

**INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF THE STATE FIRE MARSHAL
REGARDING THE ADOPTION BY REFERENCE OF THE
2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE
WITH AMENDMENTS INTO THE 2013 CALIFORNIA RESIDENTIAL CODE
CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 2.5**

The Administrative Procedure Act requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE

(Government Code Section 11346.2)

The specific purpose of this rulemaking effort by the Office of the State Fire Marshal is to act accordance with Health and Safety Code section 18928, which requires all proposed regulations to specifically comply with this section in regards to the adoption by reference with amendments to a model code within one year after its publication.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in the 2012 International Residential Code and be published as the 2013 California Residential Code.

The general purpose of this proposed action is principally intended to update and codify a new edition of the California Residential Code (California Code of Regulations, Title 24, Part 2.5) based upon a more current edition of a model code. The current California Residential Code in effect is the 2010 California Residential Code which is based upon the 2009 International Residential Code of the International Code Council. This proposed action:

- Repeal the adoption by reference of the 2009 International Residential Code and incorporate and adopt by reference in its place the 2012 International Residential Code for application and effectiveness in the 2013 California Residential Code.
 - Repeal certain amendments to the 2009 International Residential Code and/or California Building Standards not addressed by the model code that are no longer necessary.
 - Adopt new building standards or necessary amendments to the 2012 International Residential Code that address inadequacies of the 2012 International Residential Code as they pertain to California laws.
 - Bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2010 California Residential Code.
 - Codify non-substantive editorial and formatting amendments from the format based upon the 2009 International Residential Code to the format of the 2012 International Residential Code.
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NOTE OF EXPLANATION:

For the **2012 Triennial Code Adoption Cycle**, the Express Terms are displayed as follows:

****PART 1**** Includes the California Amendments SFM proposes to bring forward from the 2010 California Residential Code **with changes** as shown, and also identifies the model code standards from the 2012 International Residential Code SFM proposes for adoption into the 2013 California Residential Code.

****PART 2**** Displays the standards SFM proposes to bring forward from the 2010 California Residential Code **without change**, except for nonsubstantive editorial corrections, for adoption into the 2013 California Residential Code; the text is provided for context and the convenience of the code user.

SUMMARY OF REGULATORY ACTION

SFM PROPOSES TO:

****PART 1****

1. Bring forward existing California Amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code **with amendment**.
2. Adopt standards from the 2012 International Residential Code into the 2013 California Residential Code **without amendment**.
3. Adopt standards from the 2012 International Residential Code into the 2013 California Residential Code **with amendment**.
4. Repeal 2010 California Amendments, which are **not** brought forward into the 2013 Residential Code.

****PART 2****

1. Bring forward existing California Amendments from the 2010 California Residential Code for adoption into the 2013 California Residential Code **without amendment**, except for editorial corrections.

PART 1

[1]

CHAPTER 1 SCOPE AND APPLICATION DIVISION I CALIFORNIA ADMINISTRATION

The SFM propose to maintain two Divisions within Chapter 1 for existing administrative provisions being brought forward and administrative provisions contained in the 2012 International Residential Code.

(Note: See Part 2 [item 19] of this document for existing California amendments brought forward from the 2010 California Residential Code into the 2013 California Residential Code without change except for nonsubstantive editorial corrections.)

The specific purpose and rationale of each adoption, amendment, or repeal is as follows:

1.1.1

Rationale: The SFM is proposing to repeal the adoption by reference of the 2009 International Residential Code and incorporate and adopt by reference in its place the 2012 International Building Code for application and effectiveness in the 2013 California Residential Code.

1.1.3

Rationale: The SFM proposes to continue adoption of the above section California amendments with modification. The modifications reflect the adopted model code as the 2012 International Residential Code, permits the construction of lodging houses as specified, and clarifies the application of the California Residential Code to efficiency dwelling units consistent with the California Building Code. In addition, fire sprinkler requirements are deleted in the Live/Work exception.

1.1.11

Rationale: The SFM is proposing to reinforce the non-regulatory nature of the Matrix Adoption Tables, language is removed which is not correct in all cases. A non-regulatory note is suggested to emphasize that the tables are meant only to be useful aids to the code user.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.45, 1597.46, 1597.54, 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13146, 17921, 18949.2, Government Code Section 51189

References: Health and Safety Code Sections 13143, 18949.2, Government Code Sections 51176, 51177, 51178, 51179, Public Resources Code Sections 4201 through 4204

[2]

CHAPTER 1 DIVISION II

The SFM proposes to maintain the Division II designation for the IBC Chapter 1 Administrative provisions - Sections 101 through 114.

(Note: See Part 2 [item 19] of this document for existing California amendments brought forward from the 2010 California Residential Code into the 2013 California Residential Code without change except for nonsubstantive editorial corrections.)

