# 15-DAY EXPRESS TERMS AND RATIONALE 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

# (02/19)

No state agency may adopt, amend, or repeal a regulation which has been changed from that which was originally made available to the public pursuant to Section 11346.5, unless the change is (1) nonsubstantial or solely grammatical in nature, or (2) sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action. If a sufficiently related change is made, the full text of the resulting adoption, amendment, or repeal, with the change clearly indicated, shall be made available to the public for at least 15 days before the agency adopts, amends, or repeals the resulting regulation. Any written comments received regarding the change must be responded to in the final statement of reasons required by Section 11346.9 (Government Code Section 11346.8(c)).

If using assistive technology, please adjust your settings to recognize underline, strikeout, italics and ellipsis.

# LEGEND for EXPRESS TERMS (Based on model codes - Parts 2, 2.5, 3, 4, 5, 9, 10)

* Model Code language appears upright. California amendments appear in *italics.*
* Unmodified 45-day amendments appear in *underline and ~~strikethrough~~.*
* 15-day amendments appear in *double underline* and *double strikethrough*.
* Ellipsis ( . . .) indicate existing text remains unchanged.
* **Rationale:** The justification for the change is shown after each section or series of related changes.

# 15-DAY EXPRESS TERMS

# Item: #SFM 02/19-3-3

**Chapter:** 80, Referenced Standards

**Section:** UL, 9540A, 9540

**Express Terms:**

**9540-14*16*: Outline of Investigation for Energy Storage Systems and Equipment**

***9540A-17:***

***Standard for Safety Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems***

**Rationale:** Adjustments to the adoption of reference standards came from a public comment submitted by John Taecker. Jon Tacker’s public comment states, “UL is fully supportive of the SFM's proposal to bring in the requirements for energy storage systems from the 2021 International Fire Code. It appears one thing was overlooked, which was updating the referenced standard UL 9540. To identically match the update of this standard that was adopted in the 2021 International Fire Code (reference Proposal ADM47-19), UL 9540 should be referenced in Chapter 80 as follows: "9540—2016 Standard for Energy Storage Systems and Equipment".

In response to the public comment, the SFM is proposing to update the edition of UL 9540 to identically match the update of this standard as it was adopted in the 2021 International Fire Code (reference Proposal ADM47-19). It is needed to address all the other proposed updates to Energy Storage Systems in Chapter 12 of the California Fire Code. √

**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, 13113.5, 13114, 13143,13132, 13132.7, 13132, 13133, 13135, 13143.2, 13143.6, 13146, 13210, 13211, 17921, 18928, 18949.2, 25500-25545, Government Code Section 51189, Education Code 17074.50

Reference(s): Health and Safety Code Sections 13143, 13143.1, 13143.9, 13211, 18949.2, 25500 through 25545, Government Code Sections 51176, 51177, 51178, 51179, Public Resources Code Sections 4201-4204