

SENATE BILL REPORT

SB 5156

As Reported by Senate Committee On:
Housing, January 24, 2025

Title: An act relating to elevator standards in smaller apartment buildings.

Brief Description: Concerning elevator standards in smaller apartment buildings.

Sponsors: Senators Salomon, Bateman, Liias, Nobles, Riccelli, Shewmake and Stanford.

Brief History:

Committee Activity: Housing: 1/17/25, 1/24/25 [DPS].

Brief Summary of First Substitute Bill

- Requires the Department of Labor and Industries (L&I) to adopt by March 31, 2026, standards for cities and counties to allow all passenger and freight elevators to meet the global or North American safety and related standards.
- Requires L&I to adopt by March 31, 2026, standards for cities and counties to allow passenger elevators no larger than those that accommodate a wheelchair for apartment buildings with at most six stories and at most 24 units.

SENATE COMMITTEE ON HOUSING

Majority Report: That Substitute Senate Bill No. 5156 be substituted therefor, and the substitute bill do pass.

Signed by Senators Bateman, Chair; Alvarado, Vice Chair; Goehner, Ranking Member; Gildon, Orwall, Salomon and Trudeau.

Staff: Benjamin Omdal (786-7442)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background: State Building Code Council. The State Building Code (SBC) provides a set of statewide standards and requirements related to building construction. The SBC is comprised of various international model codes, including building, residential, fire, and plumbing codes (model codes) adopted by reference by the Legislature. The model codes are promulgated by the International Code Council.

The State Building Code Council (SBCC) is responsible for adopting, amending, and maintaining the SBC. The SBCC must regularly review updated versions of the model codes, and adopt a process for reviewing proposed statewide and local amendments.

Cities and counties may amend the SBC as applied within their jurisdiction, except that amendments may not be below minimum performance standards, and no amendment affecting single or multifamily residential buildings may be effective until approved by the SBCC.

The International Building Code establishes minimum requirements for all buildings except detached one- and two-family dwellings and townhouses up to three stories. The International Residential Code comprises all building, plumbing, mechanical, fuel gas, and electrical requirements for one- and two-family dwellings and townhouses up to three stories

State Elevator Standards. Under current code standards in Washington, in buildings with an elevator, at least one elevator shall provide fire department emergency access to all floors served in:

- buildings four or more stories above or below grade plane; and
- specified occupancy building types regardless of stories.

Elevator cars must accommodate a 24-inch by 84-inch ambulance stretcher. Specified occupancy building types include occupancies containing sleeping units where the occupants are primarily transient in nature—transient congregate living facilities with more than ten occupants, hotels, or motels; permanent occupancies with more than two dwelling units—apartments, dormitories, or vacation timeshare properties; and institutional occupancies—care facilities, or correctional facilities.

Department of Labor and Industries and Elevators. The Department of Labor and Industries (L&I) regulates public and private elevators, escalators, moving walks, and other specified devices, known as conveyances. In general, L&I adopts rules governing the mechanical and electrical operation, conveyance work, and inspection of elevators. In addition, L&I adopts the minimum standards governing existing installations.

Summary of Bill (First Substitute): By March 31, 2026, L&I shall adopt, by rule, standards for cities and counties to allow all passenger and freight elevators to meet the most current version of global safety and related standards, or, in the alternative, the current North American standards.

L&I must also adopt standards for cities and counties to allow passenger elevators no larger than those that accommodate a wheelchair for apartment buildings with at most six stories and at most 24 units total.

EFFECT OF CHANGES MADE BY HOUSING COMMITTEE (First Substitute):

- Requires the Department of Labor of Industries, rather than the State Building Code Council, to revise certain standards for passenger and freight elevators.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: The Legislature recently passed legislation to allow single-stair exits, which allows apartment buildings to be built on smaller lots, such as in Europe. Currently, buildings either must have large elevators or are likely not to build them at all. Because of high elevator costs, there are much fewer elevators in buildings in the United States. The bill addresses smaller buildings that would likely not have an elevator at all under current building standards. Modern buildings under the updated standards would still provide access for first responders. Harmonizing elevator standards with other countries would help to lower costs for purchasing elevators. Having a smaller elevator is better than having no elevator at all. Europe is able to have smaller elevators and still maintain safety for a population that lives in apartments at greater rates than the United States. Current requirements encourage developers to create townhomes and smaller units, rather than larger apartment complexes. Without changes, Washington will build three-to-six story buildings that are not accessible due to current code requirements.

CON: As currently written, there are concerns about the ability of someone injured in a top floor to be safely transported from a building. Even in current buildings, EMTs are at times forced to carry victims, which present challenges to responders and victims. Without gurney access, transport to an emergency room can be delayed. Even non-life-threatening victims requires more personnel, taking those personnel from other emergencies.

OTHER: The Department of Labor and Industries is required under state law to license and inspect elevators; the department would prefer that the statute direct the department to adopt rules. Rules adopted by the department are done through an advisory and safety community. There are smaller package elevators that are allowed under the ASCME code.

The council's updating cycle does not align with Labor and Industries, which could lead to some implementation challenges.

Persons Testifying: PRO: Senator Jesse Salomon, Prime Sponsor; Stephen Smith, Center for Building in North America; Markus Johnson; Dan Bertolet, Sightline Institute; Aidan Thornsberry.

CON: Steve Brooks, Washington Fire Chiefs; Nicholas Gullickson, Washington State Council of Firefighters.

OTHER: Tammy Fellin, Labor & Industries; Dustin Curb, Washington State Building Code Council.

Persons Signed In To Testify But Not Testifying: No one.