

Oklahoma Uniform Building Code Commission

Administrative Rules Report | Executive Order 2020-03

Comprehensive Review of Administrative Rules as of July 21, 2020

Report Submitted by: Billy Pope

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Method Used to Conduct Review: Each rule was reviewed and evaluated by the Chief Executive Officer in accordance with the specifications of Executive Order 2020-03.

TOTAL NUMBER OF UNECESSARY, COSTLY, INEFFECTIVE, DUPLICATIVE OR OUTDATE REGULATIONS: 12

Title 748 Oklahoma Uniform Building Code Commission

Chapter 1-Administrative Operations

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
1-1-1	Organization	12/3/2009					X		This is good business practice and does not need to be addressed by rules
1-1-2	Address	12/3/2009						X	Clarifies statutory requirement of 1000.22 (1) to specify a general location for the office and meetings of the Commission.
1-1-3	Commissioners	12/3/2009			X	59 O.S 1000.22 (1), (2) and (3)			Located in statute
1-1-4	Meetings	12/3/2009						X	Part of the section addressing how a special meeting will be called is necessary as it is not in statute. However the first sentence in (1) and all of (2) are in statute and should be amended out of the rule.

Chapter 3 General Provisions

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
3-1-1	Context and Interpretation	1/12/2010						X	Not addressed in statutes
3-1-2	Definitions	1/12/2010						X	Not defined in statutes and clarifies wording used in remaining administrative rules.

Chapter 5 – Fees and Collection of Fees

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
5-1-1	Fee for initial permit and permit renewal	1/12/2010			X	59 O.S. 1000.25 (A) and (B)			Addressed in statutes.
5-1-2	Late Fee Assessment	1/12/2010					X		Late fee charges were removed from statutes and are no longer assessed or collected.

Chapter 7 – Commission Committees

Subchapter 1 – General

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
7-1-1	General composition and assignments	7/11/2010						X	To keep committees organized and in a uniform format
7-1-2	Scope	7/11/2010						X	Keeps committee actions in a similar order
7-1-3	Reports	7/11/2010						X	Needs modification – reports should be allowed to be verbal in nature at open meetings of the OUBCC
7-1-4	Open Meeting rules	7/11/2010						X	Spells out no permanent actions can be taken by a committee
7-1-5	Participation of the public	7/11/2010						X	Clarifies that public input may be provided at the committee level
7-1-6	Advisory Only	7/11/2010					X		Could be combined with 748:7-1-4

7-1-7	Prerogative and direction	7/11/2010					X		Good business practice and doesn't need to be specified in rules
7-1-8	Committee forms	7/11/2010			X	748:7-3-1, 748:7-5-1, and 748:7-7-1 through 748:7-7-4			These requirements are spelled out in statute and are not necessary in the rules.

Subchapter 3 – AD Hoc Committees

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
7-3-1	AD Hoc Committees	7/11/2010						X	Clarifies that there may be a specific task to be reviewed and allows for a limited scope and set timeframe for the ad-hoc committee to address the issue.

Subchapter 5 – Standing Committees

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
7-5-1	Standing Committees	7/11/2010						X	To address items related to the Commission, other than technical code review, that are on-going aspects of agency business, such as rules, budgets, etc.

Subchapter 7 – Technical Committees

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
7-7-1	Specific purpose	7/11/2010						X	Specifies the manner that will be utilized to review construction codes for possible modifications and adoption.
7-7-2	Task assignments	7/11/2010						X	Clarifies how the Commission will assign tasks to a technical committee
7-7-3	Technical Committee composition	7/11/2010						X	Clarifies how the technical review committee will be set up and that commission members on a committee will be allowed to vote as part of the committee.

7-7-4	Member section	7/11/2010						X	Specifies how the technical committee members will apply and be selected to serve on a technical committee
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Chapter 10 – Code Adoption Procedures

Subchapter 1 – General

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
10-1-1	Discretion of the Commission	7/11/2010						X	Establishes the responsibility and authority of the Commission related to technical committee recommendations.
10-1-2	Public input to Technical Committees	7/11/2010						X	Clarifies that technical committees must consider public input into the code(s) under review.
10-1-3	Technical Committee recommendations and reports	7/11/2010						X	This rule clarifies how final recommendations will be reported to the Commission by the technical committee.
10-1-4	Final adoption by rulemaking	7/11/2010						X	Establishes the authority of the Commission to adopt codes with or without a recommendation from a technical committee.

Chapter 15 – Code Adoption Procedures

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
15-1-1	Codes which may be adopted	7/11/2010			X	59 O.S. 1000.23 (C) and 1000.24 (6)			These requirements are spelled out in statute and are not necessary in the rules.
15-1-2	Procedure to adopt different code	7/11/2010			X	59 O.S. 1000.23 (C)			Unnecessary
15-1-3	Amendment of existing Commission code	7/11/2010			X	59 O.S. 1000.23 (C)			Unnecessary
15-1-4	Procedure to amend Commission adopted codes	7/11/2010			X	59 O.S. 1000.23 (C)			Unnecessary
15-1-5	Effect of repeal	7/11/2010			X	59 O.S. 1000.23 (C)			Unnecessary

Chapter 17 – Education and Training
Subchapter 1 – Regional Training

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
17-1-1	Purpose	9/1/2016						X	Clarifies why the rules were created and sites statutory charge to provide continuing education training
17-1-2	Definitions	9/1/2016						X	Clarifies terms used in the rules for this section
17-1-3	Regional continuing education courses	9/1/2016						X	Clarifies that the OUBCC will determine what subjects, number of courses, and the manner in which those training classes will be held.
17-1-4	Regional Training held or sponsored by the OUBCC	9/1/2016						X	Clarifies specific details on how the OUBCC will host training classes.

END OF REPORT