

**NOTICE OF PROPOSED CHANGES
TO
BUILDING STANDARDS
OF THE
CALIFORNIA BUILDING STANDARDS COMMISSION**

**REGARDING THE CALIFORNIA BUILDING STANDARDS CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24**

Notice is hereby given that the California Building Standards Commission proposes to adopt, amend, repeal, approve, codify, and publish building standards proposed and submitted for the 2006 Annual Code Adoption Cycle of the California Building Standards Code (California Code of Regulations [CCR], Title 24). The California Building Standards Code is comprised of Part 1 (California Building Standards Administrative Code), Part 2 (California Building Code), Part 3 (California Electrical Code), Part 4 (California Mechanical Code), Part 5 (California Plumbing Code), Part 6 (California Energy Code), Part 7 (California Elevator Safety Construction Code), Part 8 (California Historical Building Code), Part 9 (California Fire Code), Part 10 (California Code for Building Conservation), and Part 12 (California Referenced Standards Code).

The building standards being proposed by the California Building Standards Commission, Department of Housing and Community Development, Division of the State Architect, Office of Statewide Health Planning and Development, and the Office of the State Fire Marshal are for incorporation into CCR, Title 24, Parts 1, 2, 3, 4, 5, 9 and 12.

This notice concerns Parts 3, 4, 5, and 10 of CCR, Title 24 as proposed by the agencies listed below. Summaries of the proposed actions and their impacts are listed by proposing agency in the appendix portion of this notice, as follows:

- Appendix A California Building Standards Commission (CBSC)
- Appendix B Department of Housing and Community Development (HCD)
- Appendix C Office of the State Fire Marshal (SFM)

WRITTEN COMMENT PERIOD

A public hearing has not been scheduled; however, written comments will be accepted from July 28, 2006 until 5:00 p.m. on September 11, 2006. Comments may be made using the form on CBSC's web site at www.bsc.ca.gov/ and either mailed or faxed to:

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Attention: Thomas L. Morrison, Deputy Executive Director

Written comments may be faxed to (916) 263-0959 or emailed to [CBSC@dgs.ca.gov/](mailto:CBSC@dgs.ca.gov).

Public Hearing Request

Pursuant to Government Code (GC) Section 11346.5(a)17, any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

Post-Hearing Modifications to the Text of the Regulations

Following the written comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the resulting standards.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

California Building Standards Commission

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code (H&SC) Sections 18928 and 18934.5. The purpose of these building standards is to implement, interpret, and make specific the provisions of H&SC Sections 18928, 18928.1, 18934.5, and 18938.

Other Matters Prescribed by Statute Applicable to the Agency or to Any Specific Regulation or Class of Regulations: H&SC Section 18934.5 authorizes CBSC to adopt building standards for state-owned buildings, where no state agency has that authority. This includes buildings constructed by the University of California, and buildings constructed by the California State University. Furthermore, H&SC Section 18928 requires CBSC to propose the adoption of the most recently published model codes within one year of their publication.

Department of Housing and Community Development

CBSC proposes to adopt these building standards under the authority granted by H&SC Section 18949.5. The purpose of these building standards is to implement, interpret, and make specific the provisions of H&SC Sections 17040, 17921, 17922, 18300, 18630, 18640 and 19990, and GC Section 12955.1. HCD is proposing this regulatory action based on H&SC Sections 17040, 17921, 18300, 18670 and 19990.

Other Matters Prescribed by Statute Applicable to the Agency or to Any Specific Regulation or Class of Regulations: None

Office of the State Fire Marshal

CBSC proposes to adopt these building standards under the authority granted by H&SC Section 18949.2 and 18949.3. The purpose of these building standards is to implement, interpret, and make specific the provisions of H&SC Section 13143(a) and 18928(a). SFM is proposing this regulatory action pursuant to H&SC Sections 17921, 18897.3, 13108(a), 13211, 13113, 13113.5, 13114(a), 13132.7, 13133, 13135, 13143, 13143.1(a), 13143.6(a), 13143.9(a).

