

**INITIAL STATEMENT OF REASONS**  
**FOR**  
**PROPOSED BUILDING STANDARDS**  
**OF THE**  
**OFFICE OF THE STATE FIRE MARSHAL**  
  
**REGARDING THE 2019 CALIFORNIA RESIDENTIAL CODE,**  
**CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2.5**  
  
**TRIENNIAL RULEMAKING CODE CYCLE**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS:**

(Government Code Section 11346.2(b)(1)) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem the agency intends to address for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.)

Health and Safety Code Section 18928:

The specific purpose of this rulemaking effort by the Office of the State Fire Marshal (SFM) is to act accordance with Health and Safety Code section 18928, which requires all proposed regulations to specifically comply with this section in regard 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 2018 International Building and Fire Codes and be published as the 2019 California Existing Building 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 2016 California Residential Code which is based upon the 2015 International Residential Codes of the International Code Council. This proposed action:

Repeal the adoption by reference of the 2015 International Residential Building Code and incorporate and adopt by reference in its place the 2018 International Residential Code for application and effectiveness in the 2019 California Residential Code.

Repeal certain amendments to the 2015 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 2018 International Residential Code that address inadequacies of the 2018 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 2016 California Residential Code to the 2019 California Residential Code.

Codify non-substantive editorial and formatting amendments from the format based upon the 2015 International Residential Code to the format of the 2018 International Residential Code.

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## NOTE OF EXPLANATION:

For the **2018 Triennial Code Adoption Cycle**, the Express Terms are displayed as follows:

**\*\*PART 1\*\*** Includes the California Amendments SFM proposes to bring forward from the 2016 California Residential Code with changes for adoption into the 2019 California Residential Code; the text is provided for context and the convenience of the code user.

**\*\*PART 2\*\*** Includes the standards SFM proposes to bring forward from the 2016 California Residential Code with editorial changes as shown, and also identifies the model code standards from the 2018 International Residential Code SFM proposes for adoption into the 2019 California Residential Code.

## SUMMARY OF REGULATORY ACTION

### SFM PROPOSES TO:

#### **\*\*PART 1\*\***

1. Bring forward existing California Amendments from the 2016 California Residential Code for adoption into the 2019 California Residential Code with amendment.
2. Adopt standards from the 2018 International Residential Building Code into the 2019 California Residential Code without amendment, except for editorial corrections.

#### **\*\*PART 2\*\***

1. Bring forward existing California Amendments from the 2016 California Residential Code for adoption into the 2019 California Residential Code without amendments.
2. Repeal 2016 California Amendments, which are not brought forward into the 2019 California Residential Code.
3. Adopt standards from the 2018 International Residential Code into the 2019 California Residential Code without amendment.
4. Adopt standards from the 2018 International Residential Code into the 2019 California Residential Code with editorial amendment.

**\*\*PART 1\*\***

**Item 1. This is correlates to the proposed changes in the CBC Wildland Urban Interface.**

***R337.1.3***

***R337.2 Heavy Timber***

***R337.7.3***

***R337.7.8***

***R337.7.9***

***R337.8.2.2***

***R337.8.4***

***R337.9.4.2***

***R337.9.5***

***R337.10.2***

The proposals come from the SFM Wildland Urban Interface Taskforce.

**[R337.1.3]**

**Rationale:** The Wildland-Urban Interface (WUI) regulations were created to provide a level of protection in the fire severity zone. The WUI workgroup did not consider the Group C building during the creation of the WUI regulations. The "C" occupancy is a special occupancy that is defined in the Health and Safety Code section 18897. The law created this occupancy for camps used for an outdoor group living experience. The special buildings defined in CBC 450.4.1 limited to one story and a maximum of any lateral dimension of 25 feet. In many camps, these are basically wood tents with open window spaces, that have tarp coverings. It is impractical to building these structures to be compliant with the CBC 7A building requirements. The WUI construction would interfere with the intent of the statute and limit the outdoor living experience.

This proposal is to exempt only the small special sleeping buildings found in CBC 450.4.1. The larger buildings in the camp would be required to comply with the WUI standards. This would maintain a level of fire protection where the campers gather and congregate.

**[R337.2 Heavy Timber definition]**

**Rationale:** This proposal is to remove the heavy timber definition from R337, because it creates confusion Types of construction for heavy timber. To clarify the intent of the requirement; the language of the WUI meaning of heavy timber is written out where it was applicable. There is no regulation change.

