

# ANDERSON KILL CO-OP, CONDO & REAL ESTATE ADVISOR



## Retroactive New Law for NYC Elevators: Door Lock Monitor System

By Karol S. Robinson and Cathleen K. Hung



Karol S.  
Robinson

Cathleen K.  
Hung

Following a number of tragic elevator accidents in recent years, the NYC Department of Buildings Elevator Code Committee has responded with Appendix K3 Rule 3.10.12 to the NYC Building

Code, which requires all automatic passenger and freight elevators to have door lock monitors by January 1, 2020. These monitors ensure that elevators will not operate unless the carriage door and the exterior doors on every floor are properly closed, thereby preventing the elevator from moving if a passenger is caught in the doors. This new law is unique not only in that it has a firm compliance deadline, but in that it also applies retroactively to all NYC elevators — and so will affect a vast majority of NYC buildings using legacy elevator equipment. Elevators are usually only required to meet the code requirements in effect the year they were installed.

To determine what work, if any, needs to be done to comply with Rule 3.10.12, there are

two inquiries to investigate. The first is: What type of elevators does your building have? Rule 3.10.12 does not apply to manual model elevators, in which a building employee operates the control switch on the elevator. If your building has automatic model elevators operated by pushbuttons, you will need to proceed to the second inquiry: Do you need to perform a simple upgrade or install new equipment? Generally, elevators installed after 2009 will have door lock monitoring already installed in the elevator control board. It simply may not be activated or it may require an upgrade to the software. This type of work would be relatively inexpensive. For elevators installed prior to 2009, however, the elevator control board may need to be replaced with one that includes a door lock monitor system — a more expensive undertaking.

Regardless of the extent of the work to be done, you will have to go through the new Department of Buildings procedure. There are four basic steps: *first*, your elevator contractor will have to file a permit; *second*, you will have to obtain a set of elevator electrical prints showing that the door lock monitoring

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**Karol S. Robinson** is a shareholder in the New York office of Anderson Kill. Karol practices cooperative, condominium, and real estate law with a focus on affordable housing, nonprofit organizations and general transactional work.

(212) 278-1247 | [ksrobinson@andersonkill.com](mailto:ksrobinson@andersonkill.com)

**Cathleen K. Hung** is an attorney in Anderson Kill's New York office and concentrates her practice on real estate transactions. Cathleen is a member of the firm's Cooperative and Condominium Law Group.

(212) 278-1088 | [chung@andersonkill.com](mailto:chung@andersonkill.com)

system exists electrically within the control board circuit; *third*, the electrical prints must be stamped by a professional engineer; and *fourth*, the elevator(s) must pass a Department of Buildings inspection.

As the January 1, 2020 deadline approaches, co-ops and condos should bear in mind that it takes some time to obtain a bid and proposal from an elevator contractor, ensure that there are sufficient funds to cover the cost of the work, file the permit, and complete the necessary work on multiple elevators. The best practice would be to get started on this process as

soon as possible in order to meet the compliance deadline. Non-compliance with Rule 3.10.12 could result not only in violations and fines, but also in loss of service, cancelled insurance coverage, and legal liabilities. The Department of Buildings will also require installation of secondary emergency brakes on all traction elevators by January 1, 2027 (NYC Building Code Appendix K3 Rule 3.8.4.1), so you may want to plan ahead and have this done at the same time as the door lock monitors. For further assistance, feel free to contact Anderson Kill to advise you in this matter. ▲

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