

2025 SENATE INDUSTRY AND BUSINESS

SB 2336

2025 SENATE STANDING COMMITTEE MINUTES

Industry and Business Committee Fort Union Room, State Capitol

SB 2336
1/28/2025

A bill relating to definitions applicable to conveyance regulation and the membership of the state electrical board; to provide for application.

2:29 p.m. Chairman Barta opened the hearing.

Members present: Chairman Barta, Vice-Chairman Boehm, Senator Klein, Senator Kessel, Senator Enget

Discussion Topics:

- Safety issues and danger
- Elevator inspection and certification
- Electrical inspection of public buildings
- Registered and licensed elevator inspectors and elevator mechanics
- Industry checklist and codes
- Registry creation
- Permit and certificate of operation issue
- Safety acceptance test
- Incident reporting, examples and definition
- Entrapment time frame qualifications
- Reliability and safety
- Industry standards and maintenance contract
- Number of elevators in the state
- Labor and cost of labor
- Construction, inspection and OSHA
- Firefighters and stalled elevators
- Elevator components
- Fire inspection and safety control
- Agreements with building owners
- Emergency conditions
- Uniformity of inspections
- New elevator fees
- Government standards/oversight and potential lawsuit
- Joint Commission Certification
- Rule conformity and regularity
- Private industry development
- Market expansion
- Biannual inspection and cost savings

2:30 p.m. Senator Greg Kessel, District 39, testified in favor and introduced the bill.

2:33 p.m. James Schmidt, Executive Director of the State Electrical Board, testified neutrally and submitted testimony #31739.

2:39 p.m. Calvin Benson, lawyer representing the elevator marketing work, introduced the following speaker.

2:39 a.m. Kevin Sullivan, Certified Elevator Mechanic and Qualified Elevator Inspector, testified in favor.

2:49 p.m. Ryan Parkos, Certified Elevator Mechanic, testified in favor.

2:53 p.m. Kevin Sullivan, Certified Elevator Mechanic and Qualified Elevator Inspector, testified in favor.

3:01 p.m. Jesse Larson, Certified Elevator Mechanic and owner of Larson Elevators, testified in favor.

3:11 p.m. Darren Schimke, President of the Professional Firefighter's of ND, testified in favor and submitted testimony #32086.

3:17 p.m. Douglas Nelson, ND State Fire Marshal, testified in favor and submitted testimony #31749.

3:26 p.m. Chairman Barta closed the hearing.

3:27 p.m. Chairman Barta reconvened the hearing.

3:28 p.m. James Schmidt, Executive Director of the State Electrical Board, testified in neutral and answered questions.

Additional written testimony:

Brian W. Poykko, resident of Grand Forks, ND, submitted testimony #31875 in favor.

4:00 p.m. Chairman Barta adjourned the meeting.

Audrey Oswald, Committee Clerk

NEUTRAL TESTIMONY for SB 2336**PRESENTED BY JAMES SCHMIDT****EXECUTIVE DIRECTOR, NORTH DAKOTA STATE ELECTRICAL BOARD**

Chairman Barta and Members of the Senate Industry and Business Committee:

I am James Schmidt, executive director for the North Dakota State Electrical Board with neutral testimony for Senate Bill 2336.

Last May 2024 the board office was approached by the Elevator Industry Work Preservation and International Union of Elevator Constructors asking if our office would consider performing conveyance (elevators, escalators, dumb waiters etc.) inspections in North Dakota. We were told there are only two states in the United States that do not require conveyance (elevators and the like) inspections and ND was one of them.

Currently our electrical inspectors inspect the power disconnect for the conveyance equipment and that's where electrical inspections end. When a new elevator is installed in North Dakota our office does require it is to be registered with our office but that is all the law currently requires in ND. As such, no formal inspection is carried out on the conveyance equipment, such as the personnel cab or car, elevator shaft, fire alarm interface, controls etc. Further, ND law does not provide for scheduled annual follow-up inspections, as are required in other states.

Our agency doesn't receive any money from the state general fund and with the reserves we have, if this legislative body thinks SB 2336 is a good idea, it would be possible for us to employ a conveyance industry expert to inspect conveyance installations.

