

VIRGINIA STATE BUILDING CODE TECHNICAL REVIEW BOARD

I N T E R P R E T A T I O N

Interpretation Number: 1/2020

Code: USBC, Part I, Virginia Construction Code/2015

Section No(s): Section 106.2 and 113.7

Code: USBC, Part III, Virginia Maintenance Code/2015

Section No(s): Section 104.5

106.2 Delegation of authority.

The building official may delegate powers and duties except where such authority is limited by the local government. However, such limitations of authority by the local government are not applicable to the third-party inspector policy required by [Section 113.7.1](#) nor shall such limitations of authority by the local government have the effect of altering the provisions of this code or creating *building regulations*. When such delegations are made, the building official shall be responsible for assuring that they are carried out in accordance with the provisions of this code.

113.7 Approved inspection agencies.

The building official may accept reports of inspections and tests from individuals or inspection agencies approved in accordance with the building official's written policy required by [Section 113.7.1](#). The individual or inspection agency shall meet the qualifications and reliability requirements established by the written policy. Under circumstances where the building official is unable to make the inspection or test required by [Section 113.3](#) or [113.4](#) within 2 *working days* of a request or an agreed upon date or if authorized for other circumstances in the building official's written policy, the building official shall accept reports for review. The building official shall approve the report from such approved individuals or agencies unless there is cause to reject it. Failure to approve a report shall be in writing within 2 *working days* of receiving it stating the reason for the rejection. Reports of inspections conducted by approved third-party inspectors or agencies shall

be in writing, shall indicate if compliance with the applicable provisions of the USBC have been met and shall be certified by the individual inspector or by the responsible officer when the report is from an agency.

Exception: The licensed mechanical contractor installing the mechanical system shall be permitted to perform duct tests required by [Section R403.3.3](#) of the IECC or [Section N1103.3.3](#) of the IRC. The contractor shall have been trained on the *equipment* used to perform the test.

Note: Photographs, videotapes or other sources of pertinent data or information may be considered as constituting such reports and tests.

#### 104.5 Powers and duties, generally.

The code official shall enforce this code as set out herein and as interpreted by the State Review Board and shall issue all necessary notices or orders to ensure compliance with the code.

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**QUESTION #1:** Is the elevator inspector, approved by VCC Sections 106.2 or 113.7, and VMC Section 104.5 required to witness either virtually, in-person, or by other approved means the acceptance or periodic tests of elevators, escalators, or similar conveyances?

**ANSWER:** Yes.

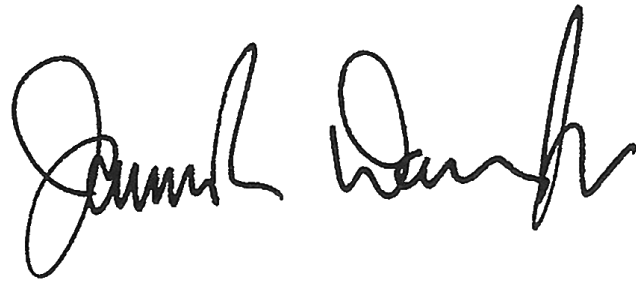
**QUESTION #2:** Does the Code Official have the authority to waive the witnessing of tests pursuant to question #1 above?

**ANSWER:** No.

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This Official Interpretation was issued by the State Building Code Technical Review Board at its meeting of January 22, 2021.

A handwritten signature in black ink, appearing to read "James Deane". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "Deane".

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Chairman, State Building Code Technical Review Board