

Elevating Safety

**A public discussion paper on a new
Elevator Regulation for Manitoba**



August 2016

This information is available in alternate formats upon request.

Overview:

The Government of Manitoba is developing a new elevator regulation. Work in this area is being led by The Manitoba Office of the Fire Commissioner (OFC), which is the Agency responsible for the administration and enforcement of legislation and regulations governing elevators and elevating devices. The goals of the new regulation are to:

- Ensure the safety of all Manitobans that use elevators and elevating devices.
- Limit unnecessary red tape and administrative burden on the elevator industry, building owners, and members of the public.
- Ensure that any fees charged related to elevator permits or inspections reflect the actual costs associated with the services provided.
- Ensure that all mechanics that work on elevators and elevating devices have the necessary mechanical and electrical skills to do so properly and safely.

Changes are being proposed in the following key areas:

1. Adopting up-to-date elevating device safety codes.
2. Requiring all mechanics that work on elevators to obtain a comprehensive elevator mechanic's license.
3. Requiring separate installation and operating permits for elevators and elevating devices.

How did we get here?

The OFC has been consulting with industry stakeholders over the last several months to identify changes that are needed to the way that elevators and elevating devices are regulated in Manitoba.

This consultation process is part of a larger review of Manitoba's technical equipment safety regulations that is being conducted for the new *Technical Safety Act*.

The *Technical Safety Act* was passed by the Manitoba Legislature on June 30, 2015, and replaces six separate equipment safety Acts, including:

- *The Elevator Act*
- *The Gas and Oil Burner Act*

- *The Amusements Act (Part II)*
- *The Electricians' Licence Act*
- *The Power Engineers Act*
- *The Steam and Pressure Plants Act.*

Part of the process for implementing the new Act will involve the repeal and replacement of regulations under each of the former Acts, including the Elevator Regulation under *The Elevator Act*. This Regulation and Act provide the OFC with the authority to help ensure the safety of elevators and elevating devices by:

- Establishing codes and standards for elevating devices;
- Requiring approval of drawings and specifications before installation of elevating devices;
- Authorizing inspectors to inspect equipment before issuing permits; and;
- Authorizing routine inspections to ensure maintenance standards are met.

Examples of equipment falling within the scope of this regulatory review include:

- passenger and freight elevators
- dumbwaiters
- manlifts
- escalators
- lifts for persons with disabilities
- moving walkways
- ski lifts and tows

Why we want your input

Elevators and elevating devices are critically important components of Manitoba's building infrastructure, and are found in settings ranging from office buildings to hospitals. Many Manitobans, including seniors and those with mobility issues, rely on elevators and elevating devices to help them access services and maintain their independence. The goal of this regulatory review is to ensure that everyone that uses this equipment is able to do so safely.

Several options are being considered that would potentially change the way elevators and elevating devices are regulated in Manitoba. These options are presented within this document for your review and feedback.

Proposed Changes in a new Elevator Regulation

1. Adopting up-to-date elevating device safety codes

Manitoba currently adopts the 2007 version of the B44 Safety Code for Elevators and Escalators developed by the Canadian Standards Association (CSA). Provincial elevator inspectors use the requirements in the B44 Code as a basis for ensuring that elevating devices are installed, maintained, and operated safely.

In recent years, significant updates have been made to the B44 Safety Code for Elevators and Escalators, including the harmonization of the B44 Code with the American Society of Mechanical Engineers (ASME) A17.1 Safety Code for Elevators and Escalators. The most recent version of the harmonized B44/A17.1 Code was released in 2013.

One of the key differences between the 2007 version of the B44 Code currently adopted by Manitoba and the 2013 harmonized B44/A17.1 Code are requirements for maintenance control programs (MCPs). MCPs are procedure documents that describe how service and maintenance should be performed on a specific elevating device.

However, Manitoba will not be proceeding with the implementation of MCP requirements at this time. This will keep Manitoba in line with the majority of other Canadian jurisdictions, which do not currently adopt MCP requirements. This will also help to limit red tape and administrative burden on the elevator industry and building owners as a result of the adoption of the new Code.

What we are proposing: *Adopting the 2013 harmonized B44/A17.1 Safety Code for Elevators and Escalators in Manitoba, with the exceptions of Section 8.6 (Maintenance Repair and Replacement) and Section 8.11 (Periodic Inspections and Tests), which establish requirements for MCPs.*

Adoption of the 2013 harmonized B44/A17.1 Code will also include changes in the following areas:

- Updates to safety requirements such as railing heights, ladders, platforms and object detection zones.
- Updates to mechanical requirements including belt suspension, ropes, plastic sheathes etc. to address technological advancements in the industry.
- New emergency communications requirements.
- New requirements for outside emergency elevators and wind turbine elevators.

Some of the benefits of adopting the 2013 B44/A17.1 Code may include:

- Allowing Manitoba building owners access to new elevator technologies.
- Improved safety for users of elevators and elevating devices.
- New elevator designs will allow for increased accessibility for Manitobans with disabilities or mobility challenges.
- Allowing for green technologies such as escalators that slow down when not in use or elevators that use less electricity to operate.
- Removing outdated or unnecessary requirements for elevators and elevating devices.

