

NEW YORK CITY DEPARTMENT OF BUILDINGS

Notice of Public Hearing and Opportunity to Comment on Proposed Rule

What are we proposing? The Department of Buildings (DOB) is proposing to add a new rule regarding multicompartment 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 9/11/15. The hearing will be in the 6th floor conference room at 280 Broadway.

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

- **Website.** You can submit comments to 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 before the hearing by: (1) calling 212-393-2085; (2) emailing dobrules@buildings.nyc.gov; or (3) signing up in the hearing room before the hearing begins on 9/11/15. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by 9/11/15.

What if I need assistance to participate in the hearing? If you require a reasonable accommodation to participate in the hearing, including, but not limited to, a sign language interpreter, you must notify the Office of the General Counsel by mail or email at the addresses given above or by telephone at 212-393-2085. You must tell us by 9/4/15.

Can I review the comments made on the proposed rule? You can review the comments made online on the proposed rule by going to the website at <http://rules.cityofnewyork.us>. A few days after the hearing, written comments and a summary of oral comments received at the hearing 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 New York City Charter, section 28-103.19 of the New York City Administrative Code and section BC 3001.2 of the New York City Building Code authorize DOB to make this proposed rule. This proposed rule was not included in DOB's regulatory agenda for this fiscal year because it was not contemplated when DOB published the agenda.

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 Proposed Rule

The proposed rule adds a new section 3610-04 regarding multicompartment elevators to Title 1 of the RCNY. The proposed rule will update the provisions of section 2.27 of American Society of Mechanical Engineers (“ASME”) standard A17.1-2000 to conform it to the requirements of ASME A17.1-2013. By requiring additional safety enhancements for multicompartment elevators during fire emergency operations, the updated standard will also enhance public safety.

The Department of Buildings’ authority for this proposed rule is found in sections 643 and 1043 of the New York City Charter, section 28-103.19 of the New York City Administrative Code and section BC 3001.2 of the New York City Building 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 3610-04, to read as follows:

§ 3610-04 Multicompartment elevators. Pursuant to Section 28-103.19 of the New York City Administrative Code and Section BC 3001.2 of the New York City Building Code, Section 2.27.3.5 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, is hereby amended to read as follows:

SECTION 2.27
EMERGENCY OPERATION AND SIGNALING DEVICES

Delete and revise Section 2.27.3.5 to read as follows:

2.27.3.5 Multicompartment Elevators. Multicompartment elevators shall also conform to 2.27.3.5.1 through 2.27.3.5.10 and shall be designed to have a usable hoistway entrance for the lower compartment when the upper compartment is at the designated or alternate level. When the upper compartment has been recalled to the designated or alternate level and Phase I Emergency Recall Operation is in effect, the car and hoistway doors for both compartments shall open.

Delete and revise Section 2.27.3.5.1 to read as follows:

2.27.3.5.1 The “FIRE RECALL” switch (2.27.3.1) shall be located at the designated level served by the upper compartment. Where a sky lobby exists, a “FIRE RECALL” switch shall also be located at the floor served by the upper compartment that is immediately above the sky lobby level. This level above the sky lobby level shall be the sky lobby designated level.

Delete and revise Section 2.27.3.5.2 to read as follows:

2.27.3.5.2 The Phase II Emergency In-Car Operation switch (see 2.27.3.3) shall be located in the upper compartment.

Add new Sections 2.27.3.5.3 through 2.27.3.5.10 to read as follows:

2.27.3.5.3 A visual and audible signal (see 2.27.3.1.6(h)) shall be provided in the main car operating panel of both the upper and lower compartments.

2.27.3.5.4 A minimum 3” diagonal video display shall be installed in the car operating panel of the upper compartment so that the entire floor area in the lower compartment is visible. The display shall show the lower compartment when the upper deck is on Phase I Emergency Recall Operation and is at the designated level with the car doors open and shall remain on during Phase II Emergency In-Car Operation.

2.27.3.5.5 Moving the Phase II Emergency In-Car Operation key switch to the “FIREMAN SERVICE” position shall result in locking out the lower compartment.

(a) When placed in the “FIREMAN SERVICE” position, the control system shall:

(1) disable all door reopening devices in the lower compartment; and

(2) initiate closing of the lower compartment doors in accordance with 2.13.4.2.1(c).

(b) When the upper compartment is stopped at the designated level, the Phase II Emergency In-Car Operation key switch is in the “NORMAL” position and Phase I Emergency Recall Operation is in effect, the lower compartment doors shall be opened.

2.27.3.5.6 Two-way hands-free voice communication shall be established between the upper and lower compartments when the elevator is on Phase I Emergency Recall Operation, the upper compartment is at the designated or alternate level, and the car and hoistway doors are open. Voice communication between the two compartments shall be maintained until such time as the elevator is returned to normal service.

2.27.3.5.7 A switch labeled “LOWER COMPARTMENT RECOVERY” with two positions marked “OFF” and “ON” shall be located adjacent to the elevator at the designated level. The key shall only be removable when the switch is in the “OFF” position.

(a) When the switch is in the “ON” position, the doors of the upper and lower compartments shall close in accordance with 2.13.4.2.1(c), and the lower compartment shall move to the designated level.

(b) When the lower compartment arrives at the designated level, the doors of the lower compartment shall open and remain open until the switch is turned to the “OFF” position. The doors of the upper compartment shall remain closed.

(c) When the switch is turned to the “OFF” position, the doors of the lower compartment shall close and the upper compartment shall arrive at the designated level and open the doors.

(1) The doors of the upper compartment shall remain open until:

(i) the elevator is placed on Phase II Emergency In-Car Operation; or

(ii) the elevator is returned to normal operation.

(2) The doors of the lower compartment shall remain closed until such time as:

(i) the elevator is returned to normal operation;

(ii) the “LOWER COMPARTMENT RECOVERY” switch is operated and the lower compartment has returned to the designated level; or

(iii) the elevator is on “FIREMAN SERVICE” Phase I Emergency Recall Operation.

2.27.3.5.8 Activation of a fire alarm initiating device at either the designated level or the level below the designated level shall cause the elevator(s) to travel to the alternate level.

2.27.3.5.9 Activation of a fire alarm initiating device at the sky lobby or the level above the sky lobby (which is the sky lobby designated level) shall cause the elevator(s) to travel to the sky lobby alternate level.

2.27.3.5.10 Alternate levels shall be located in accordance with the following provisions:

(a) Where no blind hoistway exists, the alternate level shall be three (3) levels above the designated level.

(b) Where blind hoistways exist, the alternate level shall be the second level above the blind hoistway.

(c) The sky lobby alternate level shall be three (3) levels above the sky lobby designated level.

**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: Reference Standard for Multicompartment Elevators

REFERENCE NUMBER: DOB-70

RULEMAKING AGENCY: DOB

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/ Norma Ponce
Mayor's Office of Operations

August 3, 2015
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: Reference Standard for Multicompartment Elevators

REFERENCE NUMBER: 2015 RG 075

RULEMAKING AGENCY: Department of Transportation

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: August 3, 2015