
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1193 Session of
2021

INTRODUCED BY ECKER, APRIL 16, 2021

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, APRIL 16, 2021

AN ACT

1 Providing for requirements for sampling and initial curing of
2 concrete samples on commercial construction projects;
3 imposing duties on the Department of Labor and Industry; and
4 prescribing penalties.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Reliable
9 Acceptance Testing of Concrete Act.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "ACI." The American Concrete Institute.

15 "ASTM." ASTM International, formerly known as American
16 Society for Testing and Materials.

17 "Commercial construction project." The construction of a
18 building or repair, alteration, change of occupancy, addition to
19 or relocation of an existing building that is subject to the act

1 of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania
2 Construction Code Act, PA-IBC and PA-IEBC. The term does not
3 include a construction project subject to the PA-IRC Building
4 Code for residential construction.

5 "Contractor." A person, firm or corporation with which an
6 owner enters into an agreement for the construction of a
7 commercial construction project.

8 "Department." The Department of Labor and Industry of the
9 Commonwealth.

10 "Owner." A person, agent, operator, entity, firm or
11 corporation that has a legal or equitable interest in a
12 property.

13 "Owner's testing agency." A firm or entity under contract
14 with an owner to provide testing services for quality assurance
15 and compliance with the requirements of ASTM C1077.

16 "PA-IBC." Building Code of Pennsylvania.

17 "PA-IEBC." Existing Building Code of Pennsylvania.

18 "PA-IRC Building Code." Residential Code for One-and-Two
19 Family Dwellings of Pennsylvania.

20 Section 3. Sampling and initial curing of concrete samples.

21 (a) Required standards.--A contractor and owner's testing
22 agency shall provide for the casting of concrete test specimens
23 for the purpose of acceptance of concrete and for the initial
24 curing of concrete test specimens at a commercial construction
25 project site in compliance with this section.

26 (b) Duties of owner's testing agency.--An owner's testing
27 agency shall:

28 (1) Obtain samples of concrete in accordance with ASTM
29 C172 and cast test specimens in accordance with ASTM C31.

30 (2) Cure test specimens and monitor and report curing

1 conditions for conformance with the requirements of ASTM C31
2 and as provided under this section.

3 (3) Provide a container for the storage of test
4 specimens at the project site that will facilitate compliance
5 with the storage and initial curing requirements of ASTM C31.

6 (4) Store the test specimens in the initial curing
7 container and maintain the required temperature and moisture
8 conditions during the initial curing period as defined in the
9 standard curing requirements of ASTM C31.

10 (5) Transport test specimens from the project site to
11 the testing location in accordance with the requirements of
12 ASTM C31.

13 (6) Maintain the test specimens at a laboratory in
14 accordance with the final curing section for standard curing
15 in the requirements of ASTM C31.

16 (7) Test the specimens for strength in accordance with
17 the requirements of ASTM C39.

18 (c) Duties of contractor.--A contractor shall provide 100v
19 power, water and space for the initial curing container for use
20 by an owner's testing agency, and security and timely access to
21 the storage location of the concrete test specimens.

22 (d) Initial curing of test specimens.--The initial curing of
23 concrete test specimens shall be conducted as follows:

24 (1) The initial curing environment surrounding test
25 specimens shall be monitored by a digital system that records
26 temperature at least every hour, within the range of 30
27 degrees Fahrenheit to 120 degrees Fahrenheit and to an
28 accuracy of 1 degree Fahrenheit, and provide software to
29 access the stored data.

30 (2) When requested, the output from the automated

1 temperature measuring device shall be made available in real
2 time to the contractor, concrete supplier, concrete special
3 inspector, licensed design professional and building code
4 official. The output from the automated temperature device
5 shall be included in the concrete strength report issued by
6 the owner's testing agency.

7 (e) Technician requirements.--Sampling, casting of test
8 specimens and providing, maintaining and monitoring of initial
9 curing of concrete shall be conducted by a technician who holds
10 a current ACI Grade I Concrete Field Testing Technician
11 certification.

12 (f) Final curing and testing of specimens.--Final curing and
13 testing of concrete specimens for strength shall be conducted in
14 accordance with the requirements of ASTM C31 and ASTM C39 by a
15 technician who holds a current ACI Concrete Strength Testing
16 Technician certification.

17 Section 4. Enforcement.

18 The department shall enforce the provisions of this act.

19 Section 5. Penalties.

20 A person who violates this act shall be subject to the
21 following:

22 (1) For a first violation, a warning issued by the
23 department.

24 (2) For a second violation, an administrative fine of
25 \$500.

26 (3) For a third violation, an administrative fine of
27 \$1,000 and inclusion on a list of violators posted on the
28 department's publicly accessible Internet website for a
29 period of one year.

30 (4) For a fourth and subsequent violation, an

1 administrative fine of \$2,000 and inclusion on a list of
2 violators posted on the department's publicly accessible
3 Internet website for a period of one year for each violation.

4 Section 6. Effective date.

5 This act shall take effect in 60 days.