

STATE OF CALIFORNIA
GOVERNMENT OPERATIONS AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED APRIL 25, 2014
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: JUNE 9, 2014

Date: 6/9/2014

From: Timothy Tutt, Program Manager, State Regulatory Affairs

Name (Print or type)

(Signature)

Sacramento Municipal Utility District

Agency, jurisdiction, chapter, company, association, individual, etc.

6201 S Street
Street

Sacramento
City

Ca
State

95852
Zip

I/We **(do)**~~(do not)~~ agree with:

The Agency proposed modifications As Submitted on Section No. **BSC 06/13 - 2013**
California Green Building Standards Code, Part 11, Title 24

and request that this section or reference provision be recommended:

Approved Disapproved Held for Further Study Approved as Amended

Suggested Revisions to the Text of the Regulations:

Please Change Section 4.106.4 as indicated in red double underline and strikeout below:

5.106.5.3.3 EV charging space calculation. [N] Table 5.106.5.3.3 shall be used to determine if single or multiple charging space requirements apply for the future installation of EVSE.

Exceptions: On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the following conditions:

1. Where there is insufficient electrical supply.
2. ~~Areas where EV range and use limitations may prohibit their use as a primary means of transportation.~~
3. Evidence suitable to the local enforcing agency, substantiating that **additional** local utility infrastructure design requirements **due to the EV charging space requirements** may adversely impact the construction cost of the project.

Reason: [The reason should be concise if the request is for “Disapproval,” “Further Study,” or “Approve As Amend” and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

SMUD recommends removing exception number 2, and renumbering and revising exception number 3 as proposed above.

The reason for removal of exception 2 is that this exception is vague (criterion 6) and unnecessary, and could act to exempt builders from complying with the “electric vehicle ready” requirements in many if not most cases. The exception ignores the great variety of electric vehicles available today, with significantly different all-electric ranges as well as the hybrid ability in some cases to also travel on conventional fuels.

It also ignores the likelihood that in many if not most cases a home charger can make EV transportation practical to many prospective homeowners, without the need for a public charger within any set distance.

It would be difficult given these factors to reasonably narrow the exception, so SMUD recommends removal, and believes the exception is unnecessary.

The reason for revising exception 3 is that it is vague and overly broad as written (criterion 6), and could be interpreted in a manner that is outside the parameters of the building standards (criterion 2). The utility infrastructure (utility side of the meter) cost that is associated with any new development is not always wholly allocated to the developer – in some cases a portion of these costs are allocated generally to a utility’s ratepayers, rather than the specific developer in question. In other cases, the utility infrastructure cost allocated to the developer may not change due to the proposed requirements, but may still adversely impact project construction costs. The proposed revisions will clarify that this exception is limited only to cases where the amount of utility infrastructure cost actually allocated to the developer is both: 1) specific to changes resulting from the requirements, not standard infrastructure charges; and 2) results in a cost increase to the specific developer, not including any cost increases that may be allocated to utility ratepayers in general.

HEALTH & SAFETY CODE SECTION 18930

SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
 - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
 - (3) The public interest requires the adoption of the building standards.
 - (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
 - (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
 - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
 - (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
 - (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
 - (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
 - (8) The format of the proposed building standards is consistent with that adopted by the commission.
 - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.