



CHAPTER

OHIO BUILDING OFFICIALS ASSOCIATION



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The Honorable Dick Stein
Chair, House Commerce and Labor Committee
77 S High St FL 12
Columbus OH 43215-6108
Via e-mail rep57@ohiohouse.gov

SUBJECT: HB 304 Smoke Alarms, Opposition Testimony

1. Introduction. Chair Stein, Vice-Chair Johnson, Ranking Member Lepore-Hagan, and members of the House Commerce and Labor Committee, thank you for the opportunity to provide opposition testimony on House Bill (HB) 304. Ohio Building Officials' Association (OBOA) is a professional organization consisting of approximately 1,000 members most of whom administer construction and fire rules. Our membership includes private sector architects, professional engineers, other construction designers, and construction contractors. Our members include employees and officials in State government. This letter has been neither specifically coordinated nor endorsed by any State government employee or official.
2. Position. Without evaluating the value of HB 304, placing this building design requirement at ORC 3737.82 & 3781.21 is not the best way to amend the applicable rules. These rules being the Ohio Fire Code (OFC) [Ohio Administrative Code (OAC) 1301:7-7], Ohio Building Code (OBC) (OAC 4101:1, and Residential Code of Ohio (OAC) 4101:8.
 - a. The best way is to submit to the International Code Council (ICC) this change to their International Fire Prevention Code (IFPC), International Building Code (IBC), and International Residential Code (IRC). These ICC codes are the basis for Ohio's rules. The proposal would enjoy the review of the best subject matter experts and stakeholders.
 - b. The third best way is to submit the proposal to the State Fire Marshal's (SFM) Office and the Ohio Board of Building Standards (BBS). Both these organizations have processes with the best expertise inside Ohio to receive, evaluate, and adopt rule changes outside of the ICC model codes. These processes include compliance with Ohio's Common Sense Initiative and opportunity for stakeholder input.
 - c. The second best way is to submit the proposal to ICC and upon their approval submit it to the SFM Office and Ohio BBS to expedite its

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adoption into Ohio rules rather than wait for the five-year cycle of new code adoption.

- d. The fourth best way to amend these Ohio rules is via statute. Existing statute has established expertise and authority with the SFM Office and Ohio BBS. Existing statute demonstrates the limitations of this option. Existing ORC 3781.104(A)(1) references National Fire Prevention Association standard No. 74. Not only is the referenced organization's name incorrect [the organization's the National Fire Protection Association (NFPA)], standard number 74 no longer exists. NFPA 74 was eliminated and combined with other NFPA standards in 1993 to form what is currently NFPA standard 72, the National Fire Alarm and Signaling Code.
 - e. Finally, if the House Commerce & Labor Committee decides HB 304 deserves to move to the full House of Representatives, they should consider the rule reduction provisions set in place during the 133rd General Assembly HB 166 at ORC 121.95(B) & (F). That statute has caused BBS to withdraw and suspend processing three sets of amendments which address OBC, IRC, or both. Without statutory relief from ORC 121.95(B) & (F), BBS and SFM office might not comply with HB 304.
3. Conclusion. OBOA offers the sponsor and stakeholders associated with HB 304 assistance in preparing an ICC code change submittal and/or SFM Office and Ohio BBS code change petitions. My project officer's Charles Huber, (M) 330-389-2954, e-mail chuber@fboa.org

Sincerely,



Robert A. Eifert
President