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Chairman Gordner and members of the Senate Labor and Industry Committee, thank you for the opportunity to offer comments regarding SB 1023.

My name is Roland Hall, Senior Regional Manager of Government Relations for the International Code Council.

The International Code Council (ICC), a membership association dedicated to building safety and fire prevention, develops the codes used to construct residential and commercial buildings. Most U.S. cities, counties and states that adopt codes choose the International Codes developed by ICC. It is the mission of the ICC to provide the highest quality codes, standards, products, and services for all concerned with the safety and performance of the built environment.

The citizens and businesses of Pennsylvania currently benefit from building safety and efficiency requirements by using the model codes developed by the ICC, the National Fire Protection Association (NFPA) and other standards organizations. These codes are developed by the nation's leading building scientists, fire and life safety officials, home builders, contractors, commercial builders, architects, structural and mechanical engineers, and product manufacturers.

In considering SB1023 we urge the Committee to consider the comments offered by our chapters regarding the current code adoption process in Pennsylvania. Our members support the adoption of the latest editions of our codes, so we support this bill to the extent that it returns the RAC's review process to that which was in effect prior to the enactment of Act 1 of 2011. For the provisions of the bill which address other administrative issues, such as funding the RAC's operation and its makeup, we urge the committee to consider the comments of our chapters.

I want to specifically focus on our code development process. We know that there is misinformation about the process by which our codes are developed and we take every opportunity to provide accurate information to public officials and to answer any questions, so as to maintain a high level of confidence in the codes you are adopting.

The ICC governmental consensus code development process is the framework used to develop and update each of ICC's model codes every three years. Similar to the development of laws, ICC follows a governmental consensus process that includes open forums of debate and refinement. It is an open, inclusive, and balanced consensus process with built-in

safeguards designed to prevent domination by a single vested interest. The system ensures fairness in the process, controls against conflicts of interest, and prevents vested economic interests from determining the outcome of all code change proposals.

The ICC governmental consensus process meets the principles defined by the U.S. Standards Strategy of 2005; the OMB Circular A-119, Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities (1998), codified by Public Law 104-113, National Technology Transfer and Advancement Act of 1995.

The key mechanisms that govern the ICC governmental consensus process include:

- Open public forums where anyone can submit a code change proposal and testify, at no cost.
- All testimony, committee discussion and recommendation occur in open public hearings.
- Code development committee members represent a wide range of interests, with at least one third being governmental members, who have no vested financial interest.
- Committees consider all views, objections and the cost impact of all code change proposals.
- Committee recommendations are posted on the ICC web site following the hearings, affording all interested parties an opportunity to submit public comments.
- At the final Public Comment hearing, eligible representatives of ICC Governmental Members hear arguments on those changes which have received a public comment, and make the final determination on each proposal. ICC Governmental Member representatives are those who, in their positions of public trust, enforce the code and are charged with the public's safety, and have no vested financial interest in the outcome of a change. Like the Committee Hearings, it is an open forum with no cost to attend and testify.
- An appeals process is in place to consider whether due process is served.
- All hearings are webcast, so anyone can follow the proceedings online.

The following safeguards are in place to ensure that the voters are qualified representatives of a Governmental Member and have received no outside financial support to attend the hearing:

- Applications for Governmental Membership must have been received by April 1<sup>st</sup> of the hearing year. This date is prior to the hearings, so it is before the issues which will be voted on are known.
- Governmental Members must certify their voting representatives every year, at least 30 days before the start of the final Public Comment hearings.
- Voting representatives must certify that they did not accept any funding to attend the hearings from any source other than their governmental employer, an ICC chapter or an ICC scholarship.
- Before being issued a voting device, the voter must sign a statement that they have complied with all eligibility requirements.

Again, I have provided this information in order that members of the committee have a high level of confidence in the codes you are referencing for use in Pennsylvania, and I will be glad to answer any questions you may have or to provide additional information.

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