

## House Bill 886

Date: February 18, 2021  
Committee: Environment and Transportation Committee  
Bill Title: Public Safety - Elevator Inspections - Transit Compact Authority  
Re: Letter of Information

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The Maryland Department of Labor (MDL) respectfully submits this letter of information on House Bill 886, Public Safety - Elevator Inspections - Transit Compact Authority, which only affects the Washington Metropolitan Area Transit Regulation and Authority, which in turn creates WMATA.

Maryland Department of Labor enforces Part II of the Elevator laws, including certain inspections and oversight. For the 10 years before October 1, 2019, WMATA has been operating under a memorandum of understanding (MOU) where annual and 5-year inspections were self-conducted under §12-807 of the Public Safety Article. As of October 1, 2019, §12-806(d)(4)(ii) added to Part II that a test on an elevator of a publicly owned building that requires an inspector to witness the test shall be performed by a licensed elevator mechanic in the physical presence of a third-party qualified elevator inspector (TPQEI). The MOU for WMATA self-inspection expired on the same date required TPQEI witnessing tests performed by licensed elevator mechanics in public sector facilities became effective.

The provisions of this bill would exempt WMATA from the requirements to have required tests be performed by a licensed mechanic in the presence of a TPQEI. Additionally, the effects of this bill would exempt WMATA from any state required inspections or oversight. The state would not perform finals, alterations, accidents, complaints or third-party monitoring inspections. WMATA would not be required to register new units, submit reports, or notify the state of accidents.

Labor is unaware of any standards or procedures WMATA has adopted to ensure the safe operation of elevators/escalators that would otherwise be subject to the state's elevator safety laws.

The expiration of the self-inspection MOU increased communication and has brought to the attention of the Department the following:

- From October 1, 2019 through February 2, 2021 Labor has received 9 accidents/complaints in the WAMATA system out of 212 active units (4.24%)- these figures are despite COVID reduction in ridership.

- Since October 1, 2019 Labor has received 84 accidents/complaints across all other 24,165 active units across the state (.3%).

The Elevator unit of Labor ran a report from 10/1/2009 to 9/30/2019 of reported accidents and complaints submitted by WMATA. In those 10 years the MOU was in effect, WMATA reported only 2 accidents/complaints to Labor. In the 16 months after the MOU expired, WMATA reported 350% more accident or complaint reports than in the previous 120 months.

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