By administrative rule we could adopt standard industry conveyance codes and come up with a reasonable inspection fee to cover the cost

of those inspections. We would ensure the conveyance equipment complies with standards already set forth in that industry.

Again, if this legislative body thinks SB 2336 a good thing to do in the state, our board will support this and we will take it on; if not, that's ok too.

I thank the bill sponsors and this committee for hearing my comments and I would be happy to answer any questions you may have.



TESTIMONY

Douglas Nelson, State Fire Marshal

Senate Industry and Business Committee

January 28th, 2025

To the Honorable Senator Barta, Chairman of the Senate Industry and Business Committee, and Committee members,

As both a volunteer firefighter and a full-time firefighter, I have been on many emergency incidents involving elevators. I have also trained and responded to use elevators as part of the fire service's emergency operations. In either form, it is important for them to be safe for citizens to operate under normal conditions, and critical to firefighters during an emergency that they work properly. Senate Bill 2336 proposes regulating conveyance elevators through the electrical board.

Over the last five years, North Dakota fire departments have responded to 460 incidents where our citizens were removed from or stuck in a stalled elevator. This is an average of 92 times every year. On top of that, we as the North Dakota Fire Service also respond on average to a defective elevator with no occupants approximately 25 times annually.

These responses are not only a safety concern, but also take fire departments out of service during that response for other emergencies. Considering that much of our state is rural and may not have elevators, this burden is shifted greatly to the larger city fire departments.

Not only would an elevator inspector advocate for safety through licensing and inspections, but would assist building and fire officials with elevator code. Both the state building and fire codes have elevator related safety items referenced. However, we often lack the experience or training to understand much beyond the little that our codes cover. An elevator inspection program would increase safety, reduce emergency response burdens, and assist local and state jurisdictions with safety enforcement.

Thank you for your time today. I respectfully ask for your support on Senate Bill 2336.

POYKKO

ENGINEERING

January 27, 2025

Dear Senator Barta, Representative Warrey, and Committee Members :

I am writing in regard to SB 2336 which relates to the regulation of conveyances (elevators), elevator contractors, mechanics, and inspectors. I support these regulations, but I am unsure who would be the proper party to be administrating these regulations.

As proposed, the provisions for conveyances are to be inserted into Chapter 43-09 - Electricians - of the Century Code and would be the responsibility of the State Electrical Board. As conveyances are much more than an electrical system, it would seem to be more appropriate for this subject to be a separate entry in some other title or chapter of the NDCC. For example, under Title 23 - Health and Safety, or Title 18 - Fires. Or a separate chapter in Title 43 - Occupations and Professions.

To illustrate I've attached a typical elevator inspection form in which I've highlighted only the electrical items. There are more inspection items that are none electrical and therefore not typically covered by "Electricians".

Please call or email if you have any questions for me.

Thank you.



W. Brian Poykko, P.E.
3712 Belmont Road
Grand Forks, ND 58201
701 739-3128

Encl. Illinois Elevator Inspection Form

ELEVATOR INSPECTION FORM



Company Info

Name _____
Address _____
City St Zip _____
Phone _____ Fax _____



Date: _____
Code Edition: ASME A17.1 _____ A17.3 _____
V/T/C _____
ID # _____ Convey # _____

Address _____ Unit _____ Inspection & Test ☐ Routine ☐ Periodic ☐ Acceptance
Bldg. Name _____ Make _____ Power _____ FL/PT _____
Bldg. Rep. _____ Speed _____ fpm Capacity _____ Em Ph _____
Phone No. _____ Em Light _____