The SFM proposes to only adopt Sections R104.2 – R104.4, R104.9 – R104.9.1, R105.1 , R105.2.1 - R105.2.2, R105.3 - R105.3.1, R105.4, R105.6, R105.7, R106 – R106.5, R107 – R107.4, R109.1, R109.1.4 - R109.1.6, R109.3.8 – R109.3.10, R109.2 - R109.4, R110 – R110.5, R111 – R111.3, R113 – R113.2 and R114 – R114.3 contained in Chapter 1 with amendment and California regulation. Furthermore, the SFM is maintaining the adoption of those existing California amendments or building standards in Chapter 1 without modification.

The specific purpose and rationale of each adoption, amendment, or repeal is as follows:

Note (note at beginning of Chapter 1, Division II proposed to be modified)

Rationale: The SFM is correcting terminology, editorial change only no change in regulatory effect. [Notes are considered non-regulatory. Substituting the word “indicated” for “identified” mitigates the certain “to show to be” meaning of identification to a softer “to point out” meaning for indicate.]

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[3]

CHAPTER 2 DEFINITIONS

The SFM proposes to only adopt those specific definitions reflected in the Express Terms for Chapter 2 without amendment. Furthermore, the SFM is maintaining the adoption of those existing California definitions or model code definitions as amended in Chapter 2 without modification.

(Note: See Part 2, item 19 of this document for discussion of existing California amendments proposed to be brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change except for nonsubstantive editorial corrections.)

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.45, 1597.46, 1597.54, 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13146, 17921, 18949.2, Government Code Section 51189

References: Health and Safety Code Sections 13143, 18949.2, Government Code Sections 51176, 51177, 51178, 51179, Public Resources Code Sections 4201 through 4204

[4]

CHAPTER 3 BUILDING PLANNING

The SFM proposes to only adopt Sections R302.1 – R302.13, R303.6 – R306.1, R308.3 – R308.4, R309.5, R310 – R310.4, R311 – R311.8.3.3, R312 – R312.4, R313 – R313.3.8.2, R314 – R314.6.3, R316, R319, R321, R325 – R325.9, R326 – R326.8, R327 – R327.10.2, and R328 – R328.4 contained in Chapter 3 with amendment and California regulation as reflected in items 5 through 8. Furthermore, the SFM is maintaining the adoption of those existing California amendments or building standards in Chapter 3 without modification.

(Note: See Part 2 [item 19] of this document for existing California amendments brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change except for nonsubstantive editorial corrections.)

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.45, 1597.46, 1597.54, 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13146, 17921, 18949.2, Government Code Section 51189

References: Health and Safety Code Sections 13143, 18949.2, Government Code Sections 51176, 51177, 51178, 51179, Public Resources Code Sections 4201 through 4204

[5]

R302.1

Table R302.1(2)

Rational: The SFM is proposing to repeal amendments to the above sections as such are no longer necessary due to the 2012 International Residential Code changes that incorporated the California amendments into the model code. Furthermore those existing amendments that have not been incorporated into the 2012 International Residential Code are maintained.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[6]

R302.5.1

R302.9.4

Rational: The SFM is proposing to repeal amendments to the above sections as such are no longer necessary due to the 2012 International Residential Code changes that incorporated the California amendments into the model

code. Furthermore those existing amendments that have not been incorporated into the 2012 International Residential Code are maintained.

R309.5

The SFM is proposing amendment to the above section to differentiate the header from that of the existing SFM provisions contained in Section R309.6. This amendment has no change in regulatory effect.

R309.6

The SFM is proposing to reformat and provide additional clarity regarding the provision for garage fire sprinkler provisions. The current text used in the section could be read to be contradictory and imprecise, and may result in inappropriate interpretation by contractors and the review authorities. In particular, the first and second sentences of the section require the use of residential fire sprinklers (a defined term and specific UL Listing), whereas the third sentence permits the use of residential sprinklers or quick-response sprinklers (a separate defined term and UL Listing) for protection of the garage or carport. Additionally, the hydraulic design criteria requires a density of 0.05 gpm/ft² over the area of the garage and/or carport, but not to exceed two sprinklers. This Section also does not address the use of “extended coverage sprinklers” and additional modification is provided to afford for such. These modifications also provide additional correlation of garage fire sprinkler requirements that are located in NFPA 13R.

R313.3.5.3

The SFM is relocating provisions contained in the International Residential Code relating to backflow prevention for automatic fire sprinkler systems. The provisions are being relocated to the new CRC Section R313.3.5.3 due to the non-adoption of chapter 29. Furthermore, these provisions are not contained in the California Plumbing Code and are specifically related to the International Residential Code provisions for automatic fire sprinkler systems contained in Section P2904 and relocated to Section R313.3 for the California Residential Code.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[7]

R314.3

R314.3.6

The SFM is proposing amendment to incorporate specific location provisions contained in NFPA 72 for the placement of smoke alarms. This proposal is primarily based on recommendation from the SFM Smoke Alarm Task Force Recommendations for Regulation and Legislation. The following are excerpts from the Final Report:

Executive Summary

On January 13, 2011, CAL FIRE - Office of the State Fire Marshal convened representatives from various disciplines related to smoke alarms to form the Smoke Alarm Task Force. Their purpose was to address the understanding, utilization, and effectiveness of smoke detection technology including ionization and photoelectric, and other technologies, complying with current California State Fire Marshal listing standards, and used in residential occupancies as required by California regulations. The final Analysis and Recommendation Report to the California State Fire Marshal documents the understanding and utilization of smoke alarm technology through the review and examination of current/relevant studies, reports, and/or scientific data.