Other Matters Prescribed by Statute Applicable to the Agency or to Any Specific Regulation or Class of Regulations: SFM has determined that there are no other matters prescribed by statute applicable to this agency or to any specific regulation or class of regulation as previously amended and or adopted by the SFM.

INFORMATIVE DIGEST

Summary of existing laws and regulations

State Building Standards Law, H&SC Sections 18929 and 18930 require that building standards, including regulations that apply directly to the implementation or enforcement of building standards, be forwarded to CBSC for adoption and/or approval. H&SC Section 18929.1 requires CBSC to receive the building standards from state agencies for consideration in an annual code adoption cycle.

Each regulation shall be adopted in compliance with the procedures specified in H&SC Section 18930 and in GC, Title 2, Division 3, Part 1, Chapter 3.5, Article 5 (commencing with Section 11346). H&SC Sections 18949.1, 18949.2, 18949.3 and 18949.5 transfer the responsibilities to CBSC for adopting regulations relating to building standards proposed by DSA/AC, DSA/SS, HCD, OSHPD and SFM. Under the authority granted by these provisions of law, CBSC proposes this rulemaking.

CBSC is charged with the responsibility to adopt regulations that ensure adequate public participation in the development of building standards prior to submittal to the Commission for adoption and/or approval. In addition, the law requires that the regulations ensure adequate technical review of the proposed building standards by advisory bodies appointed by CBSC. The proposed building standards being noticed were reviewed by advisory bodies of the Commission between June 30 and July 13, 2006 at 1625 North Market Blvd, Sacramento, California. The recommendations made by these committees are incorporated into the express terms. (**Note:** See the informative digests for each state agency in the appendices for specific details on the effect of the proposals.)

Effect of this rulemaking

This rulemaking proposes to:

1. Adopt by reference the 2005 National Electrical Code and, amend, repeal, approve, codify and publish building regulations contained in CCR, Title 24, Part 3 for CBSC, HCD, SFM. (**Note:** See the informative digests for each state agency in the appendices for specific details on the effect of the proposals.)
2. Adopt by reference the 2006 Uniform Mechanical Code and, amend, repeal, approve, codify and publish building regulations contained in CCR, Title 24, Part 4 for CBSC and SFM. (**Note:** See the informative digests for each state agency in the appendices for specific details on the effect of the proposals.)
3. Adopt by reference the 2006 Uniform Plumbing Code and amend, repeal, approve, codify and publish building regulations contained in CCR, Title 24, Part 5 for SFM. (**Note:** See the informative digests for each state agency in the appendices for specific details on the effect of the proposals.)
4. Adopt by reference Appendix Chapter 1 of the 2006 International Existing Building Code and amend, repeal, approve, codify and publish building regulations contained in CCR, Title 24, Part 10 for CBSC and HCD. (**Note:** See the informative digests for each state agency in the appendices for specific details on the effect of the proposals.)

FISCAL IMPACT

Estimate of Cost or Savings

See appendices.

Cost Impact on Representative Private Persons or Businesses

See appendices.

Initial Determination of Significant Effect on Housing Costs

See appendices.

Mandate on Local Agencies or School Districts

See appendices.

ECONOMIC IMPACT

Initial Determination of Significant Statewide Adverse Economic Impact on Businesses

See appendices.

Assessment of The Effect of Regulation Upon Jobs and Business Expansion, Elimination or Creation

See appendices.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE:

See assessment for SFM in Appendix C for specific details on the effect of the proposal.

ALTERNATIVES CONSIDERED

The state agencies involved in this rulemaking must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is being proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF RULEMAKING DOCUMENTS

Each agency has prepared, and CBSC has available for public review, Initial Statements of Reasons (ISOR) for the proposed actions, information upon which the proposals are based, and the regulation text. The ISOR and the regulation text can be accessed from CBSC's website at www.bsc.ca.gov/. Hard copies may be requested by contacting CBSC or the state agency proposing the regulations.

Interested parties may obtain a copy of the Final Statement of Reasons, which summarizes objections or recommendations made regarding the regulatory actions and explains how the proposed actions have been changed to accommodate the objections or recommendations, when available, from either CBSC or CBSC's website.

