

**FINAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
CALIFORNIA BUILDING STANDARDS COMMISSION (CBSC) ON BEHALF OF THE  
DEPARTMENT OF HEALTH SERVICES (DHS)**

**REGARDING THE 2003 UNIFORM MECHANICAL CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4**

**ADOPTION OF 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:**

CBSC, on behalf of DHS, finds that no revisions have been made which would warrant a change to the Initial Statement of Reasons for adoption of the 2003 Uniform Mechanical Code as the California Mechanical Code, Part 4, Title 24, of the California Code of Regulations (CCR).

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

CBSC 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 §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 occupancies regulated by the Department of Health Services in the State of California.

**OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S)**

Public comment was received from Steven T. Taylor, P.E., Principal of Taylor Engineering, LLC as follows:

Mr. Taylor, as a member of and American Society of Heating, Refrigerating, and Air-Conditioning Engineers liaison to the International Association of Plumbing and Mechanical Officials Mechanical Committee, recommends the adoption of the 2006 Uniform Mechanical Code (UMC) in lieu of the 2003 edition, because the 2006 has many significant improvements over the 2003 version.

CBSC proposes to make no changes to the proposed regulations to accommodate the comment for the following reasons:

1. The 2006 UMC was not available for adoption at the time this rulemaking process was initiated, and, as the most recent edition of the model code, the 2003 version meets H & SC §18928. As Mr. Taylor states for 2006 version, the 2003 has significant improvements over the 2000 code currently in force, such as updated provisions for exhaust and duct systems that DHS adopts.
2. State agencies propose to adopt the 2006 edition of the model codes in the next rulemaking cycle. The adoption process for the 2006 codes is anticipated to consume at least two years time, during which the outdated 2000 version will remain in effect, thus depriving California of improved mechanical building provisions.

**DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS**

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.

Adoption of the most recent edition of model codes within a year of their publication is mandated by H & SC §18928.

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

No alternatives were proposed that would lessen the adverse economic impact on small businesses.

**COMMENTS MADE BY THE OFFICE OF SMALL BUSINESS ADVOCATE**

No comments were received from the Office of Small Business Advocate.

**COMMENTS MADE BY THE TECHNOLOGY, TRADE, AND COMMERCE AGENCY**

No comments were received from the Technology, Trade, and Commerce Agency.