

**EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
CALIFORNIA BUILDING STANDARDS COMMISSION**

**REGARDING PROPOSED ADOPTION OF THE
2005 NATIONAL ELECTRICAL CODE (NEC) FOR THE
CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 3**

Legend for Express Terms:

1. **California amendment (CA) brought forward without modification:** *All language will appear in italics.*
 2. **California amendment (CA) brought forward with modification:** *All language will appear in italics, modified language is shown underlined.*
 3. **New NEC language with new California amendment (CA):** NEC language shown in normal Arial 12 pt. *California amendments to NEC text is shown underlined and in italics.*
 4. **New California amendment (CA):** *California language will appear underlined and in italics.*
 5. **Repealed text:** Shown as ~~Strikeout~~.
- 1.

The California Building Standards Code (California Code of Regulations, Title 24, Part 1, 2, 3, 4, 5, 6, 7, 8, 10 & 12) is published in its entirety every three years and is effective to all buildings that submit an application for a building permit during its effective period. Each triennial edition of the California Building Standards Code becomes effective 180 days after its publication and is effective at the time an application for a building permit is submitted.

These proposed regulations will make effective the 2005 edition of the National Electrical Code (NEC) of the National Fire Protection Association (NFPA) for state owned buildings, including buildings constructed by the Trustees of the California State University and buildings constructed by the Regents of the University of California that are permitted under the next triennial addition of the California Electrical Code (CEC). Further, California law makes the NEC standards adopted by the Commission applicable to all occupancies in California.

EXPRESS TERMS:

The California Building Standards Commission proposes to adopt the 2005 edition of the National Electrical Code (NEC) of the National Fire Protection Association (NFPA) for codification and effectiveness in the next triennial edition of the California Electrical Code (CEC) as presented on the following pages. The California Building Standards Commission further proposes to repeal the 2004 California Electrical Code, the 2002 edition of the National Electrical Code of the National Fire Protection Association, as presented on the following pages.

CBSC proposes to Adopt California Article 89, Sections 89.1 and 89.2 with amended articles as indicated

MATRIX ADOPTION TABLE

Adopting Agency	BSC	REMARKS
Adopt California Article 89---- as indicated (only articles ^{1, 2, 3} listed below)	X	
89.101 - 89.101.12 CA	X	
89.102 CA	X	

AMENDMENTS:

CALIFORNIA ARTICLE 89
GENERAL CODE PROVISIONS

SECTION 89.1
GENERAL

89.1.1 Title. *For the State of California, these regulations shall be known as the California Electrical Code. The provisions contained in the California Building Code of the (compiled) as defined in Section 18910, Health and Safety Code, may be cited as such and are referred to hereafter as “these regulations” or “these building standards” or “this code.”*

89.1.5 Standards Reference Documents *The codes, standards and publications adopted and set forth in this code, including other codes, standards and publications referred to therein are, by title and date of publication, hereby adopted as standard reference documents of this code. When this code does not specifically cover any subject related to building design and construction, recognized fire prevention engineering practices shall be employed. The National Fire Codes and the Fire Protection Handbook of the National Fire Prevention Association may be used as authoritative guides in determining recognized fire prevention engineering practices.*

89.1.6 Non-Building Regulations. *Requirements contained in the NEC, or in any other referenced standard, code or document, which are not building standards as defined in section 18909, Health and Safety Code, shall not be construed as part of the provisions of this code. For the applicability of regulations related to maintenance, operation, use, limitation or prohibitions, and similar non-building regulations see other titles of the California Code of Regulations.*

89.1.7 Order of Precedence

~~89.1.7.1 General. In the event of any differences between these building standards and the standard reference documents, the text of these building standards shall govern. Where a specific provision varies from a general provision, the specific provisions shall apply.~~

~~89.1.9 Effective Date. Only those standards approved by the California Building Standards Commission and that are effective at the time an application for building permit is submitted shall apply to the plans and specifications for, and to the construction performed under, that permit. For the effective dates of the provisions contained in this code, see the History Note page of this code.~~