	OK	NG	NA		OK	NG	NA		OK	NG	NA
1. ELEVATOR-INSIDE OF CAR											
1.1 Door reopening device	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.24 (T) AC drives from a DC source	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.25 (T) Car, overhead, & deflector sheaves	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2 Stop switches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.25 (T) Traction sheaves	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.26 (T) Broken rope, chain, or tape switch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.3 Operating control devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.26 (T) Secondary & deflector sheaves	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.27 Crosshead data plate & rope data tags	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.4 Sills & car floor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.27 (T) Rope fastenings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.28 Counterweight & counterweight buffer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.5 Car lighting & receptacles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.28 (T) Terminal stopping devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.29 Counterweight safeties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.6 Car emergency signal-lighting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.29 (T) Car & counterweight safeties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.30 Speed test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.7 Car door or gate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.30 Hydraulic power unit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.31 Slack rope device-roped hydr elevs (*)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.8 Door closing force	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.31 Relief valves	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.32 Traveling sheave-roped hydr elevs (*)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.9 Power closing of doors or gates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.32 Control valve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.33 (T) Compensating ropes & chains	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.10 Power opening of doors or gates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.33 Tanks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. ELEVATOR-OUTSIDE HOISTWAY			
1.11 Car vision panels & glass car doors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.34 Flexible hydr hose & fitting assemblies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.1 Car platform guard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.12 Car enclosure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.35 Supply line & shutoff valve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.2 Hoistway doors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.13 Emergency exit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.36 Hydraulic cylinders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.3 Vision panels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.14 Ventilation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.37 Pressure switch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.4 Hoistway door locking devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.15 Signs & operating device symbols	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.38 Roped water hydraulic elevators	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.5 Access to hoistway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.16 Rated load, platform area, & data plate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.39 Low oil protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.6 Power closing of hoistway doors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.17 Standby power operation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.40 Inspection control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.7 Sequence operation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.18 Restricted opening of car or hoistway doors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.41 Maintenance records	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.8 Hoistway enclosure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.19 Car Ride	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.42 Static control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.9 Elevator Parking devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. ELEVATOR-MACHINE ROOM				3. ELEVATOR-TOP OF CAR				5. ELEVATOR-PIT			
2.1 Access to machine space	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.1 Top-of-car stop switch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.1 Pit access, lighting, stop switch, & condition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.2 Headroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.2 Car top light & outlet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.2 Bottom clearance, runby & min. refuge space	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.3 Lighting & receptacles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.3 Top-of-car operating device	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.3 (T) Final & emergency terminal stopping devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.4 Machine space	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.4 Normal terminal stopping devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.4 Normal terminal stopping devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.5 Housekeeping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.5 Clearance, refuge space standard railing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.5 Traveling cables	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.6 Ventilation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.6 Final & emerg terminal stopping devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.6 Governor-rope tension devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.7 Fire extinguisher	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.7 Car leveling & anticreep devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.7 Car Frame & platform	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.8 Pipes, wiring, & ducts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.8 Top emergency exit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.8 Car safeties & guiding memb-incl roped-hydr elev(*)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.9 Guarding of exposed auxiliary equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.9 Floor & emerg identification numbering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.9 (T) Buffers & emerg terminal speed limiting devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.10 #ing of elevators, machines, disconnects	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.10 Hoistway construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.10 (T) Compensating chains, ropes & sheaves	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.11 Disconnecting means & control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.11 Hoistway smoke control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.11 Plunger & cylinder	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.12 Controller wiring, fuses, grounding, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.12 Pipes, wiring & ducts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.12 Car buffer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.13 Governor, overspeed switch, & seal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.13 Windows, projections, recesses, & setbacks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.13 Guiding members	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.14 Code data plate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.14 Hoistway clearances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5.14 Supply piping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.15 (T) Static control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.15 Multiple hoistways	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. ELEVATOR-FIRE SERVICE			
2.16 (T) Overhead beam & fastenings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.16 Traveling cables & junction boxes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PH 1 ONLY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.17 (T) Drive machine brake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.17 Door & gate equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PH 1 & PH 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.18 (T) Traction drive machines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.18 Car frame & stiles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FAID Date: / /	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.19 (T) Gears, bearings, & flexible coupling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.19 Guide rails fastening & equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. ELEVATOR TACTILE IDENTIFICATION			
2.20 (T) Winding drum mach & slack cable dev	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.20 Governor rope	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(410 ILCS 30/1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.21 (T) Belt or chain-drive machine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.21 Governor releasing carrier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
2.22 (T) Motor generator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.22 Wire rope fastening & hitch plate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
2.23 (T) Absorption of regenerated power	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3.23 Suspension rope	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
				3.24 (T) Top counterweight clearance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

COMMENTS:

OK-meets requirement NG-insert number to identify comment NA-not applicable (T) Traction Cars (*) installed under A17 1b-1989 and later editions

THIS IS THE OFFICIAL INSPECTION FORM APPROVED BY THE ELEVATOR SAFETY REVIEW BOARD, THE OFFICE OF THE STATE FIRE MARSHAL (OSFM). THE ELEVATOR SAFETY AND REGULATION ACT (225 ILCS 312) MANDATES EACH CONVEYANCE BE INSPECTED ANNUALLY.

