

Regulatory Analysis Form

(Completed by Promulgating Agency)

(All Comments submitted on this regulation will appear on IRRC's website)

**INDEPENDENT REGULATORY
REVIEW COMMISSION**

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(1) Agency:

Department of Labor and Industry

(2) Agency Number:

Identification Number:

IRRC Number: 2937

(3) PA Code Cite:

34 Pa. Code, Part XIV, Chapters 401 and 403.

(4) Short Title:

Uniform Construction Code

(5) Agency Contacts (List Telephone Number and Email Address):

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10th Fl., L&I Bldg.
651 Boas Street, Harrisburg, PA 17121
717-787-4186, Fax 717-787-1303, kellysmith@pa.gov

(6) Type of Rulemaking (check applicable box):

Proposed Regulation

Final Regulation

Final Omitted Regulation

Emergency Certification Regulation;

Certification by the Governor

Certification by the Attorney General

(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

This regulation updates the Uniform Construction Code (UCC) by adopting Chapter 11 and Appendix E of the International Building Code of 2012, which adopts by reference the American National Standard Institute (ANSI) Accessible and Usable Buildings and Facilities A117.1-2009. Section 304 (A)(3) (35 P.S. § 7210.304) of the Pennsylvania Construction Code Act (35 P.S. §§ 7210.101-7210.1103) (Act) requires the Department of Labor and Industry (Department) to promulgate regulations updating accessibility standards under Chapter 3 by adopting Chapter 11 and Appendix E of the International Building Code of 2012, or its successor, by December 31 of the year of issuance of the new code.

(8) State the statutory authority for the regulation. Include specific statutory citation.

This regulation is promulgated under the authority provided in Section 301 of the Act (35 P.S. § 7210.301), which requires the Department to promulgate regulations. More specifically, Section 304(a)(3) of the Act (35 P.S. § 7210.304) requires the Department to promulgate regulations updating accessibility standards under Chapter 3 by adopting Chapter 11 and Appendix E of the International Building Code of 2012 by December 31 of the year of issuance of the new code.

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

Section 304(A)(3) of the Act (35 P.S. § 7210.304) requires the Department to promulgate regulations updating accessibility standards under Chapter 3 by adopting Chapter 11 and Appendix E of the International Building Code of 2012 by December 31 of the year of issuance of the new code.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

The changes made by this regulation are mandated by the Act. Section 304(A)(3) of the Act (35 P.S. § 7210.304) requires the Department to promulgate regulations updating accessibility standards under Chapter 3 by adopting Chapter 11 and Appendix E of the International Building Code of 2012 by December 31 of the year of issuance of the new code.

(11) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

N/A

(12) Describe who and how many people will be adversely affected by the regulation. How are they affected?

Local governments and third party inspection agencies enforcing the UCC and the Department are adversely affected in that they will need to absorb the cost of updating their code materials and their code enforcement staff may require training on the changes to the accessibility requirements contained in Chapter 11 and Appendix E of the International Building Code of 2012 and the ICC/ANSI A117.1-2009. These costs should be minimal and will probably involve no more than the purchase of the International Building Code of 2012 and the ICC/ANSI A117.1-2009.

Building and facility owners, building and facility contractors and developers may be adversely affected, as they are required to absorb the cost of compliance with any new or altered accessibility standards mandated by the International Building Code of 2012 and the ICC/ANSI A117.1-2009.

(13) List the persons, groups or entities that will be required to comply with the regulation. Approximate the number of people who will be required to comply.

Building and facility contractors, design professionals, building and facility owners, developers, local municipalities, construction code officials, third party inspection agencies and the Department must comply with this regulation.

(14) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

The regulated community is required to absorb the cost of compliance with any new or altered accessibility standards mandated by the International Building Code of 2012 and the ICC/ANSI A117.1-2009. It is impossible to estimate the cost of compliance since the number of projects and the design of each individual project is unknown.

