STATE OF TENNESSEE
ELEVATOR AND AMUSEMENT DEVICE SAFETY BOARD

QUARTERLY MEETING OF THE
STATE OF TENNESSEE
ELEVATOR AND AMUSEMENT DEVICE SAFETY BOARD

March 5, 2019

CASSANDRA M. BEILING, LCR# 371
STONE & GEORGE COURT REPORTING
2020 Fieldstone Parkway
Suite 900 - PMB 234
Franklin, Tennessee 37069
615.221.1089
**APPEARANCES:**

1. Robbie Fox, Chairman
2. Chris Farmer
3. Mike H. Hardy
4. David Hale, Board Member
5. Larry R. Moore, II, Board Member
6. Mitch H. Rader, Board Member
8. Dan Bailey, Esq.
9. Lynn Kirby
10. Erica Aldridge
11. Jennifer Murphy

**Reporter's Note: All names are spelled phonetically unless otherwise provided to the Reporter by the parties.**

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**AGENDA**

1. **Call Meeting to Order**
2. **Introductions and Announcements**
3. **Pledge**
4. **Adoption of Agenda**
5. **Approval of the December 4, 2018 Minutes**
6. **Elevator Unit's Report**
7. **Amusement Device Unit's Report**
8. **Old Business**
   - Elevator Sub Committee Update
   - Amusement Device Subcommittee Update
   - Variance - Elevator Unit
   - John Sevier State Office Building
   - KONE
9. **Open Discussion Items:**
   - Licensing Elevator Contractors and Individuals Performing Work on Elevators
   - Scheduled Meeting Dates for 2019:
     - Tuesday, June 4th
     - Tuesday, September 24th
     - Wednesday, December 4th
   - Division's Update on Jurisdiction Online for the following programs:
     - Elevator Unit
     - Amusement Device Unit
10. **Announcement of Next Meeting:**
    - The next regularly scheduled meeting of the Elevator & Amusement Device Safety Board will be held at 9:00 a.m. (CST) on Tuesday, June 4, 2019 at the State of Tennessee Department of Labor and Workforce Development building, located at 220 French Landing Drive, Nashville, Tennessee.
11. **Adjournment**

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**Minutes:**

**CHAIRMAN FOX:** Ladies and Gentlemen, we'll go ahead and call the March 5th, 2019 Elevator and Amusement Device Safety Board to order. Sir, we're glad to have you here and we're honored that you came. We're also glad to have Ms. Kelsey, in the back. The first thing we'll do is start with introductions, and because you're sitting at the end of the row, it's your turn.

**MS. KIRBY:** All right. I'm Lynn Kirby. I am the board secretary.

**MR. HARDY:** Mike Hardy. I manage the Amusement Device Unit.

**MR. FARMER:** Chris Farmer. I'm representing the Elevator Unit.

**MR. MOORER:** Lewis Moorer, member-at-large.

**MR. LAPORTE:** Victor LaPorte, board member.

**MR. HALE:** David Hale, board member.

**CHAIRMAN FOX:** And you, sir?

**MR. CHURCH:** Me?

**CHAIRMAN FOX:** Yes, sir.

**MR. CHURCH:** My name is Michael Church. I'm a representative from KONE Elevator and Escalator Company.

**CHAIRMAN FOX:** Mr. Taylor, if you'll just -- oh, excuse me. The lady up front here, in the front row.

**MS. ALDRIDGE:** Erica Aldridge, AAL for Amusement Device Unit.

**MS. MURPHY:** Jennifer Murphy,
·1· Safety Compliance Officer, Middle Tennessee.
·2· MS. BARNETT: Doris Barnett, administrative assistant to WRC.
·3· MR. TAYLOR: Lawrence Taylor, codes and standards officer for Schindler Elevator Corporation.
·4· MR. GARTON: Rex Garton, project architect, John Sevier State Office Building.
·5· MS. MEADOWS: Beth Meadows, HFR Design, project manager for John Sevier State Office Building.
·6· MR. YARBROUGH: Larry Yarbrough, Nashville Machine Elevator.
·7· MS. POPE: Sara Ann Pope, daughter of board member.
·8· MS. BROWN: Heather Brown, commissioner's office, Department of Labor.
·9· MS. KELSEY: Melinda Kelsey, chief of staff, commissioner's office.
·10· MR. GREGORY: Jason Gregory, International Union of Elevator Constructors.
·11· CHAIRMAN FOX: Folks, glad to have you-all here. We appreciate people coming to our meetings, and you're welcome back at the next one as well.

Mr. LaPorte, would you get us started off right, please.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRMAN FOX: One thing I need to do, in the event of an emergency or a natural disaster, security personnel will take attendees to a safe place in the building or direct them to exit the building on the Rosa Parks side, which is that side (indicating) of the building.

All right. Item Number 4, I would entertain a motion to adopt the agenda as presented.

MR. HALE: So moved.

MR. RADER: Second.

CHAIRMAN FOX: Any discussion?

(No verbal response.)

Hearing none, all in favor of the motion, let it be known by saying "aye."

(Affirmative response.)

CHAIRMAN FOX: All opposed, like sign.

(No verbal response.)

Chairman Fox: Motion carries.

You should have the minutes of the December 4th, 2018 meeting. I would entertain a motion to approve as presented.

MR. RADER: So moved.

MR. MOORE: Second.

CHAIRMAN FOX: I have a motion and a second. Any discussion?

(No verbal response.)

CHAIRMAN FOX: Hearing none, all in favor of the motion, let it be known by saying "aye."

(Affirmative response.)

CHAIRMAN FOX: All opposed, like sign.

(No verbal response.)

CHAIRMAN FOX: Item Number 6, the Elevator Unit's report.

MR. FARMER: I gave y'all all the numbers for the Elevator Unit. It's in front of you, but I'll go over a little bit of it. We currently have 26 field inspectors, one supervising inspector, which is me, one office supervisor, which is Anita Rhodes, and we also have two admin workers.

We do have one vacant route here in Nashville that was previously assigned to Laralyn Drew. She resigned. It's still open.

Some things we have planned, we have a QEI class to be held in this building April 11 to get all the inspectors recertified. There will also be some outsiders involved. I think Victor is coming. Some people in the elevator industry hold their QEI, so they just come in and get their continuing education with us.

Looking at the numbers we've got, we've done 15,408 bi-annual inspections this physical year so far. We've got 523 acceptance inspections. Of those 523 acceptance inspections, we had to go back 117 times because the first one failed. So we've done 56 red tag and special inspections, 220 temporary construction inspections, 21 accidents, 180 red-tag verifications, and so far we've done 303 new construction permits and 98 alteration permits. That puts our numbers up to around 15,598 total conveyances. I think that's all the numbers I've got.

I don't know if this is the time, but...
I wanted to announce that I have put in my resignation with the Department of Labor. It will be effective next Friday. It's probably the toughest thing I've ever had to do. I really appreciate everything that the Board's done for me. They've always treated me with respect and always listened to everything I had to say, which is rare for people.

When I began 16 years ago, they always said I was too young to be an elevator inspector. Now they're saying I'm too old to change careers. I don't know what's going on there, but it's happening. But seriously, I'll always be here in Nashville, and you all can call me and ask me anything at any time. I know me and Victor will be working together a lot in the future, so I want to thank everyone.

CHAIRMAN FOX: Mr. Farmer, we're going to miss you. We're going to miss your professionalism and we're going to miss your wisdom. As you just stated, we have to rely on people who know the inner workings of that process, and we certainly rely on you to do that for us. We're going to miss you more than you'll ever know. Again, we appreciate your professionalism, but most of all, your friendship.

MR. FARMER: Thank you. Thank you so much.

That all I've got.

MR. HARDY: Well, you know, it's hard to follow this emotionally because Chris has been such a big help to me in the short time that I've been here. But yeah, he outdid me the last couple of board meetings, and he said, just to cut me some slack, that he wouldn't do any graphs this week, this time. So I appreciate him for that also.

CHAIRMAN FOX: Well, these look great.

MR. FARMER: I'm here to please.

MR. HARDY: Erica, would you stand up again, please?

MS. ALDRIDGE: Yes.

MR. HARDY: Erica introduced herself, but on January 7th, we were fortunate enough to obtain Erica Aldridge to the staff as our AA1. Most of you know that Jennifer Murphy was promoted internally to safety compliance officer in the central division.

Erica has jumped right in. She's a fast learner. She's doing a good job with the administrative duties of the Unit, and we're excited about the remainder of the fiscal year, and optimistic, again, to see what the Unit can get accomplished with a full staff for the remainder of the fiscal year.

If you'll refer to these nice handouts that Chris told me how did to put together here, the first sheet you'll see is our year-to-date statistics for number of companies permitted. And right now, with four months remaining in our fiscal year, we're at 260.

I know if you prorate that out in your head, it's pretty easy to see that that would come out to 390 and fall short of the 408, but I want to remind you that we are now entering our busy season, March through the end of June for our fiscal year. So I definitely think that we'll surpass 408. I hope that we get close to 500. The number 600 has been thrown out there, as far as a goal. We'll see if we have that many companies doing business in the state. But we're pretty confident with the numbers we have right now, being within this fiscal year. So we're at 260.

And if you'll flip over, new companies permitted, we are at 70. And it's the primary responsibility of the compliance officers to reach out to officers that are noncompliant and to guide them through the permitting process.

So last year, we permitted, as can you see, a total of 134 new companies, and right now we're at 70. And, again, there will be a lot of activity between now and the end of our fiscal year, so we hope this number, you know, will jump up there close to 134.

This graph will eventually -- and we've talked about this before in a board meeting -- this graph will eventually bell curve. So we know we're going to capture all the companies doing business at some point in time, and those numbers will start to taper off. But there is a correlation between new companies permitted and overall companies permitted.