☐ FAIL - RE-INSPECT IN _____ DAYS

☐ PASS - CONDITION GOOD - Approved for Certificate

Conveyance must be registered with OSFM prior to issuance of certificate of operation.

Elevator Co / Building Representative

Elev Co Lic # IL _____

Elev Mech Lic # IL _____

Inspector's Signature

Inspector QEI# _____

Inspector's Lic # IL _____

Professional Fire Fighters of North Dakota

Darren Schimke, President | 218-779-4122 | dschimke@wiktel.com

1/28/2025

Senate Industry and Business Committee

Re: SB 2336

Chairman Barta and members of the Senate Industry and Business Committee,

My name is Darren Schimke, President of the Professional Fire Fighters of North Dakota (PFFND). I represent 420 professional firefighters across the State of North Dakota. We do appreciate the opportunity to provide testimony in support of SB 2336.

As a career firefighter in Grand Forks, I have been part of a crew that has responded to countless emergency calls pertaining to elevator issues over the years. These responses mainly consist of stalled elevators with no souls on board, stalled elevators with trapped souls on board not experiencing any medical and/or psychological issues, and trapped souls on board that are experiencing medical and/or psychological issues. Whatever the circumstances encountered, we need to locate the stalled elevator car, determine if anyone is trapped and remove them safely, medically assess and treat the trapped souls, disable the elevator system, mark the system "out of service", and notify building maintenance or owner of the issue. This process takes time and resources that may be needed at an emergency scene elsewhere. In Grand Forks, we responded to 13 elevator incidences in 2022, 10 in 2023, and 9 in 2024, respectfully.

With not having a formal licensing and inspection system within North Dakota, the elevator systems are not thoroughly inspected regularly. Once a new system is installed, it is inspected by the local Fire Marshalls office and then yearly, thereafter. There are many components to an elevator system: mechanical, electrical, cables, brakes, and fire safety. We are not experts with these systems and Fire Marshalls test the "Fire Service Control" only. During an emergency, and if it is deemed safe, the fire department can use an elevator car to move equipment from floor to floor by using the Fire Service Control.

Reputable elevator maintenance companies are out there and have agreements with some building owners. Those systems rarely experience issues. The ones that don't have agreements seem to be problematic. Also, I am aware of elevator businesses that operate out of a garage/rental storage unit. I'm not saying that they are not reputable, I am saying that they may be flying under the radar without a State Licensing system in place. With SB 2336 in place, a quicker response and repair by a licensed elevator maintenance company may take place. As it stands now, some building owners can drag their feet with repairs.

SB 2336 is really about public safety and the safety of first responders. The PFFND respectfully requests a Do Pass of SB 2336 and I stand for any questions.

Thank you, Darren Schimke

2025 SENATE STANDING COMMITTEE MINUTES

Industry and Business Committee Fort Union Room, State Capitol

SB 2336
1/29/2025

A bill relating to the regulation of conveyances and elevator contractors, mechanics, and inspectors; and relating to definitions applicable to conveyance regulation and the membership of the state electrical board; to provide a penalty; and to provide for application.

9:31 a.m. Chairman Barta opened the hearing.

Members present: Chairman Barta, Vice-Chair Boehm, Senator Klein, Senator Kessel, Senator Enget

Discussion Topics:

- Language regarding biannual inspections
- Cost savings

9:33 a.m. Senator Klein moved a Do Pass.

9:33 a.m. Senator Kessel seconded the motion.

Senators	Vote
Senator Jeff Barta	Y
Senator Keith Boehm	Y
Senator Mark Enget	Y
Senator Greg Kessel	Y
Senator Jerry Klein	Y

Motion passed 5-0-0.

Senator Kessel will carry the bill.

9:34 a.m. Chairman Barta closed the hearing.