(15) Provide a specific estimate of the costs and/or savings to **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

Local municipalities that have opted to enforce the UCC will incur costs associated with updating their code materials. The cost of an International Building Code of 2012 is \$88.00. The cost of an ICC/ANSI A117.1-2009 is \$24.00. Municipalities may need to purchase multiple copies of the code books depending on the number of employees assigned to its building code program. Municipalities that contract with third-party inspection agencies may incur no additional expenses. Municipalities may also need to incur the cost of any training required by their code officials regarding the changes to the accessibility requirements contained in Chapter 11 and Appendix E of the International Building Code of 2012 and the ICC/ANSI A117.1-2009.

(16) Provide a specific estimate of the costs and/or savings to **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

The costs will be similar to the costs incurred by the current UCC enforcement program. The Department's FY 11-12 costs for the UCC building code program, which includes enforcement of the accessibility standards, was approximately \$4,346,594.00. The Department must incur an approximate cost of \$7056.00 for purchasing 63 copies of the International Building Code of 2012 and the ICC/ANSI A117.1-2009.

The Department may incur minimal costs for staff training on the new or altered accessibility standards mandated by the International Building Code of 2012 and ICC/ANSI A117.1-2009.

(17) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year 11/12	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
Total Savings						
COSTS:						
Regulated Community	Unknown					
Local Government	Unknown					
State Government *	\$4,346,594	4,476,991	4,611,300	4,611,300	4,611,300	4,749,639
Total Costs						
REVENUE LOSSES:						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses						

* Figures represent total UCC building code program costs.

(17a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3	FY -2	FY -1	Current FY
Buildings **	\$5,465,629	\$5,360,192	\$4,299,313	\$4,346,594

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The Pennsylvania Construction Code Act requires the Department to promulgate this regulation. The benefits of adopting the most current accessibility standards, which will provide fully accessible and useable buildings and facilities for the physically disabled community in Pennsylvania, outweigh the costs to the regulated and enforcement communities.

(19) Describe the communications with and input from the public and any advisory council/group in the development and drafting of the regulation. List the specific persons and/or groups who were involved.

The Department sought input from the Accessibility Advisory Board, created under Section 106 of the PCCA. The Accessibility Advisory Board consists of members appointed by the Secretary, including members with physical disabilities, an architect, a member of the business community, a representative of the multifamily housing industry and a municipal official. Under Section 106(b) of the PCCA, the Accessibility Advisory Board has reviewed the proposed regulation and given its advice to the Secretary.

The Department published proposed rulemaking at 42 Pa. B. 1861 (April 7, 2012) and as a result, received written comments from Robert Heil, on behalf of the Pennsylvania Association of Building Code Officials (PABCO), and Elam Herr, on behalf of the Pennsylvania State Association of Township Supervisors (PSATS). The Independent Regulatory Review Commission advised the Department that it had no objections, comments or recommendations to offer regarding the proposed regulation.

The Department has addressed the comments received from PABCO and PSATS in the preamble to the final regulation.

(20) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

The Pennsylvania Construction Code Act requires the Department to promulgate this regulation. No alternatives can be considered.

(21) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

There are no federal laws that adopt building code standards. The federal Americans with Disabilities Act (ADA) mandates that certain buildings and facilities comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG). The ICC/ANSI A117.1-2009 accessibility standards that are being adopted by this regulation are consistent with the federal ADAAG accessibility standards.

The Pennsylvania Construction Code Act requires the Department to promulgate this regulation.

(22) How does this regulation compare with those of other states? How will this affect Pennsylvania's ability to compete with other states?

The 2009 edition, or an earlier edition of the International Building Code, is adopted at the state or local level in all 50 states and in Washington, DC. This regulation will update Pennsylvania's accessibility standards to the 2012 edition of Chapter 11 and Appendix E and by reference, the 2009 edition of ICC/ANSI A117.1. It is projected that this amendment will not affect Pennsylvania's ability to compete with other states. The Pennsylvania Construction Code Act requires the Department to promulgate this regulation.