Scope

The scope of the Office of the State Fire Marshal (OSFM), Smoke Alarm Task Force (SATF) project was to address the effectiveness of smoke detection technology including, but not limited to ionization and photoelectric, complying with current California State Fire Marshal (CSFM) listing standards, and used in residential occupancies as required by California statute and regulations. The task force was to review and examine current or relevant studies, reports, and scientific data (see Appendix C); and provide recommendations to the CSFM.

Recommendations

In order to address concerns wherein occupants are more likely to be able to successfully escape in the event of a fire - the task force submits the recommendations below to be considered. While they capture the intent of the task force, we recognize that ultimate execution of each may require changes in regulations, codes, standards, and even legislation. As a result, it is expected additional work will be needed to develop enforceable language and precise definitions of terms.

1. The 2010 NFPA 72 requirements for smoke alarm placement in section 29.8.3.4(4) should be adopted directly into California Regulations by transcription. This should reduce the number of nuisance alarms produced due to the location of smoke alarms in proximity to cooking appliances and bathrooms. By transcribing the requirements directly into regulations it also allows building and fire officials who do not have access to a copy of NFPA 72 to better understand where smoke alarms should not be installed.

3. Regulations should be developed to minimize unwanted alarms that prohibit the installation of a smoke alarm with conventional ionization technology within 20 feet of a fixed cooking appliance. The effective date of such regulations should be within the next feasible rule making cycle.

For further information or to review the full report, visit osfm.fire.ca.gov/SFM_SATF_Rpt.pdf

Additional modification to NFPA Section 29.8.3.4 is proposed to revise items (4) and (5). This proposal is intended to reduce nuisance alarms attributed to locating smoke alarms in close proximity to cooking appliances and bathrooms in which steam is produced. The proposed provisions are based on the findings in the Task Group Report - Minimum Performance Requirements for Smoke Alarm Detection Technology - February 22, 2008, and are consistent with similar requirements included in the 2010 edition of NFPA 72.

Section R314.2 already requires smoke alarms to be installed in accordance with NFPA 72, which theoretically describes where alarms should and should not be installed. As a convenience to the code user, requirements on where smoke alarms should not be installed in proximity to permanently installed cooking appliances and steam producing bathrooms will be included in this section.

This proposal (R314.3.2) clarifies the requirements in Section 901.4 of the CFC for testing and maintaining smoke alarms, and specifies when the devices need to be replaced. The proposed requirements are consistent with NFPA 72 provisions. In particular NFPA 72 requires smoke alarms installed in one- and two-family dwellings to not remain in service longer than 10 years from the date of manufacture, and UL 217 requires the date of manufacture to be marked on the smoke alarms.

It is recognized that it may not always be practical for the code official to enforce the requirements for testing, maintenance and replacement of smoke alarms in residential dwelling units. However realtors and landlords often have checklists that verify that these dwellings comply with codes and other requirements, and they may be in a position to verify compliance with the proposed provisions when the units are sold or leased.

(R314.3.3) Battery operated smoke alarms currently are not required to have a long life battery which increase the likelihood of the occupant removing the battery or not replacing it twice a year. The activation of a smoke alarm with a reliable batter power will allow timely, accurate notification to the occupants allowing sufficient time for evacuation of the residence in house.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

[8]

R331 through R331.5 (IFC 605.11 reproduced)

The SFM proposes to reproduce the provisions of International Fire Code 605.11 into the California Residential Code to provide for uniform design and enforcement. Many local enforcing agencies currently provide enforcement of the SFM solar photovoltaic power systems guidelines, which were the basis of the 2012 International Fire Code Section

605.11 provisions, or other locally adopted provisions through the building department/official which typically do not enforce the California Fire Code. Furthermore, the SFMs intent to have these provisions reproduced into the California Residential Code is to afford local communities the ability to provide adequate enforcement without the reference to a different code or standard. (IFC 605.11.3.3 through 605.11.3.3.3 are not reproduced, such provisions are not applicable to one- and two-family dwellings or townhouses)

Notation:

Authority: Health and Safety Code Sections 13108, 13113.5, 13113.7, 13113.8, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[9]

**CHAPTER 4
FOUNDATIONS**

The SFM proposes to not adopt Chapter 4.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[10]

**CHAPTER 5
FLOORS**

The SFM proposes to only adopt Section R501.3 contained in Chapter 5 without amendment. Furthermore, the SFM is maintaining the adoption of those existing California amendments or building standards in Chapter 5 without modification.