~~89.1.10 Availability of Code Title 8, 19, 20, 24, and 25 of the California Code of Regulations shall be maintained in the office of the building official responsible for the administration and enforcement of this part.~~

~~89.1.11 Format. This part fundamentally adopts the NEC by reference on a chapter-by-chapter basis. Such adoption is reflected in the adoption table of each chapter of this part. When the adoption table of a chapter makes no reference to a specific chapter of the NEC, such chapter of the NEC is not adopted as a portion of this code.~~

~~89.1.12 Validity. If any chapter section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the state as stipulated by statutes, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of this code.~~

CALIFORNIA ARTICLE 89 **GENERAL CODE PROVISIONS**

(Note: Adopt only those sections listed in the matrix adoption table. Sections shall include subsection)

SECTION 89.101 **GENERAL**

89.101.1 Title. These regulations shall be known as the California Electrical Code, may be cited as such and will be referred to herein as "this code." The California Electrical Code is Part 3 of twelve parts of the official compilation and publication of the adoptions, amendment, and repeal of Electrical regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. This part incorporates by adoption the 2005 National Electrical Code of the National Fire Protection Association with necessary California amendments.

89.101.2 Purpose. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation, and energy conservation; to preserve life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations.

89.101.3 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such building structures throughout the State of California.

89.101.3.1 Non-State-Regulated Buildings, Structures, and Applications. Except as modified by local ordinance pursuant to Section 101.8, the building standards in the California Code of Regulations, Title 24, Parts 2, 3, 4, 5, 6, 9 and 10 shall apply to all occupancies and applications not regulated by a state agency.

89.101.3.2 State-Regulated Buildings, Structures, and Applications. The model code, state amendments to the model code, and/or state amendments where there are no relevant model code provisions, shall apply to the following buildings, structures, and applications regulated by state agencies as referenced in the Matrix Adoption

Tables and as specified in sections 102 through 113, except where modified by local ordinance pursuant to Section 101.8. When adopted by a state agency, the provisions of this code shall be enforced by the appropriate enforcing agency, but only to the extent of authority granted to such agency by the State Legislature.

Note: See Preface to distinguish the model code provisions from the California provisions.

1. State-owned buildings, including buildings constructed by the Trustees of the California State University, and to the extent permitted by California laws, buildings designed and constructed by the Regents of the University of California, and regulated by the Building Standards Commission. See section 102 for additional scope provisions.
2. Local detention facilities regulated by the Board of Corrections. See section 103 for additional scope provisions.
3. Barbering, cosmetology or electrolysis, establishments, acupuncture offices, pharmacies, veterinary facilities, and structural pest control locations regulated by the Department of Consumer Affairs. See section 104 for additional scope provisions.
4. Energy efficiency standards regulated by the California Energy Commission. See section 105 for additional scope provisions.
5. Dairies and places of meat inspection regulated by the Department of Food and Agriculture. See section 106 for additional scope provisions.
6. Organized camps, laboratory animal quarters, public swimming pools, radiation protection, commissaries serving mobile food preparation vehicles, and wild animal quarantine facilities regulated by the Department of Health Services. See section 107 for additional scope provisions.
7. Hotels, motels, lodging houses, apartment houses, dwellings, dormitories, condominiums, shelters for homeless persons, congregate residences, employee housing, factory-built housing, and other types of dwellings containing sleeping accommodations with common toilets or cooking facilities. See section 108 for additional scope provisions.
8. Accommodations for persons with disabilities in buildings containing newly constructed covered multifamily dwellings, new common use spaces serving existing covered multifamily dwellings, additions to existing buildings where the addition alone meets the definition of a covered multifamily dwelling, and common-use spaces serving covered multifamily dwellings which are regulated by Department of Housing and Community Development. See section 108 for additional scope provisions.
9. Permanent buildings and permanent accessory buildings or structures constructed within mobilehome parks and special occupancy parks regulated by the Department of Housing and Community Development. See section 108 for additional scope provisions.
10. Accommodations for persons with disabilities regulated by the Division of the State Architect. See section 109.1 for additional scope provisions.
11. Public elementary and secondary schools, community college buildings, and state-owned or state-leased essential service buildings regulated by the Division of the State Architect. See section 109.2 for additional scope provisions.
12. Qualified historical buildings and structures and their associated sites regulated by the State Historical Building Safety Board with the Division of the State Architect. See section 109.3 for additional scope provisions.
13. General acute care hospitals, acute psychiatric hospitals, skilled nursing and/or intermediate care facilities, clinics licensed by the Department of Health Services, and correctional treatment centers regulated by the Office of Statewide Health Planning and Development. See section 110 for additional scope provisions.
14. Applications regulated by the Office of State Fire Marshal include but are not limited to the following in accordance with Section 111:
 1. Buildings or structures used or intended for use as an:
 - 1.1. Asylum, jail
 - 1.2. Mental hospital, hospital, home for the elderly, children's nursery, children's home or institution, school