CONTACT INFORMATION FOR QUESTIONS

CBSC Contact Person for Procedural and Administrative Questions

Specific questions regarding the regulations should be addressed to the following department contact person:

Thomas L. Morrison, Deputy Director
[Tom.Morrison@dgs.ca.gov/](mailto:Tom.Morrison@dgs.ca.gov) (916) 263-0916
(916) 263-0959 FAX

Dave Walls, Executive Director
Dave.Walls@dgs.ca.gov (916) 263-0916
(916) 263-0959 FAX

Contact Persons for Substantive and/or Technical Questions on the Proposed Changes to Building Standards

Specific questions regarding the standards should be addressed to the following department contact persons:

CBSC	Michael Nearman Jane Taylor	(916) 263-5888 (916) 263-0807 (916) 263-0959 Michael.Nearman@dgs.ca.gov Jane.Taylor@dgs.ca.gov
HCD	Doug Hensel Doug Walls	(916) 445-9471 (916) 445-9471 (916) 327-4712 FAX dowalls@hcd.ca.gov dhensel@hcd.ca.gov
SFM	Kevin Reinertson	(916) 445-8200 (916) 445-8459 FAX Kevin.Reinertson@fire.ca.gov

APPENDIX A

CODE CHANGE SUBMITTAL PROPOSED BY THE CALIFORNIA BUILDINGS STANDARDS COMMISSION

BSC 03/06 Part 3
BSC 04/06 Part 4
BSC 02/06 Part 10

INFORMATIVE DIGEST

Summary of Existing Laws

Health & Safety Code Section 18928. Model code, national standard, or specification; adoption of and reference to the most recent addition; date of publication; committee

Authorizes the commission to adopt the most recent edition of the Uniform Plumbing Code.

Health & Safety Code Section 18928(b). Model code, national standard, or specification; adoption of and reference to the most recent addition; date of publication; committee

Sets forth that each state agency adopting or proposing adoption of a model code, national standard, or specification shall adopt or propose adoption of the most recent edition of the model code, as amended or proposed to be amended by the adopting agency, within one (1) year after the date of publication of the model code, national standard, or specification.

Health & Safety Code Section 18934.5. Standards or administrative regulations for state buildings; adoption, approval, codification and publication

Sets forth that where no state agency has the authority to adopt building standards applicable to state buildings, the commission shall adopt, approve, codify, and publish building standards providing the minimum standards for the design and construction of state buildings.

HS&C section 18934.6. International Existing Building Code of the International Code Council; publication of standards; exception

Mandates the commission adopt by reference the building standards of Appendix Chapter 1 of the International Existing Building Code for Building Conservation for publication in the California Building Standards Code.

Summary of Existing Regulations

BSC 03/06 Part 3: The existing 2004 California Electric Code is a part of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code and incorporates, by adoption, by the California Building Standards Commission, the 2002 National Electric Code of the National Fire Protection Association (NFPA) without amendments for state owned buildings & buildings constructed by the University of California and California State Universities.

BSC 04/06 Part 4: The existing 2001 California Mechanical Code is a part of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code and incorporates, by adoption, by the California Building Standards Commission, the 2000 Uniform Mechanical Code of the International Association of Plumbing and Mechanical Officials without amendments for state owned buildings & buildings constructed by the University of California and California State Universities.

BSC 02/06 Part 10: The existing 2001 California Code for Building Conservation (CCBC) is a part of Title 24. It incorporates Appendix Chapter 1 of the 1997 Uniform Code for Building Conservation of the International Conference of Building Officials without amendments for existing buildings, except for detached dwellings of less than five dwelling units, having at least one unreinforced masonry (URM) bearing wall, pursuant to 1986 URM Building Law.

Summary of Effect

BSC 03/06 Part 3: This proposed action will make effective the 2005 NEC of NFPA with necessary amendments to state owned buildings and to all occupancies identified pursuant to Health and Safety Code 18938, 180 days after the publication of the next triennial edition of the California Electric Code (CEC). This proposed action by the California Building Standards Commission will also make the 2004 CEC, inoperative for state owned buildings, and for persons applying for a building permit upon the effective date of the next triennial edition of the CEC.

