



TESTIMONY – SENATE BILL 1023

Majority Chair Gordner, Minority Chair Tartaglione, members of the Senate Labor and Industry Committee, Senator McIlhinney, and co-sponsors of Senate Bill 1023 (SB 1023), we appreciate the opportunity to voice our opinion on the proposed changes found in the legislation before you.

AIA Pennsylvania, the statewide component of The American Institute of Architects, serves a statewide membership of over 2,700 AIA members and is tasked primarily with representing the interests and promoting the profession of architecture in this state while striving for the highest quality in the built environment.

SB 1023 aims to amend the Pennsylvania Uniform Construction Code Act (UCC) by offering changes to the Uniform Construction Code Review and Advisory Council (RAC).

First, we support the reversal of the current language by which the RAC approves new code changes to a system that allows all proposed changes to be adopted unless two-thirds of the RAC members vote to reject them. We believe this is a crucial and commonsense approach that will ensure the safety and welfare of the public and move toward ensuring that the current International Construction Codes (ICC) are implemented in a more timely manner. This simple change will make it more difficult for any groups to block specific revisions they do not favor. The goal of the UCC, among other things, is to protect the health, safety and welfare of the public, not to protect or further any special interests. Furthermore, the original legislation creating the RAC required the council to review the new code edition and identify any revisions of the code that the RAC did not want included in the new UCC. When Act 1 of 2011 was passed, the adoption process was changed to require the RAC to vote on each of the revisions to the ICC in order to add them to the UCC. We believe this 2011 change was a major obstacle to the adoption of the 2012 ICC family of codes in Pennsylvania. This bill will change the requirement back to voting to exclude a provision, thus including all revisions that are not expressly excluded by a two-thirds vote of the RAC membership.

In addition, we favor the provision requiring the RAC to re-review the 2012 codes as part of its review of the 2015 codes. In not adopting the 2012 code, one can imagine the problems being created, not the least of which involve code interpretations. These problems can easily be remedied.

Second, we generally oppose adding additional members to the current RAC. While one of the additional members would be “an architect specializing in building energy efficiency”, we believe the RAC is already somewhat cumbersome with nineteen members. We also feel that all, if not most members of the RAC, should already possess a good understanding of energy efficiency issues. If required for specific code issues, the RAC has many resources to turn to including, for example, the Pennsylvania Housing Research Center, an entity that has expertise in residential energy efficiency. While we would not oppose this legislation based on this requirement, we believe it does not necessarily add to collective expertise and resources currently available to the RAC and is therefore not needed.

Third, we support providing the members of the RAC a per diem and mileage expense reimbursement and the establishment and allocation of the additional account for the RAC administration as long as costs levied by the Department of Labor & Industry for services are reasonably charged.

Finally, we support the additional time proposed for the RAC and the Department for review and adoption of new regulations. In order to perform a thorough review and obtain stakeholder comments, the RAC needs extra time. Consider the time-consuming course members of the RAC and interested stakeholders must navigate in performing their duties. They must obtain the new codes, review each of the ten codes (potentially over 2800 pages of code), collect stakeholder changes, requests and comments, advertise and hold public hearings in three locations across the state, deliberate and make recommendations for approval or exclusion and submit a final report to the Secretary of Labor and Industry. Extra time to accomplish these tasks is a necessary resource.

While more comprehensive and further changes are needed, the amendments raised in SB 1023 are a good start and we support most of the modifications.

Once again, the UCC is vital to the health, safety, and welfare of the citizens of this Commonwealth who are protected by the UCC. AIA Pennsylvania applauds the continued efforts to improve the processes surrounding the UCC and the RAC and we stand ready to add our expertise to any such endeavors.

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