

**FINAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DIVISION OF THE STATE ARCHITECT**

**REGARDING THE
2013 CALIFORNIA ELECTRICAL CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3**

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:

(Government Code Section 11346.9(a)(1))

There are no revisions to the Initial Statement of Reasons below (pages 1 through 3). There were no public comments received during the 45 day public comment period.

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE AND BENEFITS:

Section – 2013 edition of the California Electrical Code

DSA proposes to repeal the 2008 edition of the National Electrical Code (NEC), and adopt the 2011 edition of the National Electrical Code (published by the National Fire Protection Association) for codification and effectiveness as the 2013 California Electrical Code. DSA proposes this action in order to comply with state law requiring state agencies to adopt the latest edition model code within one year of the publication date.

Building standards proposed by DSA-SS for adoption would be applicable to public elementary and secondary schools, community colleges, and state-owned or state-leased essential services buildings.

This proposal will also make effective the 2011 edition of the NEC as the 2013 edition California Electrical Code, for application by DSA-SS/CC (Division of the State Architect - Structural Safety/Community Colleges) to community colleges, which a community college district may elect to use in lieu of standards promulgated by DSA-SS per Education Code Section 81053.

The 2011 edition of the NEC includes usability features as aids to the user. Changes other than editorial are highlighted in the 2011 NEC with gray shading within sections and with vertical ruling for large blocks of changed or new text and for new tables and changed or new figures. Where one or more complete paragraphs have been deleted, the deletion is indicated by a bullet (●) between the paragraphs that remain. The index now has dictionary-style headers with helpful identifiers at the top of every index page.

No new DSA amendments to the 2011 edition NEC are being proposed by DSA-SS or DSA-SS/CC. State administrative amendments contained in CEC Article 89 are being continued with editorial changes proposed as noted below.

California Article 89 (General Code Provisions)

Section 89.101.1(Title)

Editorial amendment to bring up-to-date reference to the 2011 NEC by deleting reference to the 2008 NEC.

Section 89.109.2.2 (DSA-SS/CC)

Editorial amendment to bring up-to-date CBC cross reference to the correct numbering format; by changing cross reference 1.9.2.2 to 1.9.2.4 for consistency with formatted adopted by CBSC for 2013 CEC.

Chapter 3 (Wiring Methods and Materials)

Matrix Adoption Table is amended to add new adoption of 2011 edition NEC Article 399 (Outdoor Overhead Conductors over 600 Volts) without amendments for DSA-SS and DSA-SS/CC.

Chapter 6 (Special Equipment)

Matrix Adoption Table is amended to add new adoption of 2011 edition NEC Article 694 (Small Wind Electric Systems) without amendments for DSA-SS and DSA-SS/CC.

Chapter 8 (Communications Systems)

Matrix Adoption Table is amended to add new adoption of 2011 edition NEC Article 840 (Premises-Powered Broadband) without amendments for DSA-SS and DSA-SS/CC.

Chapter 9 (Tables)

Matrix Adoption Table is amended to add new adoption of 2011 edition NEC Chapter 9-Table 10 (Conductor Standing) without amendments for DSA-SS and DSA-SS/CC.

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

No technical, theoretical, or empirical studies or reports were used, as Section 18928 of the Health & Safety Code mandates this proposed action.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:

No new prescriptive standards are proposed.

CONSIDERATION OF REASONABLE ALTERNATIVES

The Division of the State Architect has not considered any reasonable alternatives to the proposed action, as this action is required by law.

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

The Division of the State Architect has not identified any reasonable alternatives to the proposed action, and no adverse impact to small business due to these proposed changes is expected.

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

The Division of the State Architect has no evidence indicating any potential significant adverse impact on business with regard to the proposed action.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

The regulations do not duplicate or conflict with federal regulations.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

(Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s))

The Division of the State Architect has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

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

(Government Code Section 11346.9(a)(3))

No objections or recommendations regarding its Part 3 proposals were brought to the attention of DSA during the Rulemaking process or during the public comment period.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

(Government Code Section 11346.9(a)(4))

The Division of the State Architect 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 regulations, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES: (Government Code Section 11346.9(a)(5))

There are no rejected proposed alternatives to identify. This proposal will not have an adverse economic impact on small businesses.