BSC 04/06 Part 4: This proposed action will make effective the 2006 UMC of IAPMO with necessary amendments to state owned buildings and to all occupancies identified pursuant to Health and Safety Code 18938, 180 days after the publication of the next triennial edition of California Plumbing Code (CPC). This proposed action by the California Building Standards Commission will also make the 2001 CMC, inoperative for state owned buildings, and for persons applying for a building permit upon the affective date of the next triennial edition of CMC.

BSC 02/06 Part 10: This proposed action will make effective Appendix Chapter A1 of the 2006 IEBC of the ICC to occupancies identified pursuant to Health and Safety Code 18934.6 and 18934.7, 180 days after the publication of the next triennial edition of the CCBC. This proposed action by the California Building Standards Commission will also make the 2001 CCBC inoperative for future alterations to existing URM buildings in Seismic Zone 4, upon the effective date of the next triennial edition of the CCBC.

FISCAL IMPACT

ESTIMATE OF COST OR SAVINGS

- A. Cost or Savings to any state agency: **HS&C section 18928.1 mandates the adoption of the most recent edition of the model code.**
- B. Cost to any local agency required to be reimbursed under Part 7(commencing with Section 17500) of Division 4: **HS&C section 18928.1 mandates the adoption of the most recent edition of the model code.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **HS&C section 18928.1 mandates the adoption of the most recent edition of the model code.**
- D. Other non-discretionary cost or savings imposed on local agencies: **HS&C section 18928.1 mandates the adoption of the most recent edition of the model code.**
- E. Cost or savings in federal funding to the state: **HS&C section 18928.1 mandates the adoption of the most recent edition of the model code.**

COST IMPACT ON REPRESENTIVE PRIVATE PERSON OR BUSINESS

The CBSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

INITIAL DETERMINATION OF SIGNIFICANT EFFECT ON HOUSING COSTS

The CBSC has made an initial determination that this proposal would not have a significant effect on housing costs.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The California Building Standards Commission 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 section 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 plumbing code to all occupancies throughout the State of California as prescribed.

ECONOMIC IMPACT

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

The CBSC has made an initial determination that the adoption of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

The CBSC has assessed whether or not and to what extent this proposal will affect the following:

The creation or elimination of jobs within the State of California.

These regulations will not effect the creation of or elimination of jobs within the State of California.

The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not effect the creation of or the elimination of existing business within the State of California.

The expansion of businesses currently doing business with the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California

APPENDIX B

CODE CHANGE SUBMITTAL PROPOSED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

**HCD 01/06 Part 3
HCD 05/06 Part 10**

INFORMATIVE DIGEST

Summary of Existing Laws

Section 17921 of the Health and Safety Code and Section 12955.1 of the Government Code require HCD to propose the adoption, amendment, or repeal of building standards by the CBSC.

Section 17922 of the Health and Safety Code requires that the building standards be essentially the same as the most recent editions of the uniform industry codes. The CBSC is authorized to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5.

Health and Safety Code Section 17922 states that the most recent editions of the uniform codes referred to in the section shall be considered to be adopted one year after the date of publication of the uniform codes.

Health and Safety Code Section 17040 requires HCD to adopt building standards for employee housing for "... the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing."

Health and Safety Code Section 19990 requires HCD to adopt building standards for factory-built housing.

Health and Safety Code Sections 18300, 18670, 18865 and 18873.3 requires HCD to adopt building standards for mobilehome parks and special occupancy parks.

Summary of Existing Regulations

HCD 01/06 Part 3: Part 3 of Title 24 of the California Code of Regulations (CCR), also known as the California Building Standards Code, adopted by reference the 2002 National Electrical Code (NEC) with California amendments, effective on August 1, 2005.

HCD 05/06 Part 10: The California Code for Building Conservation, Part 10 of Title 24 of the California Code of Regulations (CCR), also known as the California Building Standards Code, adopted by reference the 1997 Uniform Code of Building Conservation with California amendments, effective November 1, 2002. The purpose of this code is to encourage the use and reuse of existing buildings that adequately protect public health, safety and welfare.

