



Elevating Devices Safety Regulation Amendment: B355 – Consultation Feedback Report

INTRODUCTION

The BC Safety Authority will put forward a request to amend the Elevating Devices Safety Regulation. We will be recommending that the Province of BC adopts the most recent version of the Canadian Standards Association code for lifts for persons with physical disabilities (CSA B355-09 see Appendix A).

The reason that we are recommending the adoption of this CSA Code is to help safeguard against the risk of accidents associated with access and operation of elevating devices for persons with physical disabilities.

CONTEXT

This paper summarizes the stakeholder feedback received on the BC Safety Authority's Elevating Devices Safety Regulation Amendment (B355) during the period from June 1 – July 7, 2011. The intent of the consultation was to gain feedback from the industry, in particular those individuals, companies, and associations representing Class A, Class RA, Class H elevating device contractors as well as owners/property managers, and consultants impacted by these potential changes.

Consultation occurred primarily through online web forms, with some feedback received through email.

The consultation asked for feedback on the following proposed changes:

- **The provision of a solid stationary barrier around the platform that closes the opening below the platform, rather than an apron or gate**

Rationale: To ensure that when the platform is travelling down, it will not pose a risk of shearing, crushing or trapping, especially for kids and toddlers. Currently, all elevating device contractors who install lifts for persons with disabilities in BC are providing a solid barrier. However, this amendment will apply to all elevating device contractors operating in British Columbia

- **Maintenance on lifts for persons with physical disabilities shall be carried out at intervals no longer than 3 months**

Rationale: To avoid differences between the code and the Elevating Devices Safety Regulation.

In addition to these amendments to the code, the BC Safety Authority is recommending three further changes:

- **A maintenance logbook on site at all times by the maintenance contractor**
The log must contain, as a minimum, but not be limited to, detailed records of all tests, inspections, and other maintenance duties that have been performed in the past five years. For records kept in an electronic format, a hard copy shall be placed on the job site log within a maximum of three months of the initial recording. (See Appendix A)

Rationale: Records are an important part of maintaining safety and scheduling maintenance. The province of Ontario requires a logbook to be provided.

- **A means of two-way communication between the lift and a location staffed by authorized personnel**

Rationale: This is to avoid entrapment of disabled users in an enclosed lift in case of malfunction, particularly when the lift is away from the floors. Entrapment could last for several hours or days with nobody becoming aware of it. Entrapped users could be at risk of dehydration and, potentially starvation and death.

- **Means to prevent unauthorized use of lifts**

Rationale: To avoid abuse and joyriding of these lifts, mainly by kids at schools or public places where lifts are not monitored or attended by designated personal. Lifts for persons with physical disabilities are open platforms or cars where one or more sides do not have a gate or car door. There exists the potential for kids' fingers or hands to be squeezed or pinched. The Province of Ontario has this requirement in their code.

CONSULTATION FEEDBACK

A request for feedback was sent to 102 individuals/associations/companies. In total, we received 9 responses over the 45 day consultation period.

The chart below outlines the responses received from stakeholders. To see more detailed stakeholder comments and BC Safety Authority responses, please review Appendix 1.

Proposed Changes	Yes	No
Question 1: Do you support adopting the most recent versions of the CSA code (B355-09) for lifts for persons with physical disabilities (CSA)?	7	2
Question 2: Do you support the following changes: <ul style="list-style-type: none"> ➤ A maintenance logbook on site at all times by the maintenance contractor ➤ A means of two-way communication between the lift and a location staffed by authorized personnel ➤ Means to prevent unauthorized use of lifts 	5	4

With regard to the negative responses for Question 2, many of the respondents were in support of the implementation of a maintenance logbook. The lack of support for the proposed changes under Question 2 centered on the cost of implementing a two-way communication system and means to prevent unauthorized lifts.

Now that the consultation feedback has been received, the BC Safety Authority will review and consider the feedback. Following this, a formal Request for Amendment will be sent to the Province of BC for review.

