

**NOTICE OF POST-HEARING MODIFICATIONS TO TEXT OF  
PROPOSED REGULATIONS  
TO  
BUILDING STANDARDS  
OF THE  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING THE 2010 CALIFORNIA BUILDING CODE (NON-ACCESS ONLY)  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2  
(HCD 01/09)**

The California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development (HCD) is providing notice of the changes made to proposed regulations, Sections 420.4.2, 420.4.3, 420.4.3.1 and Chapter 35 "Referenced Standards", which were the subject of a public comment period that ended on November 16, 2009. These changes are in response to comments received during the initial 45-day public comment period that began on October 2, 2009, and ended on November 16, 2009.

The CBSC will accept written comments for at least 15 days between November 25, 2009, and December 9, 2009. All written comments must be submitted to the CBSC no later than 5:00 p.m. on December 9, 2009, and addressed to:

**California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Dave Walls, Executive Director**

Written comments may also be faxed to (916) 263-0959 or e-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov) until 5:00 p.m. on December 9, 2009.

All written comments received by December 9, 2009, which pertain to the indicated changes, will be reviewed and responded to by HCD's staff as part of the compilation of the rulemaking file. Please limit comments to the modifications to the text only.

The proposed modifications to the text and a comment form may be found on the CBSC's website at the following link: [http://www.bsc.ca.gov/prpsd\\_chngs/pc\\_09\\_comment.htm](http://www.bsc.ca.gov/prpsd_chngs/pc_09_comment.htm).

**REVISED EXPRESS TERMS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING CHANGES TO THE  
2010 CALIFORNIA BUILDING CODE (CBC) – (NON-ACCESS ONLY)  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2  
(HCD 01/09)**

---

**LEGEND FOR EXPRESS TERMS:**

1. **Existing California amendments or code language being modified:** *All such language shown in italics, modified language is underlined or shown in ~~strikeout~~.*
  2. **IBC language with new California amendments:** IBC language shown in normal Arial 9 point; California amendments to IBC text shown underlined and in italics.
  3. **Repealed text:** All language shown in ~~strikeout~~.
  4. **Amended, adopted or repealed language after public hearing:** All such language appears in double underline or ~~double strikeout~~.
  5. **Notation:** Authority and Reference citations are provided at the end of each section.
- 

**1. Amend Section 420.4.2 as follows:**

**420.4 Carbon monoxide alarms. [HCD 1, HCD 2 & HCD 1-AC]**

**420.4.2 Where required in existing dwellings or sleeping units. Where ~~work requiring a permit occurs in is~~ required for alterations, repairs or additions exceeding one thousand dollars (\$1,000), existing dwellings or sleeping units that have attached garages, or in existing dwellings or sleeping units within which fuel-burning appliances exist, carbon monoxide alarms shall be provided with a carbon monoxide alarm in accordance with Section 420.4.1. Carbon monoxide alarms shall only be required in the specific dwelling unit or sleeping unit for which the permit was obtained.**

**NOTE:**

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11 and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

**Rationale for change:**

During the 45-day public comment period, HCD's internal review identified a clarity issue. As a result, HCD proposes to remove an ambiguity related to when CO devices are required in existing dwellings. The original proposed amendment required a CO alarm upon work requiring a permit. This language was unintentionally vague and open to interpretation. HCD proposes that permits which involve at least \$1,000 in work would initiate a requirement for a CO alarm for the affected dwelling unit or sleeping unit. This dollar limit is modeled after a similar requirement for smoke alarms required by the Office of the State Fire Marshal upon modification of existing residential structures. There is no intended change in regulatory effect from the original proposed amendments other than the clarification of the level of work that would require a CO device for the dwelling or sleeping unit.

---

## 2. Amend Section 420.4.3 as follows:

420.4.3 Alarm requirements. Single- and multiple-station carbon monoxide alarms shall be listed as complying with the requirements of UL 2034 for equipment performance, and Carbon monoxide detectors shall be listed as complying with the requirements of UL 2075. Carbon monoxide alarms and carbon monoxide detectors shall be installed in accordance with this code, the current edition of NFPA 720 for "Single and Multiple Station Alarms and Household Carbon Monoxide Detection Systems," "Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment" and the manufacturer's installation instructions. Other carbon monoxide alarm and detection devices as recognized in NFPA 720 are also acceptable.

Carbon monoxide alarms required by Sections 420.4.1 and 420.4.2 shall be installed in the following locations:

1. Outside of each separate dwelling unit sleeping area in the immediate vicinity of the bedroom(s).
2. On every level of a dwelling unit including basements.
3. For R-1 only.
  - a. On the ceiling of sleeping units with permanently installed fuel-burning appliances.

### NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11 and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

### Rationale for change:

In response to a public comment received during the 45-day public comment period from manufacturer representatives, HCD proposes to specifically identify carbon monoxide detectors meeting UL 2075 criteria as an acceptable device for purposes of this section. There is no intended change in regulatory effect since the original proposed amendment provided that "other carbon monoxide alarm and detection devices as recognized in NFPA 720 are also acceptable" and NFPA 720 recognizes CO detectors and incorporates UL 2075. In order to avoid duplication of language and redundancy, the reference to carbon monoxide detectors is not repeated in each section referencing carbon monoxide alarms. It is HCD's intent that carbon monoxide detectors meeting UL 2075 standards and used in appropriate conditions are acceptable for purposes of Section 420.4.

---

## 3. Amend Section 420.4.3.1 as follows:

420.4.3.1 ~~Multi-Multiple-purpose alarms. When a~~ Carbon monoxide alarms ~~is combined with a smoke alarms, in addition to the requirements of~~ shall comply with Section 420.4, all applicable standards, and requirements for listing and approval by the Office of the State Fire Marshal, ~~described in Chapter 9~~ for smoke alarms shall apply.

### NOTE:

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11 and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

### Rationale for change:

During the 45-day public comment period, HCD's internal review and consultation with the Office of the State Fire Marshal identified consistency and clarity issues. As a result, HCD proposes amendments to this section to provide some grammatical corrections, use consistent nomenclature to NFPA 720 and to clarify that CO alarms combined

with smoke alarms are also subject to any listing/approval requirements of the Office of State Fire Marshal. There is no intended change in regulatory effect.

---

#### 4. Amend Chapter 35 “Referenced Standards” as follows:

(Note: Only UL standards pertinent to CO devices are shown)

##### CHAPTER 35 REFERENCED STANDARDS

UL	Underwriters Laboratories, Inc. 333 Pfingsten Road Northbrook, IL 60062-2096	
Standard Reference Number	Title	Referenced in code section number
<u>2034</u>	<u>Single and Multiple Station Carbon Monoxide Alarms effective August 1, 2009</u>	<u>420.4</u>
<u>2075</u>	<u>Gas and Vapor Detectors and Sensors effective September 1, 2009</u>	<u>420.4</u>

**NOTE:**

Authority Cited: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.3, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17927, 17928, 17959.6, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11 and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

**Rationale for change:**

In response to a public comment received during the 45-day public comment period from manufacturer representatives, HCD proposes to add UL 2075 to Chapter 35 as a specific reference standard for carbon monoxide detectors. Carbon monoxide detectors installed to meet the requirements of Section 420.4 would need to meet the listing standards of UL 2075. There is no intended change in regulatory effect from the original proposed amendment since UL 2075 is identified and incorporated by reference in NFPA 720.

---