

**INITIAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS  
OF THE DIVISION OF THE STATE ARCHITECT – STRUCTURAL SAFETY  
(DSA-SS and DSA-SS/CC)  
REGARDING THE 2022 CALIFORNIA ELECTRICAL CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3  
(DSA SS/CC 01/20)**

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 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.

The Division of the State Architect (DSA) proposes to repeal the 2017 edition of the National Electrical Code (NEC), and adopt the 2020 edition of the National Electrical Code (published by the National Fire Protection Association) for codification and effectiveness as the 2022 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 (Division of the State Architect – Structural Safety) 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 2020 edition of the NEC as the 2022 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 2020 edition of the NEC includes usability features as aids to the user. Changes other than editorial are indicated with gray shading within sections, and an entire figure caption with gray shading indicates a change to an existing figure. New sections, tables, and figures are indicated by a bold, italic **N** in a gray box to the left of the new material. An **N** next to an Article title indicates that the entire Article is new. Where one or more complete paragraphs have been deleted, the deletion is indicated by a bullet (●) between the paragraphs that remain.

No new DSA amendments to the 2020 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.

## **ITEM 1**

### **California Article 89 General Code Provisions**

Continue California Article 89 (General Code Provisions) of the 2019 triennial edition of the CEC for publication in the 2022 triennial edition of the CEC, with editorial amendments as shown below:

**Section 89.101.1 (Title)** - Editorial amendment to bring up-to-date reference to the 2020 NEC by deleting reference to the 2017 NEC and replacing with 2020 NEC.

#### **CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

#### **Agency Response:**

ACCEPTED

## **ITEM 2**

### **Article 90, Introduction**

DSA proposes to adopt article 90 of the 2020 NEC, without amendment.

#### **CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

#### **Agency Response:**

ACCEPTED

## **ITEM 3**

### **Chapter 1, Genral**

DSA proposes to adopt Chapter 1 of the 2020 NEC without amendment.

#### **CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

#### **Agency Response:**

ACCEPTED

## **ITEM 4**

### **Chapter 2, Wiring and Protection**

DSA proposes to adopt Chapter 2 of the 2020 NEC, without amendment.

#### **CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

**Agency Response:**

ACCEPTED

**ITEM 5**

**Chapter 3, Wiring Methods and Materials**

DSA proposes to adopt Chapter 3 of the 2020 NEC, without amendment.

**CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

**Agency Response:**

ACCEPTED

**ITEM 6**

**Chapter 4, Equipment for General Use**

DSA proposes to adopt Chapter 4 of the 2020 NEC, without amendment.

**CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

**Agency Response:**

ACCEPTED

**ITEM 7**

**Chapter 5, Special Occupancies**

DSA proposes to adopt Chapter 4 of the 2020 NEC, without amendment.

**CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

**Agency Response:**

ACCEPTED

**ITEM 8**

**Chapter 6, Special Equipment**

DSA proposes to adopt Chapter 6 of the 2020 NEC, without amendment.

**CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

**Agency Response:**

ACCEPTED

## **ITEM 9**

### **Chapter 7, Special Conditions**

DSA proposes to adopt Chapter 7 of the 2020 NEC, without amendment.

#### **CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

#### **Agency Response:**

ACCEPTED

## **ITEM 10**

### **Chapter 8, Communication systems**

DSA proposes to adopt Chapter 8 of the 2020 NEC, without amendment.

#### **CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

#### **Agency Response:**

ACCEPTED

## **ITEM 11**

### **Chapter 9, Tables**

DSA proposes to adopt Chapter 9 of the 2020 NEC, without amendment.

#### **CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

#### **Agency Response:**

ACCEPTED

## **ITEM 12**

### **Annexes**

DSA proposes to not adopt Annexes A, B, C, D, E, F, G, H, I, and J of the 2020 NEC.

#### **CAC Recommendation (if applicable):**

APPROVED AS SUBMITTED

#### **Agency Response:**

ACCEPTED

## **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).

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**

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.

No new prescriptive standards are proposed.

## **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.

DSA has not identified any reasonable alternatives to the proposed action, and no adverse impact to small business due to these proposed changes is expected.

## **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.

DSA 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 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.

DSA has no evidence indicating any potential significant adverse impact on business with regard to the proposed action.

## **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)

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

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

DSA has determined that the proposed action has no effect.

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- B.** The creation of new businesses or the elimination of existing businesses within the State of California.  
DSA has determined that the proposed action has no effect.
- C.** The expansion of businesses currently doing business within the State of California.  
DSA has determined that the proposed action has no effect.
- D.** The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.  
DSA has determined that the proposed action has no effect.

### **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.

DSA estimates no costs as Section 18928 of the Health and Safety Code mandates the adoption of the most recent addition of the model code.

### **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 regulations do not conflict with federal regulations.