

SB2494

Measure Title:	RELATING TO ELEVATOR MECHANICS.
Report Title:	Elevator Mechanics; Apprenticeship; Licensure Requirements
Description:	Amends requirements for apprenticeship and licensure of elevator mechanics and adds provisions relating to examination, license renewals, continued competency, scope of work, and remote interaction.
Companion:	
Package:	None
Current Referral:	CPH, WAM
Introducer(s):	BAKER, INOUYE, Galuteria, Ihara, Kim, Nishihara

**PRESENTATION OF THE
ELEVATOR MECHANICS LICENSING BOARD**

TO THE SENATE COMMITTEE ON
COMMERCE, CONSUMER PROTECTION, AND HEALTH

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Friday, February 2, 2018
9:00 a.m.

TESTIMONY ON SENATE BILL NO. 2494, RELATING TO ELEVATOR MECHANICS.

TO THE HONORABLE ROSALYN H. BAKER, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Kedin Kleinhans, and I am the Executive Officer of the Elevator Mechanics Licensing Board ("Board"). Thank you for the opportunity to testify on S.B. 2494, which is a companion to H.B. 1630. The Board has not had an opportunity to fully review and discuss this bill, but it is similar to last session's bill, H.B. 1381, Relating to Elevator Mechanics. As such, the Board supports some sections of this bill but has concerns about other sections, as set forth in this testimony.

This measure amends Hawaii Revised Statutes ("HRS") chapter 448H by adding an examination requirement, revising the procedure for license renewals, adding a new section regarding scope of practice, adding a new section regarding remote interaction, adding and revising definitions, revising the powers and duties of the Board, revising the qualifications for licensure, and creating criteria for the issuance of temporary permits for apprentices.

Regarding the proposed section 448H-A, Examinations, the Board recommends deleting paragraph (1), page 1, lines 11-13, and paragraph (3), page 1, lines 16-17. Since the Department of Commerce and Consumer Affairs' Professional and Vocational Licensing Division provides for elevator mechanic fees (as well as fees for all other boards, commissions, and programs) in Hawaii Administrative Rules chapter 53, paragraph (1) is unnecessary. In

addition, paragraph (3) is too restrictive, and therefore should be removed. The Board recommends retaining paragraph (4), as that will help retain the integrity of the exam.

Regarding the proposed section 448H-C, Continued competency; renewals, the Board supports the eight-hour continuing education requirements but is still discussing the type of documentation that will be sufficient.

The Board recommends adding language for a random audit, similar to provisions other licensing boards have regarding continuing education requirements, as it will help the Board enforce the continuing education requirements while reducing the workload in verifying compliance of those requirements. Additionally, the Board recommends adding language that would allow elevator mechanics licensed in the second half of the biennium to begin meeting the C5 requirements in the following biennium.

Regarding proposed section 448H-D(a), Elevator mechanics scope of work, the Board respectfully requests the exclusion on page 4, lines 1-2 be revised to make clear that only cleaning and painting elevators cabs are excluded from the scope of work requiring an elevator mechanic's license. As currently drafted, the exclusion could be broadly interpreted to apply to all the work enumerated on page 4, lines 1-6. To that end, a period could be added after the word "painting" on page 4 line 2, and a new sentence could begin with the word "[m]Maintenance" to create two sentences.

Regarding the language on page 4, subsection (b), if the intent of this subsection is to not require licensure for elevator demolition where the entire building is being demolished, the Board respectfully suggests that the sentence be revised to add "being" on page 4, line 17 before "completely" so that the sentence reads "entire building is being completely demolished down to and including" This revision may more accurately capture work that would occur during demolition.

The Board supports the definitions for “conveyance” on page 5, lines 11-13 and “elevator mechanic” on page 6, lines 7-19, and the Board agrees that electrical adjustments such as updating software, changing parameters, and resetting faults of any conveyance fall within the scope of an elevator mechanic.

The Board was unable to take a position on the proposed minimum qualifications for licensure, page 9, line 18 to page 10, line 4. Currently, applicants may either complete a formal training program or obtain training under a licensed elevator mechanic. As proposed, this bill would eliminate the latter avenue of training. The Board would like to make sure that all applicants receive the same training, and obtaining it in a formal program would accomplish that. However, the Board would not want to prevent qualified individuals from being licensed or inadvertently exacerbate the shortage of licensed elevator mechanics in Hawaii.

The Board is aware that certain small businesses in Hawaii’s elevator mechanic industry work solely on a specific set of conveyances, such as American with Disabilities Act lifts, and these businesses do not perform work on elevators and escalators. However, the repair of these lifts fall within the scope of a licensed elevator mechanic. The Board is also aware that employees of these businesses have difficulty getting licenses due to their limited training. Accordingly, requiring these individuals to attend formal training programs for conveyances on which they do not perform work would be onerous. The Board will continue to discuss this bill and explore options to address the impact it will have on these small businesses.

