

LIGHTWEIGHT CONSTRUCTION SYMBOLS

Phone: (517) 373-8080
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House Bill 5121 as introduced
Sponsor: Rep. Laura Cox
Committee: Regulatory Reform
Complete to 2-23-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5121 would amend the Stille-DeRossett-Hale Single State Construction Code Act to require the director of the Department of Licensing and Regulatory Affairs to promulgate rules to establish standards and requirements relating to the installation of a symbol on lightweight construction buildings. This symbol would be used to alert firefighters, or other individuals conducting fire suppression, of the building's construction. The bill would take effect 90 days after the date it is enacted into law.

The bill would add the following terms whose meanings would apply only to Section 4g:

"Affected building" would mean a multifamily dwelling of three or more stories, a commercial building, or an industrial building.

"Lightweight construction" would mean construction of any part of the roof or floor supporting systems from engineered or lightweight prefabricated materials made from wood, composite lumber, wood by-products, or cold-formed steel.

The following must be part of the rules the director would have to promulgate:

- The dimensions, design, and color of the symbols, which must be as prescribed by the International Code Council's International Fire Code.
- A requirement that the symbol be installed by the owner of the affected building by the completion of construction or by one year after that effective date, whichever is later, if construction of the affected building is completed on or after the effective date of the rules. If an affected building was completed prior to the effective date of the rules, that building's owner would be required to install the symbol within five years of the effective date.

BACKGROUND INFORMATION:

Section 23 of the act contains penalties relating to violations of the act. It sets the penalty for a violation of the act as being a fine of not more than \$500, or imprisonment for not more than 90 days, or both. It also states that if a governmental subdivision has the responsibility of administering and enforcing the act and prosecutes a violation of the act, that unit of governmental subdivision may retain a fine imposed upon conviction. That governmental subdivision could also designate a violation as a municipal civil infraction

and provide a civil fine for the violation by ordinance. The governmental subdivision may retain the civil fine imposed upon judgment.

FISCAL IMPACT:

House Bill 5121, as introduced, would have a nominal fiscal impact on the Bureau of Construction Codes (BCC) and the Officer of Regulatory Reinvention (ORR) within the Department of Licensing and Regulatory Affairs (LARA) to the extent that the BCC and ORR would incur administrative expenses to promulgate rules pertaining to lightweight construction materials. The Administrative Procedures Act of 1969 establishes a multifaceted process, involving both public and legislative hearings, for the promulgation and adoption of administrative rules.

Legislative Analyst: Josh Roesner
Fiscal Analyst: Paul B.A. Holland

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