

**15-DAY INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DIVISION OF THE STATE ARCHITECT (DSA-AC)

REGARDING THE CALIFORNIA BUILDING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2

2013 CALIFORNIA BUILDING CODE
INTERVENING CODE CYCLE**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS:

California Government Code Section 4450 directs the State Architect to develop and submit proposed building standards to the California Building Standards Commission (CBSC) for approval and adoption pursuant to Health and Safety Code Section 18935 for the purpose of making buildings, structures, sidewalks, curbs, and related facilities accessible to and usable by persons with disabilities.

In the previous code cycle, the 2010 ADA Standards for Accessible Design was adopted as the model code for the 2013 California Building Code, Chapter 11B, Accessibility to Public Buildings, Public Accommodations, Commercial Buildings and Public Housing. The new model code was amended to carry forward provisions from the 2010 California Building Code, Chapters 11A, 11B and 11C that provided greater accessibility.

This proposed regulatory action by DSA-AC will provide greater consistency and clarity for code users by:

- Repealing unnecessary, duplicative or conflicting provisions inadvertently introduced into the 2013 California Building Code during the previous code cycle.
- Amending selected portions of the 2013 California Building Code to provide greater specificity.
- Adding new scoping and technical requirements for destination-oriented elevators, variable message signs, and baby changing tables to implement existing accessibility requirements associated with these elements.
- Codifying non-substantive editorial and formatting changes.

ITEM 11B.16

Chapter 11B

11B-226 Dining surfaces and work surfaces

11B-226.3 Dining surfaces exceeding 34 inches in height

REASON: DSA-AC is withdrawing this item for further study based on comments received during the 45-Day Public Comment Period.

ITEM 11B.24

Chapter 11B

11B-308 Reach ranges

11B-308.4 Suggested reach ranges for children

REASON: DSA-AC is proposing to further amend this item based on comments received during the 45-Day Public Comment Period. DSA-AC is proposing to delete the phrase “*may be used*” and replace it with the phrase “*shall be permitted*” for consistency with model code format and terminology. This change will provide greater clarity and consistency for code users.

ITEM 11B.31

Chapter 11B

11B-411 Destination-oriented elevators

REASON: DSA-AC is proposing to further amend this item based on comments received during the 45-Day Public Comment Period.

11B-411.1.1 Floor designations.

Exceptions:

1.

2.

REASON: DSA-AC is proposing to:

1. In exception one delete the word “*may*” and replace it with the phrase “*shall be permitted to*” for consistency with model code format and terminology.

2. Add exception two allowing non-successive floor numbering where the number thirteen is not used or floors that are only accessed by service personnel that may not be numbered in succession.

11B-411.1.2 Car designations.

Exception:

REASON: DSA-AC is proposing to delete the word “*may*” and replace it with the phrase “*shall be permitted to*” for consistency with model code format and terminology. This change will provide greater clarity and consistency for code users.

11B-411.2.1.1 Location.

Exception:

REASON: DSA-AC is proposing to delete the word “*may*” and replace it with the phrase “*shall be permitted to*” for consistency with model code format and terminology. This change will provide greater clarity and consistency for code users.

11B-411.2.1.2 Required features.

REASON: DSA-AC is proposing to delete the phrase “*where provided*”. The language is unnecessary and by deleting it consistency with model format code format and terminology is maintained.

11B-411.2.1.2.4 Display screen.

REASON: DSA-AC is proposing to:

1. Amend this section to clarify the requirement for the display information indicating the location and use

of the (★) and (-) buttons. This change provides improved instructions for ease of use of the information on the display screen.

2. Delete the phrase *“including but not limited to”* which eliminates ambiguity. Additional elements and features beyond those required by code that enhance accessibility can be provided. Deleting the terminology does not lessen the requirements and provides greater clarity and consistency for code users.

11B-411.2.1.2.5 Audio output.

REASON: DSA-AC is proposing to:

1. Amend this section to clarify the requirement for the display information indicating the location and use of the (★) and (-) buttons. This change provides improved instructions for ease of use of the information on the audio output system.

2. Delete the phrase *“including but not limited to”* which eliminates ambiguity. Additional elements and features beyond those required by code that enhance accessibility can be provided. Deleting the terminology does not lessen the requirements and provides greater clarity and consistency for code users.

11B-411.2.1.3 Arrangement.

11B-411.2.1.3.1 Keypad call console arrangement.

11B-411.2.1.3.2 Touch screen call console arrangement.

11B-411.2.1.3.3 Proximity of required elements.

11B-411.2.1.3.4 Position.

REASON: DSA-AC is proposing to:

1. In Section 11B-411.2.1.3.1 add the phrase *“Where keypad consoles are provided”* for consistency with model code format.

