

HOUSE BILL REPORT

HB 2145

As Reported by House Committee On:
Labor & Workforce Development

Title: An act relating to dumbwaiters.

Brief Description: Concerning dumbwaiters.

Sponsors: Representative Condotta.

Brief History:

Committee Activity:

Labor & Workforce Development: 1/31/14, 2/5/14 [DPS].

Brief Summary of Substitute Bill

- Provides for dumbwaiters to be inspected every two years, rather than annually, unless a dumbwaiter is in an unsafe condition.
- Requires inspectors from the Department of Labor and Industries to provide 10 days notice of a dumbwaiter inspection.

HOUSE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Christian, G. Hunt and Moeller.

Minority Report: Do not pass. Signed by 2 members: Representatives Green and Ormsby.

Staff: Joan Elgee (786-7106).

Background:

The Department of Labor and Industries (Department) administers and enforces state laws regarding the installation, operation, inspection, and repair of conveyances. In general, these laws require owners to obtain permits from the Department before conveyances are built, installed, moved, or altered. These activities must be performed by licensed elevator

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contractors employing a licensed elevator mechanic. In addition, conveyances must have operating permits and are subject to annual safety inspections by the Department.

Conveyances include elevators, escalators, dumbwaiters, and other elevating devices. A "dumbwaiter" is a hoisting and lowering mechanism equipped with a car that moves in a substantially vertical direction that is used exclusively for carrying materials and that meets certain size and capacity criteria. To be a dumbwaiter, the floor area must not exceed 9 square feet, the inside height must not exceed 4 feet, and the capacity must not exceed 500 pounds.

Summary of Substitute Bill:

The inspection schedule for dumbwaiters is changed from annually to no more often than every two years. However, if an inspection shows a dumbwaiter to be in an unsafe condition the Department must conduct an annual inspection until the dumbwaiter has passed inspection for two successive inspections.

Inspectors must give dumbwaiter owners at least 10 days notice of an inspection.

Substitute Bill Compared to Original Bill:

The original bill exempted dumbwaiters from regulation. The substitute bill restores the regulation of dumbwaiters but increases the inspection interval and requires 10 days notice of an inspection.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill arose from an inspection in which a dumbwaiter was red tagged in the middle of fitting tuxedos for graduation. What was the safety issue? The Department made the case that dumbwaiters should be regulated, and under the proposed substitute, dumbwaiters will still be regulated. Proponents worked with the Department to lighten the regulation by giving owners notice and limiting the inspections. Dumbwaiters are not as intricate as elevators so inspection every two years is sufficient. The bill improves the situation for owners, most of whom are small businesses.

(Opposed) The proposed substitute seems innocuous but increasing the time between inspections increases the risk of accidents. There is no reason for the 10-day notice change. Safety functions are removed from dumbwaiters because they don't carry people. Every year people are killed and injured by dumbwaiters. One man received \$9 million in a lawsuit.

Persons Testifying: (In support) Representative Condotta, prime sponsor.

(Opposed) Neil Hartman, Washington State Building and Construction Trades Council; and Swen Larson, International Union of Elevator Constructors.

Persons Signed In To Testify But Not Testifying: None.