R501.3.

The SFM is proposing editorial modification to the above section to reference to correct section.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 13108, 13113.5, 13113.7, 13113.8, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[11]

**CHAPTER 6
WALL CONSTRUCTION**

**CHAPTER 7
WALL COVERING**

The SFM proposes to not adopt Chapters 6 and 7.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

[12]

**CHAPTER 8
ROOF-CEILING CONSTRUCTION**

The SFM proposes to only adopt Sections R802.1.3 – R802.1.3.8 contained in Chapter 8 without amendment.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 13108, 13108.5, 13132.7, 13143, 13143.2, 13143.6, 13146, 17921, 18949.2, Government Code Section 51189

References: Health and Safety Code Sections 13143, 18949.2, Government Code Sections 51176, 51177, 51178, 51179, Public Resources Code Sections 4201 through 4204

[13]

**CHAPTER 9
ROOF ASSEMBLIES**

The SFM proposes to only adopt Sections R901.1, R902.1 – R902.2 and R904.1 – R904.4, R908 and new Section R902.4 and R908 contained in Chapter 9 with amendment and California regulation. Furthermore, the SFM is maintaining the adoption of those existing California amendments or building standards in Chapter 9 without modification.

(Note: See Part 2 [item 19] of this document for existing California amendments brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change except for nonsubstantive editorial corrections.)

CODE CHANGES FOR SOLAR PV INSTALLATIONS DEVELOPED IN PART THROUGH THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH PROJECT)

Governor Brown and the Legislature have set aggressive goals to develop renewable energy, most notably the State's Renewable Portfolio Standard (RPS) requiring that one-third of California's energy come from renewable sources by 2020. Additionally, Governor Brown has set a target to develop 12,000 megawatts of small-scale renewable energy (known as "Distributed Generation") in the state by 2020. These goals are aiding California's economic recovery: renewable energy projects are creating jobs across the state; providing consumers price stability on their electricity, and increasing energy reliability in California communities.

Considering current targets and the economic benefits of renewable energy, state government should take expeditious action to remove any unreasonable barriers that constrain renewable energy growth. This need is urgent: the state's statutory targets (such as RPS demand) rapid expansion of renewable energy; federal incentives that drive renewable development expansion may sunset soon, and some of the state's own programs such as California Solar Incentive will end soon.

Challenges with permitting renewable energy projects have stifled renewable energy growth to date and Governor Brown has called for his office to streamline this permitting. Permitting solar photovoltaic (PV) projects specifically—among the most common and proven renewable technologies—is a large problem. Currently, a patchwork of local installation standards and code interpretations place different requirements on solar PV projects. For example, several cities in a single county can maintain different requirements for a standard rooftop solar installation. These different local standards exist, in part, because the current state codes do not specifically address several aspects of solar PV installations. This localized patchwork of requirements makes solar PV development slower, more complex and more expensive.

California's building and electrical codes under Title 24 already include several requirements for solar PV projects. However, these codes have not been updated to address several elements of solar PV installations. In the absence of statewide standards and guidance, local governments have developed their own requirements, many of which are unreasonably restrictive. A solution to this problem is to update relevant portions of the code to clarify and standardize requirements for solar PV installations across the state.

Considering the priority and urgency for renewable energy development, several non-controversial code amendments could be expedited in advance of the triennial code adoption process. If these code changes can be passed in an expedited manner, beneficial solar PV projects can be built across the state almost immediately which are currently stifled by a lack of permitting clarity.

Revisions to Section R902 and R908 (2012 IBC Sections 1505.8, 1505.9 and 1509.7.2) are initially based on ICC proposals for the 2015 IBC, proposed by Solar Energy Industries Association (SEIA) in which the SFM agrees with the primary concept. These proposal have significant merit to resolving several issues with the IBC. The SFM is following these proposals in anticipation that they will be approved in late October at the ICC Final Action Hearings with modification. The primary basis for this submittal is to provide a base and place holder for the California rulemaking cycle and to modify as necessary the 45-day comment period. Current 2012 IBC text, propose S19–12 to amend 1505.1 and 1505.8, S21–12, S55–12, S57–12 combined into one proposal to amend 1509.7.2. The following is to specific purpose and rational as proposed by SEIA.

Furthermore the SFM proposes to correlate the provisions contained in CBC Section 1509.7 into the CRC for uniform statewide application.

R902.3, R902.4 R908.1.3 (modifications based on S19–12) (1505.8, 1505.9)

(S19–12) Reason: The current IBC requirement to classify photovoltaic systems consistent with the requirement for roof covering materials does not adequately address fire performance evaluation considerations. Fire testing of rooftop mounted (stand-off, rack-mounted) photovoltaic systems was conducted by the Solar America Board for Codes and Standards in conjunction with Underwriter's Laboratories. Their test results did not confirm that a Class A classified roof combined with a Class A classified photovoltaic module would automatically result in an overall Class A assembly. In some cases, systems would perform better, in many worse. This lack of correlation does not address the overall fire performance concern expressed by ICC members at previous hearings.

