Local Government Mandate Statement Kentucky Legislative Research Commission 2020 Regular Session

Part I: Measure Information

Bill Request #: 1341	
Bill #: HB 306 GA	
Document ID #:	
Bill Subject/Title:	AN ACT relating to welding safety.
Sponsor: Rep. Bobb	y W. McCool
Unit of Government:	Unified Local
	X Charter County X Consolidated Local X Government
Office(s) Impacted:	Fiscal court
Requirement: X	Mandatory Optional
Effect on Powers & Duties:	Modifies Existing X Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

This bill creates a new section of KRS Chapter 198B (relating to Housing, Buildings, and Construction, and the Building Code) to mandate that all general contractors, project managers, contractors, and subcontractors, when structural steel welding projects call for D1.1 or D1.5 in the job specifications, require the following:

- testing and certification by an accredited testing facility for welders,
- structural steel welding performed to meet welding standards,
- structural steel welding to be inspected by a certified welding inspector, and
- certified welding inspector to submit affidavit to the design professional on the project that the inspection is complete.

D.1. means the current version of the Structural Welding Code-Steel, approved by the American National Standard from the American Welding Society (AWS). D1.5 means the current version of the Bridge Welding Code, approved by the American National Standard from the AWS jointly with the American Association of Highway and Transportation Officials. The bill takes effect January 1, 2021.

The fiscal impact is indeterminable but minimal to moderate depending on the city or county and its budget. The bill would require local governments to use welders who have been tested and certified by an accredited testing facility if the job specifications include the D1.1 or D1.5. A certified welding inspector would need to provide an affidavit to the design professional attesting that the inspection had been completed. The cost of using a certified welder and a certified welding inspector could lead to a minimal increase in project costs.

The Kentucky County Judge/Executive Association reported that the bill could cause inconvenience and delay in the counties that do not have certified welders or certified welding inspectors. Those counties would be required to hire a certified welder from a larger community (such as Louisville, Lexington, Bowling Green, or Owensboro) and then hire a certified welding inspector from one of those communities. The association commented that smaller counties that "can afford it the least, get hit the hardest. A simple matter of welding a broken guard rail post on a bridge that would typically cost \$5 and around 30 minutes for the road department to fix, to something that ties up county employees for a couple of days and costs \$1,500 (or more) to fix."

The Kentucky League of Cities reported that there could be slightly increased costs to cities for direct labor and inspection. KLC also indicated, "The costs for certification and testing range from several hundred dollars each year to over \$1,000 for the inspectors. These individuals will most likely increase their fees to make up for the cost of certification. That will slightly increase maintenance and construction costs."

A local government could pay for the expenses of an employee to become an AWS certified structural steel welder or AWS certified welding inspector, or it could pay a private AWS certified welder or AWS certified welding inspector. There are no required courses for a person with a talent for welding to be eligible to take the welding certification test. If the person can pass the test, the person can become certified. Thus, the total cost to become an AWS certified welder would be a few hundred dollars. The cost for training and testing to be an AWS certified welding inspector can be \$3,000 to \$4,000.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II, above, pertains to the GA version. The GA version is the same as the bill as introduced. No amendments or substitutes were adopted when the bill passed its chamber of origin.

Data Source(s): LRC staff; Kentucky County Judge/Executive Association; Kentucly

League of Cities; American Welding Society

Preparer: Robert Jenkins **Reviewer:** KHC **Date:** 2/12/20