



House Bill 5545  
An Act Concerning the Applicability of Certain Provisions of the State Building  
Code to Fairs and Festivals

Testimony of Commissioner Melody A. Currey

Public Safety & Security Committee  
March 8, 2016

The Department of Administrative Services (DAS) houses the Office of the State Fire Marshal and the Office of the State Building Inspector, which are responsible for State Fire Code, State Fire Prevention Code, the State Building Code and other code-related matters. **DAS opposes House Bill 5545, An Act Concerning the Applicability of Certain Provisions of the State Building Code to Fairs and Festivals.**

House Bill 5545 proposes that

Any town fair, county fair, local festival or similar mass gathering held within the state, authorized or approved by the municipality in which such fair, festival or gathering is held, shall be exempt from any provision of the State Building Code that prohibits portable structures under or within a space that is located fifteen feet horizontally and extending vertically to grade of conductors operating in excess of six hundred volts.

Portable structures include but are not limited to, amusement rides, attractions, concessions, tents, trailers, trucks, and similar units.

DAS believes that this proposal is a response to revisions in the 2011 edition of the National Electrical code that changed the types of structures that are subject to this spacing requirement. This requirement is intended to provide a safe distance between portable structures and high voltage overhead lines to prevent contact and potential electrocution of the erectors or occupants of such structures. As a result of this change, certain configurations that may have been compliant in the past would violate the new code.

DAS understands that implementing the code change may have presented some challenges to the fair and festival operators and the local building inspectors and fire marshals. The Office of the State Building Inspector and the Office of the State Fire Marshal frequently work with local building inspectors and fire marshals in connection with these types of events through the modification process, which enables the fairs and festivals to achieve compliance through alternate safeguards. This modification process is the more appropriate path for addressing specific issues, rather than the proposed wholesale removal of model code language.

Thank you for allowing me to provide comment.