

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

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 23, 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 and 35 relating to elevators and conveying systems and
15 referenced standards, respectively, or the applicable chapter,
16 of the 1999 BOCA National Building Code, Fourteenth Edition, and
17 the American National Standards for Passenger Tramways, Aerial
18 Tramways, Aerial Lifts, Surface Lifts and Tows, ASME/ANSI B77.1,
19 and its successors, shall be considered part of the requirements

1 of the Uniform Construction Code to the prescribed extent of
2 each such reference except that BNPMC-96 BOCA National Property
3 Maintenance Code and ASME/ANSI A17.3 (safety code for existing
4 elevators and escalators) shall be excluded.

5 (b) No preemption.--Nothing contained in this act shall be
6 construed to preempt the ability of a municipality to adopt or
7 enforce the codes referred to in this section to the extent not
8 referenced, in whole or in part, in Chapter 35 relating to
9 referenced standards or applicable chapter of the 1999 BOCA
10 National Building Code, Fourteenth Edition.

11 Section 2. The following shall apply:

12 (1) The provisions of 34 Pa.Code § 405.2(a)(4) (relating
13 to standards) are abrogated absolutely.

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

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

19 Section 3. This act shall take effect immediately.