The next sheet is something new, and
it correlates, also, directly to the number of third-party inspections that we've had in the state, but this is number of devices. We permit companies, but under those companies are devices that also fall under that umbrella. And right now, again, with four months to go, we have permitted 2,486 amusement devices in the state. So I also feel very confident that that number is going to surpass the number that we had last year, 3,582.

The next sheet -- and this is something that, again, the Board asked for in their September meeting, and we will continue to provide and discuss. This chart is on calendar year, but it is the number of accidents that we've had since 2015. And right now, so far in this calendar year, we have six accidents, so far recorded, reportable accidents.

And then if you flip to the final page, you'll see that -- and we've talked about this, I think, in the last two meetings as well, but -- here, the accidents are categorized by device type. And again, you can see, out of the total of six accidents we've had so far, all six of those are contributed from trampoline parks.

And in accordance to the law, they are reportable because they were transports to off-site licensed medical facilities and -- but that does skew the numbers. You can see it, I think, well on the categorization on the last sheet there. That's all I have about reporting numbers.

I will mention that we did attend the annual Tennessee Fair Association conference on January 18. We were fortunate enough to make a presentation -- be asked to, and make a presentation in a couple of breakout sessions over there. Discussing the permitting requirements, accident reporting guidelines and other topics that are amusement device and Unit-related topics to the group. Also, we attended and gave a presentation on the Unit's behalf at the annual Pick Tennessee Conference. The Pick Tennessee Conference is sponsored by the UT Ag extension service in conjunction with Farm Bureau and this conference was held at Cool Springs on February 21st. And again, we were fortunate enough to be asked, and we welcome and appreciate these invitations, any opportunities to educate the public regarding amusement device laws and regulations. It helps us as we continue toward our goal of increasing awareness of the Unit and the regulatory compliance requirements.

So that's all I have, Chairman, and I would be glad to answer any questions that the Board might have at this time.

CHAIRMAN FOX: Any questions from the Board?

MR. HALE: I was going to say, I was fortunate to be the moderator for the sessions that we did at the Tennessee Association of Fairs. And Mike and Jennifer were there, and they did an exceptional job representing the Board and explaining the process, and just did a great job. I was very pleased and impressed with them.

CHAIRMAN FOX: Thank you, David.

MS. O'CONNOR: Mr. Chair, I would also like to thank Mr. Hardy for this last graph, especially. This is a huge help. Thank you.

MR. HARDY: You're welcome. Thank you.

CHAIRMAN FOX: I appreciate the numbers.

MR. HALE: He brought a graph with him, and I was fortunate to be allowed to help pass those out. It really made me feel a part of it, passing out one of Mr. Hardy's graphs.

MR. POPE: You did a great job, David, passing them out.

CHAIRMAN FOX: One quick question, Mr. Hardy, on the amusement devices.

MR. HARDY: Uh-huh.

CHAIRMAN FOX: Are we able to -- have we assimilated or put together a database, now, of all the rights that are permitted in the state of Tennessee?

MR. HARDY: That's in process.

CHAIRMAN FOX: Okay.

MR. HARDY: And it's part, Chairman, of this new software system that we've obtained.
CHAIRMAN FOX: Okay.

MR. HARDY: It hasn't been fully loaded. So once we go through a complete fiscal year, we should be able to mine devices by device type, devices in each grand division, who inspected those devices. It will provide us with a lot of opportunities. We already have a lot of information that -- the previous system, CMATS, actually, just couldn't afford us. That information is already available. But once we go through a full year and this system is completely loaded, we can mine those type things. We can know where the Tilt-A-Whirls are registered in the state, and things of that nature, at our fingertips. So it will really be helpful.

MR. POPE: If I could say something, Chairman.

CHAIRMAN FOX: Sure.

MR. POPE: I don't know if you've got it in there, but I know in my past experience, in the states I've been in, if you can put manufacturer with it, it would help, only because if you happen to have a problem somewhere down the line, then that runs right in line with it as to who -- even though it's called a Tilt-A-Whirl or a Scrambler or a Sizzler, if you'll know what manufacturer it is, I think you'll be able to chase down a lot of issues.

MR. HARDY: We can look those up. We will have that capability, Mr. Pope, to look those up by serial number.

MR. POPE: Super.

MR. HARDY: And also, just to throw it out there, the new system is printing our new proof-of-inspection decals. And it also has the device name and the serial number. Which that serial number will remain intact with that device until it's, you know, taken out of service. So one more fiscal year to completely load this system, and then we'll have all of that at our fingertips. I think it's working well for us right now. I think everyone would agree.

MR. POPE: I think you've come leaps and bounds, honestly.

MR. HALE: Does that include the credit card payment part of it?

MR. HARDY: No, sir.

MS. JEFFERSON: As we talked about before, we had a certain budget. Unfortunately, that wasn't included in the original budget for them; however, once we've finished with all three programs -- we've done the Elevator Unit, we've done the Amusement Device Unit, and now we're on the Boiler Unit -- so once we finish, if we have monies remaining, we'll be able to take a look at that. If we don't, then we'll have to do something different under another contract. But we're bound by this contract.

MR. HALE: As we've said several times, I think that will be a plus to get -- particularly for traveling carnivals -- to make it easier for them to be in compliance. When you're sitting in Florida with your carnival and you need to get your permits worked out, it's a lot easier to do it by credit card.

MS. JEFFERSON: Yes, I understand. Yes. And, also, Doris Barnett -- I believe she spoke to you all last time -- she's going to come up and give a JO, Jurisdiction Online, update as part of our meetings, our ongoing meetings, so she can let you all know what the status is and other things that you may be concerned about. Doris will be able to answer those questions.

CHAIRMAN FOX: Mr. Hardy, I want to get down in the weeds for just 30 seconds. So when I put all my rides in and we do the -- we push the big button, that data will actually transfer over into an Excel spreadsheet or some data --

MR. HARDY: Absolutely.

CHAIRMAN FOX: Okay. And that's where we're headed, right? Or are we there now?

MR. HARDY: We can mine that information. We can pull Dollywood up and have a listing of all your devices, you know, that list James Roy's serial numbers, manufacturers, if I'm not mistaken.

MS. MURPHY: Manufacturers, serial numbers, and the year it was built, if it's provided to us.

MS. BARNETT: And who inspected it and when.

MR. HARDY: Who inspected it and when.

CHAIRMAN FOX: Okay.

MR. HARDY: Yeah. And once we have Dollywood in there this time, Chairman, then that device number will remain the same every year. It will change the color of our decal, of course, for the next fiscal year, to show that it's been
MR. BAILEY: Mr. Chairman, when somebody speaks from the audience, if you would, please, give your name -- the court reporter cannot see you and know who is saying that -- so that we have a clean record.

MS. BARNETT: Thank you for the reminder.

CHAIRMAN FOX: I'm sorry. I should have done that.

MS. BARNETT: That was Doris Barnett that made the comment about inspections.

THE REPORTER: Thank you.

MS. MURPHY: And Jennifer Murphy made the comment about manufacturers.

THE REPORTER: Thank you.

CHAIRMAN FOX: Okay. Moving right along. Anything else, Mr. Hardy?

MR. HARDY: Not on my end. I would be welcome to address anything that you guys have.

CHAIRMAN FOX: Anything else from the Board?

MR. RADER: Good report.

CHAIRMAN FOX: Yes, good report. Absolutely.

Okay. Under Old Business, the Elevator Subcommittee update.

MR. LaPORTE: Yes, sir.

CHAIRMAN FOX: All right.

MR. LaPORTE: So the Elevator Subcommittee has finished a review of, actually, six codes. We're looking at the following recommendations: ASME A17.1, 2016 code; we want to move to use of the ASME A17.2 2017 inspectors guide; ASME A17.6, 2017; ASME A18.1, 2014; ANSI B77.1, 2017. And the last one we've looked at was ASME A17.3, 1996. And that, we actually want to not recommend moving forward with, and keeping in place as is. That's the code for existing elevators.

So for the five codes that we want to move to, you should have a little packet in front of you.

And first of all, Mr. Chairman, I tried to figure out some way to put some type of colored graph with numbers, but I was unable to, and so I apologize.

CHAIRMAN FOX: You know, we live with what we live with.

MR. LaPORTE: This is a purposefully simple-looking format, but it actually pretty much matches the State's current format and any kind of revisions. One thing I did, mostly in A17.1, we've got colored font here. If there was a complete deletion of a section or paragraph, we just fonted that in red just as an indicator. If it's a change, it's fonted in blue. And the entire section or paragraph was written in here so that we don't have to try to figure out just added or subtracted wording or anything like that. So that is completely there.

CHAIRMAN FOX: Excuse me, Mr. LaPorte, just for the sake of the audience, so everybody knows what we're doing or what you're talking about, could you give us, like, the Reader's Digest version or the Cliff's Notes of exactly what it is you're going to be recommending.

MR. LaPORTE: Sure. I can work backwards a little bit. All right. The ANSI 77.1, 2017, which is the code for aerial tramways and aerial lifts, surface lifts, tows and conveyors, we're looking to adopt that with no changes.

MR. FARMER: We're currently on a '99 code, so it's quite a jump. So it's a good thing.

CHAIRMAN FOX: Taking it from 1999 to 2017?

MR. FARMER: Yes.

CHAIRMAN FOX: I would say so, yes.

MR. LaPORTE: 18.1, 2014, which is for platform and stairway chair lifts, there's two revisions. One is a revision, actually, and one deletion. Which, actually, is what we carried -- Chris, what is the current breakdown of data we're currently under?

MR. FARMER: We're under '08 right now. A18.1, '08, is what we go by.

