



**HOUSE ECONOMIC DEVELOPMENT, COMMERCE & LABOR COMMITTEE  
INTERESTED PARTY TESTIMONY ON H.B. 127**

**Submitted by:  
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Chair Young, Vice Chair DeVitis, Ranking Member Lepore-Hagan and Members of the House Economic Development, Commerce and Labor Committee:

Thank you for the opportunity to share the feedback we've received from members about H.B. 127. The Associated General Contractors of Ohio is a commercial construction association that represents large and small, union and open shop (non-union), commercial building and industrial (vertical) contractors from across the state. While we appreciate the intent of H.B. 127, many commercial builders have expressed concern over the legislation as currently drafted. Their issues are highlighted below.

**Engineers should be responsible for determining appropriate welds for structural steel.**

As drafted, H.B. 127 appears to shift the responsibility of determining the appropriate type of structural steel welds from professional engineers to contractors and building departments. Welding specifications are currently provided with building plans that have been reviewed by a licensed professional engineer. Engineers are regulated by the Ohio State Board of Registration for Professional Engineers and Surveyors, which ensures only qualified individuals are licensed to practice engineering by requiring educational standards and testing. Professional engineers have the appropriate knowledge and should have the sole responsibility for determining the types of welds used on structural steel.

**Welding standards are already addressed in Ohio's building code.**

Ohio's Building Code (OBC) is based on the model code standards that are used as a basis of building codes nationwide. The latest OBC was adopted in November. OBC regulates steel construction under Chapter 22, *Steel*, and additionally under Chapter 17, *Special Inspections*.

Chapter 17 requires the inclusion of independent, third-party, qualified special inspectors to augment the local building department's inspection process for the evaluation of structural components of steel in buildings. These inspectors are already required for the inspection and non-destructive testing of



steel construction in buildings, structures, and portions of buildings; and the OBC directly references AISC 360 as the standard for compliance for special inspectors. (AISC = American Institute for Steel Construction)

The OBC references industry consensus standards for steel construction, which includes the appropriate American Welding Society (AWS) standards for fabrication, erection, testing, and inspection of steel construction, as well as requires independent special inspections for structural components in buildings.

Chapter 22 references the industry consensus standards, including ANSI/AISC 360-10, *Specification for Structural Steel Buildings*. This consensus standard is at the heart of the steel requirements in the OBC, forms the essential part of consulting structural engineers' specifications, and are the basis of special inspections in the OBC. And, it is developed by the experts – structural engineers. As the text of the national consensus standard explains:

*AISC 360 is the result of the consensus deliberations of a committee of structural engineers with wide experience and high professional standing, representing a wide geographical distribution throughout the United States. The committee includes approximately equal numbers of engineers in private practice and code agencies, engineers involved in research and teaching, and engineers employed by steel fabricating and producing companies, and more than 50 additional professional volunteers working in ten task committees.*

**Ohio Board of Building Standards (OBBS) would have unprecedented authority.**

As drafted, H.B. 127 states that OBBS is responsible for ensuring “all welders performing the structural steel welding for the project have been tested by and hold a valid certification from an accredited testing facility.” This would mean building inspectors would be responsible for the enforcement of tradespeople’s qualifications. This undermines the traditional role of building departments: to make certain plans and specifications meet Ohio’s Building Code and life safety requirements, and to provide inspections to ensure projects are completed according to the plans and specs.

Ohio already has a body that regulates certain trades (i.e. mechanical and electrical): the Ohio Construction Industry Licensing Board (OCILB). The OCILB has its own governance, process to ensure proper trade training and related testing, and enforcement.



Additionally, H.B. 127 would give OBBS authority over bridge welds. OBBS does not currently have authority over bridges, nor any expertise in regulating them.

**No group should be given a monopoly for training or certification.**

While American Welding Society (AWS) is a reputable nonprofit and is referenced in Ohio’s building code, no organization should have a monopoly for providing certifications and testing for welders.

**Impact on plan approval and development.**

H.B. 127 proposes building inspectors verify that welders have valid certifications at the time they perform their work. Would that require a building inspector to monitor all structural steel welding activity as it takes place? How would it impact a building department’s ability to provide and complete inspections in a timely manner? What would happen if welds were made according to code by someone uncertified and the building inspector finds out after the fact – would the structure need to be taken apart and redone by a certified welder? There are many questions about the practical implementation of H.B. 127 in its current form.

AGC of Ohio has always maintained that building inspections should focus on code compliance and safety – or is the project being completed according to approved plans and specifications – not who performs the work. Adding the additional responsibility could slow the plan approval and inspection processes, increase costs to local building departments, and ultimately hinder construction and development.

In conclusion, while AGC strongly supports ensuring structural welds are safe and done by qualified tradespeople, H.B. 127 as drafted is unworkable, duplicative, and lessens the role of structural engineers in determining appropriate welds. We would be happy to work with all interested parties to come up with a viable solution that ensures welders are properly trained and qualified.