

**NINE-POINT CRITERIA ANALYSIS  
OF  
PROPOSED BUILDING STANDARDS  
OF THE  
OFFICE OF THE STATE FIRE MARSHAL**

**REGARDING THE 2016 CALIFORNIA MECHANICAL CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4**

Building standards submitted to the California Building Standards Commission for approval are required, by Health and Safety Code Subsection 18930(a), to be accompanied by an analysis which will, to the satisfaction of the Commission, justify their approval. The approval of these proposed building standards is justified as follows:

**1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.**

The Office of the State Fire Marshal has determined that the proposed building standards do not conflict, overlap or duplicate other building standards.

**2) The proposed building standards are within the parameters established by enabling legislation, and are not expressly within the exclusive jurisdiction of another agency.**

The Office of the State Fire Marshal has proposed these building standards under the direct statutory authority to adopt, amend and or repeal rules and regulations for fire and life safety regulations.

The Office of the State Fire Marshal is proposing this regulatory action pursuant to Health and Safety Code Sections 1250, 1568.02, 1502, 1569.72, 1569.78, 1569.698, 1597.44, 1597.45, 1597.46, 1597.54, 1597.65, 13100.1, 13108, 13113, 13113.5, 13114, 13211, 13132.7, 13133, 13135, 13143, 13143.1, 13143.6, 13143.9, 13146, 17921, 18897.3, 18928, 18949.2, 122155, Education Code 17074.50, 52, 54, 32020, Government Code Sections 51189 and 11152.5. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code section 18928.

The proposed building standards are not within the exclusive jurisdiction of another agency.

**3) The public interest requires the adoption of the building standards. The public interest includes, but is not limited to, health and safety, resource efficiency, fire safety, seismic safety, building and building system performance, and consistency with environmental, public health, and accessibility statutes and regulations.**

The Office of the State Fire Marshal finds that the proposed amendments are in the best interest for the protection of life and property against fire and panic in occupancies addressed in the 2016 California Building Standards Code.

The Office of the State Fire Marshal finds that these proposed building standards are necessary for maintaining the highest level of safety for the construction, alteration,

movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of buildings or structures. The Office of the State Fire Marshal proposes, where necessary to ensure, that the regulations of the California Building Standards Code, establish and or maintain minimum requirements for the prevention of fire and for the protection of life and property and to provide safety to fire fighters and emergency responders during emergency operations, against fire and panic in accordance with Health and Safety Code 13100.1 that foster, promote and develop ways and means of protecting life and property against fire and panic

**4) The proposed building standards are not unreasonable, arbitrary, unfair, or capricious, in whole or in part.**

The Office of the State Fire Marshal has determined that the proposed building standards are not unreasonable, arbitrary, or capricious, in whole or in part.

**5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.**

The Office of the State Fire Marshal finds that utilizing a National model code that results in costs savings to the public because it updates health and safety standards, provides the most recent methods, and promotes affordable costs. The Office of the State Fire Marshal has determined that the cost to the public is reasonable, based on the overall benefit to be derived from the building standards. Furthermore, these proposed regulations, in whole or in part, do not create additional requirements; however, elevate potentially restrictive provisions that are not intended.

**6) The proposed building standards are not unnecessarily ambiguous or vague, in whole or in part.**

The Office of the State Fire Marshal has determined that the 2016 California Building Standards Code with California amendments are neither ambiguous nor vague, either in whole or in part. The language of these modifications to the standards have been reviewed, edited, and developed to avoid ambiguity or vagueness.

**7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.**

**(A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.**

**(B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.**

Health and Safety Code Section 18928.1 directs the Office of the State Fire Marshal to propose the adoption by reference of the most recent edition of the model code, applicable national specifications, or published standards, into the text of the California Building

Standards Code. These amendments modify the most recent edition of the model code and referenced national standards that have been included.

**8) The format of the proposed building standards is consistent with that adopted by the Commission.**

The Office of the State Fire Marshal is using formats obtained from the California Building Standards Commission.

**9) The proposed building standards, if they promote fire and panic safety as determined by the State Fire Marshal, have the written approval of the State Fire Marshal.**

The State Fire Marshal has the statutory authority to propose rules and regulations regarding fire and life safety regulations for the State of California.