Audrey Oswald, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2336 ([25.0712.03000](#))

Industry and Business Committee (Sen. Barta, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2336 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2025 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2336

2025 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee Room JW327C, State Capitol

SB 2336
3/25/2025

A BILL for an Act to create and enact eight new sections to chapter 43-09 of the North Dakota Century Code, relating to the regulation of conveyances and elevator contractors, mechanics, and inspectors; to amend and reenact sections 43-09-01 and 43-09-02 of the North Dakota Century Code, relating to definitions applicable to conveyance regulation and the membership of the state electrical board; to provide a penalty; and to provide for application.

2:38 p.m. Chairman Warrey opened the meeting.

Members Present: Chairman Warrey, Vice Chairman Ostlie, Vice Chairman Johnson, Representatives Bahl, C. Brown, T. Brown, Finley-DeVile, Grindberg, Kasper, Koppelman, D. Ruby, Schauer, Vollmer

Member Absent: Representative Schatz,

Discussion Topics:

- Permitted by State Electrical Board
- Energy, Industrial and Grain exemptions
- Base/initial program
- ND, SD & WY
- Public buildings
- Enforcement authority

2:38 p.m. Kevin Sullivan, Certified Elevator Mechanic and Inspector, testified in favor.

2:50 p.m. Ryan Parkos, Certified Elevator Mechanic, testified in favor.

2:57 p.m. Jessie Larson, Owner, Larson Elevators, Mandan, ND, testified in favor.

3:03 p.m. Senator Greg Kessel, District 39, Belfield, ND, testified in favor.

3:14 p.m. Darren Schimke, President, Professional Fire Fighters of North Dakota, testified in favor and submitted testimony #43706.

3:24 p.m. Doug Nelson, State Fire Marshal, North Dakota Insurance Department, State Fire Marshal's Office, testified in favor and submitted testimony #43451.

3:30 p.m. James Schmidt, Executive Director, ND State Electrical Board, testified as neutral and submitted testimony #43751.

3:41 p.m. Scott Porsborg, Attorney, ND State Electrical Board, testified as neutral.

3:58 p.m. Representative Ostlie moved Do Pass.

3:58 p.m. Representative Vollmer seconded the motion.

Representatives	Vote
Representative Jonathan Warrey	Y
Representative Mitch Ostlie	Y
Representative Jorin Johnson	Y
Representative Landon Bahl	N
Representative Collette Brown	Y
Representative Timothy Brown	N
Representative Lisa Finley-DeVille	Y
Representative Karen Grindberg	Y
Representative Jim Kasper	N
Representative Ben Koppelman	AB
Representative Dan Ruby	Y
Representative Mike Schatz	AB
Representative Austin Schauer	Y
Representative Daniel R. Vollmer	Y

Motion passed 9-3-2.

4:02 p.m. Representative Ostlie will carry the bill.

4:02 p.m. Chairman Warrey closed the meeting.

Diane Lillis, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2336 ([25.0712.03000](#))

Industry, Business and Labor Committee (Rep. Warrey, Chairman) recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). SB 2336 was placed on the Fourteenth order on the calendar.



TESTIMONY

Douglas Nelson, State Fire Marshal

House Industry, Business and Labor Committee

March 25th, 2025

Representative Warrey, Chairman of the House Industry, Business and Labor Committee, and Committee members,

As both a volunteer firefighter and a full-time firefighter, I have been on many emergency incidents involving elevators. I have also trained and responded to use elevators as part of the fire service's emergency operations. In either form, it is important for them to be safe for citizens to operate under normal conditions, and critical to firefighters during an emergency that they work properly. Senate Bill 2336 proposes regulating conveyance elevators through the electrical board.

Over the last five years, North Dakota fire departments have responded to 460 incidents where our citizens were removed from or stuck in a stalled elevator. This is an average of 92 times every year. On top of that, we as the North Dakota Fire Service also respond on average to a defective elevator with no occupants approximately 25 times annually.

These responses are not only a safety concern, but also take fire departments out of service during that response for other emergencies. Considering that much of our state is rural and may not have elevators, this burden is shifted greatly to the larger city fire departments.

Not only would an elevator inspector advocate for safety through licensing and inspections, but would assist building and fire officials with elevator code. Both the state building and fire codes have elevator related safety items referenced. However, we often lack the experience or training to understand much beyond the little that our codes cover. An elevator inspection program would increase safety, reduce emergency response burdens, and assist local and state jurisdictions with safety enforcement.