Summary of Effect

HCD 01/06 Part 3: HCD proposes to adopt by reference the 2005 edition of the NEC, with California amendments, as indicated on the attached proposed matrix table, into Part 3, Title 24, CCR for the following programs:

(a) State Housing Law: relative to residential occupancies, buildings or structures accessory thereto and as provided for through the Federal Fair Housing Amendment Act's accessibility requirements, except where the application is for public use only.

(b) Employee Housing Act: relative to the use of electrical equipment and systems in or on any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.

(c) Mobilehome Parks and Special Occupancy Parks: relative to the use of electrical equipment and systems in or on any permanent buildings within the park in accordance with Health and Safety Code Sections 18300, 18670, 18865 and 18873.3.

(d) Factory-built Housing Law: relative to residential buildings, dwellings or portions thereof, or building component, or manufactured assembly in accordance with Health and Safety Code Section 19990.

These amendments provide consistency with model code format, state and federal law and unique California conditions. In addition, these amendments provide clarity and specificity and give direction for the code user.

HCD 05/06 Part 10: Since the Uniform Code of Building Conservation is no longer being printed and has been replaced by the International Existing Building Code (IEBC), HCD proposes to adopt by reference the 2006 edition of the International Existing Building Code (IEBC), with California amendments, as indicated on the attached proposed matrix table, into Part 10, Title 24, CCR for the following programs:

a) State Housing Law: relative to residential occupancies, buildings or structures accessory thereto and as provided for through the Federal Fair Housing Amendment Act's and state law accessibility requirements, except where the application is for public use only.

b) Mobilehome Parks or Special Occupancy Parks: relative to any permanent buildings and accessory buildings and structures within the park in accordance with Health and Safety Code Sections 18300, 18620, 18640, 18865, 18865.3, 18873 and 18873.2.

c) Employee Housing Act: relative to the use of plumbing equipment and systems in or on any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.

d) Factory-Built Housing Law: relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

These amendments: (1) bring forward previously adopted California amendments to ensure their continuation in the CEBC; (2) update statutory authority references; (3) direct users to the California Building Code.

FISCAL IMPACT

Estimate of Cost or Savings

- A. Cost or Savings to any state agency: Health and Safety Code Section 17921 requires HCD to propose the adoption, amendment or repeal of building standards to the Commission pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5 of the Government Code. Part 2.5 of the Government Code requires state agencies to ensure that regulatory language meets the requirements of clarity and non-duplication. This proposed rulemaking incorporates specific provisions into one location with the California Building Standards Code to meet these requirements. Health and Safety Code Section 17922 requires HCD to adopt by reference the most recent edition of the International Existing Building Code (IEBC.) This action will result in a minimal cost to HCD which will be absorbed in the current budget.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- D. Other nondiscretionary cost or savings imposed on local agencies: NONE.
- E. Cost or savings in federal funding to the state: NONE.

Estimate: HCD believes that any additional expenditure resulting from this proposed action will be minimal and will be able to be absorbed within existing budgets and resources.

Cost Impact on Representative Private Person or Business

HCD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Initial Determination of Significant Effect on Housing Costs

HCD has made an initial determination that this proposal would not have a significant effect on housing costs. The CBSC contact person designated below will make HCD's initial evaluation of the effect of the proposed regulatory action on housing costs available upon request. (See *Economic Impact of the Proposed California Electrical Code [and] California Existing Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

Mandate on Local Agencies or School Districts

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts; and therefore, does not mandate state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

ECONOMIC IMPACT

Initial Determination of Significant Statewide Adverse Economic Impact on Businesses

HCD has made an initial determination that the proposed action will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states. (See *Economic Impact of the Proposed California Electrical Code [and] California Existing Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

Assessment of The Effect of Regulation Upon Jobs and Business Expansion, Elimination or Creation

HCD has initially assessed whether or not, and to what extent, this proposal will affect the following:

- The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

- The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation or the elimination of existing business within the State of California.

