

vertical reciprocating conveyor VRC 05.11.2017

From: Avallone, Julianne

Sent: Thursday, May 11, 2017 3:17 PM

To: Hurlburt, Richard

Cc: Neumon, John; Annon, Paulette; Elliott, Michael

Subject: R-7 Licensing Determination: VRC Work

Richard,

It was recently brought to my attention that an applicant for licensure inquired about whether vertical reciprocating conveyor ("VRC") work is within the scope of the R-7 Limited Conveyor contractor's license ("R-7"). This applicant is seeking clarification as to whether he needs a R-1, R-2 or a R-7 license to install, repair, and maintain VRCs. I understand that historically the Elevator Installation, Repair and Maintenance Work Examining Board ("Board") had determined that unlimited contractor elevator license holders, R-1, and unlimited journeyman elevator license holders, R-2, are the only licensees that may install, repair, and maintain VRCs. Apparently this guidance from the Board was adopted by the Department and integrated into our licensing practices. By virtue of this email, the Department will no longer require applicants who solely perform work on VRCs to obtain a R-1 or R-2 license.

As more fully set forth below, it is the Department's position that a R-7 is legally permitted to provide work on VRC equipment.

The Department is responsible for issuing several occupational and professional licenses, including elevator work licenses. The Department administers, regulates, and oversees these licenses and licensees. Each license is controlled by state law and regulations that define the nature, scope, and qualifications of a particular license, including the experience, education, and examination requirements to obtain the particular license. The Legal Division, as part of its enforcement powers, is charged with interpreting and applying the law and regulations pertaining to each license and licensee.

Pursuant to Connecticut regulations, the holder of a R-7 license may only perform work limited to installation, maintenance, alteration or repair of equipment, apparatus or machines used to convey *materials*. Such conveyors shall be permanently or temporarily placed and of a *fixed* nature. The holder of this license may not perform work on any freight elevator. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyman or equivalent experience and training. Conn. Agencies Regs. § 20-332-3(e) (2008)(emphasis added). Part of the examination materials for a R-7 is ASME B.20.1-2015, Safety Standard for Conveyors and Related Equipment, 2015, ASME (American Society of Mechanical Engineers). See, Richard M. Hurlburt, *Connecticut Department of Consumer Protection Occupational Licensing Crane and Conveyor Trades Candidate Information Bulletin*, PSI licensure: certification, at 9 (2017).

According to the application guidelines for VRC equipment:

[they] are designed to raise and lower *materials* from one elevation to another. They are primarily hydraulically or electro-mechanically activated and powered. VRC's are mounted in a *stationary* position. The equipment may perform a stand-alone function or may be incorporated into an automated system. Equipment covered by this Application Guideline falls under ASME/ANSI B20.1 Safety Standard for Conveyors and Related Equipment.

See, Application Guidelines for Vertical Reciprocating Conveyors, Conveyor Section, Material Handling Industry of America, § 1.1 (*revised* from the 1991 original) (emphasis added). This equipment is not designed to transport people. *Id.* at § 1.2.

Given that VRCs are equipment that are fixed in nature and are designed to transport materials, and that a R-7 license holder is limited to the installation, maintenance, alteration, or repair of equipment, apparatus, or machines used to transport materials, this work is clearly within the scope of what a holder of a R-7 license may perform. Although the Board had previously provided guidance that only a R-1 and R-2 licensee should perform work on VRCs, we have found that the letter of the law is clear and the holder of a R-7 license may perform work on VRC equipment. The Department must carry out its mandate to enforce the laws promulgated by the Connecticut legislature. In this instance, the law regarding the scope of this license is clear and includes VRC equipment.

Please communicate this determination by the Department to the Board. If they have any questions or concerns, they may contact me directly.

Truly,

Julianne Avallone

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