MR. LaPORTE: So these two changes we're actually currently using in the '08 code and just moving the rest of it to the 2014. ASME A17.6, moving to 2017, that is for suspension means. So cables or belts, whatever is suspending the elevator, we're looking...
to do that with no changes.

CHAIRMAN FOX: May I ask a quick
question?

MR. LaPORTE: Yes, sir.

CHAIRMAN FOX: Is this what --
these are the issues that used to come before us,
and we had to do a variance on each one. Is this
the portion that addressed that?

MR. FARMER: Some of it is. A lot
of it is clean up. A lot of it is just newer
codes that we just -- we're getting behind times,
and before we get too far behind, we don't want --
that's going to create variances.

CHAIRMAN FOX: Okay.

CHAIRMAN FOX: Okay. I'm sorry.

MR. FARMER: So if they come out
with any new technology that's not covered under
the older code, then they will have to come --
start coming to you guys and ask for variances.

So we're getting ahead of the game, we hope.

CHAIRMAN FOX: Okay. I'm sorry.

It was something I wanted to clarify. You're
doing great.

MR. HALE: Where we used to have to
do variance on cable size and that kind of thing.

MR. FARMER: Could be. At one
time, we did.

MR. HALE: Right.

MR. FARMER: If you-all remember,
when the MRLs were first introduced, we couldn't
accept it. I want to say it was an 8mm road, and
we couldn't accept it under the current code, so
we had to get variances on it. And that's when we
had actually adopted the A17.6 code, at the time,
that would allow it to happen.

MR. HALE: And this cleans that up?

MR. FARMER: Well, it's going to
clean it up for any future problems.

CHAIRMAN FOX: Okay. Good deal.

They're using belts now to pull elevators with.
They may use pantyhose next year, so let's go
ahead and get the code in there before we accept
stuff.

MR. LaPORTE: And the A17.6 that
we're currently under, Mr. Chairman, is the 2010
code, so we're going to move into 2017. The ASME
A17.2 inspector's guide, we're currently using the
2004 inspector's guide, and we'll be moving to the
2017 with no changes. And last -- one of the big
changes, approximately 50, is A17.1, 2016, moving
from the 2010 code.

The Cliff's Notes version is a lot of
the -- deleted sections are sections that our
inspectors currently don't inspect or recognize,
so we're not taking that responsibility, or it's
equipment that we don't have in the states.

A lot of the revision is based around
MCP or maintenance control program. The way the
code is written, it's kind of a one-size-fits-all
for all authorities. The biggest change in the
MCP is we're wanting to have it required to be all
in paper on site.

The code allows for certain means to
obtain through electronic record, which we felt
doesn't work very well. We did leave a provision,
though, that if certain companies want to come up
with an electronic format, like a tablet or
something, to leave on site, we would allow that.
But the record itself would be left on site, per
each elevator.

CHAIRMAN FOX: So how -- I'm sorry,
but how would we -- I'm just thinking, again, how
does it affect a person with one elevator? I
mean, for a company with one elevator or two
elevators, do they leave that -- how are we going
to do that -- how are we going to specify that
they put it on a tablet? Or how would we specify
that they put it on some electronic device, or how
can we specify that?

MR. FARMER: That's the real
benefit, in my opinion, of having the state
inspector. They're the ones that are going to
ensure all of this is happening.

Now, if it's an acceptable way of
viewing these records on site -- sometimes they
sell a computer with an elevator and the computer
can stay with it. As long as we have access to it
and can view it, readily accessible without a
password, pass codes, or protection of it, you
know, where I can go in and review what's
happened. That, in my opinion, would be
acceptable for us.

What's not acceptable is I've got to
put in a request to Otis Elevator to send me an
electronic version of it. I'm sitting there for
two hours on site, waiting for this record to be
sent to me electronically.

That's -- and I feel like that's what
we don't want to happen, you know.

MR. LaPORTE: I think, typically,
these records, will be in written format. So if somebody wants to move forward with an electronic means to keep on site, that would also have to be approved by the Elevator Unit that that is an acceptable format to the inspectors.

CHAIRMAN FOX: I agree with what you're doing. I just took the other side just for the sake of argument.

MR. LaPORTE: Understood.

CHAIRMAN FOX: Okay.

MR. LaPORTE: And I believe, Chris, that pretty much would be the Cliff's Notes version.

MR. FARMER: And if you don't mind, I'll add just a little bit to it. These MCPs are the who, when, where, what, and how of the elevator: Who's been there; who's done what to it; if it's a call in the middle of the night and they go out and they're fixing this elevator at 3:00 in the morning, they jot down a few things that they've done; or the guy that comes in at 7:00 on normal work hours and knows exactly the way he left the elevator. It's a safety issue.

It can really become a safety issue because at 3:00 in the morning and you just run out and you leave something that jumped out that this guy at 7:00 don't know about, he comes and gets the elevator repaired, but it ain't repaired correctly, and it could hurt someone.

So this is a -- it's great for the inspector to go in and review what's been done, but, in my opinion, that's the most important part of it, is where they know what they left on and what they didn't leave on, what they fixed and what they didn't fix. And for us, we can go in and review it and say, well, if this has been done, I should know it, because I can look inside this manual and see when they done it.

And it holds a lot of accountability for the companies, for the maintenance people, and even for the inspector that has to -- you know, if they do something, if they're witnessing something, they've got to sign off, too, so it's a good thing. It really is a good thing.

MR. MOORE: And, Mr. Chairman, just to clarify, it's not something that the equipment owner will generate. This is actually coming from the elevator companies. So it's -- the responsibility of the owner, it's not really falling on them; it's back on who's maintaining that elevator.

CHAIRMAN FOX: And like us, we have a contract with a repair company.

MR. FARMER: Yes, sir.

CHAIRMAN FOX: And so they're going to leave that documentation there.

MR. FARMER: Yes.

CHAIRMAN FOX: Or it would be available.

MR. FARMER: Yeah. And what's really good is you don't marry yourself to one company. So if you're dealing with this one company and you're not happy with them, and the next company comes in, they don't have to search for any of this stuff because they have to leave it on site, you know. It's blueprints. It's -- like I said, it's the who, what, when, how of this elevator. And not to be all fireworks and lollipops, but this may add a little cost to an owner up front. I mean, this may add a little cost to the public that owns elevators, but in the long run, it's going to pay for itself, in my opinion.

CHAIRMAN FOX: In my world, it's no different than having a logbook. And when just run out and you leave something that jumped out that this guy at 7:00 don't know about, he comes and gets the elevator repaired, but it ain't repaired correctly, and it could hurt someone.

Prior to that -- they're likely in -- up front. Outside the MCP, two other major Cliff's Note points that we basically eliminated was reference to A17.7, which we talked about before. That is items not typically covered in the code for brand-new things that companies can certify through engineering means or demonstrated usage. And we didn't want to go there with that.

CHAIRMAN FOX: Okay.

MR. LaPORTE: Also, means -- and this is similar -- there's a means for alternative testing to be Category 5 full-load testing.
Where, currently, the Category 5 full-load testing requires a full load of test weights to capacity to be put on the elevator, the elevator run at full speed, the safety set, to make sure everything works properly, nothing breaks. But alternative testing means there's electronic devices now that are supposed to measure and predict successful operation of the safeties.

But it's new technology. We didn't feel that there was enough use behind it yet to prove that it works correctly. The Category 5 testing has been around for many, many years. It completely tests the elevator stresses. You know, there's certain things that we felt that -- we talked about that we didn't feel that the alternative testing means could find, like, stress fractures or things like that could fail under actual conditions. So that was something that was removed.

And that would be the total Cliff's Notes version of this.

CHAIRMAN FOX: And the Reader's Digest version.

MR. LaPORTE: Yes.

CHAIRMAN FOX: Okay. Y'all have done excellent work. I have to say that. This is good stuff.

You had mentioned certifications?

MR. LaPORTE: Yes. If you wanted to jump to that about elevator mechanics. So while we were going through the review of the codes, we had a lot of discussion around licensing people working on elevators. Currently, there's no requirement in the state for that. This is something, by the way, that many states have been moving to. But we would like to see a license, through the Elevator Unit, for people working on elevators.

And there's some different ways to look at it. We may want to spend some time or subcommittee put forward recommendations on what this would look like. But it could easily be fairly low cost, but a multiyear license even, but with specific continuing education requirements that currently are not in place. And that would be a combination of technical as well as code education.

And we're not talking a lot. What most states are doing and what we'll talk about recommending would be ten hours annually. So we're looking at eight hours, normally, of technical training -- and there's a lot of availability for that -- and then two hours of code training annually.

Currently, all of our inspectors, you know, they're licensed, they're QEI-certified. They basically have the same type of requirement. This would ensure that people working on the elevators, doing the testing, are doing it properly. And in the cases that it's not being done properly, the State can then hold those people accountable, too.

CHAIRMAN FOX: Okay. I wanted to get that so we could be thinking about that, and then we'll come back to it under Item Number 10. Any other comments?

MR. FARMER: Do we need a -- do y'all need to vote on this document that they've presented to you as to whether or not the Board adopts it and wishes to go forward with amending the rules to reflect these changes?

CHAIRMAN FOX: All right. So are we within our time constraints to get this in the approval process so we can have it for next year? Or how long would it take for us to do this?

MR. BAILEY: That's kind of hard to say. Right now, the rulemaking rules are frozen until May 2nd.

CHAIRMAN FOX: Right.

MR. BAILEY: And assuming that they become unfrozen after May 2nd, we could proceed at that time. I mean, as far as drafting the documents and getting them ready, I can go ahead and start doing that. But I won't be able to submit them to the Attorney General's office or anybody like that until after the freeze is off the rules.

CHAIRMAN FOX: Right. I just want...
to make sure that we meet all the steps and have
it ready to go.

