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Jim Doyle, Governor
Jack L. Fischer, A.I.A., Secretary

Bruce Hoesly, Code Editor
Legislative Reference Bureau
Suite 200
1 East Main Street
Madison, Wisconsin 53703

Dear Mr. Hoesly:

**TRANSMITTAL OF WRITTEN NOTICE OF HEARING
AND LEGISLATIVE COUNCIL REVIEW**

RULE NO.: Chapters 5, 18 and 21

RELATING TO: Technical requirements for conveyances and licensing of installers
of residential conveyances

AGENCY UNIT RESPONSIBLE: Commerce

PUBLIC HEARING REQUIRED: YES NO

CONTACT PERSON: Larry Swaziek TITLE: Program Manager

TELEPHONE: 267-7701 EMAIL: Larry.swaziek@wisconsin.gov

Pursuant to sections 227.14 (4m) and 227.17, Stats., agencies are required to transmit a written notice of submittal of proposed rules to the Legislative Council and a written notice of hearing to the Legislative Reference Bureau, for publication in the Administrative Register.

On the date on this letter the department is submitting proposed rules to the Legislative Council and is submitting the following material to you:

1. Notice of Public Hearing or 30-Day Notice of Proposed Rulemaking.
2. Fiscal Estimate.
3. Initial Regulatory Flexibility Analysis.
4. Draft of Proposed Rules.

Respectfully submitted,

Jack L. Fischer, A.I.A.
Secretary

COM-10546 (R.01/05)

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that pursuant to ss. 101.02 (15) (j), 101.17, 101.63 and 101.981 to 101.986, Stats., the Department of Commerce will hold a public hearing on proposed rules under chapters Comm 5, 18 and 21 relating to the technical requirements for conveyances and licensing of installers of residential conveyances.

The public hearing will be held as follows:

Date and Time:

Thursday, May 15, 2008
10:00 a.m.

Location:

Thompson Commerce Building
Third Floor Conference Room #3B
201 W. Washington Ave.
Madison, Wisconsin

Interested persons are invited to appear at the hearing and present comments on the proposed rules. Persons making oral presentations are requested to submit their comments in writing. Persons submitting comments will not receive individual responses. The hearing record on this proposed rulemaking will remain open until May 29, 2008, to permit submittal of written comments from persons who are unable to attend the hearing or who wish to supplement testimony offered at the hearing. Written comments should be submitted to Larry Swaziek, at the Department of Commerce, P.O. Box 2689, Madison, WI 53701-2689, or Email at lswaziek@wisconsin.gov.

This hearing is held in an accessible facility. If you have special needs or circumstances that may make communication or accessibility difficult at the hearing, please call (608) 266-8741 or (608) 264-8777 (TTY) at least 10 days prior to the hearing date. Accommodations such as interpreters, English translators, or materials in audio tape format will, to the fullest extent possible, be made available upon a request from a person with a disability.

The proposed rules and an analysis of the proposed rules are available on the Internet at the Safety and Buildings Division Web site at www.commerce.wi.gov/SB/. Paper copies may be obtained without cost from Roberta Ward, at the Department of Commerce, Program Development Bureau, P.O. Box 2689, Madison, WI 53701-2689, or Email at roberta.ward@wisconsin.gov, or at telephone (608) 266-8741 or (608) 264-8777 (TTY). Copies will also be available at the public hearing.

The small business regulatory coordinator for the Department of Commerce is Carol Dunn, who may be contacted at telephone (608) 267-0297, or Email at carol.dunn@wisconsin.gov.

COM-10543 (R.06/04)

INITIAL REGULATORY FLEXIBILITY ANALYSIS

Department of Commerce

RULE NO.: Chapters Comm 5, 18 and 21

RELATING TO: Technical requirements for conveyances and licensing of installers of residential conveyances

1. Types of small businesses that will be affected by the rules.

Small business selling or providing services on conveyance equipment or small businesses that own buildings with conveyances will be affected by the proposed rules. However, based on the minimal costs to provide the safety features of the Firefighters' Emergency Operation (FEO) key switch and to test hydraulic elevators with below ground cylinders, the Department believes there will be no significant impact on small businesses. The following is a summary of the proposed changes:

- a) The proposed rules update chapter Comm 18 by adopting the most current edition of the ASME A17.1, Safety Code for Elevators and Escalators and ASME A18.1, Safety Standard for Platform Lifts and Stairway Chairlifts. It is important for all elevator companies to be designing and providing services to the general public using the most current edition of the national safety standards.
- b) When an elevator is added to a building or an existing elevator has certain alterations, the FEO key will be required. The cost of the key per elevator and per machine room is approximately \$45 and approximately \$60 per hour for installation. The typical installation time is one hour. It is important that elevator companies provide the same key throughout the building to help ensure the safety of firefighters and building occupants should fire or other emergencies occur.
- c) The annual test for hydraulic elevators with below ground cylinders is approximately \$500 per elevator. If oil is leaking from these below ground cylinders and not corrected, the safety of the riding public could be jeopardized.

2. Reporting, bookkeeping and other procedures required for compliance with the rules.

The rules create a new form for reporting of 5-year safety tests on elevators. The new form helps simplify the process for reporting the testing results.

3. Types of professional skills necessary for compliance with the rules.

For any small business installing, repairing or maintaining conveyances, the individuals providing these services must be licensed as specified under chapter Comm 5.

4. Rules have a significant economic impact on small businesses.

No Rules not submitted to Small Business Regulatory Review Board

Yes Rules submitted to Small Business Regulatory Review Board

COM-10547 (R.05/05)

NOTICE of ENVIRONMENTAL ANALYSIS

Department of Commerce

Rule No.: Chapters Comm 5,18, and 21

Relating to: Technical requirements for conveyances and licensing of installers of residential conveyances

Notice is hereby given that the Department has considered the environmental impact of the proposed rules. In accordance with chapter Comm 1, the proposed rules are a Type III action. A Type III action normally does not have the potential to cause significant environmental effects and normally does not involve unresolved conflicts in the use of available resources. The Department has reviewed these rules and finds no reason to believe that any unusual conditions exist. At this time, the Department has issued this notice to serve as a finding of no significant impact.

COM-10534 (N.03/97)