

2022 Report on Hydraulic Elevator Inspections in Maryland

The Department of Labor's Elevator Safety Unit regulates the installation, maintenance, alteration, and repair of all elevators, dumbwaiters, escalators, and moving walks operating throughout Maryland. Inspections are conducted by State inspectors and authorized third party qualified inspectors ("TPQEI") in accordance with the nationally recognized American Society of Mechanical Engineers Safety Code for Elevators and Escalators.

Section 2 of Chapter 569 of the Acts of 2020 (Senate Bill 618) requires the Secretary of Labor to report on or before January 1, 2022 to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2-1257 of the State Government Article, on the status of how elevator inspections are being conducted in accordance with the Act.

By way of background, Chapter 337 of the Acts of 2018 established a multi-year transition to require annual and five-year inspections of elevators in public and private non-residential buildings to be performed by TPQEIs instead of by Maryland State inspectors. Phase one, which went into effect on October 1, 2018, transitioned five-year tests of privately-owned elevators to TPQEIs. Phase two, which went into effect on October 1, 2019, transitioned annual inspections of publicly owned elevators to TPQEIs. In 2019, there were not sufficient TPQEIs to meet the demand for the higher number of required inspections, and the backlog of overdue inspections grew.

Chapter 569 of the Acts of 2020 (SB0618) moved back the effective date of the third and final phase of the transition. Instead of all annual tests on privately owned elevators being transferred to TPQEIs on October 1, 2020, the bill established two new phases. For all privately owned elevators other than direct-acting hydraulic elevators, the new transition date was moved to October 1, 2021. For the direct-acting hydraulic elevators, the transition date was moved to October 1, 2022.

When SB0618 was being considered by the General Assembly, COVID-19 had just started making news overseas and had not yet impacted Maryland. Once COVID-19 spread to our area, the pandemic affected the elevator industry just as it affected other industries in Maryland. Many public and private commercial buildings were either closed altogether or were limited access to only a small number of the usual occupants. The elevator inspectors (both TPQEI and Maryland State inspectors) were actively inspecting elevators during the pandemic, but not all buildings were accessible for inspection. Governor Hogan's executive orders extended the expiration date of state inspection certificates until July 1, 2021, so data on the number of elevators operating with an expired inspection certificate does not give an accurate picture of the state of the industry and how the additional inspections were being absorbed by the TPQEIs. In addition to the impact of the pandemic, the October 1, 2021 transition has not yet been fully realized in the industry. As of April 13, 2022, there are 83 TPQEIs working in Maryland. This is a slight increase from the 80 TPQEIs that were working in Maryland during the 2019 report. The Elevator Safety Inspection unit implemented a new database in FY2022 and the database was unable to generate a reliable count of the number of TPQEIs registered in the State of Maryland, so this report was delayed until that database functionality was restored.

The elevator safety law requires an elevator inspector to witness an elevator mechanic performing the tests on the elevator, so the number of elevator inspectors is not the only limiting factor on the number of elevator inspections that can be performed; there are also a limited number of elevator mechanics available to perform the tests. The Chief Elevator Inspector, Ralph Dillman, often receives calls from elevator owners who are having difficulty scheduling their tests and inspections. As of the writing of this report, the elevator mechanic backlog, not the TPQEI supply, accounts for a majority of the complaints about scheduling. The Elevator Safety Unit continues to work with the registered TPQEIs, elevator mechanics and the elevator owners to complete the necessary tests and inspections to ensure the safe operation of elevator units in Maryland.

Contact:

**Matt Helminiak
Commissioner of Labor and Industry
Maryland Department of Labor
10946 Golden West Drive, Suite 160
Hunt Valley, MD 21031
(410) 767-2961
matt.helminiak@maryland.gov**