In addition to adopting the 2013 harmonized B44/A17.1 Code, Manitoba will work with industry to develop a process to adopt newer Codes and standards for elevating devices in a timely manner, as they become available.

2. Requiring all mechanics that work on elevators to obtain a comprehensive elevator mechanic's license

In Manitoba, elevator mechanic is not formally recognized as a trade. In order to do electrical work on an elevator, a mechanic is usually required to obtain an Elevator M-A license, which is a limited, specialized electrician's license. A license is not currently required to do construction, installation, or non-electrical repairs on an elevator.

In addition, under the current requirements, a mechanic with a journeyman electrician's license (H, HC, or HI) can do electrical or construction work on an elevator without obtaining an Elevator M-A license or receiving any specialized elevator training. This is an issue, as elevators and elevating devices are complex pieces of equipment that contain many mechanical components that are critical to the operation of the device. A mechanic that has not received proper training to work on the mechanical components of an elevator may put public safety at risk.

Currently, training for unionized elevator mechanics is available through the Canadian Elevator Industry Education Program (CEIEP), delivered by the International Union of Elevator Constructors (IUEC). Training for non-union mechanics is also available.

What we are proposing: *Phasing-out the existing Elevator M-A electrician's license and replacing it with a comprehensive elevator mechanic's license that includes formal electrical and mechanic training requirements and an examination. Mechanics will be required to hold a valid Elevator Mechanic's license in order to work on an elevator.*

The proposed new Elevator Mechanic's license will be similar to licenses required in other Canadian jurisdictions, including Alberta, Ontario, British Columbia, and Nova Scotia. Out-of-Province licenses from these jurisdictions would also be accepted. The OFC will consult with these jurisdictions on the possibility of having them accept Manitoba licenses.

In order to obtain a new Elevator Mechanic's license, mechanics would need to:

- Show proof that required training has been completed.
- Pass an examination, to be developed and given by the OFC.
- Pay a licensing fee.

Existing elevator mechanics holding the Elevator M-A license will continue to be able to work on elevators with their credentials during a transitional period of approximately 3-5 years. During this period, the OFC will work closely with industry to ensure that elevator mechanics are able to upgrade to the new Elevator Mechanic's license to ensure continuity for both mechanics and building owners.

Benefits of establishing formal license requirements for elevator mechanics will include:

- Ensuring that mechanics are working on equipment that they are trained on and familiar with.
- Enhancing safety for users of elevators and elevating devices.
- Ensuring businesses are employing qualified people to work on elevating devices.
- Providing verification of a mechanic's competence to work on elevating devices.
- Helping to formalize the trade of elevator mechanic in Manitoba.

3. Requiring separate installation and operating permits for elevators and elevating devices

The OFC currently conducts plan reviews and inspections to support the installation of new elevating devices. This service is provided directly to elevator mechanics. A single operating permit is then issued once an elevating device has passed an installation inspection. This is followed by regular inspections of new and existing elevating device installations prior to the expiry of the operating permit. Operating permits can be valid for periods ranging from six months to 3 years, depending on the condition of the device.

Currently, an elevator cannot be opened to the public until it passes an inspection by the OFC and receives an operating permit. However, this has created an issue for industry, as they often request to use elevators that are not ready for inspection, for example, because an emergency phone line has not yet been installed, in order to move furniture or equipment when a building is under construction.

Many Canadian jurisdictions have moved to a system that provides two separate permits: one for installation, which is the responsibility of the elevating device mechanic, and one for operating, which is the responsibility of the building owner. This model clearly defines the responsibilities of the mechanic and the building owner, and provides the authority having jurisdiction with the ability to suspend an installation or operating permit in instances of non-compliance. Manitoba's current system does not clearly provide for this.

What we are proposing: *Moving to a two permit system that includes the following permit types:*

1. Installation Permits – *covering the design approval of the elevating device, this permit would be provided to the mechanic to certify that they have met all requirements and can proceed with the installation of the device.*
2. Operating Permits – *to be issued once the elevating device has passed a final inspection and ensures the installation mechanic and the building owner have met all of the safety requirements in the Code prior to opening an elevating device to the public.*

Benefits of moving to a two-permit system include:

- Providing authority for OFC inspectors to issue installation permits with conditions that would allow for limited elevator usage during building construction, before the elevator is opened to the public.
- More clearly defining the duties and responsibilities of building owners and elevator mechanics in ensuring the safety of elevating devices.
- Allowing for an inspector to stop an installation or issue an order to ensure that an elevating device is being installed in accordance with adopted codes and standards.

Share your views:

We encourage written comments about the proposed changes discussed in this paper. Your feedback will help to ensure that a new elevator regulation meets the needs of both the public, as well as industry stakeholders.

Please submit your comments to the e-mail or mailing address below. The Government of Manitoba will consider each submission carefully, and all input received will guide any changes that will be brought forward for consideration.

Submissions:

Please send your submissions via e-mail to: firecomm@gov.mb.ca (please include “Elevator Regulatory Review” in the subject line.)

Or by mail to:

Elevator Regulatory Review
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