- The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

(See *Economic Impact of the Proposed California Electrical Code [and] California Existing Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

APPENDIX C

CODE CHANGE SUBMITTAL PROPOSED BY THE OFFICE OF THE STATE FIRE MARSHAL

**SFM 01/06 Part 3
SFM 02/06 Part 4**

SFM 03/06 Part 5

INFORMATIVE DIGEST (SFM)

Summary of Existing Laws

Health and Safety Code Section 13108 (a) The State Fire Marshal shall prepare and adopt building standards related to the means of egress, the installation of fire alarms and fire extinguishing systems in any state-owned building or in any state-occupied building.

Health and Safety Code Section 13113 A automatic sprinkler system shall be installed in all 24-hour institutional type occupancies, and homes for the care of aged or senile persons.

Health and Safety Code Section 13113.5 The State Fire Marshal Shall adopt regulations requiring the installation of automatic smoke detectors in all facilities which provide 24-hour per day care, which house six or fewer persons, and which do not have automatic sprinkler systems.

Health and Safety Code Section 13114 (a) The State Fire Marshal shall adopt regulations and standards to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state, and that no person shall market, distribute, offer for sale, or sell any fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.

Health and Safety Code Section 13132 Every person, firm, or corporation maintaining or operating any facility for the care of the mentally handicapped shall file a statement with the fire authority having jurisdiction within five days of the admission or readmission of a patient stating that such patient is an ambulatory or a nonambulatory person and enumerating the reasons for such classification. Such a statement shall also be filed for each existing patient within 30 days of the effective date of this section.

Any statement required to be filed pursuant to this section shall be certified as to its correctness by the person attending such patient.

It shall be unlawful for any person, firm, or corporation required to file a statement pursuant to this section to include false statements therein. Any such act shall be in violation of this section and subject to the provisions of Section 13112.

Health and Safety Code Section 13132.7 Mandates fire retardant roof coverings in fire hazard severity zones.

Health and Safety Code Section 13133 (a) The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, and residential care facilities for the elderly. These fire safety standards shall apply uniformly throughout the state.

Health and Safety Code Section 13135 The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities based on whether the residents or patients of the facilities are nonambulatory.

Health and Safety Code Section 13143 grants the State Fire Marshal authority to prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children's nursery, children's home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

Health and Safety Code Section 13143.1 (a) The State Fire Marshal shall prepare, adopt, and submit building standards for establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any motion picture or television production facility.

Health and Safety Code Section 13143.6 (a) The State Fire Marshal shall prepare and adopt regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire in any building or structure used intended for use as a home or institution for the housing of any person of any age for protective social care and supervision services by any governmental agency, certified family care homes, out-of-home placement facilities, and halfway houses.

Health and Safety Code Section 13143.9 (a) The State Fire Marshal shall prepare, adopt, and submit building standards and other fire and life safety regulations establishing minimum requirements for the storage, handling, and use of hazardous materials.

Health and Safety Code Section 13211 The State Fire Marshal shall prepare and adopt building standards relating to fire and panic safety in high-rise structures.

Health and Safety Code Section 17921 (b) The State Fire Marshal shall adopt, amend, or repeal and submit building standards for approval pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the State Fire Marshal shall adopt, amend, and repeal other rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses and dwellings, buildings, and structures accessory thereto. These building standards and regulations shall be enforced pursuant to Sections 13145 and 13146; however, this section is not intended to require an inspection by a local fire agency of each single-family dwelling prior to its occupancy.

Health and Safety Code Section 18928 (a) requires each state agency adopting or proposing adoption of a model code, national standards, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

Health and Safety Code Section 18897.3 Except as provided in Section 18930, the State Fire Marshal shall adopt minimum fire safety regulations for organized camps in accordance with the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The State Fire Marshal shall adopt and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of this division for the purposes described in this section.

Health and Safety Code Section 18949.2 (b) The State Fire Marshal shall remain the state agency responsible for developing building standards to implement the state's fire and life safety policy. In its role as the fire and life safety standard developing agency, the State Fire Marshal shall continue its existing activities and forums designed to facilitate compromise and consensus among the various individuals and groups involved in development of the state's codes related to fire and life safety.

