

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

IN RE: TK ELEVATOR

ORDER

This matter came before the Elevator Safety Board (“Board”) on Thursday, November 21, 2024. The petitioner, TK Elevator (“TK”), seeks a variance to install the EOX elevator. No representative from TK was present at the meeting.

FINDINGS OF FACT

1. TK is seeking a variance for the A17.1-2007 elevator code regarding a reduced length platform apron. A17.1-2007 Section 2.15.9.2 requires the length of the platform apron by 48” in length where an elevator is required to be equipped with an emergency brake.
2. The EOX elevator, proposed by TK, will have an apron length of a minimum of 36”, allowing the elevator pit depth to be adjusted to a minimum of 48” instead of the 60” that is currently required to accommodate the 48” apron.
3. Chief Elevator Inspector, Greg Tipton reviewed the requested variance which included a report from an independent testing agency demonstrating the effectiveness of the emergency brake system of the EOX elevator. Chief Tipton recommended to the Board that the current level of safety would be maintained and to grant the variance.

CONCLUSIONS OF LAW

1. The Board has the authority to adopt administrative rules establishing minimum standards for installation, construction, maintenance, and operations of elevators pursuant to Ark. Code Ann. §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. Ark. Code Ann. §20-24-106(d).

3. Chief Tipton's report stated that the current level of safety will be maintained with the EOX elevator and an undue hardship would be imposed if the variance is not granted.

THEREFORE, the Board grants TK Elevator's variance request.

IT IS SO ORDERED.

ELEVATOR SAFETY BOARD
LINDSAY MOORE, CHAIRMAN

By: 

Date: 12-2-2024

Approved as to form:

/s/ Lacie Kirchner

Lacie Kirchner, 2014041

Attorney

Arkansas Department of Labor and Licensing