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The Honorable Jeff Denham  
Chairman, House Committee on Transportation and Infrastructure,  
Subcommittee on Economic Development, Public Buildings and Emergency Management

The Honorable Eleanor Holmes Norton  
Ranking Member, House Committee on Transportation and Infrastructure,  
Subcommittee on Economic Development, Public Buildings and Emergency Management

Hearing of July 24, 2012: A Review of Building Codes and Mitigation Efforts to Help Minimize  
the Costs Associated with Natural Disasters

On behalf of the International Code Council, we are pleased to offer the following comments  
with regard to HR 2069, the subject of the hearing held on July 24, 2012.

The International Code Council is a member-focused association dedicated to helping the  
building safety community and construction industry provide safe and sustainable construction  
through the development of codes and standards used in the design, build and compliance  
process. Most U.S. communities and many global markets choose the International Codes (I-  
Codes). Fifty states and the District of Columbia have adopted the I-Codes at the state or  
jurisdictional level. Federal agencies including the Architect of the Capitol, General Services  
Administration, National Park Service, Department of State, U.S. Forest Service and the  
Veterans Administration also enforce the I-Codes for the facilities that they own or manage.

A few issues that were discussed during the hearing are deserving of some additional  
clarification, for the benefit of the members of the committee, and the public. We would like to  
address the following issues:

The number of states that have adopted building codes.

Documented lives saved by building codes.

Whether a 4% incentive is sufficient to incentivize states and local governments to adopt and  
enforce building codes.

**Number of states that have adopted building codes:**

The question of how many states adopt and enforce building codes is essential to analyzing the impact of the legislation, HR 2069. During the hearing, one witness indicated that the number of states with building codes that would qualify under the bill for additional assistance was 20. This led some members of the Committee to assume that the remaining 30 states do not have building codes in place. That is not correct.

Actually, all 50 states have some building codes in place. There are several reasons for the divergence in the statistics. Because model building codes are adopted at the state or local level, some states have statewide minimums, some have state maximums, and still others do not set state requirements, but larger cities and counties in such states usually adopt both a building code for commercial buildings (like the International Building Code, or IBC) and a residential code to cover one and two family dwellings (like the International Residential Code, or IRC) Since the bill requires states to adopt AND enforce both a commercial and residential code, and have a system for statewide enforcement, many states that have no state minimum, or perhaps only a state minimum for commercial buildings, would not be included in the list of 20 currently qualifying states. As the witness from the IBHS testified, most states could qualify by making modest changes to their laws. At present, ICC counts 50 states that have adopted the IBC at the state or local level, and 43 states that have adopted the IRC at the state or local level. So the number of states close to qualifying, is actually most of the states.

**Documented lives saved by building codes:**

During the hearing, a question was posed by the Rep. Crawford, asking whether any of the witnesses had seen evidence of actual lives saved by the codes. While such a question is inherently difficult, as it requires the proving of a negative, there are some studies that show documented lives saved. The most graphic of these studies is one conducted by the City of Scottsdale, AZ, that has mandated automatic sprinklers in all homes since 1985. A 2009 presentation by Michael Clack, the Director of Development Services for the city, documented 13 lives saved over the 15 year period from 1986 through 2000, as well as reducing the average loss per fire event from 39,650 per event in non-sprinklered events, to \$3,500 in sprinklered incidents. Over the same period, the cost of installing sprinklers dropped from \$1.14/sq.ft. to \$.70/sq. ft. for custom homes, and to \$.59/sq. ft. in production homes. ICC can provide a copy of the full presentation that includes specific case studies, if the Committee would like to see it.

ICC also would point to numerous examples of earthquakes around the world, where deaths are counted in the thousands, in contrast to similar magnitude earthquakes in California over the past decade, where deaths as a result of building collapse are a rare event. Building codes with strong provisions addressing seismic risk save lives every time an earthquake strikes.

**Whether a 4% incentive is sufficient to incentivize states and local governments to adopt and enforce building codes.**

As ICC is involved on a daily basis assisting jurisdictions around the country to adapt and adopt ICC codes for their use locally, we see the difficult and sometimes contentious debates that surround the adoption of current building codes. While it is impossible to predict how great of an impact that the 4% incentive will have, ICC believes this legislation will have a very strong impact on adoptions for two reasons. First, it will send a clear message that the Federal

government, and FEMA, which is widely recognized as the Federal authority on disaster response and mitigation, believe that adopting current codes will reduce the impact of disasters. It will communicate in a way that other advocates cannot, that there are real benefits to the public in adopting current codes, and that the adoptions will save lives and prevent property damage. Second, the incentive, even though small, provides a tangible reward to the jurisdiction, that allows them to demonstrate to the public that their pro-active efforts to protect the public through code adoption and compliance, is recognized by FEMA. We believe the incentive will be one more weight on the scale in favor of adoption.