(c) The state's fire and life safety building standards, as developed by the State Fire Marshal and as adopted by the commission, shall continue to be based on the state's fire and life safety policy goals and mandates as they existed prior to the enactment of this chapter and as they are amended.

Summary of Existing Regulations

SFM 01/06 Part 3: The SFM currently adopts by reference the California Code of Regulations, Title 24, Part 3, 2004 California Electrical Code with SFM amendments relating to regulations that establish minimum requirements for the prevention of fire and for the protection of life and property against fire and in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

SFM 02/06 Part 4: The State Fire Marshal currently adopts and enforces the 2004 California Mechanical Code as part of Title 24, CCR, Part 4; with SFM amendments relating to fire and panic safety in SFM regulated occupancies.

SFM 03/06 Part 5: The State Fire Marshal currently adopts and enforces the 2001 California Plumbing Code as part of Title 24, CCR, Part 5; with SFM amendments relating to fire and panic safety in SFM regulated occupancies.

Summary of Effect

SFM 01/06 Part 3: This proposed action would adopt the 2005 National Electrical Code (NEC) by reference with SFM amendments relating to fire and life safety requirements. This action is consistent with current statute.

The SFM is proposing to bring forward to the 2005 NEC, various SFM amendments found in the 2004 CEC. The SFM's express terms include the adoption matrix tables for the 2007 CEC. These tables indicate the following:

- Existing amendments that are being carried forward from the 2004 CEC into the 2007 CEC
- Renumbering of the existing 2005 CEC that is moved into the 2007 CEC due to relocation of that particular section
- Adopt various chapters and or sections new to the 2005 NEC

SFM 02/06 Part 4: This proposed action would adopt the 2006 Uniform Mechanical Code (UMC) by reference with SFM amendments relating to fire and life safety requirements. This action is consistent with current statute.

The SFM is proposing to bring forward to the 2006 UMC, various SFM amendments found in the 2004 CMC. The SFM's express terms include the adoption matrix tables for the 2007 CMC. These tables indicate the following:

- Existing amendments that are being carried forward from the 2004 CMC into the 2007 CMC
- Renumbering of the existing 2004 CMC that is moved into the 2007 UMC due to IAPMO's relocation of that particular chapter and or section
- Repeal of existing 2004 CMC because the 2006 UMC addresses the topic of the SFM's existing amendment
- Adopt various chapters and or sections new to the 2006 UMC

SFM 03/06 Part 5: This proposed action would adopt the 2006 Uniform Plumbing Code (UPC) by reference with SFM amendments relating to fire and life safety requirements. This action is consistent with current statute.

The SFM is proposing to bring forward to the 2006 UPC, various SFM amendments found in the 2001 CPC. The SFM's express terms include the adoption matrix tables for the 2007 CPC. These tables indicate the following:

- Existing amendments that are being carried forward from the 2001 CPC into the 2007 CPC
- Renumbering of the existing 2001 CPC that is moved into the 2006 UPC due to IAPMO's relocation of that particular chapter and or section
- Repeal of existing 2001 CPC because the 2006 UPC addresses the topic of the SFM's existing amendment
- Adopt various chapters and or sections new to the 2006 UPC

FISCAL IMPACT

Estimate of Cost or Savings

- A. Cost or Savings to any state agency: **NO**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**
- E. Cost or savings in federal funding to the state: **NO**

Cost Impact on Representative Private Persons or Businesses

The SFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Initial Determination of Significant Effect on Housing Costs

The SFM has made an initial determination that this proposal would not have a significant effect on housing costs.

Mandate on Local Agencies or School Districts

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

ECONOMIC IMPACT

Initial Determination of Significant Statewide Adverse Economic Impact on Businesses

The SFM has made an initial determination that this proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with business in other states.

Assessment of The Effect of Regulation Upon Jobs and Business Expansion, Elimination or Creation

The SFM has assessed that adoption of these regulations will not:

- Create or eliminate jobs within California;
- Create new businesses or eliminate existing businesses within California; or
- Affect the expansion of businesses currently doing business within California.