

WEST VIRGINIA LEGISLATIVE RULE
DEPARTMENT OF LABOR
CHAPTER 47-5
SERIES XIII

Title: Safety Glazing Act

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Title: Safety Glazing Act

Section 1. General

1.1 Scope - These interpretive regulations is intended to define and clarify the intent of the legislation enacted as Article 5, Chapter 47, of the Code of West Virginia. It is also the objective of this information to further define the term "Hazardous Locations" and some of the other terms "words of art" used in the Act to aid in the interpretation of the provisions therein.

1.2 Authority - W. Va. Code 47-5-1

1.3 Filing Date - December 31, 1982

1.4 Effective Date - August 6, 1971

Section 2. Intent Of the Safety Glazing Act

2.1 The intent of the legislation is to protect the consumer and encourage the highest standards of construction safety by requiring safety glazing materials in "Hazardous Locations" in residential, commercial or public buildings in which, historically, the use of ordinary annealed glass has been the cause of high incidence of accidental injuries and deaths resulting from people accidentally walking or running into or falling against and breaking through, the ordinary annealed glass.

The provisions of the legislature apply to those "Hazardous Locations" in new construction and those "Hazardous Locations" in existing construction when the glazing material is replaced.

Section 3. Definitions

3.1 "Hazardous Locations" - Experience, injury statistics, and investigative surveys, have indicated that most accidental injuries involving ordinary annealed flat glass are limited to certain glazed installations or areas which have become classified as "Hazardous Locations".

These "Hazardous Locations" are those glazed installations used in residential buildings, and other structures used as dwellings, commercial buildings and public buildings, which because of their location in these buildings or structures, present a barrier in the normal path travelled by persons going into or out of these buildings and thus the glazing material is exposed to frequent and recurrent physical contact by people.

Specifically, the "Hazardous Locations" covered by the Act are:

- (a) Sliding glass doors.

(b) Storm doors.

(c) Bathtub enclosures.

(d) Shower doors.

(e) Framed or unframed glass entrance doors.

(f) Fixed glazed panels adjacent to entrance doors are which may be mistaken for means of ingress or egress.

(g) Other installations designated as "Hazardous Locations" by the Commissioner of the West Virginia Department of Labor after notice and hearings as required by the legislation.

3.2 Glazing - The term "glazing" shall be construed to mean the act or art of installing and securing glass or glass-like materials in prepared openings or installations such as doors, windows, enclosures, panels, etc.

Such openings, in which glass or glass-like materials have been installed and secured are defined as having been glazed.

3.3 Glazing Material - The term "glazing material" shall be construed to mean glass or a glass-like material including rigid plastics, intended to be set in, or installed in, prepared openings or installations such as doors, windows, enclosures, panels, etc.

3.4 Safety Glazing Material - The term "safety glazing material" shall be construed to mean a glazing material so constructed, treated or combined with other materials as to minimize the likelihood of accidental cutting and peircing injuries resulting from contact and breakage of the glazing material.

Specifically, wire glass, tempered glass, laminated glass, and rigid plastics, which meet the test requirements of American National Standards Institute (ANSI) Standard ANSI-Z-97.1-1966, are classified as safety glazing materials.

3.5 Annealed Glass - The term "annealed glass" shall be construed to mean glass that has been subjected to a slow, controlled cooling process during manufacture so as to relieve residual stresses so that it can be cut or subjected to other fabrication.

Regular plate, float, sheet, window, crystal, rolled and patterned surface glasses are examples of annealed glass.

3.6 Laminated Glass - The term "laminated glass" shall be construed to mean a glass product composed of two or more sheets of glass (usually annealed glass) bonded to an intervening layer or layers of resilient plastic material.

When laminated glass is broken, the broken pieces of glass tend to adhere to the plastic material.

3.7 Wire Glass - The term "wire glass" shall be construed to mean an annealed glass which contains a wire mesh which was completely embedded in the body of the glass during manufacture.

When wire glass is broken, the broken pieces tend to remain mechanically attached to the wire mesh.

3.8 Tempered Glass - The term "tempered glass" shall be construed to mean glass which has been given a special controlled heating and cooling treatment so as to build controlled compressive forces into the surface of the glass to make it many times stronger than annealed glass.

Tempered glass cannot be cut or drilled, once tempered.

When tempered glass is broken, at any point, the entire piece of tempered glass immediately breaks into small fragments.

2.9 Rigid Plastic - The term "rigid plastic" shall be construed to mean an organic glazing material possessing some glasslike properties, such as transparency.