(23) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

This regulation updates the Uniform Construction Code by adopting Chapter 11 and Appendix E of the International Building Code of 2012 and the ICC/ANSI A117.1-2009 by reference. This regulation does not affect any other regulation.

(24) Submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

The regulation will not change existing reporting, record keeping or other paperwork requirements of the UCC building code enforcement program. Current forms and permits will require updating to indicate compliance with Chapter 11 and Appendix E of the International Building Code of 2012 and ICC/ANSI A117.1-2009.

(25) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

This regulation merely updates the accessibility standards of the UCC to the 2012 edition of Chapter 11 and Appendix E of the International Building Code and the 2009 edition of ICC/ANSI A117.1. No special provisions have been developed.

(26) Include a schedule for review of the regulation including:

- A. The date by which the agency must receive public comments: N/A
- B. The date or dates on which public meetings or hearings will be held: N/A
- C. The expected date of promulgation of the proposed regulation as a final-form regulation: _____
- D. The expected effective date of the final-form regulation: 12-31-2012
- E. The date by which compliance with the final-form regulation will be required: 12-31-2012
- F. The date by which required permits, licenses or other approvals must be obtained: _____

(27) Provide the schedule for continual review of the regulation.

Section 304 (A)(3) (35 P.S. § 7210.304) of the Act (35 P.S. §§ 7210.101-7210.1103) requires the Department to promulgate regulations updating accessibility standards under Chapter 3 by adopting Chapter 11 and Appendix E of the International Building Code by December 31 of the year of issuance of the new code. The International Code Council issues a new edition of the International Building Code every 3 years, which establishes a 3 year review cycle for this regulation.

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**FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU**

(Pursuant to Commonwealth Documents Law)

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Copy below is hereby approved as to form and legality. Attorney General

BY:

DEPUTY ATTORNEY GENERAL

DATE OF APPROVAL

Check if applicable
Copy not approved.
Objections attached.

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Department of Labor & Industry
(AGENCY)

DOCUMENT / FISCAL NOTE NO. **12-94**

DATE OF ADOPTION:

BY:

Julia K. Hearthway
Julia K. Hearthway

TITLE:

Secretary

(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

Copy below is hereby approved as to form and legality. Executive or independent Agencies.

Shawn E. Smith
Deputy General Counsel
SHAWN E. SMITH

DATE OF APPROVAL:

SEP 14 2012

Check if applicable. No Attorney General approval or objection within 30 days after submission.

FINAL-FORM RULEMAKING

**Title 34 Labor & Industry
Uniform Construction Code
Chapters 401 and 403**

[34 Pa. Code Part XIV, Chapters 401 and 403]

COMMENTATOR'S LIST FOR REGULATION 12-94

Elam M. Herr
PSATS
4855 Woodland Drive
Enola, PA 17025-1291

Robert J. Heil, President
PABCO
5329 Route 219
Brockport, PA 15823

FINAL-FORM RULEMAKING

Title 34 Labor and Industry Uniform Construction Code Chapters 401 and 403 [34 Pa. Code, Part XIV, Chapters 401 and 403]

In accordance with Section 304 of the “Pennsylvania Construction Code Act,” the act of November 10, 1999, (P.L. 491, N. 45) (PCCA), as amended, the Department of Labor and Industry (Department) amends Chapter 401 (relating to uniform construction code training and certification of code administrators) and Chapter 403 (relating to administration) to read as set forth in Annex A.

Statutory Authority

This final-form rulemaking is issued under the authority provided in Section 304(a)(3) of Pennsylvania Construction Code Act, which provides that the Department shall promulgate regulations updating accessibility standards by adopting Chapter 11 and Appendix E of the International Building Code of 2012, or its successor, by December 31 of the year of issuance of the new code.