2. In Section 11B-411.2.1.3.2 add the phrase *“Where touch screen call consoles are provided”* for consistency with model code format.

3. In Section 11B-411.2.1.3.3 delete the second sentence in the paragraph. A new section is proposed to clarify the position of the hall call console elements.

4. Add Section 11B-411.2.1.3.4 to make clear the requirements for the position and slope of the hall call console elements.

The above changes will provide greater clarity and consistency for manufacturers and code users.

11B-411.2.1.4 Additional features.

11B-411.2.1.4.2 Security or access controls.

REASON: DSA-AC is proposing to amend this section to make clear the requirements for the adjacency and consistent placement of security and access controls relative to hall call consoles. -----

11B-411.2.1.6 Identification of floors served.

REASON: DSA-AC is proposing to amend this section for the audio output indicating floors served to occur when the accessibility function button is pressed. This change will aid the user and provide for audio output only when needed.

11B-411.2.1.7 Elevator car assignment.

11B-411.2.1.7.1 Assignment by keypad hall call console.

11B-411.2.1.7.2 Assignment by touch screen hall call console.

Exceptions.

1.
2.
11B-411.2.1.7.3 Assignment by security credential.
11B-411.2.1.7.4 Adjacency assignment.

REASON: DSA-AC is proposing to:

1. Add the phrase *“When the accessibility function button is pressed”* in Section 11B-411.2.1.7 and delete it in the subsequent subsections and exceptions. The change provides for consistency with model format code format and terminology.
2. Amend Sections 11B-411.2.1.7.1 and 11B-411.2.1.7.2 to delete the phrase *“announcement of the floor served by the elevator group”*. This requirement is provided for in Section 11B-411.2.1.6 and in keeping with the model code format and terminology repetition is unnecessary.
3. Amend the Exceptions paragraph to delete the word *“may”* and replace it with the phrase *“shall be permitted”* for consistency with model code format and terminology.
4. Amend Exceptions one and two to provide titles for the methods of alternative operation rather than stating what may be provided.
5. Amend Section 11B-411.2.1.7.3 to make clear the audio output and operation of security systems controlling elevator access.
6. Amend Section 11B-411.2.1.7.4 to make clear the requirement for assignment of elevator cars relative to the location of the hall call console.

11B-411.2.2 Elevator car identification at elevator landings.
11B-411.2.2.1 Visible identification.
Exception:...

11B-411.2.2.2 Verbal identification.

REASON: DSA-AC is proposing to:

1. Amend the exception in Section 11B-411.2.2.1 to delete the word *“may”* and replace it with the phrase *“shall be permitted to”* for consistency with model code format and terminology.
2. Amend section 11B-411.2.2.2 to add the phrase *“When the accessibility function button is pressed”*. The change clarifies action required to activate verbal announcement of the car designation.

ITEM 11B.45

Chapter 11B
11B-705.1 Detectable warnings
11B-705.1.1 General
11B-705.1.1.3 Contrast
11B-705.1.1.5 Color

REASON: Due to a drafting error during the preparation of the 45-day Express Terms, the proposed amendments in Section 11B-705.1.1.3.2 Exception were inconsistent with the 45-day Statement of Reasons for this item. These revised express terms incorporate the changes described in the 45-day Express Terms: “Additionally, in response to comments from the public and the California Building

Standards Commission's Code Advisory Committee, DSA-AC is proposing to clarify and amend the existing requirement for a black strip around detectable warnings which do not adequately contrast with adjacent surfaces. The term "strip" is being deleted and replaced with the term "visually contrasting surface." Color requirements are being amended from black to a color that contrasts with both the adjacent surface and the detectable warning, either light-on-dark or dark-on-light. Width requirements are being amended from 1 inch absolute to 1 inch minimum."

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

None required; Section 18928 of the Health & Safety Code mandates this proposed action.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:

New prescriptive standards are being added for destination-oriented elevators, variable message signs, and baby changing tables to provide consistent scoping and technical requirements for these elements. Accessibility is required for these elements by the federal Americans with Disabilities Act and corresponding regulations; lack of consistent scoping and technical requirements creates confusion for code users, building officials, and building and facility owners.

CONSIDERATION OF REASONABLE ALTERNATIVES:

The Division of the State Architect has not considered any reasonable alternatives to the proposed action.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS:

The Division of the State Architect has not identified any reasonable alternatives to the proposed action, and no adverse impact to small business due to these proposed changes is expected.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS:

The Division of the State Architect has no evidence indicating any potential significant adverse impact on business with regard to this proposed action.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS:

The Division of the State Architect estimates that the cost of compliance with these proposed regulations will be minimal. Clear and consistent scoping and technical requirements benefit code users, building officials, and building and facility owners.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS:

The regulations proposed for adoption do not duplicate or conflict with federal regulations.