

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971



ENROLLED

HOUSE BILL No. 504

(By Mr. KOPP AND MR. BUCK)



PASSED FEBRUARY 15, 1971

In Effect NINETY DAYS FROM Passage



FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 2-19-71

504

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House Bill No. 504
(By MR. KOPP and MR. BUCK)

[Passed February 15, 1971; in effect ninety days from passage.]

AN ACT to amend chapter forty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article five, relating to safety glazing materials; definitions; labeling required; requiring safety glazing materials in hazardous locations; nonliability of employees; violations and penalties; effective date and prior contracts.

Be it enacted by the Legislature of West Virginia:

That chapter forty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article five, to read as follows:

ARTICLE 5. SAFETY GLAZING MATERIALS.

§47-5-1. Definitions.

1 For the purposes of this article:

2 (a) "Fabricator" means a person who fabricates,
3 assembles, or glazes from component parts such struc-
4 tures or products commonly known as sliding glass doors,
5 entrance doors, adjacent fixed glazed panels, storm doors,
6 shower doors, bathtub enclosures, panels to be fixed
7 glazed, entrance doors, or other structures to be glazed,
8 to be used or installed in hazardous locations.

9 (b) "Hazardous locations" shall mean those areas in
10 residential, commercial, and public buildings where the
11 use of other than safety glazing materials would consti-
12 tute a hazard as the commissioner of the West Virginia
13 department of labor may determine after notice and hear-
14 ings as required by chapter twenty-nine-a of this code,
15 and shall specifically include those installations, glazed
16 or unglazed, known as sliding glass doors, frame or un-
17 framed glass doors, and adjacent fixed glazed panels which
18 may be mistaken for a means of ingress or egress, storm
19 doors, shower doors, and tub enclosures whether or not

20 the glazing in such doors, panels, or enclosures is trans-
21 parent.

22 (c) "Installer" means those persons or concerns who
23 or which install glazing materials or build structures
24 containing glazing materials, in hazardous locations.

25 (d) "Manufacturer" means a person who manufac-
26 tures safety glazing material.

27 (e) "Safety glazing material" means any glazing ma-
28 terial, such as tempered glass, laminated glass, wire glass
29 or rigid plastic, which meets the test requirements of
30 the American National Standards Institute Standard
31 Z-97.1-1966 and such further requirements as may be
32 adopted by the department of labor in compliance with
33 chapter twenty-nine-a of the code of West Virginia and
34 which are so constructed, treated or combined with other
35 materials as to minimize the likelihood of cutting and
36 piercing injuries resulting from human contact with
37 glazing material.

§47-5-2. Labeling required.

1 (a) Each light of safety glazing material manufac-
2 tured, distributed, imported or sold for use in hazardous

3 locations or installed in a hazardous location within this
4 state shall be permanently labeled by such means as
5 etching, sandblasting or firing ceramic material on the
6 safety glazing material. The label shall identify the
7 labeler, whether manufacturer, fabricator or installer,
8 the thickness and type of safety glazing material, and the
9 fact that the material meets the test requirements of
10 American National Standards Institute Standard Z-97.1-
11 1966 and any further requirements as may be adopted
12 by the department of labor. The label must be legible
13 and visible after installation.

14 (b) Safety glazing labeling shall not be used on other
15 than safety glazing materials.

§47-5-3. Safety glazing materials required in hazardous locations.

1 It shall be unlawful in this state to knowingly sell,
2 fabricate, assemble, glaze, install, consent or cause to be
3 installed glazing materials other than safety glazing
4 materials in, or for use in, any hazardous location: *Pro-*
5 *vided, however,* That this shall not apply to the replace-
6 ment of glazing materials in a residence constructed for
7 occupancy of not more than two families, which residence

8 is in existence on July first, one thousand nine hundred
9 seventy-one.

§47-5-4. Nonliability of employees.

1 No liability under this article is created for workmen
2 who are employees of a contractor, subcontractor or
3 other employer responsible for compliance with this
4 article.

§47-5-5. Violations; penalties.

1 Whoever violates any of the provisions of this article
2 shall be guilty of a misdemeanor, and, upon conviction
3 thereof, shall be fined not less than fifty dollars nor more
4 than five hundred dollars, or imprisoned in the county
5 jail not more than thirty days, or both fined and im-
6 prisoned.

§47-5-6. Effective date; prior contracts.

1 This article shall take effect on the first day of July, one
2 thousand nine hundred seventy-one. All contracts involv-
3 ing glazing materials entered into prior to the effective
4 date of this article shall not be affected by the provisions
5 of this article even if performance of the contract occurs
6 after the effective date.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Russell G. Beall
Chairman Senate Committee

Phyllis Rutledge
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. Howard Myers
Clerk of the Senate

A. Blankenship
Clerk of the House of Delegates

Ed Spont
President of the Senate

Joe F. Briansky
Speaker House of Delegates

The within approved this the 17th
day of February, 1971.

Archie A. Moore Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 2/16/71

Time 2:20 p.m.

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

FEB 19 9 30 AM '71

RECEIVED