Background

The PCCA mandates a process for the adoption of updated building codes issued by the International Code Council. Although most building code provisions are reviewed by the Uniform Construction Code Review and Advisory Council, under Section 107 of the PCCA, the Legislature has excluded accessibility provisions of the International Building Code from review. In 2011, the PCCA was amended to require that the Department regularly adopt updated accessibility standards for the construction, repair or alteration of buildings in the Commonwealth by December 31 of the year of issuance, beginning with Chapter 11 and Appendix E of the International Building Code of 2012. Therefore, the Department is required to adopt these provisions by December 31, 2012. Adoption of the current accessibility standards will ensure that commercial buildings meet current standards for accessible and usable facilities.

The Department published proposed rulemaking at 42 Pa. B. 1861 (April 7, 2012). As a result, the Department received written comments from the following: Robert Heil, on behalf of the Pennsylvania Association of Building Code Officials (PABCO) and Elam Herr, on behalf of the Pennsylvania State Association of Township Supervisors

(PSATS). On June 6, 2012, the Department received a letter from the Independent Regulatory Review Commission indicating that it has no objections, comments or recommendations to offer regarding the proposed regulation.

Purpose

The purpose of this regulation is to adopt recognized international standards for accessible and usable buildings and structures, as directed by Act 1 of 2011. The regulation brings Pennsylvania's standards for accessible and usable buildings to the current state of the art and conforms to standards issued by the United States Department of Justice under the Americans with Disabilities Act (42 USCS §§12101-12213). Adopting Chapter 11 and Appendix E of the 2012 International Building Code will allow the Department to comply with the directive of the PCCA.

Response to Comments

PABCO commented that the Department is adopting the ICC A117.1-2009 standard without authority to do so. The rulemaking in Annex A does not explicitly adopt ICC A117.1-2009. However, ICC A117.1-2009 is adopted by Chapter 11 of the 2012 International Building Code. The Department is required to adopt Chapter 11 and Appendix E of the 2012 International Building Code. 35 P.S. § 7210.304(a)(3). Those are the only standards that are expressly adopted by this regulation.

Both PABCO and PSATS commented that there are accessibility provisions in sections of the 2012 International Building Code other than Chapter 11 and Appendix E and expressed concern regarding those provisions. PABCO urges the Department to adopt other accessibility provisions. The PCCA clearly directs the Department to adopt Chapter 11 and Appendix E. 35 P.S. § 7210.304(a)(3). The Department does not have authority to expressly adopt any other provisions.

PABCO commented that the Department should provide, by regulation, a list of all chapters, sections and subsections in the IBC and IEBC that pertain to accessibility. Again, the PCCA gives the Department authority to adopt Chapter 11 and Appendix E of the International Building Code of 2012. 35 P.S. § 7210.304(a)(3). The Department is constrained to adopt only those sections. The Department may provide guidance to code officials regarding its interpretation of this adoption at a later date.

Affected Persons

This regulation affects owners of new commercial buildings or commercial buildings undergoing addition, renovation or repair. It also ensures that persons with physical disabilities will be able to access and use commercial buildings in the Commonwealth.

Fiscal Impact

The Commonwealth will incur minimal additional costs under this regulation. Such costs are related to the purchase of updated code books for Commonwealth personnel. The cost to enforce the regulation will be the same as the current regulation. This regulation will not increase administrative, enforcement or legal activity.

Reporting, Recordkeeping and Paperwork Requirements

This regulation will not require the creation of new forms or reporting requirements. Current forms may be updated.

Sunset Date

A sunset date is not appropriate for this regulation. The PCCA directs the Department to update this regulation with each new International Code Council, or successor code, edition.

Effective Date

This regulation will take effect December 31, 2012.

