



The Insider

National Elevator Industry, Inc.

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A Regulatory Success Story: The California Building Code

With hundreds of states, provinces, cities and other localities adopting and amending codes and standards on a continual basis, it is no wonder that many legislative and regulatory endeavors have the potential to run awry. Elevator safety, fire protection, life safety, and accessibility for persons with disabilities: Often a state or local jurisdiction tries to meet the needs of various conflicting interests and in the process strays from the model codes and standard best practices established by a consensus of experts in their fields. In these instances, sometimes things can go terribly wrong and sometimes they can go exactly right.

The Challenge:

Early last year the California Office of the State Fire Marshall (SFM) proposed to amend the California Building Code (CBC) to require that all elevator equipment located in elevator hoistways (shafts) be noncombustible or of limited combustibility. The Safety Code for Elevators and Escalators, ASME A17.1/CSA B44 referenced in virtually all North American jurisdictions, imposes no flame spread rating requirement on equipment within the hoistway but not for the cars in which passengers ride. Furthermore, neither the ASME A17 Committee or ICC *International Building Code* (IBC) nor any other North American jurisdiction had contemplated such a restrictive provision. According to Louis Bialy, Chairman of the *NEII*® Central Code Committee:



“The California SFM proposal would “significantly de-harmonize with national requirements based on the *IBC* (*International Building Code*) and the ASME A17.1/CSA B44 Code. This will likely result in significant delays in elevator availability and will likely not achieve the stated reason ‘...to save thousands of dollars in elevator installation...’ On the contrary, the effect would likely be the opposite and would make California less competitive *vis-à-vis* other States of the U.S. and Canadian provinces. ***Moreover, the proposed changes would not enhance safety.***”

The Solution:

The impetus behind the California proposal was a concern regarding a particular type of coated steel belt (CSB) that holds elevator cars in place and moves them from floor to floor. While only a few *NEII* member companies use this type of product, the industry as a whole joined forces to work with the state of California on this proposed amendment to the CBC. Representatives from Fujitec America Inc., Mitsubishi Electric US Inc., KONE Inc., Otis Elevator Company, Schindler Elevator Corporation, and ThyssenKrupp Elevator Corporation met to establish *NEII*'s position on the state's proposed regulations. Many then travelled to

Sacramento to meet with SFM personnel in person to voice our industry's concerns.

Kevin Reinertson of the SFM Code Development and Analysis Division led the discussions between his staff and *NEII* representatives and was immediately receptive to the elevator industry's concerns and input. He worked with us on additional modifications to the CBC proposal and encouraged us to contribute our position during the state's regulatory comment period. As a result, California decided not to add its own fire spread requirements to the model code provisions of the ICC *International Building Code* when it was adopted.

The Result:



Within a period of a little more than two months, *NEII* was able to work with the State of California to change a well-intentioned but ill-advised regulatory proposal. Met by a receptive and understanding contingent from the California Office of the State Fire Marshall, we were able to agree on modifications that will align the state's requirements with those in jurisdictions throughout North America. This will save thousands of dollars for California businesses and building owners and, most importantly, ensure the riding public with the high level of safety established in the North American Safety Code for Elevators and Escalators, ASME A17.1/CSA B44.

NEII's experience in California resulted in a true success story for state officials and industry representatives that met on this particular issue last year. But more importantly, we demonstrated that working with government officials can help maintain the highest level of safety for the elevator riding public without imposing unnecessary costs to building owners and developers that could constrain economic development and impair a jurisdiction's competitiveness in the current business environment.



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