

SENATE BILL No. 1328

May 12, 2010, Introduced by Senators PAPPAGEORGE, BASHAM, OLSHOVE, JACOBS, CHERRY, ANDERSON, ALLEN and HUNTER and referred to the Committee on Senior Citizens and Veterans Affairs.

A bill to amend 1972 PA 230, entitled
"Stille-DeRossett-Hale single state construction code act,"
by amending section 4 (MCL 125.1504), as amended by 2004 PA 584.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) The director shall prepare and promulgate the
2 state construction code consisting of rules governing the
3 construction, use, and occupation of buildings and structures,
4 including land area incidental to the buildings and structures, the
5 manufacture and installation of building components and equipment,
6 the construction and installation of premanufactured units, the
7 standards and requirements for materials to be used in connection
8 with the units, and other requirements relating to the safety,
9 including safety from fire, and sanitation facilities of the

1 buildings and structures. THE DIRECTOR MAY PROMULGATE RULES TO
2 ESTABLISH AN "ELDERLY FRIENDLY" DESIGNATION REGARDING THE
3 CONSTRUCTION AND RENOVATION OF RESIDENTIAL BUILDINGS. THE RULES MAY
4 ADOPT ALL OR PART OF ANY DESIGN STANDARDS DEVELOPED BY A PRIVATE OR
5 PUBLIC ENTITY, SHALL PROVIDE FOR THE USE OF THE DESIGNATION BY
6 CERTAIN PERSONS, AND SHALL CONTAIN PROVISIONS MEETING, AT A
7 MINIMUM, THE FOLLOWING:

8 (A) ONE-STORY BARRIER-FREE LIVING, REGARDING THE LOCATION OF
9 THE PRIMARY SLEEPING, EATING, AND BATHROOM AREAS.

10 (B) DOORWAYS AND HALLWAYS AT LEAST 32 INCHES WIDE OR WIDER, AS
11 DETERMINED BY THE DIRECTOR, IN ORDER TO ACCOMMODATE ANY WHEELCHAIRS
12 OR MOTORIZED HANDICAPPER CONVEYANCE.

13 (C) FLUSH ENTRYWAYS AND THRESHOLDS, NONSLIP FLOORS AND BATHING
14 FACILITIES, AND LEVER DOOR HANDLES AND ROCKER LIGHT SWITCHES.

15 (2) The code shall consist of the international residential
16 code, the international building code, the international mechanical
17 code, the international plumbing code published by the
18 international code council, the national electrical code published
19 by the national fire prevention association, and the Michigan
20 uniform energy code with amendments, additions, or deletions as the
21 director determines appropriate.

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

24 (a) To provide standards and requirements for construction and
25 construction materials consistent with nationally recognized
26 standards and requirements.

27 (b) To formulate standards and requirements, to the extent

1 practicable in terms of performance objectives, so as to make
2 adequate performance for the use intended the test of
3 acceptability.

4 (c) To permit to the fullest extent feasible the use of modern
5 technical methods, devices, and improvements, including
6 premanufactured units, consistent with reasonable requirements for
7 the health, safety, and welfare of the occupants and users of
8 buildings and structures.

9 (d) To eliminate restrictive, obsolete, conflicting, and
10 unnecessary construction regulations that tend to increase
11 construction costs unnecessarily or restrict the use of new
12 materials, products, or methods of construction, or provide
13 preferential treatment to types or classes of materials or products
14 or methods of construction.

15 (e) To ~~insure~~**ENSURE** adequate maintenance of buildings and
16 structures throughout this state and to adequately protect the
17 health, safety, and welfare of the people.

18 (f) To provide standards and requirements for cost-effective
19 energy efficiency that will be effective April 1, 1997.

20 (g) Upon periodic review, to continue to seek ever-improving,
21 cost-effective energy efficiencies.

22 (h) The development of a voluntary consumer information system
23 relating to energy efficiencies.

24 (4) The code shall be divided into sections as the director
25 considers appropriate including, without limitation, building,
26 plumbing, electrical, and mechanical sections. The boards shall
27 participate in and work with the staff of the director in the

1 preparation of parts relating to their functions. Before the
2 promulgation of an amendment to the code, the boards whose
3 functions relate to that code shall be permitted to draft and
4 recommend to the director proposed language. The director shall
5 give consideration to all submissions by the boards. However, the
6 director has final responsibility for the promulgation of the code.

7 (5) The code may incorporate the provisions of a code,
8 standard, or other material by reference. The director shall add,
9 amend, and rescind rules to update the code not less than once
10 every 3 years to coincide with the national code change cycle.

11 (6) Before the Michigan building code, the Michigan
12 residential code, the Michigan plumbing code, the Michigan
13 mechanical code, the Michigan uniform energy code, and the Michigan
14 rehabilitation code may be enforced, the director shall make each
15 Michigan-specific code available to the general public for at least
16 45 days in printed, electronic, or other form that does not require
17 the user to purchase additional documents or data in any form in
18 order to have an updated complete version of each specific code,
19 excluding other referenced standards within each code. This
20 subsection does not apply to any code effective before April 1,
21 2005.