## WEST VIRGINIA LEGISLATURE REGULAR SESSION, 1971

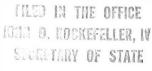
## ENROLLED

HOUSE BILL No. 504

(By MrKOPP AND MR. BUCK )

PASSED FEBRUARY 15, 1971

In Effect NIKETY DAYS FROM Passage



THIS DATE 2-19-71



# ENROLLED 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:

Enr. H. B. No. 504]

#### 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.

| Enr. n. b. No. 304]   |
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| The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled. |
| Kusell M Beach Chairman Senate Committee  |
| Chair man behave committee  |
| Chairman House Committee)   |
| Originated in the House.  |
| Takes effect ninety days from passage.  |
| Thomas Thy us   |
| Clerk of the Senate   |
| a aBlankenship  |
| Clerk of the House of Delegates   |
| Threfound   |
| President of the Senate   |
| Ivoc F. Breashy   |
| Speaker House of Delegates  |
|   |
| The within approved this the 17th   |
| day of Fluruary, 1971.  |
| archa. Shane J.   |
| Governor  |

PRESENTED TO THE GOVERNOR

OFFICE OF SAME STATE STATE STATE STATE STATE

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