



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

COMMISSIONER RICH TRUMKA JR.

February 1, 2022

Chair Delores G. Kelley
Finance Committee
3 East
Miller Senate Office Building
Annapolis, MD 21401

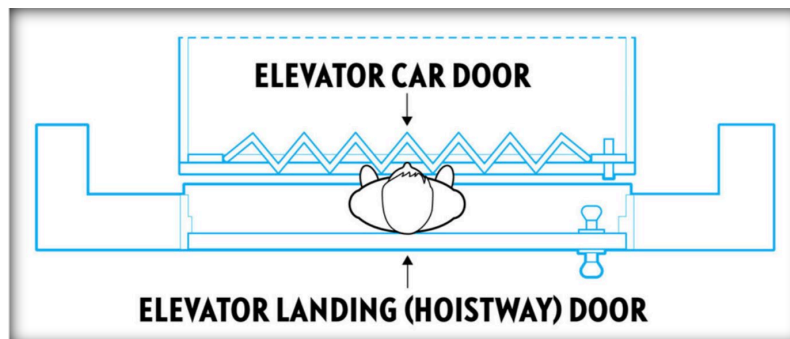
Re: Testimony **In Support** of SB 34 Residential Elevators – Inspections

Dear Chair Kelley,

I write in support of Maryland SB 34, an act to require professional inspections of residential elevators each time they are installed or change ownership. These comments represent my own individual views, rather than those of the U.S. Consumer Product Safety Commission (CPSC).

As a CPSC Commissioner, my mission is to protect the public from unreasonable risks of injury or death associated with consumer products, including residential elevators. These elevators can pose serious risks.

Tragically, experience has shown that dangerous gaps between the doors of residential elevators can trap and injure children. This diagram illustrates the hazard:



Source: CPSC Urgent Warning: Stop Using Waupaca Residential Elevators Due to Fatal Entrapment and Serious Fall Hazards (Jan. 11, 2022), <https://www.cpsc.gov/Newsroom/News-Releases/2022/CPSC-Urgent-Warning-Stop-Using-Waupaca-Residential-Elevators-Due-to-Fatal-Entrapment-and-Serious-Fall-Hazards>.

CPSC has stated that it is aware of at least 131 injuries from door entrapments in residential elevators.¹ In a 2017 memorandum, CPSC staff identified five children who died after being caught and crushed by elevator doors, and an additional three children who became trapped between an outer hoistway door and an inner accordion door, two of whom suffered grave injuries from entrapment.² In one case, a 4-year-old “was found dangling in the elevator shaft, upside down, with his foot lodged between the elevator car and the elevator shaft.”³ He “suffered physical scarring and permanent vision loss as a result.”⁴ In the summer of 2021 alone, three more children became entrapped in residential elevators and one of them was fatally crushed.⁵

In most cases, these horrific entrapments could be prevented with a cheap and simple fix: a space guard that fills the gaps between the inner and outer elevator doors. CPSC has approached residential elevator companies whose products pose entrapment risks and tried to remedy the hazards. Several companies agreed to voluntary recalls: Otis Elevator Company,⁶ Bella Elevator, LLC,⁷ Inclinator Company of America,⁸ and Savaria Corporation⁹ have agreed to voluntary recalls providing space guards. However, other companies have refused. When Waupaca Elevator Company, Inc. refused to recall its residential elevators, CPSC was forced to issue a warning to the public to stop using the elevators until they could be examined by a local elevator service company or qualified inspector.¹⁰ Similarly, CPSC was forced to sue thyssenkrupp Access Corp. when it refused to recall its residential elevators.¹¹

¹ *Staff Recommendation to the Commission on Petition CP 15-1 Requesting Rulemaking on Residential Elevators*, at 37 (Mar. 15, 2017) (online at <https://www.cpsc.gov/content/Commission-Briefing-Package-Petition-CP-15-1-Requesting-Rulemaking-on-Residential-Elevators>).

² *Id.* at 35–36.

³ *CPSC Urgent Warning: Stop Using Waupaca Residential Elevators Due to Fatal Entrapment and Serious Fall Hazards* (Jan. 11, 2022) (online at <https://www.cpsc.gov/Newsroom/News-Releases/2022/CPSC-Urgent-Warning-Stop-Using-Waupaca-Residential-Elevators-Due-to-Fatal-Entrapment-and-Serious-Fall-Hazards>).

⁴ *Id.*

⁵ *Id.*

⁶ *Otis Elevator Company Recalls to Inspect Private Residence Elevators Due to Entrapment Hazard; Risk of Serious Injury or Death to Young Children* (Dec. 17, 2020) (online at <https://www.cpsc.gov/Recalls/2021/Otis-Elevator-Company-Recalls-to-Inspect-Private-Residence-Elevators-Due-to-Entrapment-Hazard-Risk-of-Serious-Injury-or-Death-to-Young-Children>).

⁷ *Bella Elevator Recalls Residential Elevators Due to Child Entrapment Hazard; Risk of Serious Injury or Death to Young Children* (Jan. 11, 2022) (online at <https://www.cpsc.gov/Recalls/2022/Bella-Elevator-Recalls-Residential-Elevators-Due-to-Child-Entrapment-Hazard-Risk-of-Serious-Injury-or-Death-to-Young-Children>).

⁸ *Inclinator Company of America Recalls Residential Elevators Due to Child Entrapment Hazard; Risk of Serious Injury or Death to Young Children* (Jan. 11, 2022) (online at <https://www.cpsc.gov/Recalls/2022/Inclinator-Company-of-America-Recalls-Residential-Elevators-Due-to-Child-Entrapment-Hazard-Risk-of-Serious-Injury-or-Death-to-Young-Children>).

⁹ *Residential Elevators Recalled by Savaria Corporation Due to Child Entrapment Hazard; Risk of Serious Injury or Death to Young Children* (Jan. 11, 2022) (online at <https://www.cpsc.gov/Recalls/2022/Residential-Elevators-Recalled-by-Savaria-Corporation-Due-to-Child-Entrapment-Hazard-Risk-of-Serious-Injury-or-Death-to-Young-Children>).

¹⁰ *CPSC Urgent Warning: Stop Using Waupaca Residential Elevators Due to Fatal Entrapment and Serious Fall Hazards* (Jan. 11, 2022) (online at <https://www.cpsc.gov/Newsroom/News-Releases/2022/CPSC-Urgent-Warning-Stop-Using-Waupaca-Residential-Elevators-Due-to-Fatal-Entrapment-and-Serious-Fall-Hazards>).

¹¹ *CPSC Sues thyssenkrupp Access Corp. Over Deadly Gap Hazard in Residential Elevators; Action Prompted by Three Incidents: One Child Died, Another Permanently Disabled, and a Third Hospitalized After*

Hazardous residential elevators remain in homes. This bill will help address that risk. Professional elevator inspectors are equipped to identify hazards in residential elevators and recommend appropriate solutions to minimize risks—but only if they have the chance to inspect the elevators. This bill would make those inspections happen and help catch hazards before more tragedies strike.

Thank you for your consideration, and I urge a favorable report on SB 34.

Sincerely,

/s/ Rich Trumka Jr.

Rich Trumka Jr.

Commissioner

U.S. Consumer Product Safety Commission