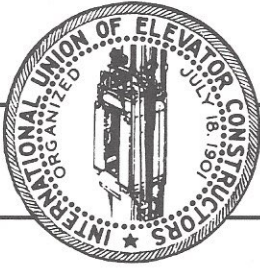
As the Board has not had an opportunity to fully review this bill, the Board is unable to take a position on the following sections: (1) HRS section 448H-B, Application fees; license renewals; (2) HRS section 448H-D, Elevator mechanics scope of work; (3) HRS section 448H-E, Remote interaction; (4) HRS section 448H-1, page 5, line 19 to page 6, line 3, the definition of “apprentice elevator mechanic”; (5) HRS 448H-5, Powers and duties of the board, paragraph

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(7), page 8, line 17; and (6) HRS section 448H-7, Temporary permit, paragraph (2), page 11, lines 3-11.

The Board will meet again to discuss these issues at its next Board meeting on February 2, 2018.

Thank you for the opportunity to testify on S.B. 2494.



LOCAL UNION NO. 126



OF THE

International Union of Elevator Constructors

AFFILIATED WITH THE AFL-CIO

SUITE 215, 707 ALAKEA STREET • HONOLULU, HI 96813 • TELEPHONE (808) 536-8653 • FAX (808) 537-3779

The Twenty-Ninth Legislature
Regular Session of 2018
Hawaii State Senate
Committee on Commerce, Consumer Protection, and Health

Friday, February 2, 2018
9:30 AM, Conference Room 229

Senate Bill No. 2494 – Relating to Elevator Mechanics

The Honorable Rosalyn H. Baker, Chair, Jill N. Tokuda, Vice-Chair, and Esteemed Members of the Senate Committee on Commerce, Consumer Protection, and Health

SB 2494 proposes to amend the current statutes that govern the licensing of elevator mechanics within the State of Hawaii. It has been numerous years since the statute has been updated and during this same period technology has advanced exponentially. In order for elevator mechanics to keep pace with this technology they must show and exhibit continued competence in their craft. Not only does this hone the skillset of the elevator mechanic but it will necessitate the elevator mechanic to stay current with the latest codes and technology.

The International Union of Elevator Constructors, Local 126 represents the men and women installing, repairing, and maintaining all elevators, escalators, and other vertical transportation in the State of Hawaii. The Elevator Constructor is a highly skilled craft with some of the most stringent and extensive education within the elevator industry and the construction industry as a whole. However, the current State of Hawaii licensing requirements does not coincide with the standards and the level of technology that are currently being introduced and installed.

The proposed amendments to HRS 448H are meant to strengthen the licensing law and help to discourage unlicensed activity by adding continued competency, increasing and defining the qualifications to become licensed, adding a 9000 hour on the job training requirement which, will remove the task of apprenticeship registration by the Department of Commerce and Consumer Affairs, better defining an elevator mechanic's scope of work, and better defining the powers and duties of the elevator mechanic's licensing board.

Licensing is in place for the safety and protection of the consumer and strengthening the elevator mechanic's licensing laws can only serve to benefit our industry as a whole by raising the bar for elevator mechanics which in turn will provide a better and safer product to the riding public. When it comes to safety there is no compromise and for these reasons the International Union of Elevator Constructors, Local 126 is in **strong support** of SB 2494.

Respectfully submitted,

Marc Yamane

Business Representative

International Union of Elevator Constructors, Local 126

SB-2494

Submitted on: 1/29/2018 9:10:28 AM

Testimony for CPH on 2/2/2018 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Geno Godinet	Access Lifts of Hawaii, Inc.	Oppose	Yes

Comments:

This is part fo the testimony / comments sent on behalf of Access Lifts of Hawaii

Hello, my name is Geno Godinet. I am the owner and operator of Access Lifts of Hawaii, Inc.. We are a license elevator contractor and have been in business since 1989. I have been in the industry for over 50 years. We are located on 1525 Young Street in Honolulu, Hawaii 96816, our phone number is 808-955-4387.

I, Geno Godinet and my company, Access Lifts of Hawaii, Inc. support the intent of the measure with comments and oppose Section 5.

Our comment; to point out that there is an industry within the elevator industry that needs to be addressed and separated. This industry within the elevator industry is the ADA (Americans Disability Act) accessibility equipment.

ADA accessibility equipment technicians should have a separate apprenticeship, licensing criteria and examination program separate from SB 2494. The reason is that accessibility lift equipment is not like main stream commercial elevators, escalators or freight elevators. With this bill, it would require ADA tech mechanics to be licensed for commercial elevators, escalators and freight elevators when in fact they'll never install or service and repair these types of equipment.

Oppose Section 5: §448H-6 Qualifications for Licensing.

We oppose this section in its' entirety due to the fact that this license is ONLY for main stream elevators and related equipment, escalators and freight elevators, etc. It does not cover or apply to any ADA accessibility equipment for installation, service and repairs of: Inclined (stairway) and vertical platform wheelchair lifts, chair lifts and residential home elevators.

ADA accessibility requires an apprenticeship, licensing or certification program, specifically for this industry separate from the main stream elevator industry.

Attached, please find a copy of CAT Program Introduced in 2005. The CAT Education Program is the nationally recognized training program included in NAEC's National Guidelines for Apprenticeship Standards (C2011-03) approved by the U.S. Department of Labor Office of Apprenticeship for ADA accessibility equipment. In addition, please find information on ADA accessibility equipment. Please note, this program is currently being used in 90% of the mainland states.