The intent of this code change is to control roof surface fire propagation and fire spread from the roof surface to a building's interior. The UL 1703 Standards Committee has been working on revised roofing classification testing employing a complete system comprised of a representative roof covering combined with the photovoltaic panels/modules being evaluated. This will provide assurance that the roof will be rated as the code intends with the specific panel or module system being used.

For further information on Solar ABC's on-going fire testing, visit http://www.solarabcs.org/current-issues/fire_class_rating.html The revisions to 1509.7.2 direct the user to 1505.9 where the roof covering and PV panel testing is located. A new section is added to 1505.9 to require that the panel is to be evaluated to UL1703, not UL790 or ASTM E108. The exception's second sentence intends that the Class A, B, or C fire classification listed PV panel/module system be consistent with any other fire classification requirement for the roof covering contained within the IBC. In some cases, the code may restrict the roof classification to a higher category than what is required simply based on type of construction.

Cost Impact: The code change proposal will not increase the cost of construction.

R908.1.3 (1509.7.2 (Modifications based on S19–12, S55–12, S57–12 and S58–12))

Reason: This section intends to require flush mounted PV roof coverings or PV integrated roof cladding systems to comply with UL790 or ASTM E108. This is appropriate for these types of systems.

The current language used in this section implies that a stand-off rack mounted panel or module system is also required to be evaluated to UL790 or ASTM E108. These types of stand-off systems have differing fire characteristics that are better evaluated using UL1703 method for fire classification. This is currently required under Section 1509.7.2.

The proposed change will clarify which test is appropriate for BIPV systems used in a roofing application.

R908.1.3 Exception 1 (1509.7.2 Exception 1. (S55–12))

Reason: Fire testing of photovoltaic panels/modules was conducted on various roof systems by Underwriter's Laboratories in conjunction with Solar America Board for Codes and Standards (Solar ABC's). This study was conducted to assess the influence of PV panels/modules on the performance of classified roofing systems. This testing found that PV panels/modules placed in contact with the roof deck eliminated channeling of fire that was observed in some of the fire testing for elevated rack mounted systems. Channeling has been shown to contribute to flame spread when conducting the "spread of flame" test component of the fire classification evaluation. When PV panels/modules are installed in contact with the roof, the fire classification of the underlying roof system was not diminished. Therefore, this exception meets the ICC membership's intent to ensure that the installation of PV panels/modules do not degrade the fire classification rating of underlying roof systems.

R908.1.3 Exception 2 (1509.7.2 Exception 2. (S57–12))

Reason: Fire testing of photovoltaic panels/modules was conducted on various roof systems by Underwriter's Laboratories in conjunction with Solar America Board for Codes and Standards (Solar ABCs). This study was conducted to assess the influence of PV panels/modules on the performance of classified roofing systems. This testing found that PV panels/modules raised sufficiently above the roof deck reduced heat flux temperatures and mitigated any deleterious effects caused by channeling of fire underneath raised "rack mount" systems. Channeling has been shown to contribute to flame spread when conducting the "spread of flame" test component of the fire classification evaluation. When PV panels/modules are raised at least 12", the fire classification of the underlying roof system was not diminished. Therefore, this exception meets the ICC membership's intent to ensure that the installation of PV panels/modules do not degrade the fire classification rating of underlying roof systems.

R908.1.3 Exception 3 (1509.7.2 Exception 3. (S58–12))

Reason: Fire testing of photovoltaic panels/modules was conducted on various roof systems by Underwriter's Laboratories in conjunction with Solar America Board for Codes and Standards (Solar ABCs). This study was conducted to assess the influence of PV panels/modules on the performance of classified roofing systems. This testing found that PV panels/modules provided with perimeter fire barrier flashing extending from the panel/module to the roof eliminated channeling of fire that was observed in some of the fire testing for elevated rack mounted systems. Channeling has been shown to contribute to flame spread when conducting the "spread of flame" test component of the fire classification evaluation. When PV panels/modules are installed with barrier flashing, the fire classification of the underlying roof system was not diminished. Therefore, this exception meets the ICC membership's intent to ensure that the installation of PV panels/modules do not degrade the fire classification rating of underlying roof systems.

For further information on Solar ABC's on-going fire testing, visit http://www.solarabcs.org/current-issues/fire_class_rating.html

Cost Impact: The code change proposal will not increase the cost of construction.