Once a final decision has been made by the Province of BC, the BC Safety Authority will announce adoption of these proposed changes. Notification of these changes will be posted on the BC Safety Authority website, and direct notification will be sent those individuals who provided feedback.

If you have any particular comments on this update or have any general questions about these proposed changes, please contact Jim Allaway, Leader-Stakeholder Engagement Programs at jim.allaway@safetyauthority.ca or 778-396-2129.

For more information on the mandate and services of the BC Safety Authority, please go to our website at <http://www.safetyauthority.ca> and consider opening an account with us so that you may be automatically updated on any regulatory information that may be of interest to you.

Appendix 1 – Stakeholder Comments and BC Safety Authority Responses

Proposed Changes	Stakeholder Comments	BC Safety Authority Response
<p>Question 1: Do you support adopting the most recent versions of the CSA code (B355-09) for lifts for persons with physical disabilities (CSA)?</p>	<p>I thought this was already required.</p>	<p>The already adopted Code is CSA B355-00 with Update No. 2 of March 2002, B355S1-02 Supplement No. 1 of September 2002, and Update No. 3 of October 2003. Now we are looking to adopt the B355-09.</p>
	<p>We are very happy that the BCSA is making the required maintenance mandatory.</p>	<p>Mandatory maintenance has been in place with the adoption of the B355-00 Code, this re-confirms it.</p>
	<p>I support adopting the most recent version of the CSA (B355-09) safety code. I would recommend that not allowing aprons or platform gates in lieu of an enclosed runway be described as not allowing provisions included in section 5.1.2 b,c&d of the B355-09 code.</p>	<p>The exclusion of 5.1.2 (b) & (d) will prevent installation of aprons or platform gates in lieu of an enclosed runway.</p>
	<p>For small elevating devices that are for one or two floors, having to install a solid stationary barrier may be too costly as opposed to installing a lift with an apron or gate. It will be easier to do nothing and have a space remain inaccessible for persons with physical or mobility issues. We are trying to make changes to our site that will accommodate persons with mobility issues - but we can make very few changes due to lack of space, plus we have a building that was built in the late 1960's that has many challenges and issues, including asbestos in walls and floors.</p> <p>Why should maintenance on lifts for persons with physical disabilities be any different than other elevators or escalators? If you are going to change a code for one, then all should be changes to ensure maintenance is undertaken on all elevators, escalators and other elevating devices.</p>	<p>Our proposal asks for a solid stationary barrier around the platform at all points of the platform travel, hence reducing the risk of injury. As an industry standard, all contractors who are licensed to install lifts for persons with physical disabilities in BC are already providing a solid barrier. Our proposal is to ensure that new contractors comply with the same standard.</p> <p>The province of BC requires mandatory maintenance on all elevators and escalators including lifts for persons with physical disabilities since the adoption of the B355-00. The B355-09 lists the maintenance requirement as non-mandatory, therefore we are asking for amendment to have it mandatory as was done previously on the B355-00 adoption.</p>

