov).

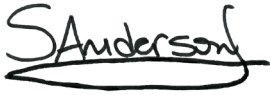


**CONVEYANCE SAFETY CODE COUNCIL**  
**2019 Officers**

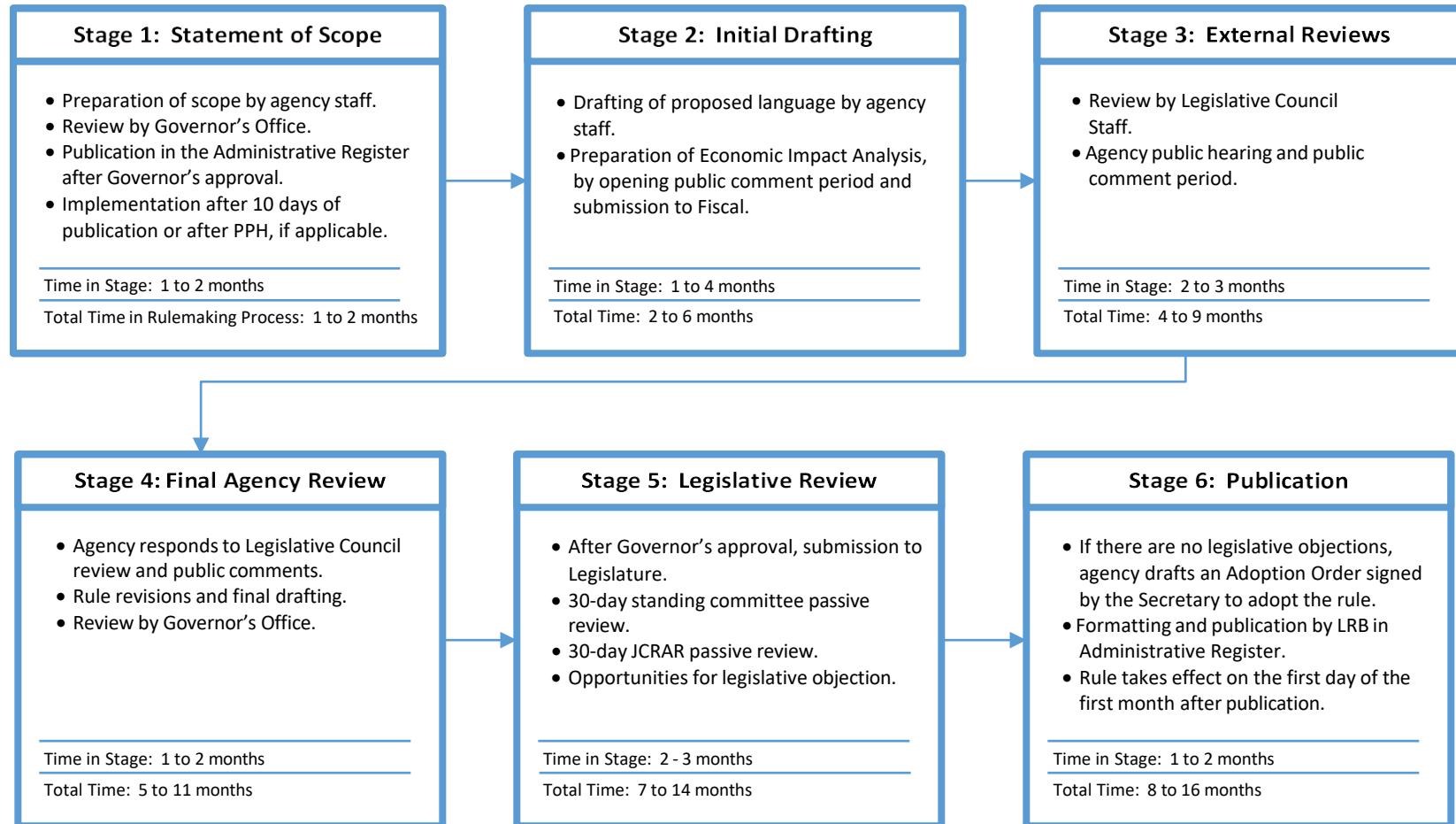
<b>OFFICERS</b>	
<b>Chairperson</b>	Paul Rosenberg
<b>Vice Chair</b>	Vacant
<b>Secretary</b>	Brian Rausch

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Sofia Anderson – Administrative Rules Coordinator		<b>2) Date when request submitted:</b> 04/03/2025 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
<b>3) Name of Board, Committee, Council, Sections:</b> Conveyance Safety Code Council			
<b>4) Meeting Date:</b> April 15, 2025	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Administrative Rules Matters – Discussion and Consideration 1. Brief overview of the rulemaking process. 2. Scope Statement: SPS 302, 305, 318, 321, and 362, relating to Conveyance Safety Code comprehensive review. 3. Pending and possible rulemaking projects.	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A
<b>10) Describe the issue and action that should be addressed:</b> Attachments: 1. SPS rulemaking process chart. 2. Scope Statement: SPS 302, 305, 318, 321, and 362, relating to Conveyance Safety Code comprehensive review.			
<b>11) Authorization</b> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">   <hr/> <b>Signature of person making this request</b> </div> <div style="text-align: center;"> <hr/> <b>04/03/2025</b>  <b>Date</b> </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="text-align: center;"> <hr/> <b>Supervisor (if required)</b> </div> <div style="text-align: center;"> <hr/> <b>Date</b> </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="text-align: center;"> <hr/> <b>Executive Director signature (indicates approval to add post agenda deadline item to agenda)</b> </div> <div style="text-align: center;"> <hr/> <b>Date</b> </div> </div>			
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

## Overview of SPS Administrative Rulemaking Process



Please note this overview describes the process for a "typical" rulemaking. Rules developed using extraordinary processes, may require additional time and have different steps.

