

HOUSE BILL No. 5828

May 11, 1992, Introduced by Reps. Harder, Byrum, Baade, Anthony, Pitoniak and DeMars and referred to the Committee on State Affairs.

A bill to amend section 4 of Act No. 230 of the Public Acts of 1972, entitled as amended

"State construction code act of 1972,"

as amended by Act No. 371 of the Public Acts of 1980, being section 125.1504 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 4 of Act No. 230 of the Public Acts of
2 1972, as amended by Act No. 371 of the Public Acts of 1980, being
3 section 125.1504 of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 4. (1) The commission shall prepare and promulgate the
6 state construction code consisting of rules governing the con-
7 struction, use, and occupation of buildings and structures,
8 including land area incidental to the buildings and structures,
9 the manufacture and installation of building components and

1 equipment, the construction and installation of premanufactured
2 units, the standards and requirements for materials to be used in
3 connection with the units, and other requirements relating to the
4 safety, including safety from fire, and sanitation facilities of
5 the buildings and structures.

6 (2) The code shall consist of nationally recognized model
7 building codes, other nationally recognized model codes and stan-
8 dards, and amendments, additions, or deletions to the building
9 code or other codes and standards as the commission determines
10 appropriate.

11 (3) The code shall be designed to effectuate the general
12 purposes of this act and the following objectives and standards:

13 (a) To provide standards and requirements for construction
14 and construction materials consistent with nationally recognized
15 standards and requirements.

16 (b) To formulate standards and requirements, to the extent
17 practicable in terms of performance objectives, so as to make
18 adequate performance for the use intended the test of
19 acceptability.

20 (c) To permit to the fullest extent feasible the use of
21 modern technical methods, devices, and improvements, including
22 premanufactured units, consistent with reasonable requirements
23 for the health, safety, and welfare of the occupants and users of
24 buildings and structures.

25 (d) To eliminate restrictive, obsolete, conflicting, and
26 unnecessary construction regulations that tend to increase
27 construction costs unnecessarily or restrict the use of new

1 materials, products, or methods of construction, or provide
2 preferential treatment to types or classes of materials or prod-
3 ucts or methods of construction.

4 (e) To insure adequate maintenance of buildings and struc-
5 tures throughout this state and to adequately protect the health,
6 safety, and welfare of the people.

7 (F) TO PROVIDE STANDARDS FOR BOTH THE DESIGN OF AREAS TO
8 ACCOMMODATE THE HANDICAPPED AND PERSONS WHO ACCOMPANY THE HANDI-
9 CAPPED, AND THE DESIGNATION AND MARKING OF SEATS FOR THE HANDI-
10 CAPPED AND PERSONS WHO ACCOMPANY THE HANDICAPPED IN THEATERS,
11 CONCERT HALLS, AND OTHER PLACES OF PUBLIC ENTERTAINMENT, PURSUANT
12 TO GUIDELINES ESTABLISHED BY THE COMMISSION ON HANDICAPPER CON-
13 CERNS UNDER SECTION 3 OF ACT NO. 11 OF THE PUBLIC ACTS OF 1968,
14 BEING SECTION 395.303 OF THE MICHIGAN COMPILED LAWS.

15 (4) The code shall be divided into sections as the commis-
16 sion considers appropriate including, without limitation, build-
17 ing, plumbing, electrical, and mechanical sections. The boards
18 shall participate in and work with the staff of the commission in
19 the preparation of parts relating to their functions. Before the
20 promulgation of an amendment to the code, the boards whose func-
21 tions relate to that code shall be permitted to draft and recom-
22 mend to the commission proposed language. The commission shall
23 give consideration to any submissions by the boards. However,
24 the commission has final responsibility for the promulgation of
25 the code.

26 (5) The code may incorporate the provisions of any code,
27 standard, or other material by reference. The commission shall

1 add, amend, and rescind rules to update the code at least once
2 every 3 years to coincide with the national code change cycle.

3 Section 2. This amendatory act shall not take effect unless
4 Senate Bill No. _____ or House Bill No. 5829 (request
5 no. 04192'91) of the 86th Legislature is enacted into law.