R908.1.6

Rational: The SFM proposes reference the CFC, by adding reference in the Part 2.5 similar to that of the International Building Code Section 1511 and Section R331 so solar systems are referenced to address

roofing requirements. This reference is located in chapter 9 Roof Assemblies where the user may look to find provisions for either roof mounted, solar photovoltaic panels/modules.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 13108, 13108.5, 13132.7, 13143, 13143.2, 13143.6, 13146, 17921, 18949.2, Government Code Section 51189

References: Health and Safety Code Sections 13143, 18949.2, Government Code Sections 51176, 51177, 51178, 51179, Public Resources Code Sections 4201 through 4204

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**CHAPTER 10
CHIMNEYS AND FIREPLACES**

The SFM proposes to only adopt Section R1003.9.1 contained in Chapter 10 with amendment and California regulation. Furthermore, the SFM is maintaining the adoption of those existing California amendments or building standards in Chapter 10 without modification.

(Note: See Part 2 [item 15] of this document for existing California amendments brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change except for nonsubstantive editorial corrections.)

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 13108, 13108.5, 13143, 13143.2, 13143.6, 13146, 17921, 18949.2, Government Code Section 51189

References: Health and Safety Code Sections 13143, 18949.2, Government Code Sections 51176, 51177, 51178, 51179, Public Resources Code Sections 4201 through 4204

[15. The SFM proposes to not adopt Chapters 11 through 43.]

Part IV—Energy Conservation

**CHAPTER 11
ENERGY EFFICIENCY**

Part V—Mechanical

**CHAPTER 12
MECHANICAL ADMINISTRATION**

**CHAPTER 13
GENERAL MECHANICAL SYSTEM REQUIREMENTS**

**CHAPTER 14
HEATING AND COOLING EQUIPMENT**

**CHAPTER 15
EXHAUST SYSTEMS**

**CHAPTER 16
DUCT SYSTEMS**

**CHAPTER 17
COMBUSTION AIR**

**CHAPTER 18
CHIMNEYS AND VENTS**

**CHAPTER 19
SPECIAL FUEL-BURNING EQUIPMENT**

**CHAPTER 20
BOILERS AND WATER HEATERS**

**CHAPTER 21
HYDRONIC PIPING**

**CHAPTER 22
SPECIAL PIPING AND STORAGE SYSTEMS**

**CHAPTER 23
SOLAR SYSTEMS**

Part VI—Fuel Gas

CHAPTER 24 FUEL GAS

Part VII—Plumbing

**CHAPTER 25
PLUMBING ADMINISTRATION**

**CHAPTER 26
GENERAL PLUMBING REQUIREMENTS**

**CHAPTER 27
PLUMBING FIXTURES**

**CHAPTER 28
WATER HEATERS**

**CHAPTER 29
WATER SUPPLY AND DISTRIBUTION**

The provisions of Section P2904 relocated to Section R313.3.

**CHAPTER 30
SANITARY DRAINAGE**

**CHAPTER 31
VENTS**

**CHAPTER 32
TRAPS**

**CHAPTER 33
STORM DRAINAGE**

Part VIII—Electrical

**CHAPTER 34
GENERAL REQUIREMENTS**

**CHAPTER 35
ELECTRICAL DEFINITIONS**

**CHAPTER 36
SERVICES**

**CHAPTER 37
BRANCH CIRCUIT AND FEEDER REQUIREMENTS**

**CHAPTER 38
WIRING METHODS**

**CHAPTER 39
POWER AND LIGHTING DISTRIBUTION**

**CHAPTER 40
DEVICES AND LUMINAIRES**

**CHAPTER 41
APPLIANCE INSTALLATION**

**CHAPTER 42
SWIMMING POOLS**

**CHAPTER 43
CLASS 2 REMOTE-CONTROL, SIGNALING AND POWER-LIMITED CIRCUITS**

The SFM proposes to not adopt Chapters 11 through 43.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

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**CHAPTER 44
REFERENCED STANDARDS**

The SFM proposes to adopt Chapter 44 with amendment and California regulation. Furthermore, the SFM is maintaining the adoption of those existing California amendments or building standards in Chapter 44 without modification.

(Note: See Part 2 [item 15] of this document for existing California amendments brought forward from the 2010 California Residential Code for adoption into the 2013 California Residential Code without change except for nonsubstantive editorial corrections.)

- NFPA 13 -** Not current edition. Document has completed revision cycle and updated to the 2013 edition.
- NFPA 13D -** Not current edition. Document has completed revision cycle and updated to the 2013 edition.
- NFPA 13R -** Not current edition. Document has completed revision cycle and updated to the 2013 edition.
- NFPA 72 -** Title not correct in IRC. Not current edition. The IRC incorrectly shows the 2011 edition. There is no 2011 edition for this document. The current edition is 2013.
- NFPA 211 -** Not current edition. Document has completed revision cycle and updated to the 2013 edition.
- NFPA 259 -** Not current edition. Document has completed revision cycle and updated to the 2013 edition.
- NFPA 275 -** Not current edition. Document has completed revision cycle and updated to the 2013 edition.
- NFPA 501 -** Not current edition. Document has completed revision cycle and updated to the 2013 edition.
- NFPA 720 -** Not current edition. Document has completed two revision cycles and updated to the 2012 edition.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.45, 1597.46, 1597.54, 1597.65, 13108, 13108.5, 13113.5, 13113.7, 13113.8, 13114, 13143, 13143.2, 13143.6, 13146, 17921, 18949.2, Government Code Section 51189