# STATEMENT OF SCOPE

## Department of Safety and Professional Services

**Rule No.:** SPS 302, 305, 318, 321, and 362

**Relating to:** Conveyance Safety Code Comprehensive Review

**Rule Type:** Permanent

### 1. Finding/nature of emergency (Emergency Rule only):

N/A

### 2. Detailed description of the objective of the proposed rule:

The primary objective of this rulemaking project is to evaluate and update the Wisconsin Conveyance Safety Code, SPS 318. This rulemaking update is intended to keep the Code consistent with dynamic, contemporary regional, national, and emergency practices and standards, as required by statute, and with any legislation enacted since the previous update on these rules.

In addition, the project may include revisions to other chapters relating to the Wisconsin Conveyance Safety Code such as chapters SPS 302, fee schedule; SPS 305, licenses, certifications and registrations, SPS 321, Uniform Dwelling Code as it relates to residential elevators; and SPS 362, Commercial Building Code as it relates to commercial conveyance safety.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The Wisconsin Conveyance Safety Code contains standards for the design, construction, use, maintenance, alteration, and inspection of elevators, escalators, and lifts in public buildings, places of employment and one- and 2-family dwellings. In keeping with the statutory requirement to use nationally recognized standards, this Code currently incorporates by reference previous editions of American Society of Mechanical Engineers codes and guides that will need to be reviewed and updated to the current editions. A periodic review and update of these codes is necessary to ensure that they still achieve their purpose and allow the opportunity to stay current with new construction products and practices. The last time chapter SPS 318 was updated was in 2020.

Additionally, the Department intends to review chapters SPS 302, 305, 321, and 362 that cover fees, licensing, Uniform Dwelling Code, and Commercial Buildings to ensure that matters relating to conveyance safety are updated to the most current standards of conveyance safety practice.

The primary policy alternative would be to not perform this rule-review process. This would reduce the public benefits that would otherwise occur by performing this review.

### 4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 101.981 (2), Stats., relating to modification by rule, states that the “department shall promulgate rules establishing additional definitions to the extent the department deems necessary for the proper administration and enforcement of this subchapter. (...) To the extent practicable, the department shall ensure that any definitions or modifications promulgated under this subsection are consistent with national, industry-wide safety standards governing matters regulated by this subchapter.”

Section 101.982, Stats., relating to the conveyance safety code, states that the “department shall promulgate rules establishing standards for the safe installation and operation of conveyances. In promulgating rules under this section the department shall consider the recommendations of the conveyance safety code council under s. 101.986. The rules shall be consistent, to the extent practicable, with national, industry-wide safety standards applicable to conveyances...”

Section 101.985 (3), Stats., relating to licensing qualifications and procedure, states that the “department shall promulgate rules that establish the qualifications required for issuance of an elevator inspector license.”

Section 101.985 (5) (b) 2., Stats., relating to licensing qualifications and procedure, states that the “department shall promulgate rules that establish the education requirements for purposes of subd. 1. [license renewal and continuing education requirements].”

Section 101.986, Stats., relating to conveyance safety code council duties, states that the “council shall consider and make recommendations to the department pertaining to rules for the enforcement of this subchapter, the granting of variances, administrative appeal procedures, fees, and any other matter under this subchapter.”

Section 101.988, Stats., relating to enforcement and penalties, states that the department may perform investigations, issue orders, and charge penalties “to aid in the enforcement of this subchapter and rules promulgated under this subchapter.”

Section 227.11 (2) (a), Stats., states that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute...”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

1000 hours.

**6. List with description of all entities that may be affected by the proposed rule:**

The proposed rules may affect any business or other entity involved with the ownership, design, construction, use, maintenance, alteration, or inspection of elevators, escalators, and lift devices.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

Elevators and escalators at marine terminal facilities are subject to regulations under the Occupational Safety and Health Administration (OSHA) in 29 C.F.R. § 1917.116. The Department of Transportation and Department of Justice have Americans with Disabilities Act (ADA) compliance standards for all facilities, including public transportation facilities. Buildings built on federal property are legally exempt from state and local conveyance codes, however, the General Services Administration (GSA) has a policy that federal buildings comply with state and local building codes to the maximum extent practicable. Any rule changes that are advanced under this scope statement are not expected to infringe on these federal requirements. No other current or proposed federal regulations were found relating to this rulemaking.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule will have minimal to no economic impact on small businesses and the state’s economy as a whole.

**Contact Person:** Sofia Anderson, Administrative Rule Coordinator, [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov)

Approved for publication:

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Authorized Signature

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Date Submitted

Approved for implementation:

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Authorized Signature

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Date Submitted