

FINAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
CALIFORNIA BUILDING STANDARDS COMMISSION (CBSC)
REGARDING THE NEXT TRIENNIAL EDITION
OF THE CALIFORNIA MECHANICAL CODE (CMC),
CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 4

ADOPT AND AMEND NEW MODEL CODE FOR USE IN CALIFORNIA AS TITLE 24, PART 4

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a final statement of reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

UPDATES TO THE INITIAL STATEMENT OF REASONS:

The CBSC finds that no revisions have been made which would warrant a change to the initial statement of reasons for changes to format consistent with other state agencies.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The California Building Standards Commission has determined that the proposed regulatory action would impose a mandate on local agencies or school districts. However, the mandate does not require reimbursement pursuant to Part 7 (commencing with section 17500) of Division 4, Government Code. H&SC section 18928 requires the CBSC to adopt the most current edition of the model codes. H&SC 18938(b) makes applicable the most current edition of the model mechanical code to all occupancies throughout the State of California as prescribed.

OBJECTION OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).

The CBSC received public comment during the 45-day public comment period relating to the proposed provisions for garage ventilation minimum exhaust rates contained in Section 403.8.2.1.

The commenter states that the provisions that were derived from the 2001 CBC / 1997 UBC were not extracted in whole and that a portion of the text was missing for determining the minimum rate if the calculation falls below one. Similar to that of determining the occupant load factor of a building where calculations fall below the whole number of one (e.g 2.5 percent of 25 = .625) the number used must be rounded up to one. The CBSC agrees and has included editorial/clarifying text of "(and not less than one vehicle)" to the end of the last sentence. Text used in the 2001 CBC / 1997 UBC used the text of "(or one vehicle)" following the 2.5 percent calculation, the CBSC in consultation with other proposing agencies believes the proposed text is clearer for the intended purpose. The CBSC has made other editorial modification by adding the metric equivalent for the 14,000 cfm of "(6608 L/s)" in the first sentence and changed the % symbol to "percent" following 2.5 in the second sentence. The CBSC considers these modifications editorial and/or clarification only and that an additional comment period is not warranted.

The CBSC received no other comments during the public comment period.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

The CBSC has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulation

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:

There were no proposed alternatives. The CBSC has determined that the proposed regulations will have no adverse impact on small businesses