Proposed Changes	Stakeholder Comments	BC Safety Authority Response
<p>Question 2: Do you support the following changes:</p> <ul style="list-style-type: none"> ➤ A maintenance logbook on site at all times by the maintenance contractor ➤ A means of two-way communication between the lift and a location staffed by authorized personnel ➤ Means to prevent unauthorized use of lifts 	<p>Prevention of unauthorized users will be more difficult but can be done electrically by remote control. For instance: The control circuit could be disabled from a receptionist's desk. Of course certain safeguards would have to be in place.</p>	<p>Means to prevent unauthorized users could vary depending on sites, premises and facilities.</p>
	<p>Only if intercoms will be accepted in cases of buildings that are staffed with on-site personnel. We recommend phones be installed in other situations, but do not want to add the expense of a monitoring service because anyone can call 911. On-site maintenance log books can disappear and should be the responsibility of the owner/operator using copies of entries provided by the contractor. We can then provide replacements at a cost to the facility. People take better care of something we place monetary value on. All of our lifts are key access only so unauthorized access is not an issue for us.</p>	<p>A means of two-way communications is required that allows a trapped passenger to call for help and reach someone trained to respond to the call for help. Call routing may be different at different times of the day (for example, normal business hours, versus nights and weekends), but a call for help should always reach a trained person, permitting action to be taken in a timely manner.</p> <p>Logbooks shall be maintained on site at all times.</p>
	<p>Yes with log! Its placement on most IPL's "locked "inside controller though. Communication only in "enclosed" lifts. No to key switches, these should be "accessible".</p>	<p>Means of communication is proposed for "enclosed lifts" only.</p> <p>Depending on facilities, key switches are one way of restriction. Other means could be, but not limited to, monitoring or attended by designated personal.</p>
	<p>In principle, we like the two-way communication idea, but application in some instances would be a challenge. For example, in condominium towers with a Handicap lift, where the maintenance personnel are mobile and not at a fixed location - they would only be available via cellular phone.</p>	<p>Call routing may be different at different times of the day (for example, normal business hours, versus nights and weekends), but a call for help should always reach a trained person, permitting action to be taken in a timely manner.</p>
	<p>I support a maintenance log book and means to prevent unauthorized use.</p> <p>I believe the risk of an individual being caught in an enclosed vertical platform lift is very low given that most people carry a personal mobile phone and each platform must have an alarm in the carriage. In the past 23 years we have installed and maintained over 1100 enclosed vertical platform lifts and have not experienced a situation where an individual has been trapped in a car without attracting someone's attention outside the lift.</p>	<p>Some lifts are remote and would be hard to attract someone's attention. On the other hand, mobile phones can not be relied on since most of the phones will not have signal in enclosed lifts.</p>

	<p>Could you please have in a Log Book one field available for the contractor to enter how many litres of oil has been added/replaced while doing inspection. Increase in oil addition can be a very good sign of a possible leak or a major damage/crack on the lifting machinery (elevator - escalator). Our experience shows that there is a serious need for the Log Book.</p>	<p>The log shall contain, as a minimum, but not be limited to, detailed records of all tests, inspections, and other maintenance duties referred to in this section that have been performed in the previous five years. Oil log will be required for hydraulic elevators.</p>
	<p>Not in agreement with 2 out of 3 changes. A maintenance log book is however a good idea for all elevators/escalators and elevating devices.</p> <p>As an organization we are trying to do the right thing to accommodate persons with physical and mobility limitations but putting in excessive rules and codes that significantly increase costs will make it increasingly difficult to undertake any changes.</p> <p>As an owner with older buildings, you need to make it easier to try and accommodate the installation of an elevating device to accommodate persons with mobility issues - not make it harder and more expensive to undertake such a change. For many owners, it will be easier to do nothing and remain grandfathered under old codes.</p>	
	<p>It has been my experience that BCSA will not accept Unenclosed Vertical Platform Lifts as described in section 5.1.3 or Partial Enclosed Runways as described in section 5.1.5. This type of lift is not the same as those described in 5.1.2b,c&d. Lifts built to 5.1.3 and 5.1.5 are installed in all other provinces including Ontario which has an additional provision for access to the lower landing area. I believe the risk is similar to unenclosed stair platform lifts given that both types require a sensitive surface to protect the area below the platform. If these lifts are not to be accepted in BC then this should also be reflected in the regulations.</p>	<p>In the province of British Columbia the Safety Authority collaborates with British Columbians to enhance the safety of technical products, equipment and work. We are passionate about protecting the public from safety risks. Monitoring, inspections and auditing of elevating devices play a key role in identifying and reducing hazards. Mitigation of risks could be achieved by different ways such as adopting new Codes or amending Codes that do not address the identified risk.</p> <p>The BCSA also works on making sure that it is a level playing field for all contractors.</p>