Contact Person

The contact person is Edward Leister, Director, Bureau of Occupational and Industrial Safety, Department of Labor & Industry, 16th Floor, Labor & Industry Building, 651 Boas Street, Harrisburg, Pennsylvania, 17120; eleister@pa.gov.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 23, 2012, the Department submitted a copy of the proposed rulemaking, published at 42 Pa. B. 1861 (April 7, 2012), to the IRRC and to the Chairpersons of the Senate Committee on Labor and Industry and the House Labor and Industry Committee. In addition, the Department also provided the IRRC and the Senate and House Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department. The Department also provided the Committees and the IRRC with copies of the comments received as well as other documents when requested. In preparing these final-form regulations, the Department considered all the comments from the IRRC and public. The Senate Committee on Labor and Industry and the House Labor and Industry Committee did not comment. Under section 5.1(j.1)-(j.3) of the Regulatory Review Act (71 PS. § 745.5a(j.1)-(j.3)), these final-form regulations were approved/deemed approved by the Senate and House Committees on _____ 2012. IRRC met on _____ 2012 and approved this regulation in accordance with section 5.1(e) of the Regulatory Review Act (71 P.S. § 745.a(e)).

Findings

The Department finds that:

(a) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the related regulations at 1 Pa. Code §§7.1 and 7.2.

(b) A public comment period was provided as required by law and all comments were considered.

(c) The final-form regulations are necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Department, acting under the authorizing statute, orders that:

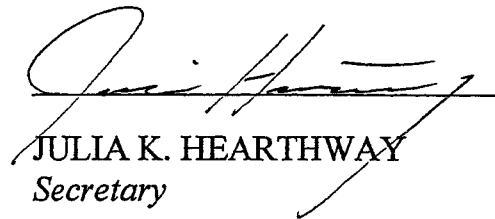
(a) The regulations of the Department, 34 Pa. Code, are amended by amending §§ 401.1 and 403.21.

(b) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as to legality and form as required by law.

(c) The Secretary of the Department shall submit this order and Annex A to the IRRC, the Senate Labor and Industry Committee and the House Labor Relations Committee as required by law.

(d) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(e) This order shall take effect December 31, 2012.



JULIA K. HEARTHWAY
Secretary

Fiscal Note:

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, and Chapter 11 and Appendix E of the “International Building Code 2012” 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:

(1) The provisions of Chapters 2 – 10, 12 – 29 and 31 – 35 of the “International Building Code,” except that in occupancies in Use Group R-3 and within dwelling units in occupancies in Use Group R-2 the maximum riser height shall be 8 ¼ inches (210 mm) and the minimum tread depth shall be 9 inches (229 mm). A 1-inch (25 mm) nosing shall be provided on stairways with solid risers.

(2) Chapter 11 of the International Building Code of 2012.

(3) The “International Mechanical Code.”

(4) “The International Fuel Gas Code.”

(5) “The International Performance Code.”

(6) “The International Plumbing Code”

(i) Except that a municipality within a county of the second class may not administer and enforce the “International Plumbing Code” adopted under this chapter.

(ii) A municipality within a county of the second class that has adopted a plumbing code and accompanying rules and regulations under the Local Health Administration Law (16 P.S. §§ 12001 – 12028), shall retain the authority to promulgate and enforce this plumbing code and to make any changes it deems necessary if the changes meet the Uniform Construction Code’s minimum requirements.

(7) The “International Residential Code,” except that:

(i) The provisions of R314.4 requiring interconnected smoke alarms do not apply to one-family and two-family dwellings undergoing alterations, repairs or additions. Noninterconnected battery operated smoke alarms shall be installed in these dwellings.

(ii) The following specifications apply to residential stairway treads and risers.

(A) The maximum riser height is 8 ¼ inches. There may be no more than a 3/8 inch variation in riser height within a flight of stairs. The riser height is to be measured vertically between leading edges of the adjacent treads.

(B) The minimum tread depth is 9 inches measured from tread nosing to tread nosing.

(C) The greatest tread depth within any flight of stairs may not exceed the smallest by more than 3/8 of an inch.

(D) Treads may have a uniform projection of not more than 1 ½ inches when solid risers are used.

