

**BEFORE THE ELEVATOR SAFETY BOARD
DEPARTMENT OF LABOR AND LICENSING
STATE OF ARKANSAS**

**IN RE: Johnny Stockstill
 DBA- TK Elevator**

ORDER

This matter came before the Elevator Safety Board on Thursday, January 25, 2024. The petitioner, Johnny Stockstill, seeks a variance concerning the installation of a TK Elevator EOX H elevator system. The new technology present in the EOX provides advantages in performance and functionality to the existing conveyance. Mr. Stockstill appeared at the hearing on this matter.

FINDINGS OF FACT:

1. The petitioner has requested the approval to utilize new technology found in the EOX hydraulic.
2. Notice of the request was provided to all interested parties.
3. The report of the Chief Elevator Inspector, Greg Tipton, dated January 22, 2024, reflects that the new technology will provide greater efficiency and maintain the same safety standards required by the Board.
4. The Chief Elevator Inspector recommends that the variance be granted.

CONCLUSIONS OF LAW:

1. The board has authority to adopt administrative rules establishing minimum standards for the installation, construction, maintenance, and operations of elevators pursuant to Arkansas Code § 20-24-106(c).
2. The board also has the power to grant a variance from minimum standards when it is clearly evident that it is necessary in order to prevent undue hardship or when the existing conditions prevent compliance with the literal requirements of the rules. In no case, shall

a variance be granted unless in the opinion of the board, reasonable safety will be secured.

Arkansas Code § 20-24-106(d).

3. In the present case, the new technology is needed to provide improved safety and meet the needs of efficiency.
4. The board also concludes that all reasonable safety standards will be maintained.
5. Granting of the variance is supported by the application of all applicable statutes and rules.

IT IS THEREFORE ORDERED, the board grants the requested variance to Johnny Stockstill for the TK Elevator EOX H Elevator system.

IT IS SO ORDERED.

ELEVATOR SAFETY BOARD




Lindsay Moore, Chairman



Date

Approved as to form:



Daniel L. Parker
Chief Legal Counsel
Arkansas Department of Labor and Licensing
900 West Capitol Avenue, Suite 400
Little Rock, Arkansas 72201