

**ECONOMIC IMPACT STATEMENT ON PRIVATE PERSONS
AND BUSINESSES IN THE STATE OF CALIFORNIA
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF THE STATE FIRE MARSHAL

REGARDING PROPOSED CHANGES TO
2016 CALIFORNIA PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5**

The rulemaking process requires Office of the State Fire Marshal (SFM) to make declarations concerning the economic impact of the proposed regulations on private persons and businesses in the State of California. The purpose of these declarations is to ensure that the proposed regulations do not arbitrarily impose an adverse economic impact on private persons or businesses.

More specifically, SFM does not believe that the proposed amendments to the California Building Code have a significant adverse impact on California business and individuals, including the ability of California businesses to compete with business in other states; the creation or elimination of jobs within California; the creation or elimination of existing businesses within the State of California; the expansion of businesses currently doing business within the State of California; nor is there an alternative to these regulations that would be as effective and less burdensome to affected private persons.

Background

The California Plumbing Code (CPC) is Part 5 of Title 24 of the California Code of Regulations known as the California Building Standards Code which is based upon model codes. The reference to "model code" means a code that is available on the open market as a model, available through a license agreement with the publishing entity for adoption by a jurisdiction having a need for a code. This entity is a private, not-for-profit, code organization that maintains a code development and update mechanism, publishes and sells its codes, and provides support services. This private organization issues new editions of its respective model codes every three years.

Health and Safety Code Sections 13108, 13143, 13143.6, 13211, 18928 and 18949.2 direct OSFM to propose for adoption the most recent edition of the model electrical code with California Amendments into Title 24 of the California Code of Regulations.

Title 24: Large and Complex

Title 24 is large and complex requiring an organization scheme as follows:

- Part 1 – California Administrative Code
- Part 2 – California Building Code (based on the International Building Code)
- Part 2.5 – California Residential Code (based on the International Residential Code)
- Part 3 – California Electrical Code (based on the National Electrical Code)
- Part 4 – California Mechanical Code (based on the Uniform Mechanical Code)
- Part 5 – California Plumbing Code (based on the Uniform Plumbing Code)
- Part 6 – California Energy Code
- Part 7 – California Elevator Safety Construction Code
- Part 8 – California State Historical Building Code
- Part 9 – California Fire Code (based on the International Fire Code)
- Part 10 – California Existing Building Code (based on the International Existing Building Code)
- Part 11 – California Green Building Standards Code
- Part 12 – California Reference Standards Code

California Building Code

The California Plumbing Code (CPC) is the fifth part of twelve parts of the official triennial compilation and publication of adoptions, amendments, and repeals of regulations to the California Code of Regulations, Title 24 (also referred to as the California Building Standards Code.) The existing CPC adopts by reference the 2012 edition of the Uniform Plumbing Code made available by the International Association of Plumbing and Mechanical Officials (IAPMO) with necessary California amendments.

California's Model Code Adoption Process

Every three years when the new model code editions are published, the California Building Standards Commission (CBSC or Commission) and 14 state agencies begin an adoption process. The state agencies must review the new editions of the model codes and prepare rulemaking files which meet the Administrative Procedure Act (APA) and building standards law requirements for rulemaking, proposing the adoption of the new edition with necessary modifications to incorporate state and federal laws and regulations. The modifications are known as California Amendments.

The completed rulemaking files are then submitted to the CBSC for review, public hearing, and either adoption or disapproval.

The CBSC has 10 members appointed by the Governor who must be confirmed by the state senate and a voting chairperson who is the Secretary of the State and Consumer Services Agency, also appointed by the Governor.

The Health and Safety Code requires that members of the CBSC be representative of the general public and regulated industry. Excluding the Chairperson, the appointed membership of the CBSC must include:

- One architect
- One mechanical, electrical or fire protection engineer
- One structural engineer
- One licensed contractor
- One person from organized labor in the building trades
- One local building official
- One local fire official
- Three members of the general public, with at least one being physically disabled.

The Commission utilizes a Coordinating Council comprised of state agency representatives to coordinate the adoption work of the 14 state departments and Code Advisory Committees to assist the review of the submitted rulemaking files.

Code Advisory Committees:

- Accessibility Committee
- Plumbing, Electrical, Mechanical and Energy Committee
- Building, Fire and Other Committee
- Structural Design/Lateral Forces Committee
- Health Facilities Committee

The entire adoption process generally requires up to two years to complete. When the adoption process is complete, the model code language along with the California Amendments is placed in Title 24 of the California Code of Regulations. The effective date of the new adoptions in Title 24 is no sooner than 180 days following the publication date established by the CBSC. This 180-day period is required by state law to allow local government and those subject to the codes time to adjust processes, adjust designs, or to obtain or provide training and adopt the Code by ordinance.