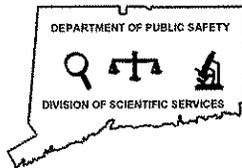




STATE OF CONNECTICUT



DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONER

John A. Danaher III
Commissioner

Lieutenant Edwin S. Henion
Chief of Staff

February 10, 2009

Rep. Stephen Dargan, Co-Chairman
Sen. Andrea Stillman, Co-Chairman
Public Safety and Security Committee
Legislative Office Building
Hartford, CT 06106

HB 6324 AAC THE INSPECTION OF ELEVATORS, THE AUTHORITY OF THE STATE AND LOCAL FIRE MARSHALS, THE REGULATION OF EXPLOSIVES AND OTHER TECHNICAL CHANGES

The Department of Public Safety supports this bill.

Section 1 provides for a technical change to CGS 29-195. The reason for the change to "elevators located in private residences" is that the current statutory language, "private residence elevator" is industry nomenclature for a particular type of elevator. The intent of CGS 29-195 was to exempt all elevators located in private residences from regularly schedule inspections by the Bureau of Elevators and to have them inspected only upon request of the owner. There are private residences that have dumbwaiters, freight elevators, sidewalk elevators and passenger elevators. By not inspecting these elevators it could be interpreted that the Bureau of Elevators is not complying with the statutes. Therefore, the statute should be changed to clarify that all elevators in private residences are to be inspected only upon request of the owner. A similar change in language should also be made to CGS 29-196.

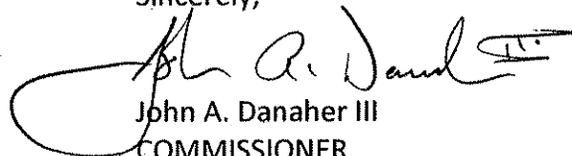
Section 2 deletes an obsolete statutory exception for manufacturing facilities. PA 08-65 allows fire code officials to inspect manufacturing establishments but failed to delete this statutory exemption.

Section 3 adds language to clarify the authority of an acting or deputy fire marshal to act in the absence of a local fire marshal. CGS section 29-297 allows the deputy fire marshal to assume authority in the office, however there is a potential conflict under section 29-298(c). This change will eliminate any confusion in reading the two statutes together.

Section 4 would allow the State Fire Marshal to grant variations from, or approve equivalent compliance with particular provisions of the statutes governing storage and transportation of explosives. Almost all of the statutory schemes involving approvals of the state building official or state fire marshal have procedures for granting modifications where strict compliance with such provisions would entail practical difficulty or unnecessary hardship provided any such variation, exemption, approved equivalent or alternate compliance shall secure the public safety. Inclusion of a waiver provision was suggested during a recent public hearing on proposed amendments to the explosives regulations. It would give the agency more flexibility, particularly where there are unusual or unique circumstances

Section 5 will allow the agency to test prospective demolition contractor registrants. This makes the process less subjective and appears to have support in the industry. Without this change the agency is left with evaluating an applicant based on experience alone. Another change in language would remove the right to a hearing for a new applicant. This brings the statute into conformance with other licensing procedures the Department of Public Safety administers. A registrant would still get a hearing if the agency wished to suspend or revoke a registration.

Sincerely,



John A. Danaher III
COMMISSIONER

Department of Public Safety