(E) Stairways may not be less than 3 feet in clear width and clear headroom of 6 feet 8 inches shall be maintained for the entire run of the stair.

(F) Handrails may project from each side of a stairway a distance of 3 ½ inches into the required width of the stair.

(8) The “International Fire Code.” Section 806.1.1 of the International Fire Code (relating to natural cut trees) is not adopted under this chapter. A municipality that elects to adopt an ordinance for the administration and enforcement of the Uniform Construction Code may, by ordinance, restrict the placement of natural cut trees in an occupancy group. The ordinance restricting the placement of natural cut trees is not subject to section 503(b)—(k) of the act (35 P.S. §7210.503(b) – (k)) and § 403.102 (i) – (k) (relating to municipalities electing to enforce the Uniform Construction Code).

(9) The “International Energy Conservation Code.”

(10) The “International Existing Building Code.”

(11) The “International Wildland-Urban Interface Code.”

(12) Appendix E of the [“]International Building Code[.”] of 2012.

(13) Appendix H of the “International Building Code.”

(14) Appendix G of the “International Residential Code.”



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF LABOR AND INDUSTRY
HARRISBURG, PENNSYLVANIA 17120

THE SECRETARY

October 1, 2012

The Honorable Silvan B. Lutkewitte, III
Chairman, Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

**Re: Final Rulemaking 12-94
Chapters 401 and 403
Title 34 Labor & Industry
Uniform Construction Code**

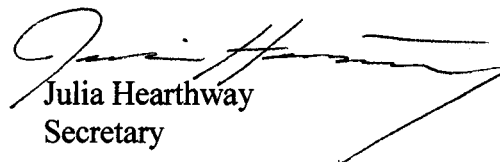
Dear Chairman Lutkewitte:

Enclosed is a final rulemaking package consisting of a Face Sheet, Preamble, Annex A and Regulatory Analysis Form. The Department of Labor & Industry is submitting this rulemaking consistent with the requirements of the Pennsylvania Construction Code Act which provides that the Department shall promulgate regulations updating accessibility standards by adopting Chapter 11 and Appendix E of the International Building Code of 2012.

Comments, suggestions or questions should be directed to Edward L. Leister, Director, Bureau of Occupational and Industrial Safety, Department of Labor & Industry, 16th Floor, Labor and Industry Building, 651 Boas Street, Harrisburg, PA 17121; Telephone: (717) 783-6304; Fax: (717) 787-8363. The email address is: eleister@pa.gov.

The Department's staff will provide your staff with any assistance required to facilitate your review of this proposal.

Sincerely,


Julia Hearthway
Secretary

cc w/encl: Arthur F. McNulty, Chief Counsel
J. Scott Robinette, Deputy Secretary, Safety and
Labor-Management Relations
David Greineder, Director of Legislative Affairs
Eric Kratz, Executive Policy Specialist
Edward L. Leister, Director, Occupational and Industrial Safety
Kelly K. Smith, Assistant Chief Counsel

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 12-94

SUBJECT: UNIFORM CONSTRUCTION CODE

AGENCY: DEPARTMENT OF LABOR AND INDUSTRY

TYPE OF REGULATION

- Proposed Regulation
- X Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolled Regulation
 - a. With Revisions
 - b. Without Revisions

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FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
		HOUSE COMMITTEE ON LABOR RELATIONS
10/1/12	<i>Dan Cipriello</i>	MAJORITY CHAIRMAN <u>Ron Miller</u>
10/1/12	<i>Vincent</i>	MINORITY CHAIRMAN <u>William R. Keller</u>
		SENATE COMMITTEE ON LABOR RELATIONS
10/1/12	<i>Philip De</i>	MAJORITY CHAIRMAN <u>John R. Gordner</u>
	<i>Egler</i>	MINORITY CHAIRMAN <u>Christine M. Tartaglione</u>
10/1/12	<i>Kathy Cooper</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL (for Final Omitted only)
		LEGISLATIVE REFERENCE BUREAU (for Proposed only)