



**U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814**

**STATEMENT OF COMMISSIONER ELLIOT F. KAYE
REGARDING PETITION 15-01 REQUESTING RULEMAKING ON RESIDENTIAL ELEVATORS**

April 25, 2017

On March 24, 2017, the Commission voted 4-1 to accept CPSC staff's recommendation to deny Petition 15-01, which requests that the Commission issue a mandatory safety standard for residential elevators to address an entrapment hazard between the internal elevator car door and the external hoistway door.

I commend the petitioners for advocating for a much-needed solution to the tragic deaths and injuries associated with children becoming entrapped in residential elevators. I agree wholeheartedly with the petitioners that the solution to address this persistent hazard is long overdue.

I voted to deny the petition at this time because the newly updated voluntary standard for elevators and escalators, ASME A17.1-2016, appears to adequately address the specific hazard that the petitioners are seeking to prevent. In particular, ASME A17.1-2016 limits the gap between the elevator doors to four inches and has rigidity requirements for accordion-type interior doors. CPSC staff has concluded that these requirements will prevent any child beyond the smallest of newborns from becoming entrapped between the doors. In addition, staff has concluded that substantial compliance with ASME A17.1-2016 is likely because almost all of the states reference ASME A17.1 in their elevator building code requirements. Staff has assured us that they will continue to work with the ASME A17.1 Committee to help ensure knowledge of and compliance with the updated voluntary standard going forward. However, I am concerned about compliance and will look to see how quickly jurisdictions will update their codes.

I want to express my profound thanks to The Safety Institute, Carol Pollack-Nelson of Independent Safety Consulting and Cash, Krugler & Fredericks for submitting this petition and for all of their hard work in bringing this hazard to the forefront. It is important to note that ASME A17.1-2016 had not been adopted at the time they

submitted their petition in November 2014. But for their advocacy, I do not believe that industry would have stepped up to improve the voluntary standard.

I also want to strongly encourage the ASME A17.1 Committee and industry representatives, including the National Association of Elevator Contractors, the Accessibility Equipment Manufacturer's Association and the National Association of Elevator Safety Authorities, to continue to work with our CPSC staff to expeditiously notify the appropriate state bodies of the 2016 update and encourage the states to explicitly reference the latest version in their building codes. Although I voted to deny this petition on the basis of the voluntary standard, if we do not see necessary action in terms of code updates, the Commission can initiate mandatory rulemaking.