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# COMMONWEALTH OF PENNSYLVANIA GOVERNOR'S OFFICE OF GENERAL COUNSEL

March 3, 2016

The Honorable John Mizner Chairman, Independent Regulatory Review Commission 333 Market Street, 14<sup>th</sup> Floor Harrisburg, PA 17101

**RE: TOLLING RESPONSE LETTER AND RESUBMITTAL** 

Title 34: LABOR AND INDUSTRY

**DEPARTMENT OF LABOR AND INDUSTRY** 

34 Pa. Code, Chap. 401, Uniform Construction Code Training

and Certification of Code Administrators

34 Pa. Code, Chap. 403, Administration

34 Pa. Code, Chap. 405, Elevators and Other Lifting Devices

Regulation 12-102

Dear Chairman Mizner:

Pursuant to your letter of March 3, 2016, the Department of Labor and Industry is tolling the review period for the above captioned regulations and, with this letter, resubmitting the regulatory packet to provide a complete list of the accessibility provisions adopted by the regulations. The attached Annex A contains the following additions to Title 34, Part XIV, Section 403.21, 34 Pa.Code § 403.21(a)(10)(ii):

ii) The accessibility provisions of the International Existing Building Code of 2015, are also adopted as follows:

\* \* \* \* \*

(f) Section 806 (relating to Level 2 Alterations);

\* \* \* \* \*

(j) Section 1012.1.4 (relating to Change of Occupancy):

Please contact me with any questions at (717) 787-4186 or petgetzie@pa.gov.

Very truly yours.

Peter Von Getzie

Deputy Chief Counsel

**Enclosure** 

OFFICE OF CHIEF COUNSEL | DEPARTMENT OF LABOR & INDUSTRY SAFETY & LABOR-MANAGEMENT RELATIONS DIVISION 651 BOAS STREET | 10™ FLOOR | HARRISBURG, PA 17121 Ph: 717-787-4186 | Fax: 717-783-5027 | www.dli.state.pa.us



### Annex "A"

## TITLE 34. LABOR AND INDUSTRY

# PART XIV. UNIFORM CONSTRUCTION CODE

# CHAPTER 401. UNIFORM CONSTRUCTION CODE TRAINING AND CERTIFICATION OF CODE ADMINISTRATORS

## § 401.1. Definitions.

The following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise:

International Building Code—Chapters 2—10, 12—29 and 31—35 of the "International Building Code 2009" (first printing) issued by the ICC. Chapter 11 and Appendix E of the "International Building Code [2012] 2015" issued by the ICC. The term includes all errata issued by the ICC.

International Existing Building Code—The "International Existing Building Code for Buildings and Facilities 2009" (first printing) issued by the ICC. The accessibility provisions contained in "International Existing Building Code for Buildings 2015" issued by the ICC. The term includes all errata issued by the ICC.

# Chapter 403. ADMINISTRATION STANDARDS

# § 403.21. Uniform Construction Code.

(a) The Department adopts and incorporates by reference the following codes as the Uniform Construction Code:

(2) Chapter 11 of the "International Building Code of [2012] 2015."

\* \* \* \* \*

- (10) The "International Existing Building Code." [Section 406.3 of the International Existing Building Code of 2015 (relating to replacement window emergency escape and rescue openings) is also adopted.]
  - (i) Section 406.3 of the International Existing Building Code of 2015, (relating to replacement window emergency escape and rescue openings,) is also adopted.
  - (ii) The accessibility provisions of the International Existing Building Code of 2015, are also adopted as follows:
    - (a) Section 107.2 (relating to Temporary Structures and Uses);
    - (b) Section 410 (relating to the Prescriptive Compliance Method);
    - (c) Section 605 (relating to Repairs);
    - (d) Section 705 (relating to Level 1 Alterations);
    - (e) Section 801.1 (relating to Level 2 Alterations);
    - (f) Section 806 (relating to Level 2 Alterations);
    - (g) Section 901.2 (relating to Level 3 Alterations);
    - (h) Section 906 (relating to Level 3 Alterations);
    - (i) Section 1006 (relating to Change of Occupancy);
    - (j) Section 1012.1.4 (relating to Change of Occupancy);
    - (k) Section 1012.8 (relating to Change of Occupancy);
    - (l) Section 1101.2 (relating to Additions);
    - (m) Section 1105 (relating to Additions);
    - (n) Section 1204.1 (relating to Historic Buildings);
    - (o) Section 1205.15 (relating to Historic Buildings);
    - (p) Section 1401.2.5 (relating to Performance Compliance Methods);
    - (q) Section 1508 (relating to Construction Safeguards); and
    - (r) Appendix B.

(12) Appendix E of the "International Building Code of [2012] 2015."

\* \* \* \* \*

# CHAPTER 405. ELEVATORS AND OTHER LIFTING DEVICES

\* \* \* \*

# § 405.2. Standards.

(a) The following standards are adopted as part of the Uniform Construction Code and apply to the listed type of elevator or other lifting device. Other authorities referenced in the standards are adopted if the authority is not excluded in subsection (b):

\* \* \* \* \*

(4) "ANSI B77.1-[2006] <u>2011 and supplement ANSI B77.1a-2012</u>" for passenger ropeways, aerial tramways, aerial lifts, surface lifts, tows and conveyors.

\* \* \* \*



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To: Senator Christine Tartaglione  Fax No.: (717) 787-7439	From: Wendy Willard Phone No: (717) 787-4186
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# **FACSIMILE TRANSMITTAL FORM**

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