

HOUSE No. 4455

Substituted, on motion of Mr. Speliotis of Danvers, for a bill with the same title (House, No. 2111). June 30, 2016.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act creating a special commission studying cutting, welding and hot work processes regulated by the State Fire Code.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 There shall be a special legislative commission established pursuant to section 2A of
2 chapter 4 of the General Laws to study welding and hot works regulation. The commission shall
3 consist of: 2 members of the senate, 1 of whom shall serve as co-chair, and 1 of whom shall be a
4 member of the minority party appointed by the senate minority leader; 2 members of the house
5 of representatives, 1 of whom shall serve as co-chair, and 1 of whom shall be a member of the
6 minority party appointed by the house minority leader; the state fire marshal or a designee; the
7 commissioner of the fire department of the city of Boston or a designee; and 5 members
8 appointed by the Governor, 1 of whom shall be selected from a list of 3 persons nominated by
9 the president of the Professional Fire Fighters of Massachusetts, 1 of whom shall be selected
10 from a list of 3 persons nominated by the Massachusetts Building Trades Council, 1 of whom
11 shall be a selected from a list of 3 contractors whose businesses regularly perform hot works
12 nominated by the president of the Building Trades Employers' Association of Boston and
13 Eastern Massachusetts, Inc., 1 of whom shall be a selected from a list of 3 contractors whose

14 businesses regularly perform hot works nominated by the president of the Massachusetts chapter
15 of Associated Builders and Contractors, Inc., and 1 of whom shall have experience and expertise
16 in cutting, welding and hot works trades.

17 The commission shall investigate and study the current requirements for licenses and
18 permits governing cutting, welding, and other hot work processes that involve burning or a
19 similar operation that is capable of initiating fires or explosions, to determine if the state fire
20 code adequately protects the safety of the public and first responders. The study shall consider
21 the current conditions required for the issuance of licenses or permits, the use of supervised
22 details and firewatchers, the adequacy of fees to cover inspection and oversight and other
23 municipal costs, the deterrent effect of penalties for violations of rules and regulations and cost
24 recovery assessment for damages resulting from the failure to comply with rules and regulations,
25 the training and certification required to perform the work, and any other matters the commission
26 finds that would enhance the safety of the work. The commission shall report its findings,
27 including any proposed legislation, to the house and senate committees on ways and means, the
28 joint committee on public safety and homeland security and the executive office of public safety
29 and security no later than June 1, 2017.