

NEW YORK CITY DEPARTMENT OF BUILDINGS

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Buildings (DOB) is proposing to add a new rule regarding capacity and loading of elevators.

When and where is the hearing? DOB will hold a public hearing on the proposed rule. The public hearing will take place at 10am on 5/21/18. The hearing will be in the 3rd floor conference room at 280 Broadway.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to dobrules@buildings.nyc.gov.
- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7th floor, New York, NY 10007.
- **Fax.** You can fax comments to the New York City Department of Buildings, Office of the General Counsel, at 212-566-3843.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up in the hearing room before the hearing begins on 5/21/18. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes, you must submit comments by 5/21/18.

What if I need assistance to participate in the hearing? You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail or email at the addresses given above. You may also tell us by telephone at 212-393-2085. You must tell us by 5/7/18.

This location has the following accessibility option(s) available: Wheelchair accessibility.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments and a summary of oral comments concerning the proposed rule will be available to the public at the Office of the General Counsel.

What authorizes DOB to make this rule? Sections 643 and 1043(a) of the City Charter and section 28-103.19 of the City Administrative Code authorize DOB to make this proposed rule.

Where can I find DOB's rules? DOB's rules are in Title 1 of the Rules of the City of New York.

What rules govern the rulemaking process? DOB must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Rule

The purpose of these proposed rule amendments is to update requirements for the posting of information about elevator carrying capacity, and the detection and regulation of overloaded elevators.

The rule:

- adds a new requirement regarding posting of the number of persons permitted on a passenger elevator at one time;
- adds a new requirement that the weight required for a balanced load be indicated on the data plate; and
- adds a new rule regarding detection of overload on passenger and freight elevators.

The rule adds a new section 3610-05 to Title 1 of the RCNY to update the provisions of section 2.16 of American Society of Mechanical Engineers (“ASME”) standard A17.1-2000, and to add requirements for the information provided on plates. Further, the rule adds language regarding detection of overload on passenger and freight elevators in order to improve public safety.

The Department of Buildings’ authority for this rule is found in sections 643 and 1043 of the New York City Charter and section 28-103.19 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Subchapter K of Chapter 3600 of Title 1 of the Rules of the City of New York is amended by adding a new Section 3610-05, to read as follows:

§ 3610-05 Capacity and loading.

(a) New and altered elevator devices must comply with the requirements of this rule.

(b) Pursuant to Section 28-103.19 of the New York City Administrative Code, Sections 1.3 and 2.16 of American Society of Mechanical Engineers A17.1-2000, with supplements A17.1a-2002 and A17.1b-2003, as modified by Chapter K1 of Appendix K of the New York City Building Code, are amended to read as follows:

SECTION 1.3
DEFINITIONS

1.3 Add a new definition of “balanced load” as follows:

BALANCED LOAD. The amount of weight measured as a percentage of the car capacity that must be placed in the elevator such that the suspended load of the car side is equal to the suspended load of the counterweight side.

SECTION 2.16
CAPACITY AND LOADING

2.16.3.2 Information Required on Plates

Revise Section 2.16.3.2.1, and add a new Subsection (c) to Section 2.16.3.2.1, to read as follows:

2.16.3.2.1 Capacity plates must indicate the rated load of the elevator in pounds or kilograms and pounds (see Appendix D). In addition, this plate or a separate plate must indicate

(a) the capacity lifting one-piece loads where the elevator conforms to 2.16.7;

(b) for freight elevators designed for Class C2 loading, the maximum load the elevator is designed to support while being loaded or unloaded (see 2.16.2.2.4(c)); and

(c) Calculated per Appendix D, the number of persons on passenger elevators and freight elevators permitted by 2.16.4 to carry passengers.

Add new Subsection (f) to Section 2.16.3.2.2 to read as follows:

(f) the weight required for balanced load

Add new Section 2.16.10 to read as follows:

2.16.10 Detection of Overload on Passenger Elevators and Freight Elevators Permitted by 2.16.4 to Carry Passengers.

Passenger elevators and freight elevators permitted by 2.16.4 to carry passengers must be designed with the means to detect if the load exceeds the rated capacity of the elevator. If an overload is detected, the elevator doors must reopen and remain open and a voice notification and visual signal must indicate that the car is overloaded.

PROPOSED

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Requirements Regarding Elevator Capacity and Loading

REFERENCE NUMBER: DOB-109

RULEMAKING AGENCY: Department of Buildings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Susan Wang
Mayor's Office of Operations

April 5, 2018
Date

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Requirements Regarding Elevator Capacity and Loading

REFERENCE NUMBER: 2018 RG 010

RULEMAKING AGENCY: Department of Buildings

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: 04/04/2018