**[R337.7.3]**

**Rationale:** The proposal to remove the definition of Heavy Timber effects the code section R337.7.3 requirements. To clarify the intent of the requirement; the language of the WUI /7A meaning of heavy timber is written out. No regulation change.

**[R337.7.8]**

**Rationale:** The proposal to remove the definition of Heavy Timber effects the code section R337.7.8 exception. To clarify the intent of the requirement; the language of the WUI /7A meaning of heavy timber is written out. No regulation change.

**[R337.7.9]**

**Rationale:** The proposal to remove the definition effects the code section 707A.9 exception. To clarify the intent of the requirement; the language of the WUI /7A meaning of heavy timber is written out. No regulation change.

**[R337.8.2.2]**

**Rationale:** This recommendation is to allow operable skylights in the Very High Fire Hazard Severity Zone

(VHFHSZs) for new construction where a non-combustible mesh screen is installed to protect the opening from ember penetration when the skylight is in the open position. The proposal provides clarity for the designers, owners, developers, building and fire officials. Changes proposed for the CBC Chapter 7A will also be regulated within California Residential Code (CRC) Section R337, which is a mirrored section within the CRC. The purpose of the proposal is to limit and prevent the intrusion of combustible materials, debris, and embers into the structure from a roof opening.

#### **[R337.8.4]**

**Rationale:** The workgroup considers the studies that have been conducted by NIST and then identified the garage door gap as a possible area of concern for ember intrusion. (NIST study can be found at: [https://ws680.nist.gov/publication/get\\_pdf.cfm?pub\\_id=861297](https://ws680.nist.gov/publication/get_pdf.cfm?pub_id=861297))

- The focus of the paragraph is on controlling the door perimeter gap. Weather stripping is one means of controlling the gap. Thus, the heading should be "door perimeter gap".
- The two current sentences have been combined into one sentence for editorial clarification.
- Three methods of controlling gaps of up to 1/8-inch are described. Two are prescriptive and one is performance based. The performance based method would involve tensile strength and fire related performance.
- For tensile strength, acceptance criteria language is needed since neither ASTM G155 (accelerated weather test on non-metallic materials) nor ASTM D638 (tensile test on plastic materials) contain pass/fail criteria.
- For fire performance, the objective would be to limit weather stripping from contributing to the fire after encountering flying, embers as it closes gaps between garage doors and surrounding surfaces.

- Improved flammability testing can be determined through testing to UL 94. This standard contains a series of small-scale tests that evaluate the flammability of polymeric (plastic) materials, used for parts in devices and appliances, in response to a small, open flame heat source under controlled laboratory conditions.

- The UL 94 test is a simple and relatively inexpensive means of assessing the flammability of small materials, which could fit the description of weather stripping. UL 94 testing is intended for small plastic or rubber parts, typically those whose thickness does not exceed 1/2 inch (13 mm) or whose surface area does not exceed 10.74 square feet (1 square meter).

- UL 94 provides a method for rating the ignition characteristics of plastic or rubber materials. The flammability ratings are established using small-scale tests involve 5 inch by 1/2 inch samples, which are subjected to a 3/4 inch, 50 W Tirrell burner flame ignition source.

- Garage door industry preliminary research indicates that the flexible (plasticized) component of PVC weather stripping, comprising the "fin seal" resting against the perimeter jamb surface, achieves a V-2 rating when tested to UL 94. To achieve a V-2 flammability rating the test samples, placed vertically with the test flame impinging on the bottom of the sample, must extinguish within 30 seconds while not burning to the top clamp. Although drips of flaming particles are allowed, it should be noted that in a practical sense any dripping of flaming particles from weather stripping installed at a garage perimeter will fall onto a non-combustible surface which is the driveway.

- Specifying compliance to V-2 represents an improvement in the code.

#### **[R337.9.4.2]**

**Rationale:** This proposal corrects an error in the code. When referring to ASTM E2726 it is necessary to explicitly state the burning brand to be used, because ASTM E2726, which has no pass/fail criteria, also allows for the option of conducting the test with a Class A brand or with a Class B brand. On the other hand, the sustained deck assembly combustion test in SFM 12-7-A-4, which is the equivalent test, must be conducted with a Class A brand. The proposal takes the missing language contained in the California code when referring to SFM 12-7-A-4 and adds it where it is missing.