or any similar occupancy of any capacity

1.3. Theater, dancehall, skating rink, auditorium, assembly hall, meeting hall, nightclub, fair building, or similar place of assemblage where 50 or more persons may gather together in a building, room or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education

1.4. Small family day care homes, large family day-care homes, residential facilities and residential facilities for the elderly, residential care facilities

1.5. State institutions or other state-owned or state-occupied buildings

1.6. High rise structures

1.7. Motion picture production studios

1.8. Organized camps

1.9. Residential structures

2. Tents, awnings or other fabric enclosures used in connection with any occupancy

3. Fire alarm devices, equipment and systems in connection with any occupancy

4. Hazardous materials, flammable and combustible liquids

5. Public school automatic fire detection, alarm, and sprinkler systems

6. Wildland urban interface fire areas

15. Public libraries constructed and renovated using funds from the California Library Construction and Renovation Bond Act of 1988 and regulated by the State Librarian. See section 112 for additional scope provisions.

16. Graywater systems regulated by the Department of Water Resources. See section 113 for additional scope provisions.

89.101.3.3 Exempted from this Code. This Code does not cover:

(A) 1. Installations in ships, watercraft other than floating dwelling units, railway rolling stock, aircraft, automotive vehicles, commercial coaches, mobilehomes, and recreational vehicles.

(B) 2. Installations underground in mines, mine shafts and tunnels.

(C) 3. Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communication purposes.

(D) 4. Installation of communication equipment under the exclusive control of communication utilities, located outdoors or in building spaces used exclusively for such installations.

(E) 5. Installations under the exclusive control of electrical utilities for the purpose of communication, or metering; or for the generation, control, transformation, transmission, and distribution of electrical energy located in buildings used exclusively by utilities for such purposes or located outdoors on property owned or leased by the utility or on public highways, streets, roads, etc., or outdoors by established rights on private property.

Exception to (D)4 and (E)5: In places of employment, the following shall apply: installations of conductors, equipment and associated enclosures subject to the jurisdiction of the California Public Utilities Commission, that are owned, operated and maintained by an electric, communications or electric railway utility, but not including conduit, vaults, and other like enclosures containing conductors and equipment of such a utility when located indoors or on premises not used exclusively for utility purposes, but do not apply to the utility's conductors and equipment therein.

(F) 6. Installations on highways or bridges.

89.101.4 Annexes. Provisions contained in the annexes of this code shall not apply unless specifically adopted by a state agency or adopted by a local enforcing agency in compliance with Health and Safety Code Section 18938 (b) for Building Standards Law, Health and Safety Code Section 17950 for State Housing Law and Health and Safety Code Section 13869.7 for Fire Protection Districts. See section 89.101.8 of this code.

