

STATE OF CALIFORNIA
GOVERNMENT OPERATIONS AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED MARCH 21, 2014
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: MAY 5, 2014

Date: 04/25/2014

From: Eugene Lozano, Jr.

Name (Print or type)

(Signature)

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California Council of the Blind

Agency, jurisdiction, chapter, company, association, individual, etc.

4537 Sycamore Ave Sacramento CA 95841

Street City State Zip

I/We (do) **do not** agree with:

[] The Agency proposed modifications As Submitted on Section No. 11B-504.2 Treads and risers, Exception

and request that this section or reference provision be recommended:

[] Approved [] Disapproved [] Held for Further Study [] Approved as Amended

Suggested Revisions to the Text of the Regulations:

11B-504.2 Treads and risers. (...)

Exception: ~~Curved stairways with winder treads are permitted at stairs which are not part of a required means of egress.~~

Reason: [The reason should be concise if the request is for “Disapproval,” “Further Study,” or “Approve As Amend” and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

The California Council of the Blind wishes to go on record opposing Item 11B.32 Section 11 Exception, because it contributes to unnecessary potential stair falls. It is difficult for a stair user with impaired vision to anticipate where to place their foot on a curved staircase. The individual expects to find the stair nosing the same distance from the tips of their feet rather than there being a difference of an inch or more. Safety on stairs makes no difference whether they are or are not a part of a required means of egress.

What follows are some statistics on stair falls that need to be given serious consideration when introducing an exception which allows the introduction of a curved stairway that are more hazardous than those that do not have the curve.

“Falls are one of the leading causes of unintentional injuries in the United States, accounting for approximately 8.9 million visits to the emergency department annually (NSC Injury Facts 2011).

Adults 55 and older are more prone to becoming victims of falls, and the resulting injuries can diminish the ability to lead active, independent lives. The number of fall deaths among those 65 and older is four times the number of fall deaths among all other age groups.”

http://www.nsc.org/safety_home/HomeandRecreationalSafety/Falls/Pages/Falls.aspx

The information is derived from the National Safety Council's data on accidents:

- Manner of injury: Fall on and from stairs and steps
- Total number of deaths nationwide due to the manner of injury for the year 2000: 1,307
- Odds of dying in one year due to the manner of injury [i.e. 1 in 46,901 chance of dying as a Pedestrian]: 210,640
- Odds of dying over the course of a lifetime due to the manner of injury [i.e. 1 in 610 chance of dying as a Pedestrian]: 2,739

http://danger.mongabay.com/injury_death.htm

Exception

HEALTH & SAFETY CODE SECTION 18930

SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
 - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
 - (3) The public interest requires the adoption of the building standards.
 - (4) The proposed building standard is not unreasonable, arbitrary, unfair, 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.
 - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
 - (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.
 - (8) The format of the proposed building standards is consistent with that adopted by the commission.
 - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.