



BUILDING CODE COALITION

Washington, DC

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FEDERAL INCENTIVES ENABLING THE ADOPTION OF STATEWIDE BUILDING CODES WILL HELP PRESERVE PROPERTY AND PROMOTE SAFETY

Overwhelming evidence exists to demonstrate the adoption and enforcement of statewide building codes greatly reduce property damage and personal injury resulting from disasters. Building codes govern all aspects of construction and help to protect single-family dwellings from disasters such as hurricanes, tornadoes, earthquakes and other natural catastrophes.

Despite this correlation, most states have not enacted statewide building codes and related inspection and enforcement measures. State standards for construction, code-related inspection and enforcement vary widely across the country. Where statewide codes exist, it is not uncommon to allow individual jurisdictions (e.g., cities of a particular class, or counties) to deviate from the state standards, occasionally resulting in a weakening of the model minimum standards. The federal government and the private sector pay billions for disaster relief and rebuilding of communities. In the aftermath of the 2004 and 2005 hurricanes, studies examining property damages illustrate that the damages associated with high winds could have been avoided or minimized by adoption of stronger nationally recognized building codes in the Gulf States.

FEMA's stated mission of leading "America to prepare for, prevent, respond to and recover from disasters" is well embodied in the pre and post mitigation programs available to states under the Stafford Act and the Disaster Mitigation Act of 2000. These programs help states assess how to alleviate or eliminate long-term risks affecting people, property, the environment, and ultimately the economy. Under the Hazard Mitigation Grant Program (HMGP), states are required to submit a Standard Mitigation Plan for approval by FEMA as a condition to receive monetary disaster assistance. According to the HMGP, one of the permissible uses of funding includes projects associated with "Post-disaster building code related activities that support building code officials during the reconstruction process."

Further, a state may elect to prepare a more comprehensive plan (Enhanced Mitigation Plan) which would qualify the state for additional funding up to 20 percent of the estimated aggregate amount of grants to be awarded. One example of projects a state could consider to demonstrate its commitment to having a strong mitigation program implemented is as follows: "To the extent allowed by State law, the State requires or encourages local governments to use a current version of a nationally applicable model building code or standard that addresses natural hazards as a basis for design and construction of State sponsored mitigation projects."



Promoting Safety and Protecting Property



FEMA's Strategic Plan for FY 2003-2008 notes its first goal is to "Reduce loss of life and property." The performance measurement for this goal includes "creating and enforcing effective building codes" to help FEMA meet a \$10 billion savings in property losses by FY 2008. Considering this strategy and the previously discussed examples under the HMGP, requiring states to enact a statewide building code and provide mechanisms for active enforcement as an added criterion would serve as an appropriate federal incentive to qualify for greater amounts of funding. This would allow FEMA to work within its statutory authority without seeking additional appropriations for the program. And, this could be accomplished through rulemaking instead of enactment of legislation.

The Building Code Coalition supports the development of federal programs that provide economic incentives to encourage the adoption of statewide building codes. This can be achieved through a legislative amendment to the Stafford Act or through rulemaking by FEMA to provide, through the administration of FEMA's pre-disaster and post-disaster grant programs, additional financial assistance to those states that have adopted statewide building codes.

