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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 780 Session of  
2023

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INTRODUCED BY ECKER, ZIMMERMAN AND FRITZ, MARCH 30, 2023

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REFERRED TO COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT,  
MARCH 30, 2023

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AN ACT

1 Providing for requirements for sampling and initial curing of  
2 concrete samples on commercial construction projects; and  
3 imposing penalties.

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

6 Section 1. Short title.

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

9 Section 2. Definitions.

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

13 "ACI." The American Concrete Institute.

14 "ASTM." ASTM International.

15 "Contractor." A person, firm or corporation with which an  
16 owner enters into an agreement for the construction of a  
17 project.

18 "Department." The Department of Labor and Industry of the

1 Commonwealth.

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

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

6 (a) General rule.--A contractor and owner's testing agency  
7 shall provide for the casting of concrete test specimens for the  
8 purpose of acceptance of concrete and for the initial curing of  
9 concrete test specimens at a project site on commercial  
10 construction projects as provided under this section.

11 (b) Duties of owner's testing agency.--The owner's testing  
12 agency shall:

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

15 (2) Cure test specimens, monitor and report curing  
16 conditions for conformance with the requirements of ASTM C31  
17 and as provided under this section.

18 (3) Provide a container for the storage of test  
19 specimens at the project site that will facilitate  
20 conformance to the storage and initial curing requirements of  
21 ASTM C31.

22 (4) Store the test specimens in the initial curing  
23 container and maintain the required temperature and moisture  
24 conditions during the initial curing period as defined in the  
25 standard curing requirements of ASTM C31.

26 (5) Transport test specimens from the project site to  
27 the testing location in accordance with the requirements of  
28 ASTM C31.

29 (6) Maintain the test specimens at a laboratory in  
30 accordance with the final curing section for standard curing

1 in the requirements of ASTM C31.

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

4 (c) Duties of contractor.--A contractor shall provide power  
5 (110v), water, space for the initial curing container for use by  
6 the owner's testing agency, security and timely access to the  
7 storage location of the concrete test specimens.

8 (d) Initial curing of test specimens.--The initial curing of  
9 test specimens shall be conducted as follows:

10 (1) The initial curing environment surrounding test  
11 specimens shall be monitored by a digital system that records  
12 temperature at least every hour, within the range of 30  
13 degrees Fahrenheit to 120 degrees Fahrenheit and to an  
14 accuracy of 1 degree Fahrenheit, and provide software to  
15 access the stored data.

16 (2) When requested, the output from the automated  
17 temperature measuring device shall be made available in real  
18 time to the contractor, concrete supplier, concrete special  
19 inspector, licensed design professional and building code  
20 official. The output from the automated temperature device  
21 shall be included in the concrete strength report issued by  
22 the owner's testing agency.

23 (e) Technician requirements.--Sampling, casting of test  
24 specimens and providing, maintaining and monitoring of initial  
25 curing shall be conducted by a technician holding a current ACI  
26 Grade I Concrete Field Testing Technician certification.

27 (f) Final curing and testing of specimens.--Final curing and  
28 testing of specimens for strength shall be done in accordance  
29 with the requirements of ASTM C31 and ASTM C39 by a technician  
30 holding a current ACI Concrete Strength Testing Technician

1 certification.

2 Section 4. Enforcement.

3 The department shall enforce the provisions of this act.

4 Section 5. Penalties.

5 A person who violates this act shall be subject to the  
6 following:

7 (1) For a first violation, a warning.

8 (2) For a second violation, a fine of \$500.

9 (3) For a third violation, a fine of \$1,000 and  
10 inclusion on a list of violators posted on the department's  
11 publicly accessible Internet website for a period of one  
12 year.

13 (4) For a fourth and subsequent violation, a fine of  
14 \$2,000 and inclusion on a list of violators posted on the  
15 department's publicly accessible Internet website for a  
16 period of one year for each violation.

17 Section 6. Effective date.

18 This act shall take effect in 60 days.