**[R337.9.5]**

**Rationale:** This proposal simply corrects an error in the code.

In item 7 the code says the material shall comply with the requirements of 709A.5 when using ASTM E2632. Then 709A.5 says the requirements are that the material needs to be tested to ASTM E2632 and nothing else. An ignition resistant material has to be tested to the extended ASTM E84 test for 30 minutes and have a flame spread index of 25 (and other requirements). This means that a material that complies with item 7 does not have to be an ignition-resistant material and the words "ignition-resistant" need to be eliminated from 709A.5

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**[R337.10.2]**

**Rationale:** Both long-term experience and the recent Northern California wildfires have demonstrated that burning embers originating in the areas on fire can travel long distances and are most likely going to affect horizontal surfaces. Therefore, it is not safe to exclude these assemblies from the requirements associated with those accessory structures that require a permit and are covered by section R337.10.2 of the code.

Carports are being removed as it is already identified as a Group U occupancy and would comply with 701A.3

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**Item 2. Photovoltaic system**

**~~R324.6~~**

**~~R324.6.1~~**

**~~R324.6.2~~**

**~~R324.6.2.1~~**

**~~R324.6.4~~**

**Rationale:** The 2018 photovoltaic system regulations were adopted early in California during the 2016 Intervening Code Cycle. The SFM is deleting the California amendments and adopting the model code language. There is no regulatory affect.

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 2018 International Building Code and published as the 2019 California Building Code pursuant to Health and Safety Code Section 12000 through 12401 and 12500 through 12725, 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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**Item 3. Energy Storage Systems**

**~~R202 BATTERY SYSTEM, STATIONARY STORAGE~~**

***R327.1***

***R327.2***

***R327.3***

***R327.4***

***R327.5***

***R327.6***

Rationale: The 2018 Energy Storage System regulations were adopted early in California during the 2016 Intervening Code Cycle. The SFM is deleting the California amendments and adopting the model code language. There is no regulatory affect.

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 2018 International Building Code and published as the 2019 California Building Code pursuant to Health and Safety Code Section 12000 through 12401 and 12500 through 12725, 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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#### **Item 4. Flammability Standards for Building Insulation Materials**

**R316.2.1**

**R316.3**

**R403.3**

**Rational:** Legislation was passed in 2013 that added Section 13108.1 to the Health and Safety Code (AB 127, Skinner Fire safety: fire retardants: building insulation), that requires the State Fire Marshal, in consultation with the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation, to review the flammability standards for building insulation materials, including whether the flammability standards for some insulation materials can only be met with the addition of chemical flame retardants. The State Fire Marshal convened a working group to assist in the review and provide recommendations regarding the flammability standards for building insulation materials. The recommendation of the workgroup was that more testing of the material was needed to make a determination. The report can be found at: <http://osfm.fire.ca.gov/codedevelopment/wqfsbim>

The Office of the State Fire Marshal completed Phase II by working with Oklahoma State University(OSU) to evaluate the suitability of non-fire retardant treated polystyrene foam insulation in a subgrade installation. The CAL Fire / OSU Phase II Working Group was formed to determine the testing criteria and evaluate the results. The OSU conduct fire tests for built environment and storage that would be found at construction sites.

The Working Group reviewed the test results and developed the proposals in the California Building Code, California Residential Code, California Fire Code and California Referenced Standard Code. The final report can be found at: [http://osfm.fire.ca.gov/codedevelopment/pdf/CalFire-OSU\\_Phase\\_II\\_Working\\_Group\\_Final\\_Report.pdf](http://osfm.fire.ca.gov/codedevelopment/pdf/CalFire-OSU_Phase_II_Working_Group_Final_Report.pdf)

The proposals would allow the use of non-fire retardant treated polystyrene foam insulation in the subgrade application directly under the foundation.

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 2018 International Building Code and published as the 2019 California Building Code pursuant to Health and Safety Code Section 12000 through 12401 and 12500 through 12725, 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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**\*\*PART 2\*\***

**Item 5. The SFM proposes to maintain the existing amendments.**

**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 2019 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2015 International Residential Code to the format of the 2018 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 2019 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2015 International Residential Code to the format of the 2018 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 RESIDENCE.  
DAY-CARE  
DAY-CARE HOME, FAMILY.  
DAY-CARE HOME, LARGE FAMILY.  
DAY-CARE HOME, SMALL FAMILY.  
ENFORCING AGENCY.  
FULL-TIME CARE  
INFANT,  
LISTED.  
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 2016 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2015 International Residential Code to the format of the 2018 International Residential Code.

