

BEFORE THE COMMISSIONER OF INSURANCE AND SAFETY FIRE

STATE OF GEORGIA

NOTICE OF INTENT TO ADOPT RULE CHANGES AND NOTICE OF HEARING

Notice is hereby given pursuant to the Georgia Administrative Procedure Act, O.C.G.A. Sections 50-13-3, 50-13-4, 50-13-6, 50-13-21, and, 33-2-9 of the following proposal by the Commissioner of Insurance and Safety Fire to amend the Rules and Regulations of the Office of the Commissioner of Insurance and Safety Fire (this "Office"). The Rules and Regulations of this Office are proposed to be amended by the following actions:

- Modifying Regulation Chapter 120-3-3 entitled "Rules and Regulations for the State Minimum Fire Safety Standards"
- Modifying Regulation Chapter 120-3-25 entitled "Rules and Regulations for Escalators and Elevators"
- Modifying Regulation Chapter 120-3-26 entitled "Rules and Regulations for Boiler and Pressure Vessels"
- Adopting a new Regulation Chapter 120-3-28 entitled "Rules and Regulations for Carnival Ride Safety"

SYNOPSIS AND EXPLANATION OF PROPOSED RULE CHANGES

Regulation Chapter 120-3-3 is proposed to be updated to adopt new minimum fire safety standards. The modification of Regulation Section 120-3-25-.13(k) is proposed to allow Office staff to invoice licensees prior to the release of elevator and escalator operating permits. Regulation Section 120-3-25-.21(6) is proposed to be changed to allow Office staff to review and issue escalator and elevator certificates of authority on a more staggered basis. Similarly, Regulation Section 120-3-26-.16(1) is proposed to be changed to allow Office staff to review and issue Boiler and Pressure Vessel certificates of authority on a more staggered basis. The adoption of new language in Regulation Section 120-3-26-.07 is proposed to require that inspection reports be submitted in an electronic format.

This Office also proposes adopting a new Regulation Chapter 120-3-28 entitled "Rules and Regulations for Carnival Ride Safety." The purpose of this new Chapter is to implement changes to Titles 8, 25 and 34 that resulted from the passage of Senate Bill 446 during a recent session of the Georgia General Assembly. The Georgia Code was amended so as to transfer certain functions relating to elevators, dumbwaiters, escalators, manlifts, and moving walks, boiler and pressure vessels, amusement rides, carnival rides, and scaffolding and staging from the Department of Labor and the Commissioner of Labor to the Office of the Safety Fire Commissioner and the Safety Fire Commissioner. The full text of the proposed Rules and Regulations are attached hereto and made a part hereof by reference.

SCHEDULE

The aforesaid proposals, which are being forwarded to the Attorney General for approval as to legality, are now on file in the Administrative Procedure Division of the Office of Commissioner of Insurance, 1016 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334, and are hereby declared to be a public record as follows:

Interested persons may participate in the proposed rulemaking process by submitting their written comments to **Vince Wiegand, Administrative Procedure Division, Office of the Insurance and Safety Fire Commissioner, 1016 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334. All written comments must be received by the Administrative Procedure Division by 4:30 p.m. on Monday, December 16, 2013.** Interested persons may also participate in the proposed rulemaking by presenting comments orally at the hearing to commence at **9:00 a.m. on Thursday, December 19, 2013, in the Hearing Room of the Office of the Insurance and Safety Fire Commissioner, Seventh Floor, West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334.**

Oral presentations at the hearing may be limited to five (5) minutes per person in order to afford all interested persons an opportunity to be heard. If you have a physical impairment and require assistance or have any questions regarding this notice, please contact the Administrative Procedure Division.

Based upon full consideration of all written and oral comments regarding the above matters, the Commissioner of Insurance may reject or adopt the proposed rules or may make changes to the proposed rules which may require another rulemaking hearing.

Given under my Hand and Official Seal this 19th day of November, 2013.



Ralph T. Hudgens
Insurance and Safety Fire Commissioner
State of Georgia

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