MR. BAILEY: Right. Now, something -- a decision that you'll have to make,
also, is whether to go the proposed rulemaking
route, which means there would not be any public
hearings, or to go the rulemaking -- the proposed
rulemaking process is the one that's faster, but
if you the route where you have a public hearing,
and you said that this could be additional costs
to some companies, so you may want to go public
decision. Also, whether to go the proposed
route, you would have to schedule at least
one public hearing and, you know, put that notice
out. You can also have more than one, but -- and
then you'll have to have the public hearing
respond to all the comments before you submit --
you know, before we submit it to the Attorney
General's office.

CHAIRMAN FOX: Okay.

MR. BAILEY: So that's the decision
you'll have to make.

CHAIRMAN FOX: What's the pleasure
of the Board?

MS. O'CONNOR: I would move that we
adopt this through a public hearing.

favor of the motion, let it be known by saying
"aye."

(Affirmative response.)

CHAIRMAN FOX: All opposed, like
sign.

(No verbal response.)

CHAIRMAN FOX: Motion carries.

Mr. Bailey, thank you.

MR. BAILEY: You're welcome.

MR. HALE: So when will we
establish the public hearing date?

MR. BAILEY: We'll just have to
work on that, as far as -- I don't know if we can
have a public hearing until after the rules are
unfrozen. So it would have to be probably
sometime after May 2nd. But we'll have to work on
trying to schedule that.

MR. RADER: Dan, how do you
advertise that? I mean, how does the public know
we're having that?

MR. BAILEY: It's published in the
state register, and we can put it on our --

MR. RADER: Put it on the website?

MR. BAILEY: Website, yes.

MS. JEFFERSON: And we'll also send

an email to all of the elevator industry
representatives through MailChimp. And Lynn,
actually, she's instrumental -- those emails that
you-all receive as reminders on the meeting dates,
everyone who is registered with the Department to
receive notices that way, we can notify them as
well.

CHAIRMAN FOX: Okay. All right.

Very good. Again, great work, guys. Thank you
very much.

Mr. Hale, the amusement device
subcommittee update.

MR. HALE: We have been meeting by
teleconference. We have had three teleconference
meetings. And the staff has been participating in
those meetings with us. We are looking at, in
particular, making sure that our rules and the
ASTM standards all agree, and then everything
agrees with the state law.

We have particularly been looking at
insurance, the sections about insurance
requirements and accident reporting. We spent a
good bit of time working toward clarification and

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things about itineraries and device lists and those types of things.
It is still an ongoing process. We hope to be ready when that May window is available to us to provide some recommendations to changing those amusement device rules.
And I'll certainly make every effort to make a colored chart and a handout with colors.

MR. RADER: We're disappointed.

MR. HALE: I know I've failed in my duty there in not having the colored handout. At any rate, the bar has been set by the Elevator Subcommittee, and I will try my best to jump that same hurdle.

CHAIRMAN FOX: We had a question, Mr. Bailey, that we were going to ask you. It talks about the annual permits. And I've got to get down in the weeds for just one second. It's under the annual permits. And it talks about the owner/managing operator amusement devices shall file an itinerary with the exception of rental-type companies, rental devices/inflatables with the Board.

Is that -- is this semantics? Is it the Board, or is it the Amusement Device Safety Unit?

MR. BAILEY: Well, it would typically be the Unit. Now, I don't know why the -- what statute are you referring to?

CHAIRMAN FOX: The 68-121-103(e).

MR. BAILEY: 103?

CHAIRMAN FOX: Well, it would be under "Annual Permits." That's a section that we have here.

MS. JEFFERSON: Can I add, while he's looking for that?

CHAIRMAN FOX: Absolutely.

MS. JEFFERSON: In most of the programs, some of the administrative duties are placed on the boards. It's been that way for our Prevailing Wage Commission, our Board of Boiler rules. It's pretty much the same. And what we have to do is go through and take a look at those things, and that's what I've asked all the supervisors to do, to take a look at the existing legislation, the existing rules, to see if we need to clean it up. Because, truly, we don't submit that information to you-all. And I'm not sure if you-all want to receive it. We could give you a copy of it if you want to --

CHAIRMAN FOX: Can we say no?

MS. JEFFERSON: -- if you want to receive it, but for, yeah, for administrative purposes, we do need to go through and clean up some of those statutes.

CHAIRMAN FOX: Okay. And that's why I was asking.

MR. POPE: In reviewing it, it came up, and we saw it, and it just didn't look like it needed to go to us.

CHAIRMAN FOX: And another thing we weren't clear of, it's just, like, the owner/manager of amusement device shall file an amusement device list with the Board on a form prescribed by the Commissioner no less than 30 days before the operation of an amusement device or use by the public. And there's a couple of instances in here where the 30 days or 120 days may be acceptable. So we may need some guidance on that, too, on what you-all -- administratively, what you have to do. So we may come back to you with that.

But we do want to talk very seriously about changing the definition -- not changing the definition -- adopting the ASTM standard, as it sits today, on the serious injuries or illness, because that will change the reporting process.

MS. JEFFERSON: Right. And those things are in the law, I believe.

MR. HARDY: The definition is in the law.

MS. JEFFERSON: So that would require a legislative change.

CHAIRMAN FOX: Okay.

MS. JEFFERSON: So that's something that, of course, you could present to the department, like we've always done, present that to the department, and everyone can take a look at it to make sure that that's -- you know, everybody is on the same page, as far as all those things are concerned.

CHAIRMAN FOX: Correct. But as ASTM has changed, so has the definition changed. So if we adopted the ASTM rules or ASTM standards, then would that not be applicable to the change of the definition of serious injury or illness?

MR. BAILEY: No, not until the statute is changed. The statute will trump the rules.

CHAIRMAN FOX: Okay. So we need to
1 bring you a recommendation to change.
   2 MR. BAILEY: Yes, sir.
   3 CHAIRMAN FOX: All right. I think
   4 you shall have it.
   5 What else did we miss, Mr. Hale?
   6 Please continue. I'm sorry.
   7 MR. HALE: I think that's all I
   8 have.
   9 CHAIRMAN FOX: Okay. All right.
   10 Any other board --
   11 James Roy, did you have anything on
   12 that that we need to --
   13 MR. POPE: Not at this time.
   14 CHAIRMAN FOX: Okay. All right.
   15 Under new business, a variance for
   16 the Elevator Unit. John Sevier State Office
   17 Building. Those that would like to speak to that,
   18 please come to the table and give us your name,
   19 address, and phone number.
   20 Are you representing KONE as well or --
   21 MR. YARBROUGH: It's actually
   22 Nashville Machine.
   23 CHAIRMAN FOX: I'm sorry?
   25 CHAIRMAN FOX: Okay. Well, mine

---

1 gearless elevators in this building, 2500-pound
2 capacity at 500 feet per minute. The State is
3 renovating this building and, as part of the
4 complete renovation of the building, the elevators
5 are being modernized and additional elevators
6 being added. The architects could speak more to
7 this, but it's a historic building. It was built
8 in the late '30s, I believe, and every effort is
9 being made to maintain, as much as possible, the
10 historic aspects of the building, the fixtures,
11 the finishes, flooring, plaster work, et cetera,
12 et cetera. I'm not claiming to be an architect.
13 If you have any questions on that, they're
14 certainly here to represent the overall nature of
15 the building.
16 Elevators 1 and 2 are existing and
17 will be modernized to A17.3. Elevator Number 3 is
18 existing, but will be virtually removed. The only
19 remaining equipment on Elevator Number 3 will be
20 the hoistway entrances, the door panels that you
21 see when you stand in the lobby and look at that
22 elevator.
23 Everything else on that elevator will
24 be removed and replaced with a new traction
25 machine-852:05 type elevator. Elevator Number 4

---

1 says...
2 Okay. Please continue, sir.
3 MR. YARBROUGH: Larry Yarbrough,
4 Nashville Machine Elevator. What else did you say
5 I needed to give?
6 CHAIRMAN FOX: Address and phone
7 number, sir.
8 MR. YARBROUGH: Okay. 145 Golden
9 Meadow Drive, Franklin, Tennessee. (615)780-9591.
10 CHAIRMAN FOX: Thank you, sir.
11 Please continue.
12 MR. YARBROUGH: Okay. First, I've
13 got handouts for around the room here.
14 (Documents tendered to board members.)
15 Like I said, I'm with Nashville
16 Machine Elevator. I'm a project manager on a
17 modernization project here in the city. And so
18 I'm speaking somewhat on behalf of the State of
19 Tennessee Department of General Services, which
20 owns, manages, whatever, legally with this
21 building and HRF Design, the architect of record
22 on the project. Hardaway Construction is the
23 general contractor.
24 Overview is there are three existing
25
depressions they have in the door panels. Elevators 1 and 2 being modernized to A17.3, that elevator code, I think, as I read it -- and certainly Chris can comment, and others -- doesn't require that the door panels be flush and smooth. So those door panels on Elevators 1 and 2 will remain in place when we modernize the elevators. That's our intent at this point, of course, subject to Chris and his staff.

Elevator Number 3, the door panels are existing, but the elevator is basically completely new and will be installed to the A17.1, 2010 code. And in that code, as referenced below, down in the variance request -- I won't read it -- but it basically says new elevators such as this shall not have depressed areas on the door panels. I don't necessarily want to read into the intent in the code, but I think it's a pinch hazard concern, that if you have sliding door panels and they're heavily depressed, that you could have a snag hazard. But, anyway, that's what the code says. I guess I should leave out my editorial comments. But the door panels that we, the State, the architects, would like to leave in place don't meet the letter -- don't meet the exact requirements of the rule there, 211.11.5.5 by a very slight amount. But that's the point of our request. So the request before you by the State of Tennessee and by the architects is that the door panels on Elevator Number 3 be allowed to remain in place when we put in new -- the new elevator.