2.10. Doors

(a) Framed Glass Entrance Door - The term "framed glass entrance door" shall be construed to mean a door which is used as an entrance into or an exit out of a residential, commercial or public building and which door contains a framed opening in which glass is installed and occupies 40 percent or more of the total door area. See Figure A

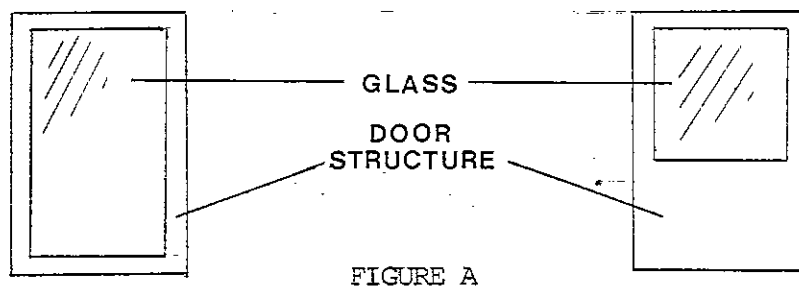


FIGURE A

(b) Unframed Glass Entrance Door - The term "unframed glass entrance door" shall be construed to mean a door which is used as an entrance into or an exit out of a residential, commercial, or public building and which door is

essentially all glass. In such a door, the glass is either unframed or framed on less than four edges. See Figure B

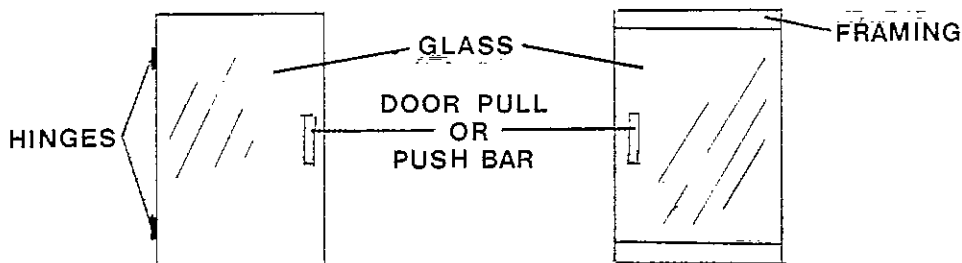


FIGURE B

(c) Panels

(1) Fixed Glazed Panel Adjacent To Entrance Or Exit Doors - The terms "fixed glazed panels adjacent to entrance or exit doors" shall be construed to mean those framed glazed structures immediately adjacent to or otherwise in close proximity to either transparent or opaque entrance and exit doors in residential, commercial and public buildings. These structures are not doors and cannot be operated as doors, but because of their proximity to doors and their design, may be mistaken for doors. See Figure C

(2) Fixed Glazed Panels - Fixed Glazed Panels may number one or more and are all classified as "Hazardous Locations" when located as barriers in the normal path of travel into or out of buildings. See Figure D

