



House Bill 7119

AN ACT CONCERNING THE STATE FIRE PREVENTION CODE, STATE FIRE SAFETY CODE, STATE BUILDING CODE AND ELEVATOR INSPECTIONS

Testimony of the Department of Administrative Services

Public Safety and Security Committee

March 4, 2025

Senator Gaston, Representative Boyd, Senator Cicarella, Representative Howard, and distinguished Public Safety and Security Committee members. I am Michelle Gilman, Commissioner of the Department of Administrative Services (DAS), and I am joined today by State Fire Marshal Lauri Volkert and State Building Inspector Omarys Vasquez. We thank you for the opportunity to comment on **House Bill 7119: An Act Concerning the State Fire Prevention Code, State Fire Safety Code, State Building Code and Elevator Inspections.**

House Bill 7119 makes various revisions to the statutes pertaining to the State Fire Prevention Code, State Fire Safety Code, State Building Code, and elevator inspections. DAS will focus our comments on the sections of the bill that concern the department.

Sections 2-4: DAS is concerned that these sections create additional confusion in the already complicated regulatory structure relating to fireworks, pyrotechnics, and rockets. Under current law, the Fire Prevention Code requires approval from the State Fire Marshal's office for displays before a proximate audience.

Section 5(c): DAS is opposed to Section 5(c) because interpretation of the State Fire Prevention Code should remain solely the responsibility of the State Fire Marshal. If the regulation of these items is folded into the CT Fire Prevention Code, then the Department of Emergency Services and Public Protection (DESPP) should have interpretive and enforcement authority over those chapters.

Section 9: This proposal requires that two provisions be incorporated into the codes. The timeline provided in Section 9 to make amendments to the next adopted State Building Code is not possible. The State Building, Fire Safety, and Fire Prevention codes are going through the adoption process now, with the new codes going into effect in early 2026. It is anticipated that the draft codes will be completed in March of this year and will be voted on and approved by the State Codes and Standards Committee the following month. The public comment period, including a public hearing, will begin after that, and we anticipate that the codes will be submitted to the Regulations Review Committee sometime in early fall.

Although we are too late to incorporate these recommendations into this code cycle, we wanted to provide feedback on the substance of these two provisions, as well. The first provision requires a residential building comprising six stories and less than 25 dwelling units to have a passenger elevator that is large enough to accommodate two people, one of whom is in a wheelchair. As the proposal is

drafted, this requirement is already a part of the building code for new construction. We are happy to have a conversation with the committee and proponents of this section to discuss language changes that would allow greater flexibility regarding the installation of smaller elevators in residential buildings of six stories or less.

The second provision requires that the terms “high tunnels” and “hoop homes” be defined in the codes and be classified as temporary agricultural structures. In the building code, “temporary” is limited to 180 days, after which the installation would have to be taken down. DAS requests additional time to research and review this proposal and build consensus within the Connecticut Codes and Standards Committee. We have met with the Farm Bureau and the Department of Agriculture (DoAg) to review these structure types and will be working with them in the next year to help provide guidelines and checklists for the agriculture community to understand the permitting process and continue researching how these could fit within the code.

Section 10: This section requires the State Building Inspector and the State Codes and Standards Committee to develop and promulgate a model ordinance by July 1, 2026, that establishes more stringent energy-efficiency requirements for buildings or building projects than are in the State Building Code.

DAS would require additional staff to develop such a model ordinance and assist municipalities in properly applying the ordinance to projects and resolving disputes. In addition, the adoption of a more stringent energy-efficiency code would require an expansion of training resources and personnel for the Office of Education and Data Management (OEDM) to ensure that licensed building officials receive adequate continuing education. These additional personnel and training costs are not included in the governor's proposed budget. DAS also has concerns about the timelines established in this section, similar to the concerns explained above for Section 9 of the bill.

DAS appreciates the intent of this section to make buildings more energy-efficient. To that end, the State Building Inspector and the Codes and Standards Committee are currently in the process of adopting the 2024 International Energy Conservation Code (IECC), which will require on-site or off-site energy production, aligning with or exceeding the existing Stretch Energy Codes in Massachusetts which is based on the 2015 IECC. Our state was the first in the nation to adopt the 2021 IECC statewide, which positions us ahead of most states. Additionally, the inclusion of the Zero Energy Appendix in the upcoming 2024 IECC will provide owners with the option to construct buildings that meet Zero Energy standards.

Section 11: Requires that each elevator at a congregate housing facility be inspected by a DAS elevator inspector at least once every 12 months and that a report on such inspection be submitted to the State Building Inspector on its status. DAS is not adequately staffed to inspect elevators at this frequency and would have to hire additional inspectors to meet this demand. Funding for these additional staff is not included in the Governor’s proposed budget.

This requirement would also be logistically difficult because our record management software does not differentiate between various building types, such as apartment buildings and congregate living

facilities, so there is no way for the agency – using current resources – to quickly identify a list of congregate housing facilities.

Finally, this section requires the DAS elevator inspector reports to specify “the duration of time during which any inoperable elevator . . . is expected to remain inoperable.” DAS has no mechanism to estimate the duration of an inoperable elevator. The timeline for restoring an inoperable elevator depends on repairs conducted by the property owner’s contractor, followed by an inspection by our department.

Thank you for the opportunity to share our thoughts, and we are happy to continue the conversation on these issues with the Committee.