And, of course, I'm open to any questions and further explanations.

MS. O'CONNOR: I have a question on this. So if I'm understanding correctly, these doors are approximately 90 years old, right, give or take?

MR. FARMER: Probably not. When the building was built, they probably didn't have elevators put in. They were probably added later. They could have been at some -- I'm sure they've been remodeled, but our records don't go back that far.

MS. O'CONNOR: Okay.

MR. FARMER: But they're at least --

MS. O'CONNOR: They're old.

MR. YARBROUGH: Yeah. They're 70 to 80 years old, yes. Uh-huh.

MS. O'CONNOR: So do we have any record of having had problems --

MR. FARMER: It's funny you asked. I checked.

MS. O'CONNOR: Any kind of accidents because of these doors --

MR. FARMER: No.

MS. O'CONNOR: -- in 60, 70 years?

MR. FARMER: Well, our records don't go back that far. We don't keep records for that long. But for as long as it lets us keep them, we have no accidents on record.

MS. O'CONNOR: Thank you.

MR. LaPORTE: Question: Is this typical at all floors or we're just talking lobby?

MR. YARBROUGH: There are 17 locations where these existing -- well, on this Elevator Number 3, there are eight locations that have doors like this. On Elevators 1 and 2, which will remain in place, there are another 10 or so. It would be a total of 17 doors that have this depressed handle.

MR. LaPORTE: More or less, it's all landings.

MR. YARBROUGH: Yes, it is.

MR. LaPORTE: It's not just the lobby situation.


CHAIRMAN FOX: Anything else, sir?

MR. YARBROUGH: Not by me.

CHAIRMAN FOX: Mr. Farmer, what is our position?

MR. FARMER: Well, my position is there's never been an issue in our records. For as-stated reasons, I see no reason why we wouldn't grant a variance. That's just my thought. With a history of nothing happening, why wouldn't you not, so it don't hurt -- you know...

CHAIRMAN FOX: That would be your recommendation?

MR. FARMER: That would be my recommendation.

CHAIRMAN FOX: Okay.

MR. BAILEY: Mr. Chairman?

CHAIRMAN FOX: Sir?

MR. BAILEY: I should've asked if there's any conflicts.

CHAIRMAN FOX: There is one.
MR. FARMER: No. That was two bullet points. One was KONE's variance. This is Nashville Machine's variance. We won't have any conflict on this one.

CHAIRMAN FOX: So you do not.

MR. LaPORTE: Not with this one, no.

CHAIRMAN FOX: Okay.

MS. JEFFERSON: I have a question. You had mentioned the snags, the issues with the snags...

MR. YARBROUGH: I assume that that's what the code rule is, the intent of it is, but I probably shouldn't have even mentioned that. It's just my own reading of the code rule and my experience in discussing it.

MS. JEFFERSON: Okay. Because I was just curious as to whether or not that had been a factor in the past. And Chris, you mentioned that there have been no accidents in the past, so I just wanted to touch on that as much as --

MR. RADER: Have we given a variance in the past, Chris, on elevator doors that were not smooth?

MR. FARMER: Not that I remember. I'm sure somewhere somebody has, you know, but I never have.

MR. MOORE: And if I understand it correctly, from what I know about coded, if you look at the picture -- or especially the last photo -- this is allowable, as long as it's the adjacent panel that's no further away. The only place I see that there is a possible conflict is at the top and the bottom of the door where it steps straight down; in other words, if they were at that same step, like at the sides -- am I correct in that, Chris?

MR. FARMER: Please keep in mind there's going to be two other elevators right next to these doors that they're not modernizing to the point where they have to meet the latest and greatest code or the code we're under. So we're saying it's okay for them to be in place, existing --

MR. MOORE: Yes.

MR. FARMER: -- but this new one is what we're making a determination on. So whether you-all grant the variance or not, we're still going to have two that have these panels in it.

So it's this third one they're going to modernize to the point where we have to bring it up to the later and greater code.

MR. MOORE: So the snag hazard is -- from Larry's perspective -- it's at the top and the bottom, but the doors are moving horizontally, so it's, basically, nonexistent. And that's just my opinion and interpretation of the code, the --

MR. POPE: Just the vertical lines, isn't it?

CHAIRMAN FOX: Yes.

MR. MOORE: Yes, the vertical lines, and it's moving horizontal. And those fall within the 1/8 inch, so they are aligned.

MR. LaPORTE: I think, though, it's overall depression. So it's horizontal also. The hazards are just split to a point --

MR. MOORE: The reason I said that is because it says adjacent panel. So it's, you know -- if you had the same step-up, from the top and bottom, I believe you would be well within that, because it --

MR. LaPORTE: Well, the way these handles are designed, there's three 1/8-inch steps. The overall depression is 3/8 of an inch.

MR. MOORE: Right.

MR. LaPORTE: That does not meet the current code.

MR. MOORE: Right.

MR. LaPORTE: So even horizontal movement would not be code today.

MR. MOORE: Right.

MR. LaPORTE: The hazard here is not so much a snag but a pinch point. And usually you're talking about a child's fingers. And so if a child is holding his hand up against that door as it's opening, it can get pinched in that 3/8 of an inch. Even though there's some steps that may deflect the hand away, it's still 3/8 of an inch. So I guess you have to consider here, too, the traffic and the usage throughout the building. I hate to say it, because it hasn't happened yet and it's never going to happen, so it should be okay, but there's not much in the way of child traffic moving through this building, and I get the importance of historic preservation. So personally, I would not have a problem granting this variance, but I just did want the Board to understand that it's not just at the top and

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MR. MOORE: But is that not what it means under A17.1-2010, under that rule on the second page? I mean, it says "from the adjacent area." So "adjacent," meaning beside, horizontally, is that not how the State would interpret that, Chris, that the adjacent, meaning --

MR. FARMER: The adjacent area is the area right next to.

MR. MOORE: Yes. And the steps actually fall within that, am I correct? It's just basically the lift at the top and the bottom where it is a 3/8 inch. And that's where it does not meet.

MR. FARMER: Because it's looking at 1/4 inch -- or, I'm sorry, an 1/8 of an inch steps, is what it's looking like.

MR. MOORE: Yes, from adjacent side. And where it does not --

MR. FARMER: So it allows 1/8-inch step-downs.

MR. MOORE: Yes. And it's just at the top and the bottom where it goes straight down from flat, and then takes a 90-degree turn down to 3/8 of an inch.

MR. FARMER: I would agree with you, Larry.

MR. MOORE: At least that's the way I read that.

MR. LaPORTE: I guess we have a different interpretation. But that's okay. But, I mean, in either way, I would still not be opposed, not personally, to granting a variance here.

CHAIRMAN FOX: This is the beauty of having you guys on the Board. This is great. Okay. I will entertain a motion.

MR. RADER: I'll make a motion to approve the variance.

MS. O'CONNOR: I'll second it.

CHAIRMAN FOX: We have a second. Are there any conflicts of interest referenced to this particular issue?

(No verbal response.)

CHAIRMAN FOX: All in favor of the motion -- we have a motion and a second. All in favor of the motion, let it be known by saying "aye."

(Affirmative response.)

CHAIRMAN FOX: All opposed, like sign.

(No verbal response.)

CHAIRMAN FOX: Motion carries.

MR. FARMER: We'll make a note in the system that this variance has been approved and it will be passed along to the inspector.

CHAIRMAN FOX: Thank you very much.

The KONE group. Sir, please state your name, address, and phone number.

MR. CHURCH: Mike Church, 948-A Clayton Avenue, Nashville, Tennessee 37204. (816) 365-8037.

CHAIRMAN FOX: Thank you. KONE is involved in a project called the Courtyard by Marriott on West End. We are replacing two hydraulic elevators with a machine room-less elevator. And this is a trend where the industry is moving towards in order to eliminate the hydraulic, which KONE -- and I won't speak for the rest of the industry -- but most of the industry feels is a safer, more environmentally friendly and more efficient elevator system.

Okay. What happens when we're replacing a hydraulic elevator, the code calls for a 4-foot 48-inch toe guard on the elevator.

Now, the hydraulic elevator pits are 48 inches. So when we come to the bottom floor and we have overtravel of 6 inches plus 2 1/2 inches for our stroke, we would contact the pit floor with our toe guard, which is a violation of our interpretation of the rule.

So KONE has proposed three solutions to this issue; one, we've developed and engineered a retractable toe guard. And the retractable toe guard will make contact with the pit floor and retract. And then as we're traveling through the hoistway, we will guard, if the elevator had...
unintended movement, the full 48-inches of the opening required by the code. Now, the toe guard comes with safety switches that tells our controller if it's not retracted. And if it's not covering the full 48 inches of the code, it won't allow the elevator to run.

When it's approaching the floor and hits the floor, it'll have a safety switch on it that will tell if it's okay to retract. So if it's not retractable, it will tell the elevator not to run. So that's the preferred method of what KONE recommends.

Second, we can trench the front of the pit out the width of the door opening, which is what the toe guard protects, an additional 12 inches down. So we'd have a 60-inch total from the seal to the bottom of the pit where the toe guard would go into as the elevator comes down to the floor.

Okay. Not what we feel is the totally safest methodology to do it because we create a tripping hazard, safety hazard, in the pit. Because when anyone, inspectors, elevator technicians that go into the pit to do their maintenance and inspections, they come down backgrounds off the pit ladder, and the trench would be directly behind them. But it is an option.