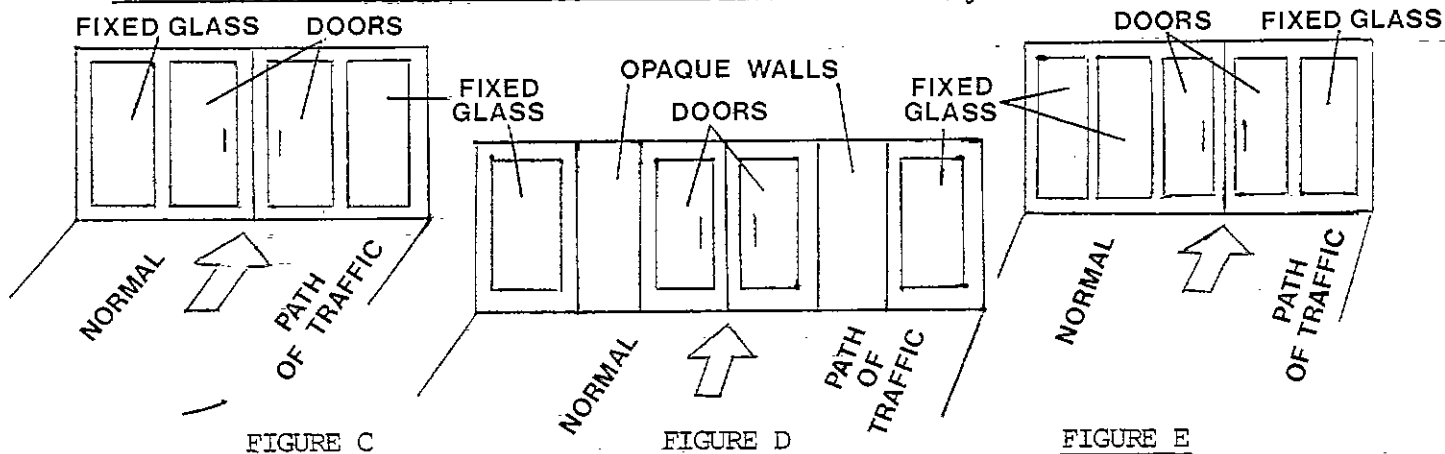


FIGURE C

FIGURE D

FIGURE E

(3) Fixed glazed panels adjacent to entrance and exit doors may be excluded from the classification of "Hazardous Locations" when permanent obstructions

are placed in front of them that will result in either a change in the normal path of traffic, thus directing persons away from them, or prevent human contact with the glazing material. See Figure E

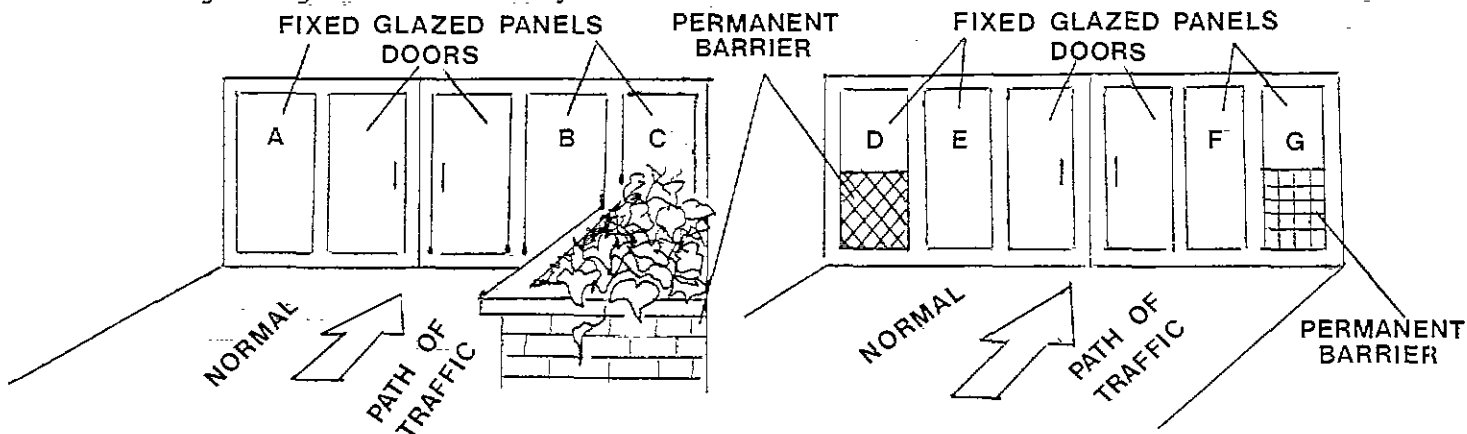


FIGURE F

(4) Fixed Glazed Panels C, D, and G are examples of fixed glazed panels adjacent to doors that may be classified as not being "Hazardous Locations" since the path of travel to Panel C is blocked by a permanent barrier. Fixed glazed panels D and G adjacent to doors may be classified as not being "Hazardous Locations" since permanent barriers in the form of protective bars, grilles or screens are designed, constructed and attached to the stiles on both sides of the panels so as to prevent accidental human impact from being delivered to the glazing material. See Figure F



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OFFICE OF WEST VIRGINIA
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(Plus all the volunteer
help we can get)

TO: Chris Quasebarth

AGENCY: Division of Labor

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: May 8, 1996

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 113 TITLE: 42 Division of Labor

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: [Signature]
TITLE OF PERSON SIGNING: Asst to Commissioner
DATE: 5/20/96

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: _____
TITLE OF PERSON SIGNING: _____
DATE: _____

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.



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STATE OF WEST VIRGINIA
SECRETARY OF STATE
Charleston 25305

TO: Andy Brown

AGENCY: Dept. of Labor

FROM: JUDY COOPER, DIRECTOR ADMINISTRATIVE LAW DIVISION

DATE: Nov. 20, 1990

THE ATTACHED RULE RECENTLY FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF YOUR RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 13 TITLE Safety Glazing Act

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: William D. Hoffman

TITLE OF PERSON SIGNING: Director Safety & Bldg

DATE: 12-4-90

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____