

2009 Category One (1) Periodic Inspections/Tests and Category Five (5) Inspections/Tests

As you may or may not know, the Owner of any elevated property is solely responsible for insuring that the proper inspections/tests and witnessing of such inspections/tests are performed on their elevator(s) between January and December of each year. New Code changes are in effect beginning January 1, 2009, which are outlined below. **Non compliance with the new code could result in fines of up to \$5,030.00 per elevator device.**

The annual Local Law 10/1981 elevator inspection and Two-Year no-load safety test will no longer be required. Below is a summary of the new code:

- **Category 1** - A combined performance of an annual inspection (periodic) /no-load safety test.
 - This inspection/test is a 4 hour test
 - This will limit the amount of tests witnessed per day.
 - This must be performed between January 1st and December 31st of each calendar year for elevators, escalators, dumbwaiters and private residence elevators.
 - Each report should be filed with the NYC DOB within 45 days of the inspection/test to avoid a \$250/month per device penalty.
 - All violating conditions identified in the report must be corrected within 45 days of the inspection/test. The affirmation of corrections must be submitted within 15 days of the inspection certifying the violating conditions were corrected to avoid a \$250/month per device penalty.
 - Failure to file a report by February 15 of the following calendar year will result in a penalty of up to \$5000 per device.
- **Category 5** - The 5 year test
 - A combined periodic inspection and Category 5 test will be performed and witnessed by a third party agency.

The **building owner** will be responsible to hire a third party licensed inspection agency (Sierra Consulting) to act as a witness and certify that the inspection/test procedure was performed in accordance of the new code. Subsequently, all of the necessary forms and fees will need to be filed with the NYC DOB. The new forms will now require four (4) signatures: building owner, maintenance contractor, witness inspector and the agency director of the witness inspector. The same filing fee of \$30.00 per device will remain in effect for the annual tests.

Because this is such a new process, the building owners/managers should be aware that elevator contractor's fees may or may not increase as these inspections/tests may or may not be covered in present full service maintenance contracts. Each contractor should be contacted directly to discuss what the approximate cost increase will be for 2009 and how to incorporate this change into the service contract. This fee has no relation to the third party witness fee; that fee must be paid directly by the owner to the third party witness. Sierra Consulting Group, Inc., a licensed agency, is able to provide these services as the third party licensed agency on the owner's behalf.

All the changes being made are to benefit the safety of the riding public, providing safer and more reliable elevator service.

In addition, the new building code also requires installation of Elevator Code Data Plates for all existing and new installations. This permanently attached label with letters no less than 1/8" in height, shall be installed on the controller or main line electrical disconnect switch. The data plate shall specify the code edition in effect at the time of installation/alteration. Installations of those plates are also not covered in maintenance contracts and will be charged additionally by elevator contractors.

There are also new code requirements for new and upgraded elevators that will require additional equipment to be provided. The additional equipment, an emergency brake (commonly referred to as "Rope Gripper"), when activated will prevent unintended movement of the elevator. Activation of the unit shall exert and apply a force on the hoist cables, car or counterweight rails, or drive sheave to stop the movement of the elevator. This will be integrated into work specifications and will increase the cost of a new installation or modernized elevator.

Sierra Consulting Group, Inc. welcomes the opportunity to assist your firm with these new code changes. If you have any questions, please feel free to call.