The third method option that we're suggesting to the Board and asking for a variance -- and we're prepared to do either one of these three solutions -- is to provide not a full 48-inch toe guard, but a 39 1/2-inch toe guard where we would protect the whole opening if the elevator was to move away from the bottom floor, except for 8 1/2 inches. And I think the industry has determined that a fall hazard is 12 inches, so we're within the realm of what is defined by our industry as a fall hazard.

CHAIRMAN FOX: Okay. Anything else, sir?

MR. CHURCH: No.

CHAIRMAN FOX: Okay. Mr. Farmer?

MR. FARMER: This one is a little tougher, in my opinion. We've had this before, and I tried to do a little research. I couldn't find the results of what our last variance was. But this is an occurrence that's probably going to happen a lot. Because as these hydraulic elevators get older, they are replacing them with these eco-friendly traction elevators. So this -- I don't want to put pressure on this vote or this variance but this may set a precedence from here on out, what we do -- well, not me personally, but what y'all do.

So with saying that, the trench idea in the front is a lot of problems, in my opinion. For one, I know this job. I've been on this job. It's a dry pit. And naturally, you start busting concrete out in the pit four foot down, you're liable to hit water and then pits fill up. So I think, in my opinion, I would not recommend that at all. And not only just saying it's an ankle twister, you put a hole in front of people for people to work in, they could trip and fall in it, and it could hurt you.

The retractable toe guard, they make it so apparently, in some states, they allow this to happen. But it is definitely a 180 from what the code says. The code says nothing can hit the pit floor when a fully stroked buffer. So you're going directly against what the code recommends. My recommendation, if we allow anything, it would be the 39 1/2-inch toe guard. To give you some understanding of an elevator when it shuts down above floor and they have to rescue people out of the elevator, sometimes they pull them out of the door. And if you don't have the extended toe guard, it leaves an access or a gaping hole that people fall down in. We had an accident in Vanderbilt where a gentleman was trying to get out of the elevator. He fell down the elevator hoistway because they didn't have a long enough toe guard.

So it's -- I don't know the OSHA standards for a fall hazard or any other standard for a fall hazard, but you are limited, with a 39 1/2-inch toe guard. That would be my recommendation, if there's any at all.

CHAIRMAN FOX: So your recommendation would be to deny part of it, or... MR. FARMER: Well, let me back up just a little bit. So there's testing we do every year. It's Category I testing. They can actually test to make sure this thing is -- the unintended motion is working. Because what it's got to do, if it detects a fault in the elevator and it's floating away from the floor, it's got to actuate the unintended motion within 12 inches, and it's got to set within 48. So if you've got an
elevator that's floating, it's actually got to set and hold within 48 inches. So that's where the 48-inch toe guard comes in. It completely covers the hole of where the testing requires.

So if we could probably do something like allow the 39 1/2-inch toe guard and verify every year that it's setting within that 39 1/2 inches and go back to the MCPs -- it's going to be written in them -- that they tested it and it stays within that parameter every year.

I know that's a lot. I'm sorry.

Mr. Bailey: I'm not exactly sure what this toe guard does, but you asked about fall hazards. And in TOSHA general industry, you've got to be protected if you're four feet or above.

Mr. Farmer: Okay.

Chairman Fox: Yeah, 48 inches.

Mr. Bailey: I don't know if that's why a 48-in toe guard was --

Mr. Farmer: Well, it could be, but it's -- it's -- it's hard to explain, though. If an elevator is sitting there and it floats away from the floor, this guard, it projects down below the elevator in the front side. So if your hoistway doors are open and this elevator starts floating away, if you don't have that guard, then there's an opening there for anyone to fall in.

And believe it or not --

Mr. Rader: Between the hoistway wall and the door itself?

Mr. Farmer: Yes. Yes. And that's happened before. It's not unheard of. It's rare. Don't get me wrong. It's only, that I know of, ever happened once here in the state of Tennessee. And we have adopted codes to protect against this now. So it's -- this is a big deal, because I think, going forward, there's going to be a lot of these, so we need to -- you need to take your time and come up with a scenario that works.

I like the 39 1/2-inch toe guard. I don't know if that would work on every application. Do you think it would?

Mr. Church: Right now, that would be a parameter for 150 foot a minute, right? Because we have 6 inches of under travel, the run by, and then typically our buffer stroke is 2 1/2 inches. So that's where the 8 1/2 comes from.

Mr. Farmer: So it wouldn't work on every scenario.

Chairman Fox: Would or would not work on every scenario?

Mr. Farmer: Would not work.

Chairman Fox: Okay.

Mr. Farmer: And you could do it case by case. But I just, you know -- and this is going to happen again. This is going to keep -- and we've actually talked before about maybe revising some type of local AHA code or law or rule that would says you don't have to come in front of you guys to get this variance. This is how we're going to treat this every time. That may be something in the future you work on.

But for this one, I recommend we do the trench. Trenching is really not against the code, but it's really not recommended. It's not something we want to do.

Chairman Fox: Okay. All right. I would entertain a motion.

Mr. Pope: I make a motion.

Ms. O'Connor: Second it.

Chairman Fox: We have a motion and a second. Any discussion?

(No verbal response.)

Chairman Fox: Hearing none, all in favor of the motion, let it be known by saying "aye."

(Affirmative response.)

Chairman Fox: All opposed, like sign.

(No verbal response.)

Chairman Fox: 39 1/2-inch, sir.

Mr. LaPorte: Yes, sir. So variance in mind. I put it on there. So worse case scenario, we do the trench. And believe it or not --

Mr. Rader: Between the hoistway wall and the door itself?

Mr. Farmer: Yes. Yes. And that's happened before. It's not unheard of. It's rare. Don't get me wrong. It's only, that I know of, ever happened once here in the state of Tennessee. And we have adopted codes to protect against this now. So it's -- this is a big deal, because I think, going forward, there's going to be a lot of these, so we need to -- you need to take your time and come up with a scenario that works.

I like the 39 1/2-inch toe guard. I don't know if that would work on every application. Do you think it would?

Mr. Church: Right now, that would be a parameter for 150 foot a minute, right? Because we have 6 inches of under travel, the run by, and then typically our buffer stroke is 2 1/2 inches. So that's where the 8 1/2 comes from.

Mr. Farmer: So it wouldn't work on every scenario.

Chairman Fox: Would or would not work on every scenario?

Mr. Farmer: Would not work.

Chairman Fox: Okay.

Mr. Farmer: And you could do it case by case. But I just, you know -- and this is going to happen again. This is going to keep -- and we've actually talked before about maybe revising some type of local AHA code or law or rule that would says you don't have to come in front of you guys to get this variance. This is how we're going to treat this every time. That may be something in the future you work on.

But for this one, I recommend we do the 39 1/2 inch and we verify it every year through CAT 1 testing and it's logged, and we make sure that it stays within that. That's what I recommend.

Chairman Fox: Okay. Any discussion from the Board?

Mr. Moorer: Anything about deferring it so we can look at it more?

Mr. Farmer: I mean, they've already applied for a permit for these jobs. I actually permitted these elevators with the variance in mind. I put it on there. So worse case scenario, we do the trench. Trenching is really not against the code, but it's really not recommended. It's not something we want to do.

Chairman Fox: Okay. All right. I would entertain a motion.

Mr. Pope: I make a motion.

Ms. O'Connor: Second it.

Chairman Fox: We have a motion and a second. Any discussion?

(No verbal response.)

Chairman Fox: Hearing none, all in favor of the motion, let it be known by saying "aye."

(Affirmative response.)

Chairman Fox: All opposed, like sign.

(No verbal response.)

Chairman Fox: 39 1/2-inch, sir.

Mr. LaPorte: Yes, sir. So variance in mind. I put it on there. So worse case scenario, we do the trench. Trenching is really not against the code, but it's really not recommended. It's not something we want to do.

Chairman Fox: Okay. All right. I would entertain a motion.

Mr. Pope: I make a motion.

Ms. O'Connor: Second it.

Chairman Fox: We have a motion and a second. Any discussion?

(No verbal response.)

Chairman Fox: Hearing none, all in favor of the motion, let it be known by saying "aye."

(Affirmative response.)

Chairman Fox: All opposed, like sign.

(No verbal response.)

Chairman Fox: 39 1/2-inch, sir.

Mr. Church: Okay.

Chairman Fox: Thank you.

Okay. Item Number 10, going back to the licensing elevator contractors and individuals performing work on elevators. Sir, Mr. LaPorte?
continuing, would you like to discuss the reasoning behind it, sir, or how to look at seeing it --

CHAIRMAN FOX: Yes.

MR. LaPORTE: So currently, as I said before, there is no licensing. Typically, an elevator mechanic becomes the mechanic in a fairly short amount of time. And as of right now, depending on when that may have been -- for example, I became a mechanic in 1987, and there is not one minute of continuing education that has been required from me to continue being a mechanic. As you can imagine, the technology and the codes have changed quite a bit since 1987.

To keep up with the technology, as the industry has progressed, is very important, because the elevators themselves have changed a lot. They have gone a lot more from hands-on maintenance, where people were actually touching, looking at the elevators on a much more frequent basis, to testing. A lot of the equipment has become more maintenance free, like everything else. So the testing and inspection has become much more substantial than what it was in the past. So to ensure that people working on elevators are keeping up with those methodologies and keeping up with the technology and then as we hopefully move to this code with MCP, that we ensure that it's been done properly by Chris's team as they go out to do inspections, the licensing would be, we feel, the absolute method that is done.

You know, as far as how that could look, what we kind of talked about was the initial inception is not requiring people to take tests or anything like that. I think we can be comfortable with just years of experience as inception to get your initial license. Typically, five years of experience working on elevators is what other states have done to allow people to be licensed.

