



**HOME BUILDERS & REMODELERS ASSOCIATION
OF CONNECTICUT, INC.**

3 Regency Drive, Suite 204, Bloomfield, CT 06002
Tel: 860-216-5858 Fax: 860-206-8954 Web: www.hbact.org

*Your Home
Is Our
Business*

March 8, 2016

To: Senator Timothy D. Larson, Co-Chairman
Representative Stephen D. Dargan, Co-Chairman
Members of the Public Safety & Security Committee

From: Bill Ethier, CAE, Chief Executive Officer

Re: **Opposition to HB 5549, AAC the Codes and Standards Committee**

The HBRA of Connecticut is a professional trade association with about eight hundred (800) member firms statewide employing tens of thousands of CT's citizens. Our members, all small businesses, are residential and commercial builders, land developers, remodelers, general contractors, subcontractors, suppliers and those businesses and professionals that provide services to our diverse industry and to consumers. We build between 70% to 80% of all new homes and apartments in the state each year and engage in countless home remodeling projects.

The HBRA of CT strongly opposes HB 5549.

HB 5549 would unjustly expand who sits on the 21-member Codes and Standards Committee (CSC) by adding two more fire marshals. The CSC is the statutory body that adopts, in conjunction with the State Building Inspector and State Fire Marshal, CT's building and life safety codes. The table below outlines the makeup of the current CSC and proposed makeup under HB 5549.

Current Law	HB 5549
2 architects	2 architects
3 engineers (2 structural, mechanical or electrical engineers, and 1 fire protection engineer or mechanical engineer with extensive fire protection experience)	3 engineers (2 structural, mechanical or electrical engineers, and 1 fire protection engineer or mechanical engineer with extensive fire protection experience)
2 builders (1 commercial, 1 residential)	2 builders (1 commercial, 1 residential)
1 public health official	1 public health official
2 building officials	2 building officials
2 fire marshals	4 fire marshals
1 building trades labor union member	1 building trades labor union member
1 energy efficiency expert	1 energy efficiency expert
4 public members (1 with expertise in accessibility matters)	4 public members (1 with expertise in accessibility matters)
1 electrician, 1 plumber and 1 HVAC contractor	1 electrician, 1 plumber and 1 HVAC contractor
Total: 21 members	Total: 23 members

Vision: "Building CT's Economy, Communities and Better Lives One Home at a Time"
Mission: "Using Effective Advocacy and New Knowledge to Solve Our Member's Problems."

The current CSC is a broad-based group of code and construction experts who are all volunteers. It is a well balanced group that is very deliberate and thorough in its work, and generally reliant on facts and evidence put before it when it votes on specific code matters. **HB 5549 upsets that broad-based balance by affording fire marshals far more weight than any other interest.** By adding two more fire marshals, the CSC would – oddly – have twice as many fire marshals as building officials on the body that writes the CT State Building Code. Note also that one of the existing engineer seats is for a fire protection engineer or mechanical engineer with extensive experience in fire protection, so that fire safety interests already have more weight than any other single interest group. Moreover, the nine-member State Fire Marshal’s advisory committee, which adopts with the State Fire Marshal the Fire Prevention Code under CGS sec. 29-291a, is made up of all fire marshals.

Balanced representation is critical to our code development process. Our state building and life safety codes are based on “model” codes drafted by out-of-state book publishing companies (the ICC and NFPA). **These so-called “model” codes are far from perfect and the CSC must closely scrutinize the provisions of the “model” codes and write amendments to them so the codes work for CT.** Every state does this. These amendments can amend, add or delete provisions of the “model” codes. The “model” codes’ length, technical nature and imperfections – as well as the need to ensure they are cross-referenced appropriately so as to not cause confusion among the design and construction industry and among code officials who enforce them – is why it takes a long time for CSC to do its work. Since a new edition of the “model” codes are published every three years, the CSC is constantly working on the next versions. Yet, it’s rare that code knowledge and new ideas about construction rise to such an importance that a three-year cycle of change is truly necessary. Consequently and appropriately, CSC has skipped a version of the “model” codes, and more states are moving to a six-year code cycle. Also, our codes allow for new technologies to be utilized without code changes and specific, limited amendments to our code can be adopted at any time if necessary. **The current balanced CSC sorts out the controversial provisions placed into the model codes by the book publishers or are otherwise proposed as amendments in CT by various stakeholders. In doing so there are always winners and losers. At times, various stakeholders who are unsuccessful with the CSC go to the legislature to support their issue, as fire sprinkler proponents continue to do.**

A subgroup of the CSC, the Code Amendment Subcommittee, is the group that first reviews the model codes and makes recommendations regarding amendments to the full CSC. One example, about which some stakeholders have disagreed, is the 11-2 vote the subcommittee has taken to delete out of the 2009 and 2012 International Residential Code (IRC) the mandate to install fire sprinklers in all new one and two family homes. We have commented elsewhere on [How the Sprinkler Mandate Got Into the 2009 IRC model code:](#) – manufacturers stand to make billions with a nationwide mandate (see our testimony on HB 5278 and SB 238 this session). **Nonetheless, changing the makeup of the CSC should not be the answer to an adverse vote by the CSC on a matter of importance to any single constituency or stakeholder.**

We urge the Public Safety Committee to not pursue this unnecessary change in the makeup of the Codes and Standards Committee and urge you to vote against HB 5549. Thank you for the opportunity to submit this testimony on this legislation.