

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2749 Session of 2004

INTRODUCED BY MAJOR, LEWIS, SCAVELLO, HARHART, DALLY, BIRMELIN,
R. MILLER AND PICKETT, JUNE 23, 2004

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 29, 2004

AN ACT

1 Amending the act of November 10, 1999 (P.L.491, No.45), entitled
2 "An act establishing a uniform construction code; imposing
3 powers and duties on municipalities and the Department of
4 Labor and Industry; providing for enforcement; imposing
5 penalties; and making repeals," further providing for
6 referenced standards; and abrogating regulations.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 302 of the act of November 10, 1999
10 (P.L.491, No.45), known as the Pennsylvania Construction Code
11 Act, is amended to read:

12 Section 302. Referenced standards.

13 ~~(a) General rule. The standards referenced in Chapters 30~~ <—

14 (A) GENERAL RULE.--[THE] <—

15 (1) SUBJECT TO PARAGRAPH (2), THE STANDARDS REFERENCED
16 IN CHAPTERS 30 and 35 relating to elevators and conveying
17 systems and referenced standards, respectively, or the
18 applicable chapter, of the 1999 BOCA National Building Code,
19 Fourteenth Edition, and the American National Standards for

1 Passenger Tramways, Aerial Tramways, Aerial Lifts, Surface
2 Lifts and Tows, ASME/ANSI B77.1, ~~and its successors~~, shall be <—
3 considered part of the requirements of the Uniform
4 Construction Code to the prescribed extent of each such
5 reference except that BNPMC-96 BOCA National Property
6 Maintenance Code and ASME/ANSI A17.3 (safety code for
7 existing elevators and escalators) shall be excluded.

8 (2) THE STANDARDS UNDER PARAGRAPH (1) SHALL INCLUDE THE <—
9 LATEST ANSI STANDARDS APPLICABLE TO THE OPERATION OF SKI
10 LIFTS.

11 (b) No preemption.--Nothing contained in this act shall be
12 construed to preempt the ability of a municipality to adopt or
13 enforce the codes referred to in this section to the extent not
14 referenced, in whole or in part, in Chapter 35 relating to
15 referenced standards or applicable chapter of the 1999 BOCA
16 National Building Code, Fourteenth Edition.

17 Section 2. The following shall apply:

18 (1) The provisions of 34 Pa.Code § 405.2(a)(4) (relating
19 to standards) are abrogated ~~absolutely~~ INSOFAR AS THEY RELATE <—
20 TO SKI LIFTS.

21 (2) The provisions of 34 Pa.Code § 405.11(e) (relating
22 to accident report) are abrogated insofar as they relate to
23 ski lifts.

24 (3) All other regulations are abrogated to the extent of
25 any inconsistency with this act.

26 Section 3. This act shall take effect immediately.