References: Health and Safety Code Sections 13143, 18949.2, Government Code Sections 51176, 51177, 51178, 51179, Public Resources Code Sections 4201 through 4204

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**APPENDIX A
SIZING AND CAPACITIES OF GAS PIPING**

**APPENDIX B
SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I
APPLIANCES, AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS**

**APPENDIX C
EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT VENT VENTING SYSTEMS**

**APPENDIX D
RECOMMENDED PROCEDURE FOR SAFETY INSPECTION OF AN EXISTING APPLIANCE INSTALLATION**

**APPENDIX E
MANUFACTURED HOUSING USED AS DWELLINGS**

**APPENDIX F
RADON CONTROL METHODS**

**APPENDIX G
SWIMMING POOLS, SPAS AND HOT TUBS**

**APPENDIX H
PATIO COVERS**

**APPENDIX I
PRIVATE SEWAGE DISPOSAL**

**APPENDIX J
EXISTING BUILDINGS AND STRUCTURES**

**APPENDIX K
SOUND TRANSMISSION**

**APPENDIX L
PERMIT FEES**

The SFM proposes to not adopt Appendices A through L.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

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APPENDIX M

The SFM proposes to not adopt Appendix M and maintain the removal of the model code text and maintain the existing note for clarification in accordance with Health and Safety Code Section 1597.45, 1597.46, 1597.54 and 13143.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 1597.40, 1597.44, 1597.45, 1597.46, 1597.54, 13108, 13143, 17921, 18949.2

References: Health and Safety Code Sections 13143, 18949.2

****PART 2****

[19]

CHAPTER 1

SCOPE AND APPLICATION DIVISION I CALIFORNIA ADMINISTRATION

SECTION 1.1 GENERAL

1.1.2 through 1.1.12
1.2 through 1.7 Reserved
1.8 Department of Housing and Community Development
1.9 and 1.10 Reserved
1.11 through 1.11.10 SFM—Office of the State Fire Marshal
1.12 through 1.14 Reserved

The SFM proposes to bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2010 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2009 International Residential Code to the format of the 2012 International Residential Code.

DIVISION II ADMINISTRATION

R101.2
R102.7
R104.11
R110.2

The SFM proposes to bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2010 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2009 International Residential Code to the format of the 2012 International Residential Code.

CHAPTER 2 DEFINITIONS

R201.3
R201.4
AGED HOME OR INSTITUTION.
APPROVED AGENCY.
APPROVED LISTING AGENCY.
APPROVED TESTING AGENCY.
BEDRIDDEN PERSON.
BUILDING.
CARE AND SUPERVISION.
CATASTROPHICALLY INJURED,
CHILD-CARE CENTER.
CHILD OR CHILDREN.
CHRONICALLY ILL.
CONGREGATE LIVING HEALTH FACILITY (CLHF),
CONGREGATE RESIDENCE.
DAY-CARE
DAY-CARE HOME, FAMILY.

DAY-CARE HOME, LARGE FAMILY.
DAY-CARE HOME, SMALL FAMILY.
ENFORCING AGENCY.
FULL-TIME CARE
INFANT,
LABELED.
LISTED.
MENTALLY RETARDED PERSONS, PROFOUNDLY OR SEVERELY
NONAMBULATORY PERSONS
NONCOMBUSTIBLE MATERIAL.
PROTECTIVE SOCIAL CARE FACILITY.
RESIDENTIAL CARE FACILITY FOR THE CHRONICALLY ILL (RCF/CI),
RESIDENTIAL CARE FACILITY FOR THE ELDERLY (RCFE),
RESIDENTIAL FACILITY (RF),
RESTRAINT.
STATE-OWNED/LEASED BUILDING.
TERMINALLY ILL,

The SFM proposes to bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2010 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2009 International Residential Code to the format of the 2012 International Residential Code.

CHAPTER 3 BUILDING PLANNING

R301.1
TABLE R302.1(1)
R302.2
R302.6
TABLE R302.6
R302.9.5
R302.13
R309.5
R309.6
R310.1.4
R310.4
~~R310.5~~
R311.4
R312.1.2
R313.1
R313.1.1
R313.2
R313.2.1
R313.3 through Table R313.3.6.2(9)
R314.1
R314.3
R314.3.1
R314.4
R314.4
~~R314.5~~
R314.5
~~R314.6~~R314.7
~~R314.6.1~~R314.7.1
~~R314.6.2~~R314.7.2
~~R314.6.3~~R314.7.3
R325 through R325.9
R326 through R326.8
R327 through R327.10.4
R328 through R328.4

The SFM proposes to bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2010 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2009 International Residential Code to the format of the 2012 International Residential Code.