89.101.5 Referenced Codes. *The codes, standards and publications adopted and set forth in this code, including other codes, standards and publications referred to therein are, by title and date of publication, hereby adopted as standard reference documents of this code. When this code does not specifically cover any subject related to building design and construction, recognized architectural or engineering practices shall be employed. The National Fire Codes and the Fire Protection Handbook of the National Fire Prevention Association are permitted to be used as authoritative guides in determining recognized fire-prevention engineering practices.*

89.101.6 Non-Building Standards, Orders and Regulations. *Requirements contained in the National Electrical Code, or in any other referenced standard, code or document, which are not building standards as defined in section 18909, Health and Safety Code, shall not be construed as part of the provisions of this code. For non-building standards, orders, and regulations, see other titles of the California Code of Regulations.*

89.101.7 Order of Precedence and Use.

89.101.7.1 Differences. *In the event of any differences between these building standards and the standard reference documents, the text of these building standards shall govern.*

89.101.7.2 Specific provision. *Where a specific provision varies from a general provision, the specific provisions shall apply.*

89.101.7.3 Conflicts. *When the requirements of this code conflict with the requirements of any other part of the California Building Standards Code, Title 24, the most restrictive requirement shall prevail.*

89.101.8 City, County, or City and County Amendments, Additions or Deletions.

The provisions of this code do not limit the authority of city, county, or city and county governments to establish more restrictive and reasonably necessary differences to the provisions contained in this code pursuant to complying with section 89.101.8.1. The effective date of amendments, additions, or deletions to this code of cities, counties, or city and counties filed pursuant to section 89.101.8.1 shall be the date filed. However, in no case shall the amendments, additions or deletions to this code be effective any sooner than the effective date of this code.

89.101.8.1 Findings and Filings.

1. *The city, county, or city and county shall make express findings for each amendment, addition or deletion based upon climatic, topographical, or geological conditions.*

Exception: *Hazardous building ordinances and programs mitigating unreinforced masonry buildings.*

2. *The city, county, or city and county shall file the amendments, additions, or deletions expressly marked and identified as to the applicable findings. Cities, counties, cities and counties, and fire departments shall file the amendments, additions or deletions, and the findings with the California Building Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833.*
3. *Findings prepared by fire protection districts shall be ratified by the local city, county, or city and county and filed with the California Department of Housing and Community Development at 1800 3rd Street, Room 260, Sacramento, CA 95814.*

89.101.9 Effective Date of this Code. *Only those standards approved by the California Building Standards Commission that are effective at the time an application for building permit is submitted shall apply to the plans and specifications for, and to the construction performed under, that permit. For the effective dates of the provisions contained in this code, see the History Note page of this code.*

89.101.10 Availability of Codes. *At least one entire copy each of Titles 8, 19, 20, 24, and 25 with all revisions shall be maintained in the office of the building official responsible for the administration and enforcement of this code. See Health and Safety Code section 18942 (d) (1) & (2).*

89.101.11 Format. *This part fundamentally adopts the National Electrical Code by reference on a chapter-by-chapter basis. Such adoption is reflected in the Matrix adoption table of each chapter of this part. When the Matrix adoption tables make no reference to a specific chapter of the National Electrical Code, such chapter of the National Electrical Code is not adopted as a portion of this code.*

89.101.12 Validity. *If any chapter section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the state as stipulated by statutes, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of this code.*

SECTION 89.102 **BUILDING STANDARDS COMMISSION**

89.102.1 *(Relocated from 2001 CBC 101.17.3) Specific scope of application of the agency responsible for enforcement, the enforcement agency, and the specific authority to adopt and enforce such provisions of this code, unless otherwise stated.*

1. State Buildings for all occupancies.

Application – State buildings (all occupancies), including buildings constructed by the Trustees of the California State University and the Regents of the University of California where no state agency has the authority to adopt building standards applicable to such buildings.

