

**BEFORE THE ELEVATOR SAFETY BOARD  
STATE OF ARKANSAS**

**IN RE:       SCHINDLER ELEVATOR CORPORATION  
              MODEL 6400**

**ORDER**

This matter comes before the Elevator Safety Board on Thursday, May 16, 2019.

Schindler Elevator Corporation (Petitioner) was present and represented by Lawrence Taylor, Codes and Standards Officer, Schindler. The Arkansas Department of Labor was represented by counsel, Denise Oxley, and by Greg Tipton, Chief Elevator Inspector, Department of Labor. The petitioner seeks a new technology variance. The board makes the following findings of fact and conclusions of law.

**FINDINGS OF FACT:**

1.       The petitioner seeks a variance to cover a Model 6400 that is a new machine-room based product that has a capacity of up to 5000 lbs. and a speed up to 500 fpm.
2.       The Model 6400 product uses the same non-circular elastomeric coated steel suspension system (STM) and 6 mm governor rope as used on the model 3300 MRL and 5500 MRL. Schindler has a new technology variance for the suspension system and governor rope on these two models and is seeking the same variance for the new product.
3.       The Model 6400 is engineered and designed to be code compliant to the ASME A17.1-2010; -2013; and -2016 Safety Code for Elevators and Escalators, as well as ASME A17.6-2010 Standard for Elevator Suspension, Compensation, and Governor Systems.

5. The board's administrative rules establish ASME A17.1-2007 as the minimum standards for new construction and does not cover the new technology utilized in this model and covered by ASME A17.1-2010; -2013; and -2016 Safety Code for Elevators and Escalators.

6. Greg Tipton, Chief Elevator Inspector, Department of Labor issued a staff report and recommendation on the variance request. Specifically, he recommended that the board grant the variance.

**CONCLUSIONS OF LAW:**

7. Ark. Code Ann. § 20-24-106(d) provides that "[t]he board shall also have the power in any particular case to grant exceptions and variations which shall only be granted where it is clearly evident that they are necessary in order to prevent undue hardship or where the existing conditions prevent compliance with the literal requirements of the rules and regulations. In no case shall any exception or variation be granted unless, in the opinion of the board, reasonable safety will be secured thereby."

8. In the present case the board concludes that an undue hardship exists. Certainly, a manufacturer utilizing the latest technology and in compliance with the latest ASME Code for Elevators, should not be held to the ASME A17.1-2007.

9. The board concludes that reasonable safety is secured by compliance with the more recent A17.1 Code.

THEREFORE, the board grants Schindler Elevator Corporation a variance to install the Model 6400 in Arkansas provided such installations comply with ASME A17.1-2010; -2013; and -2016 Safety Code for Elevators and Escalators.

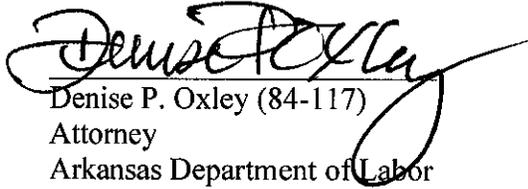
IT IS SO ORDERED.

ELEVATOR SAFETY BOARD  
STATE OF ARKANSAS

By: LSJ.2  
Leon Jones, Jr., Chairman

DATE: 5/21/2019

Approved:



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*Lawrence M. Taylor*  
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5/21/2019

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