

# Changes & Updates For Devices Not Requiring an Approved Witnessing Agency

On January 1, 2009, an “Official Notice” dated November 17, 2008 was released to the elevator filing communities announcing the implementation of the new NYC Construction Codes. The notice summarized all essential changes to how elevators would be inspected, tested and reports filed with the Department of Buildings Elevator Division.

A subsequent review of the NYC Construction Codes has allowed the Department to rework inspection and testing requirements **only** to the following types of devices: Private Residential Elevators, Dumbwaiters, Material Lifts and Vertical Reciprocating Conveyors. These devices will no longer require the witnessing by another approved agency. This will eliminate the need to hire an additional approved elevator inspection agency.

In addition, a revision to the amount of signatures has been established to comply with this filing requirement.

## Inspection / Testing Requirements:

- Building owners will now be required to conduct a periodic inspection and test every year (Category 1) and every 5 years (Category 5) as required by the NYC Building Code.
- Inspections/tests must be performed by an Approved Agency and **will not require the witnessing by another Approved Agency**. A list of Approved Agencies can be found on our [website](#) by searching by licensee’s name, number or company.

## Filing Requirements:

The filing requirements have not been revised in view of the fact that the inspection requirements have been reworked. Effective, since January 1, 2009, an inspection report is required to be filed with the Department every year for each device. The inspection report must be signed by the:

- **Building Owner;**
- **Agency Inspector Performing the Test;**
- **Approved Elevator Inspection Agency Director**

This inspection report must be filed with the Department within 45 days of the date of the inspection. If a defect is found, the applicant has 45 days from the date the inspection report is filed to correct. Once corrected, the applicant must file an “Affirmation of Correction” affirming the defects have been corrected. This certification must be filed within 15 days following the reinspection.

Failure to comply with these new provisions may result to penalties, stop work orders and/or violations.

If you have any questions, please contact (212) 442-2860 or email [jumaldonado@buildings.nyc.gov](mailto:jumaldonado@buildings.nyc.gov).