

The Mechanical Code Brief

INSIDE THE MECHANICAL CODES AND STANDARDS



SKILLED TRADES ACT
RULES OPEN

CODE CHANGES

SUBMITTED BY PCS LLC

Professional Code Services LLC has proposed rule changes to the BCC which maintain high industry standards while easing licensing requirements.

STATUTE VS RULE

RULES CANNOT CHANGE STATUTE

Bureaus promulgate rules but those rules cannot violate or subvert the requirements contained within the statute.

ABOUT US

PCS LLC CODE EXPERTS

Meet our code experts with more than a cumulative century of experience at the highest level of State and National leadership in the Mechanical Code Industry.



CONTINUING EDUCATION

WWW.PROCODESERVICE.COM/TRAINING-COURSES/

PCS LLC is proud to announce upcoming CE courses for mechanical code professionals, focused on real world skills and the most current technology impacting the industry.

Skilled Trades Act Rule Changes Submitted by PCS

PCS LLC has found multiple areas where we believe the proposed rules for PA 407 can be improved. While local municipalities have had difficulty recruiting qualified mechanical inspectors because of the existing requirement for the applicant to have “3 of the 4” installation license classifications, we do not view the proposed substitution of a 1B Boiler license as an adequate substitute for the Hydronic Heating and Cooling and Process Piping classification. Its not a parallel skill-set and falls short for the industry. We suggested a better way forward by reducing the requirements for registration of a mechanical inspector to the inclusion of an HVAC classification, and one additional installation classification (Hydronic Heat and Process piping, Refrigeration or Fire Suppression). This change will position Authorities Having Jurisdiction to better recruit and find staffing for their Building Departments. View our complete proposal memos for Rule 400 and our other proposals here: www.procodeservice.com/lara-actions



In addition to our consultation work, we are committed to working toward making regulation work more efficiently for all.

We attend State level board and legislative meetings as we advocate for better rules and processes.

STATUTE VS RULE

Bureaus promulgate rules which, when formally adopted, carry the weight of law unless challenged in court. While these rules are necessary and allow bureaus to be flexible in instances such as updating codes and making provisions for new technologies, the Bureaus cannot exceed the authority granted to them by the Statute. For example, one of the PA 407 Rule Proposals PCS LLC submitted seeks to point out such a situation. A proposed addition in Rule 115 seeks to require specific contract language including a “acknowledgment of completion and satisfaction of the work.”

Notwithstanding the obvious intrusion on a private company’s latitude to conduct their business without excessive interference from a regulatory agency, the referenced statement above is problematic by forcing the building owner or agent to accept work for which they may or may not be qualified to assess. When Rules are created by Bureaus, those Rules need to stay within certain lanes and cannot change provisions in the statute.

Our proposal for Rules 115 and 131 eliminates this problematic language. View those proposals here:

www.procodeservice.com/lara-actions

About Professional Code Services LLC:

Seasoned Experts and Operators in the Industry

Professional Code Services LLC has been created to fill a specific void in the industry discovered after many decades in the Mechanical Code space.

- **Kevin D. Kalakay** - Chief Executive Officer - Former Chief Mechanical Inspector - State of Michigan Bureau of Construction Codes (Mechanical Inspector/Plan Reviewer, Building Official and Licensed Michigan Mechanical Contractor)
- **Matthew A. Gay** - President - Former Mechanical Code Inspection Supervisor - State of Michigan Bureau of Construction Codes (Mechanical Inspector/Plan Reviewer and Licensed Michigan Mechanical Contractor)
- **Ken Misiewicz** - Managing Partner | State of Michigan: former chair of the Board of Mechanical Rules and served as a commissioner on the Construction Code Commission. Currently holds electrical, plumbing, and mechanical contractor of record licenses; currently holds boiler installation and repair licenses as well as registration as a high-pressure boiler operator.

Professional Code Services LLC is committed to assisting each sector of the Mechanical industry with expert consultation and conflict resolution. From Design Professionals and Mechanical Inspectors to Mechanical Contractors and AHJs, we bring our breadth of expertise to help navigate the complexities of regulation and compliance across each aspect of the industry. Our decades of direct experience in the regulation space at the State level offers insight into process, positioning us to effectively advise on navigating the complex landscape of licensing, permitting, and compliance.

With the wide scope of services we offer and a commitment to elevating the industry, we bring a unique and novel offering to the market.

Professional Code Services offers tiered retention programs for companies and firms of all sizes and levels of exposure.

View our available services by visiting our website and reach out to us directly for a customized program to partner with your organization.



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