Enforcing Agency – State or local agency specified by the applicable provisions of law.

Authority Cited – Health and Safety Code section 18934.5.

Reference – Health and Safety Code, Division 13, Part 2.5, commencing with section 18901.

2. University of California, California State Universities, and California Community Colleges.

Application – Standards for lighting for parking lots and primary campus walkways at the University of California, California State Universities, and California Community Colleges.

Enforcing Agency – State or local agency specified by the applicable provisions of law.

Authority Cited – Government Code section 14617.

Reference – Government Code section 14617.

3. Existing State-Owned Buildings, including those owned by the University of California and by the California State University– Building seismic retrofit standards including abating falling hazards of structural and nonstructural components and strengthening of building structures. See also Division of the State Architect.

Enforcing Agency – State or local agency specified by the applicable provisions of law.

Authority Cited – Government Code section 16600

Reference – Government Code sections 16600 through 16604

4. Unreinforced Masonry Bearing Wall Buildings.

Application – Minimum seismic strengthening standards for buildings specified in Appendix Chapter 1A of the California Existing Building Code, except for buildings subject to building standards adopted pursuant to Part 1.5 (commencing with Section 17910)

Enforcing Agency – State or local agency specified by the applicable provisions of law.

Authority Cited – Health and Safety Code section 18934.6

Reference – Health and Safety Code sections 18901 through 18949

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Notation

Authority: Health and Safety Code §18934.5

References: Health and Safety Code §18934.5

CBSC proposes to Adopt NEC Article 90, without amendments

**MATRIX ADOPTION TABLE
Article 90**

Adopting Agency	BSC	REMARKS
Adopt entire Article 90 without amendments	X	
Adopt entire Article 90 as amended (amendments listed below)		
Adopt only those sections listed below		

Authority: Health & Safety Code Sections 18928 and 18934.5

Reference(s): Health & Safety Code Sections 18928, 18928.1 and 18934.5

CBSC proposes to adopt Chapters 1 through Chapter 5 (All Articles) of the 2005 NEC

**MATRIX ADOPTION TABLES
Chapters 1 through 5**

Adopting Agency	BSC	Comments
Adopt Entire Chapters	X	No new amendments are being proposed by BSC during this next triennial annual adoption cycle.
Adopt Entire Chapter or as amended (amended sections listed below)		
Adopt all Chapter Articles, except those Articles that are listed below		

Authority: Health & Safety Code Sections 18928 and 18934.5

Reference(s): Health & Safety Code Sections 18928, 18928.1 and 18934.5

CBSC proposes to adopt Chapter 6 (with exception noted below) of the 2005 NEC

**MATRIX ADOPTION TABLES
Chapter 6**

Adopting Agency	BSC	Comments
Adopt Entire Chapter		
Adopt Entire Chapter or as amended (amended sections listed below)	X	
Adopt all Chapter Articles, except those Articles that are listed below		
Article 625	†	CBSC is not proposing to adopt

CBSC proposes to adopt Chapters 7 through Chapter 9 (All Articles) of the 2005 NEC

**MATRIX ADOPTION TABLES
Chapter 7 through 9**

Adopting Agency	BSC	Comments
Adopt Entire Chapters	X	No amendments to these chapters are being proposed by BSC during this next triennial annual adoption cycle.
Adopt Entire Chapter or as amended (amended sections listed below)		
Adopt all Chapter Articles, except those Articles that are listed below		

Authority: Health & Safety Code Sections 18928 and 18934.5

Reference(s): Health & Safety Code Sections 18928, 18928.1 and 18934.5

CBSC does not adopt the Annexes of the 2005 NEC

**MATRIX ADOPTION TABLES
ANNEXES A, B, C, D, E, F,**

Adopting Agency	BSC	Comments
Adopt All Annexes		
Adopt Annexes as amended (amended examples listed below)		
Adopt only those Annex sections that are listed below		