The continuing education piece I mentioned before, standard is ten hours per year. What we would like to specify on that, though, is eight hours of that would be technical training. Other states allow some other things that we didn't think was a good idea. For example, other states will allow eight hours of a company's safety training. They're going to do that anyway, so they need to understand how to safely work on elevators. So we want to specify that that's technical, and then, again, two hours of code training. There are many, many areas available to obtain that training.

Chris had mentioned before he's doing a code training session in-house here, but there are two-hour webinars that somebody can sit at home on their computer for two hours and get that done and satisfy the requirement.

The license itself may be a lot to manage, or if we did an annual license, we talked about letting people carry a license for a period of two or three years, even. But when they go to renew that, the license would show that they did this annual training. The license we felt would be managed by the elevator group cost, again, we don't need this to cost to the State any, but I think it could be done at a pretty minimal cost to those people working on elevators, and the cost of the education. And again, we're only talking ten hours a year would really be pretty minimal. This would also help the State in cases where people are not doing things correctly. The testing, there's been a lot of cases that I'm not saying the same in Tennessee, but just historically in the industry, where people have gone and filled paperwork out and never completed the test. As of right now, we really don't have any way to hold those people accountable. So again, that would be up to Chris's group, but we can do a 30-day suspension on a first offense, a warning, eventually you could pull a license if somebody becomes a repeat offender on things like that. But again, it would be a way to ensure that the people that are working on elevators that move thousands of people per day in the state know what they're going, they're getting training, and they understand the codes that we need to be operating under.

CHAIRMAN FOX: Okay.

MR. FARMER: Can I say something, Chairman?

CHAIRMAN FOX: Sure.

MR. FARMER: Right now, I'm getting at least two calls a week from out-of-state contractors wanting to come and do business in the state of Tennessee. And right now, they have to register with this department, is all they have to do, to come up here -- I mean, I guess, a business
license and the insurance and all that would be
advised, but to do business in the state of
Tennessee, all they have to do is register with
the Department of Labor. That's all you have to
do.

And to me, I want to know who's
working on -- I'm sure the public wants to know
who's working on -- and this is something that we
should not be embarrassed about, but we're way
behind times not having something in place
already. So at a minimum, we need to know who's
doing what. And I think that, you know, when you
get to suspending, that's where it's going to get
scary. You're talking about taking food out of
people's mouths. Or, you know, if you're
suspending an elevator mechanic for doing
something wrong -- and don't get me wrong. If
they're not doing their job, they need to be held
accountable. But where you're going to get the
scary part is how are you holding them
accountable? Are you sending this person home and
he can't draw a paycheck for a month, or are you
fining this elevator company $10,000 for doing
something, you know, unethical. So it's a lot of
legwork.

I put a little bit together already
of some states, what they're doing. I haven't
finished it yet. I hope I can finish it before I
leave, to get what other states are mandating or
regulating. You really need to take that into
consideration, how we're going to hold them
accountable.

You know, it's easy to say you're
going to have to get this education. You've got
to be a mechanic. You've got to be licensed. But
when it comes down to giving the State the teeth
to make them do what's right, is where you're
going to have to get it right.

I got my two cents' worth in. I'm
sorry.

CHAIRMAN FOX: Mr. Hale?

MR. HALE: First, let me say you
have to have a license to be an electrician; you
have to have a license to be a plumber, so --

MR. FARMER: You've got to have a
license to cut hair.

MR. HALE: That's right. That's
right. You've got to have a license to be a
barber. It seems to me to follow good logic that
you should have a license to repair an elevator.

reach out to other states. And if they've got
something that works, just model after what they
have and follow suit and put our Tennessee twist
on it, if we need to, you know, to -- I mean, it's
needed. And I'm not trying to be the elevator
police, you know, or elevator mechanic police, you
know, but for somebody -- and I get calls, I'm
telling you, at least once a week, maybe twice a
week, of people that I don't know want to do
business in the state of Tennessee, and they want
to work on elevators that my kids will ride. And
I think we need somebody policing them a little.

MR. HALE: Are there normally
reciprocal agreements? If you're licensed, let's
say, in Texas, you can apply your training from
Texas --

MR. FARMER: Yeah, I've seen that.
What most the time, what they supply me with -- I
want to get their information to put in the
system, so they usually send me a license from
their home state, is what I'm usually seeing,
so...

MR. LaPORTE: Typically, if you
work in multiple states, you have to carry a
license for each state. But for the inception, to
get a Tennessee license, if you carried a license from another state, that's normally what going to meet our requirements, so we would accept that. So I think the biggest burden, of what I said, how to police them and what's the penalty, and now not to exclude Eastman, their type people. And not to call you out directly, but they have a rare circumstance where they work on their own elevators. So you've got to build this where you don't exclude them, because, I'm telling you, my inspectors went up -- five of my inspectors, to inspect their elevators. They said they're the best running elevators in the state there, maintained elevators. So we wouldn't want to penalize Eastman in this because they work on their own elevators. So it's a burden of the Board or the law of how we can keep from burdening them.

I'm sorry. I got back on my milk crate for a few minutes.

CHAIRMAN FOX: It's okay. A little soapbox don't hurt.

MR. RADER: Couldn't y'all do some research, Chris, on what other states like you were talking about --

That's probably got another 60 or 50. And that's all --

MR. FARMER: That's union elevator mechanic's helpers.

MR. GREGORY: So I'd say probably add another 120, 100 on there.

MR. BAILEY: Do you-all have an apprentice program?

MR. GREGORY: We do, sir. You know, moving forward, if there's any assistance you-all need on this, we've got people full-time that do this throughout the country, help with licensing and stuff like that.

MR. BAILEY: Is there any continuing legal education required to maintain the license?

MR. GREGORY: Well, let me back up. We have people that help states set up their licensing program. We don't maintain their licensing program.

MR. BAILEY: Ch, I see.

MR. GREGORY: The licenses I have held, yes, I had to have eight hours a year. And the question earlier, you know, what happens if you go to another state, you know, if I was going to a project to stay in Alabama for a short time, that might give me a short window. You know, if you're going to be here for two weeks, we'll let you come this one time and one time only. If you're moving here and you've got a license or if you're going to work here normally, you know, on a routine basis, you've got to have a license here as well.

MR. BAILEY: So something I didn't see in the boiler repair is any requirement for continuing. It shows what you have to do to get the license, but I didn't see anything about --

MR. FARMER: That's where the Tennessee twist goes on there. It's different in other states.

CHAIRMAN FOX: I think we would have to do that. And then to the point, there has to be reciprocity. We can't -- I think we have to allow other folks to come in and work. We can't just say if you're from Kentucky, which -- but if you're from Kentucky, you need to be able to come here to work, even though your basketball team may be questionable.

MR. BAILEY: I knew you wasn't going to let it go.
CHAIRMAN FOX: It was just cheap and easy.

Okay. So --

Sir?

MR. GREGORY: I had one other question. Are we talking -- I'm sorry. Are y'all talking about a license for a mechanic and for the companies, or just the mechanic?

CHAIRMAN FOX: I would say it's individuals.

MR. FARMER: Our immediate thought was going to be company and mechanic and register any apprenticeships --

CHAIRMAN FOX: I stand corrected.

MR. FARMER: -- that comes through that needs to be registered. Maybe not license them, but at least have them registered that they're coming up through the ranks.

And there is a such a thing as a TM, which is a temporary mechanic. So you have to be -- you're getting into pretty deep stuff. I mean, if this helper could be -- this apprentice could be set up as a mechanic temporarily if work -- there's so much work going on that they need them to. So I know other states that have temporary licenses for temporary mechanics. You can have license for mechanics and then you have companies that are licensed also.

MR. BAILEY: Well, if we ever have legislation to present, I mean, it could be drafted in such a way that certainly the individual would have to licensed. But an employer that employs a bunch of elevator mechanics, there could be a provision that, you know, would -- it could be a fine if they were to allow an unlicensed elevator mechanic to work on elevators, if we were to find that out, and that would be a fine on the employer and not necessarily the individual mechanic. So it's just food for thought.

MR. LAPERTE: I was going to say other states, the common practice is it's not just the individuals. There's a contractor's license for each company, too. Because you can get into a situation where you have an unlicensed contractor directing licensed employees to do something that they shouldn't be doing, and then you can't hold them accountable, so it's a very important piece of it.

CHAIRMAN FOX: But at the base --

You always look at the bottom line. The bottom line is that person should be held accountable, at the very least.

So anyway, great discussion. What is the pleasure of the Board? What would you-all recommend, that we proceed further with this and if so, is this something we need to hold a workshop on and try to put together the rules?

(No verbal response.)

CHAIRMAN FOX: I'm asking.

MS. O'CONNOR: I would think so.

CHAIRMAN FOX: Are y'all willing --

MR. HALE: Actually, put together a law change --

MR. BAILEY: Proposed legislation.

MS. O'CONNOR: But I was thinking before we put together a law change, we need to get together a workshop, I would think.

CHAIRMAN FOX: Absolutely.

MR. FARMER: I'll do research over the next week and send out what I can. I'll probably pick five random states that are close to us and see what they do, as long as they have a license. And maybe we can just get a copy of their law and rules and send it out to everyone here just to look over it and see what you think.

And then you-all can bump your heads together and see what you come up with.

CHAIRMAN FOX: Just a question of process. So if we have a workshop and we want to get this on next year's legislation, what's the drop-dead dates that we need to meet?

MR. BAILEY: I'm not really the one to answer that. First of all, we're under new administration so, I don't know, the drop-dead dates may have moved a little bit. But I think it has been around August, hasn't it?

MS. JEFFERSON: Around August is when we generally --

MR. BAILEY: Usually, it was --

MR. RADER: So if we had a workshop and then we meet again in June, then we would be good.

MR. BAILEY: If it's still August.

Do you know that?

MR. MCCORD: No, I don't know that. But probably, if it's been August, we should assume it's August. Jeff McCord.