## **CHAPTER 3**

### **BUILDING PLANNING**

<b>R301.1</b>	<b>310.2.4</b>	<b>R314.3.3</b>
<b>R302.1</b>	<b>R310.4</b>	<b>R314.4</b>
<b>TABLE R302.1(2)</b>	<b>R311.4</b>	<b>R314.6</b>
<b>R302.2</b>	<b>R312.1.2</b>	<b>R314.8-R314.8.3</b>
<b>R302.5.1</b>	<b>R313.1</b>	<b>R324.2</b>
<b>R302.6</b>	<b>R313.1.1</b>	<b>R324.3</b>
<b>TABLE R302.6</b>	<b>R313.2</b>	<b>R324.7</b>
<b>R302.9.5</b>	<b>R313.2.1</b>	<b>R324.7.2</b>
<b>R302.13</b>	<b>R313.3 through Table</b>	<b>R324.7.2.6</b>
<b>302.14</b>	<b>R313.3.6.2(9)</b>	<b>R335 through R335.9</b>
<b>R309.5</b>	<b>R314.1</b>	<b>R336 through R336.8</b>
<b>R309.6</b>	<b>R314.2.2</b>	<b>R337 through R337.10.4</b>
<b>R310.1.1</b>	<b>R314.3</b>	<b>R338 through R338.4</b>
	<b>R314.3.2</b>	

The SFM proposes to bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2016 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2015 International Residential Code to the format of the 2018 International Residential Code.

## **CHAPTER 9**

### **ROOF ASSEMBLIES**



**R902.1**  
**R902.1.1**  
**R902.1.2**

**R902.1.3**  
**R902.1.4**  
**R902.2**

**R902.3**  
**R902.4**  
**R918-R918.1.6**

The SFM proposes to bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2016 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2015 International Residential Code to the format of the 2018 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 2016 California Residential Code. Furthermore, the SFM proposes to codify non-substantive editorial and formatting amendments from the format based upon the 2015 International Residential Code to the format of the 2018 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.

<b>ANSI S3.41</b> <b>ASTM D 2898—04</b> <b>ASTM D 3201—07</b> <b>ASTM D 3909—97b (2004)e01</b> <b>ASTM E 84—07</b> <b>ICC-ES EG107</b> <b>NFPA 252—03</b> <b>NFPA 257—07</b> <b>NFPA 501—13</b>	<b>SFM 12-3</b> <b>SFM 12-7A-1</b> <b>SFM 12-7A-2</b> <b>SFM 12-7A-3</b> <b>SFM 12-7A-4</b> <b>SFM 12-7A-4A</b> <b>SFM 12-7A-5</b> <b>UBC Standard 15-2</b> <b>UBC Standard 15-3</b> <b>UBC Standard 15-4</b>
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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.

## **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 2018 International Residential Code and published as the 2019 California Residential Code pursuant to Health and Safety Code Section 13108, 13113, 13114, 13131.5, 13143, 17921, and 18949.2.

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

(Government Code Section 11346.2(b)(3)) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

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)(1)) 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 a 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 broad-based 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)(4)(A)) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.)

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)(4)(B)) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.)

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.

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

(Government Code Section 11346.2(b)(5)(A)) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business)

The SFM has made a 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.

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

(Government Code Sections 11346.3(b)(1) and 11346.5(a)(10))

The [STATE AGENCY NAME] has assessed whether or not and to what extent this proposal will affect the following:

- X      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.
- X      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.
- X      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.
- X      The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

These regulations will update and improve minimum existing building standards, which will provide increased protection of public health and safety, worker safety and the environment.

#### **ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS**

(Government Code Section 11346.2(b)(5)(B)(i)) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.)

No increased cost of compliance for those regulations that make only technical and non-substantive changes.

The potential benefits provide recognition and appropriate use of new technologies and materials, clarity for the code users and local enforcement agencies, and may increase business due to the adoption of new building standards.

Protection of life and property against fire and panic.

#### **DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

(Government Code Section 11346.2(b)(6)) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.)

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