

GARAGE DOOR AND GATE ACCESS STORIES IN THE MEDIA

U.S. Representatives introduce Alex Gate Safety Act

Source: Jared Huffman (U.S. Congress, Calif., District 2) and John Curtis (U.S. Congress, Utah, District 3). "Huffman, Curtis Introduce Bipartisan Legislation to Prevent Tragic Deaths or Injuries from Faulty Gates" press release, <https://huffman.house.gov/media-center/press-releases>. Nov. 26, 2024.

On Nov. 26, 2024, U.S. Representatives Jared Huffman (D-Calif.) and John Curtis (R-Utah) introduced the Alex Gate Safety Act. The legislation was enacted to prevent tragic accidents from faulty gates and was introduced in response to the tragic death of Alex Quanbeck, a seven-year-old who was killed while attempting to close a manual slide gate at his elementary school in San Rafael, Calif.

Eric and Dayna Quanbeck, parents of Alex, and Founders of the Hummingbird Alliance, the American Fence Association as well as the Marin County and Emerita Superintendent of Schools, and the City

Attorney of San Rafael helped champion the new gate legislation – a mission that began in 2020.

According to the press release, "The bill directs the Consumer Product Safety Commission (CPSC) to promulgate a mandatory rule and run an awareness campaign to ensure gates meet updated industry safety standards."

"Simple, affordable safety mechanisms, like fall stop posts, can prevent tragic accidents caused by poorly designed or maintained gates," John Curtis said. "With the Alex Gate Safety Act, we aim to codify industry standards to save lives and prevent needless heartbreak. I'm pleased to work alongside Congressman Huffman and industry partners to put an end to these avoidable tragedies."

Ben Shirley, Chair of the ASTM F14 Committee on Fences, said "By adopting language from existing [ASTM] standards, we were able to update our manual gate specifications to include instructions that will help mitigate safety concerns. What may seem like a minor change in language within a document has a huge ripple effect to an industry."



"The crafting of the code language has been a careful, collaborative effort, benefiting from the input of a diverse group of industry professionals, and taking all viewpoints into account. We believe the proposal reflects mature consideration of reasonable, practical, and enforceable provisions that will have a tremendous impact on gate safety for years to come," said Technical Director of the Door & Access Systems Manufacturers Association Dave Monsour.

Editor's note:

We have been following the developments of this gate legislation for some time. In the D+AS summer 2023 article, Eric Quanbeck said that the "ultimate goal" was to amend regulations nationwide. It appears with the support of city and state officials, industry associations, and now U.S. Representatives Huffman and Curtis, they are one step closer to their goal.

Summary of the Alex Gate Safety Act:

- Directs the Consumer Product Safety Commission (CPSC) to promulgate a mandatory rule to ensure that new gates meet updated industry standards, including that a gate must not fall more than 45 degrees when detached, must not move under its own weight, must have a positive stop, and must cover any rolling wheels.
- The CPSC may modify the gate safety standard if reasonably necessary to prevent or reduce an unreasonable risk of injury.
- Directs the CPSC to run an education and awareness campaign to inform industry, consumers and public officials about the dangers associated with gates and methods to prevent death or injury.

NBC exposes garage door repair scammer; homeowner receives \$2,000 refund from Google

Source: Caitlin Burchill. "I was overcharged": Burlington consumer warns of shady garage repair work," (NBC CT Responds). Sept. 23, 2024. Burlington, Vt.

NBC featured a story about Lori Chadwick, a woman in Burlington, Vt., who was overcharged for a garage door repair.

After conducting an online Google search, she contacted the first business that appeared at the top of the list – ASAP Garage

Door Repair. "I thought it was a little odd that they didn't have a website or an address," Chadwick said. But she was won over by the Google Guarantee badge and hundreds of five-star reviews.

When the repairman arrived, he determined that she needed new springs that were "expensive and

in short supply" and proceeded to show her a screenshot with the price. He insisted the only acceptable payment was a check made out to cash. Chadwick agreed to the repairs and paid \$3,700 for springs, a new opener, and labor charges.

Afterwards, Chadwick gathered additional estimates and discovered she was overcharged by well over \$2,000. "The fact that I didn't know how much it would be and the fact that it was Google Guaranteed with all those reviews made me put those red flags away," Chadwick said.

NBC CT Responds attempted to contact ASAP Garage Door Repair with no luck. They said that they didn't get any straight answers, nor could they determine where the company is located.

It was reported that Google permanently suspended ASAP Garage Door Repair from advertising in its local services section and gave Chadwick \$2,000 (the refund amount covered under the Google Guarantee badge).

Editor's note:

Unfortunately, these stories are common in the industry. Homeowners must continue

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to remain vigilant when researching and scheduling garage door repair service and confirming credentials upon arrival. The highlight is that the homeowner received a partial refund from Google.

Gate repair company enters guilty plea after fatal gate accident

Source: "Gate repair business admits health and safety breach after truckie's death," (bigrigs.com). June 26, 2024. Dandenong South, Australia.

Following a fatal gate accident, Gate Automation Systems Pty. Ltd. pled guilty to a charge of failing to ensure that its employees and others were not exposed to risk. The Herald Sun reported that a technician from Gate Automation Systems removed a gate operator and left without properly securing the gate, which allowed the gate to move past the posts and fall.

Court documents reveal that an automated sliding gate at Membrey's Transport and Crane

had been experiencing issues and that Gate Automation Systems was in the middle of repairs. When longtime Membrey's employee Stuart Baker attempted to lock the gate and put a chain around the posts and bars, it fell and tragically crushed him to death.

Baker had been a well-respected and beloved truck driver and

foreman at the transport company for more than 30 years.

Sentencing is scheduled for a later date.

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Landmark conviction after failing "to make the site safe"

Source: Sophia McCaughan. "Landmark conviction over worker's gate-crushing death," (Yahoo News). Aug. 6, 2024. Wollongong, Australia.

A building owners corporation received a New South Wales-first conviction after a serious safety breach in which an employee was tragically killed in an electric industrial gate incident at a housing complex in Wollongong, Australia.

The gate was damaged eight days before the accident. Court documents reveal that the owners corporation gave approval for repairs and that "makeshift work was carried out that meant it could be operated manually." When 64-year-old Jose Martin attempted to manually open the 573-pound gate, it fell and crushed him.

The conviction is unprecedented because owners of the building's common property were held accountable with a fine of \$225,000 plus legal costs. Trent Curtin, head of SafeWork NSW, said that all commercial owners corporations should take note. "As this case shows, workplace safety is everybody's responsibility," said Curtin.

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