Thank you for your time today. I respectfully ask for your support on Senate Bill 2336.

Professional Fire Fighters of North Dakota

Darren Schimke, President | 218-779-4122 | dschimke@wiktel.com

3/25/2025

House Industry, Business and Labor

Re: SB 2336

Chairman Warrey and the members of the House Industry, Business and Labor Committee,

My name is Darren Schimke, President of the Professional Fire Fighters of North Dakota (PFFND). I represent 420 professional firefighters across the State of North Dakota. We do appreciate the opportunity to provide testimony in support of SB 2336.

As a career firefighter in Grand Forks, I have been part of a crew that has responded to countless emergency calls pertaining to elevator issues over my career. These responses mainly consist of stalled elevators with no souls on board, stalled elevators with trapped souls on board not experiencing any medical and/or psychological issues, and trapped souls on board that are experiencing medical and/or psychological issues. Whatever the circumstances encountered, we have to locate the stalled elevator car, determine if anyone is trapped and remove them safely, medically assess and treat the trapped souls, disable the elevator system, mark the system "out of service", and notify building maintenance or owner of the issue. This process takes time and dedicates resources that may be needed at an emergency scene elsewhere. In Grand Forks, we responded to 13 elevator incidences in 2022, 10 in 2023, and 9 in 2024, respectfully.

With not having a formal licensing and inspection system within North Dakota, some elevator systems are not thoroughly inspected regularly. When a new system is installed, it is inspected by the local Fire Marshalls office and then yearly, thereafter. There are many components to an elevator system: mechanical, electrical, cables, brakes, and fire safety. We are not experts with these systems and Fire Marshalls test the "Fire Service Control" only. During an emergency, and if it is deemed safe, the fire department can use an elevator car to move equipment from floor to floor by using the Fire Service Control.

Reputable elevator maintenance companies exist and have agreements with some building owners. Those systems rarely experience issues. The ones that don't have agreements seem to be problematic. Also, I am aware of elevator businesses that operate out of a garage/rental storage unit. I'm not saying that they are not reputable, I am saying that they may be flying under the radar without a State Licensing system in place. With SB 2336 in place, a quicker response and repair by a licensed elevator maintenance company may take place. As it stands now, some building owners can drag their feet with repairs.

SB 2336 is really about public safety and the safety of first responders. The PFFND respectfully requests a Do Pass of SB 2336 and I stand for any questions.

Thank you, Darren Schimke

NEUTRAL TESTIMONY for SB 2336**PRESENTED BY JAMES SCHMIDT****EXECUTIVE DIRECTOR, NORTH DAKOTA STATE ELECTRICAL BOARD**

Chairman Warrey and Members of the House Industry, Business and Labor Committee:

I am James Schmidt, executive director for the North Dakota State Electrical Board with neutral testimony for Senate Bill 2336.

Last May 2024 the board office was approached by the Elevator Industry Work Preservation and International Union of Elevator Constructors asking if our office would consider performing conveyance (elevators, escalators, dumb waiters etc.) inspections in North Dakota. We were told there are only two states in the United States that do not require conveyance (elevators and the like) inspections and ND was one of them.

Currently our electrical inspectors inspect the power disconnect for the conveyance equipment and that's where electrical inspections end. When a new elevator is installed in North Dakota our office does require it is to be registered with our office but that is all the law currently requires in ND. As such, no formal inspection is carried out on the conveyance equipment, such as the personnel cab or car, elevator shaft, fire alarm interface, controls etc. Further, ND law does not provide for scheduled annual follow-up inspections, as are required in other states.

Our agency doesn't receive any money from the state general fund and with the reserves we have, if this legislative body thinks SB 2336 is a good idea, it would be possible for us to employ a conveyance industry expert to inspect conveyance installations.

By administrative rule we could adopt standard industry conveyance codes and come up with a reasonable inspection fee to cover the cost

of those inspections. We would ensure the conveyance equipment complies with standards already set forth in that industry.

Again, if this legislative body thinks SB 2336 a good thing to do in the state, our board will support this and we will take it on; if not, that's ok too.

I thank the bill sponsors and this committee for hearing my comments and I would be happy to answer any questions you may have.