MR. FARMER: It seems way too logical.
CHAIRMAN FOX: I'm sorry?

MR. FARMER: I said it seems way too logical.

CHAIRMAN FOX: There you go. Okay. So do I have a motion --

MS. O'CONNOR: So moved.

CHAIRMAN FOX: -- to hold a workshop that we can all agree to, or a date and time we can agree to, to explore the possibility of implementing licensing certification for elevator mechanics and their companies?

Is that fair?

MS. O'CONNOR: Yes.

CHAIRMAN FOX: Okay. And then we can move forward. And we can clean that up as we need to.

All right. So do I have a motion?

MS. O'CONNOR: Yes.

CHAIRMAN FOX: We have a motion.

MR. HALE: I'll make the second.

CHAIRMAN FOX: All right.

Any further discussion?

MR. HALE: I anticipate that the amusement device subcommittee will have some things ready for a work session as well. Would it be too cumbersome to do both of those things in one work session, or do we believe that we could cover it all in one?

MR. MOORE: I really don't foresee us covering both in one, just simply because there's so many pieces.

MR. HALE: Too much information to handle in one day.

MR. MOORE: Yeah.

CHAIRMAN FOX: Okay. Any further discussion?

(No verbal response.)

CHAIRMAN FOX: Hearing none, all in favor of the motion, let it be known by saying "aye."

(Affirmative response.)

CHAIRMAN FOX: All opposed, like sign.

(No verbal response.)

CHAIRMAN FOX: Motion carries.

Now, we'll have to figure out that date and -- along with -- well, we'll have to work through you-all to make that happen.

MS. JEFFERSON: That's fine.

CHAIRMAN FOX: Because I'm sure you-all are busy between now and the end of the budget.

Okay. Moving right along. The schedule meeting dates for 2019, Tuesday, June the 4th; Tuesday, September the 24th; Wednesday, December the 4th. Those are the days that have been agreed upon.

Next item for discussion would be the division updates on Jurisdiction Online for the following program.

Young lady, would you please come forward, and name, address, and phone number, please.

MS. BARNETT: Doris Barnett. And do you want my work address or my home address?

(No verbal response.)

MS. BARNETT: Either one is fine. 2121 Paula Drive, Madison, Tennessee 37115. Phone number, the area code is (864) 525-7897.

And I am the executive administrative assistant, working with Kim Jefferson, for the Workplace Regulations Compliance Group. I focus
on the Boilers, Elevators, and Amusement Device groups. And my current project that I'm handling is the Jurisdiction Online process.

As the Board has been made aware of previously, we made the Elevator Unit portion live last June. So all of the elevator inspections, we processed through the Jurisdiction Online system.

We did the same for our amusement devices December the 5th. So they've been live for three months now.

What we have for you today is a little bit of information of what we've done, some quality assurance checking, just to make sure we have -- that we're following the path that -- our SOPs for both systems.

My role includes the quality assurance checking. And since we started entering inspections and generating invoices for elevators and generating the permits for the amusement devices, we've had good progress moving forward, making sure that we're trying to meet and exceed the requirements to make sure that we close audit issues that we've had.

Chris has already given accounts for the elevators. I don't think I need to repeat those. I will say that through Jurisdiction Online, I've been tracking the delinquent inspections. And we currently have over 730 days past due, but we are missing an inspector. So that makes it difficult to keep up when we're missing an inspector.

We have over 700, but with 15,000 active elevators -- I did the math -- that's less than one-half of 1 percent that are past due for the inspection. So that's not too bad, in my opinion.

The Jurisdiction Online system also gives us a good view of open code violations. We're tracking those. I don't remember the exact number, when Jurisdiction when live, what our actual code violations were. But our current count is 68. I didn't even consider doing the math on that. I figured it was too low to even register on our percentage bar.

But most of those are non-certificate blocking, which means they can actively use those elevators, even though they have code violations.

Now I'll have to ask Chris to tell us what a cert blocking, as opposed to a non-cert blocking, would be. Of those 68, there are 26 opened in the last 90 days, so they're actively being worked. All but 4 of those were opened in 2019. So they were very new.

One of the things that I've been excited about is that invoices can be emailed and paid online. I know that we want to make sure that Amusement Device does that. We've already spoke to that a little bit earlier.

Again, for amusement devices, Mike has already given the report on the counts for the devices and permits. I do have a list that is available through TN.gov, which shows the compliant and noncompliant companies. There are nine companies that have been referred to local authorities for not being compliant with the law, as far as getting permits to operate in Tennessee.

We have 27 companies who are in the process of getting a permit. We're pending completion of the paperwork for those. And these companies are not considered noncompliant, because they are working to get compliant.

JO uses this report as well, which we're able post online. And I have copies, if anybody would like to see that. But some of the noncompliants on that list date back to 2015, clear up to -- the most recent was last month.

Not all the companies that we issue permits for are actually living in Tennessee. They're not based in Tennessee. But they do apply here, so they have to be permitted. And I see nods across the board so we know that's true.

Again, I'm reviewing the files to ensure that the unit is following the SOP and to make sure that we have all the information, that we know who is being compliant and what they've done to get compliant. And if there's a lack of any particular piece of paper, like an insurance form or something, that's noted in the forms and the folders.

And I think that's everything I had.

CHAIRMAN FOX: Okay. Any questions from the Board? Comments?

The -- and I don't know who has the answer here. The people who have been referred to the attorney general, have we heard any resolution to that?

MS. JEFFERSON: Well, actually, what happens is that they're referred to the local authorities.

CHAIRMAN FOX: Okay.
MS. JEFFERSON: And we refer to the Sheriff's office. We copy the District Attorney's office because the law references it as a Class C misdemeanor. And we also copy the Attorney General's Office because there's injunctive relief also cited in the law. Once we refer them, then our job is done.

We just have to make sure that we exhaust our administrative remedies, and that's by getting it to the local authorities. Sometimes the local authorities do contact us. In fact, I was called earlier this week by the Sheriff's office on one of those cases. Sometimes, the customer, upon receiving that letter, the Sheriff's office will contact them to follow up. It just depends on the territory, the jurisdiction. It just depends.

But for the most part, once we refer them, our job is done unless they contact us. And if they contact us, at that point, we can assist them to obtain a permit.

MS. BARNETT: I believe that has actually occurred in the past.

CHAIRMAN FOX: So have we charged -- I guess my -- your A.G. and mine are different. The District Attorney General is in the various districts throughout the state. We send them information. And do you know if they've sought an indictment against anyone?

MS. JEFFERSON: Generally, they don't because, it's been my experience, they have other cases to work on, the murders and those other cases.

CHAIRMAN FOX: A little more important.

MS. JEFFERSON: And they don't really focus on these type cases, so we rely on the local authorities. The Sheriffs' offices, they've been really cooperative, for the most part, and they have returned our telephone calls. They followed up and they've assisted us in the event that we needed further assistance with that particular customer.

CHAIRMAN FOX: Okay.

MR. HARDY: Chairman, we've had one case to go to court, and the company was fined plus court costs for operating without a permit.

MR. BAILEY: And in that case, did you have to go testify, or somebody from --

MR. HARDY: I did not. Kevin Klutz, our compliance officer in West Tennessee was there.

MR. BAILEY: Just so you know, a Class C misdemeanor is a $50 fine, so it's not high on the District Attorney General's list.

CHAIRMAN FOX: I would agree.

MR. POPE: Can they continue to operate if they're under that?

MS. JEFFERSON: They receive a cease and desist notice. We can't go and lock their business up. I mean, that's not in the law for us to do. Like I said, the Attorney General's office has injunctive authority, so we work with them. If they can -- I think they're pretty much in the same position as the District Attorney's office. They just have a few more cases that are more pending and more important for them.

MR. BAILEY: Has the A.G. sought an injunction at all?

MS. JEFFERSON: They haven't. So far we haven't had one.

MR. BAILEY: I know when I was working in employment security many years ago, we would get injunctions on businesses that had not paid their unemployment premium, and we would actually shut them down, so...

I was the staff attorney at that time. I don't know how all that worked. I'm assuming the A.G.'s office got it for us. But, you know, that's when you get their attention when they can't do business.

CHAIRMAN FOX: Okay. Anything else from the Board?

(No verbal response.)

CHAIRMAN FOX: Okay. The announcement of the next meeting, Number 11. The next regularly scheduled meeting of the Elevator and Amusement Device Safety Board will be held at 9:00 a.m. Central Standard on Tuesday, June 4th, at the State of Tennessee Department of Labor and Workforce Development building located at 220 French Landing Drive, Nashville, Tennessee.

Again, Mr. Farmer, we're going to miss you and we wish you the very best.

MR. FARMER: Thank you.

CHAIRMAN FOX: If we can help you, we'll let you know.

MR. FARMER: I'll be at the next board meeting harassing you from a different
CHAIRMAN FOX: That's all right.
Do I have a motion for adjournment?
MR. RADER: So moved.
MR. POPE: Second.
CHAIRMAN FOX: We are adjourned.
END OF THE PROCEEDINGS.

CERTIFICATE

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

I, Cassandra M. Beiling, a Notary Public in the State of Tennessee, do hereby certify:
That the within is a true and accurate transcript of the proceedings taken before the Elevator and Amusement Device Safety Board and the Chief Inspector or the Chief Inspector's Designee, Tennessee Department of Labor and Workforce Development, Division of Workplace Regulations and Compliance, Elevator and Amusement Device Unit, on the 5th day of March, 2019.
I further certify that I am not related to any of the parties to this action, by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of May, 2019.
Cassandra M. Beiling, CCR, LCR# 371
Notary Public State at Large
My commission expires: 3/15/2020

Stone & George Court Reporting
615.221.1089
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