CHAPTER 9 ROOF ASSEMBLIES

R902.1
R902.1.1
R902.1.2
R902.1.3
R902.1.4
R902.2

The SFM proposes to bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2010 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2009 International Residential Code to the format of the 2012 International Residential Code.

CHAPTER 10 CHIMNEYS AND FIREPLACES

R1003.9.2

The SFM proposes to bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2010 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2009 International Residential Code to the format of the 2012 International Residential Code.

CHAPTER 44 REFERENCED STANDARDS

The SFM is proposing to maintain the adoption of those existing California regulations contained other Parts of Title 24 and incorporate into the CRC without modification. The SFM proposes to adopt specific standards contained in Chapter 44 with the following amendments and California regulations. The SFM proposes to adopt Chapter 44 with amended standards or California regulations.

ASTM D 2898—04
ASTM D 3201—07
ASTM D 3909—97b(2004)e01
ICC-ES EG107 -
NFPA 252—03 -
NFPA 257—07 -
SFM 12-3
SFM 12-7A-1
SFM 12-7A-2
SFM 12-7A-3
SFM 12-7A-4
SFM 12-7A-4A
SFM 12-7A-5
UBC Standard 15-2
UBC Standard 15-3
UBC Standard 15-4

The SFM proposes to adopt the above-listed standards with California amendment. The SFM is proposing to bring forth these existing SFM amendments from the CBC and CFC. The SFM is correlating these amendments which are

derived from existing amendments and California regulations contained in the CBC and CFC. See purpose and rationale for Title 24, Part 9 rulemaking modifications proposed to NFPA 13R and 72.

APPENDIX M

The SFM proposes to not adopt Appendix M and remove the provisions contained therein pursuant to Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72, 1569.78, 1597.45, 1597.46, 1597.54, 11159.2, 13108, 13113, 13114, 13131.5, 13133, 13143, 13143.6, 17921 and 18949.2.

The SFM proposes to remove Appendix M from the CRC. This Appendix is not applicable in California See Health and Safety Code Sections 1597.45, 1597.46, 1597.54 and 13143 regarding small family day care homes and large family day care homes. Provisions for day care facilities shall be in accordance with Section 1.1.3.1 for classification, R326 for large family day care, R325 for Group R-3.1 care facilities or the California Building Code.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies that are addressed in the 2012 International Residential Code and published as the 2013 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

Notation:

Authority: Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.45, 1597.46, 1597.54, 1597.65, 13108, 13108.5, 13113.5, 13113.7, 13113.8, 13114, 13143, 13143.2, 13143.6, 13146, 17921, 18949.2, Government Code Section 51189

References: Health and Safety Code Sections 13143, 18949.2, Government Code Sections 51176, 51177, 51178, 51179, Public Resources Code Sections 4201 through 4204

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

(Government Code Section 11346.2(b)(2))

The SFM did not rely on any technical, theoretical, and empirical study, report, or similar documents outside of those contained in this rulemaking in proposing that CBSC adopt said model code as a reference standard for the placement of existing SFM regulatory amendments for the California Building Standards Codes.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:

(Government Code Section 11346.2(b)(4)) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.)

The SFM believes that the amendments to the model code any additional building standards proposed are offered in typically both a prescriptive and performance base. The nature and format of the model code adopted by reference afford for both methods, the following is an general overview of the model codes proposed to be adopted by reference as well as state modifications:

This comprehensive fire code establishes minimum regulations for fire prevention and fire protection systems using prescriptive and performance-related provisions. It is founded on broadbased principles that make possible the use of new materials and new system designs.

This code is founded on principles intended to establish provisions consistent with the scope of a building and fire code that adequately protects public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

The International Building, Residential and Fire Code provisions provide many benefits, among which is the model code development process that offers an international forum for building and fire safety professionals to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

CONSIDERATION OF REASONABLE ALTERNATIVES

(Government Code Section 11346.2(b)(3)(A))

The SFM 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 proposed adoption by reference with SFM amendments. Therefore, there are no alternatives available to the SFM regarding the proposed adoption of this code.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

(Government Code Section 11346.2(b)(3)(B))

The SFM has determined that no alternative available that 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 proposed adoption by reference with SFM amendments. Therefore, no alternatives have been identified or that have otherwise been identified and brought to the attention of the SFM that would lessen any adverse impact on small business.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.

(Government Code Section 11346.2(B)(4))

The SFM has made an determination that this proposed action will not have a significant adverse economic impact on business. Health and Safety Code Section 18928 requires the SFM, when proposing the adoption of a model code, national standard, or specification shall reference the most recent edition of the applicable model code, national standard, or specification. Therefore, there are no other facts, evidence, documents, testimony, or other evidence on which the SFM relies to support this rulemaking.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

(Government Code Section 113465.2(b)(5))

The SFM has determined that this proposed rulemaking action does not unnecessary duplicate or conflict with federal regulations contained in the Code of Federal Regulations that address the same issues as this proposed rulemaking.
