# ADDITIONAL 15-DAY EXPRESS TERMS AND RATIONALE FOR PROPOSED BUILDING STANDARDS OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REGARDING THE 2022 CALIFORNIA BUILDING CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2

# (HCD 05/21)

No state agency may adopt, amend, or repeal a regulation which has been changed from that which was originally made available to the public pursuant to Section 11346.5, unless the change is (1) nonsubstantial or solely grammatical in nature, or (2) sufficiently related to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 or 45 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, double strikeout and ellipsis. Double underline will be indicated by parenthetical notes within the text. The notes will not be codified or published in the code.

## LEGEND for EXPRESS TERMS

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

# ADDITIONAL 15-DAY EXPRESS TERMS

# Item 34 Chapter 31 CHAPTER 31 SPECIAL CONSTRUCTION

**SECTION 3111 – SOLAR ENERGY SYSTEMS**

**3111.3 Photovoltaic solar energy systems**

(begin double underline) **~~3111.3 Photovoltaic solar energy systems.~~**(end double underline) ***~~[HCD 1, HCD 2]~~*** (begin double underline) ~~Photovoltaic solar energy systems shall be designed and installed in accordance with this section, the~~ (end double underline) ~~International~~ (begin double underline) *~~California~~* ~~Fire Code,~~ (end double underline) ~~NFPA 70~~ (begin double underline) *~~California Electrical Code~~*~~, and the manufacturer’s installation instructions~~ (end double underline) *~~and Section 1512 of this code~~* (begin double underline)~~.~~ (end double underline) *(Repealing 2019 CA amendment; no longer in 2021 IBC.)*

**Rationale:** The Department of Housing and Community Development (HCD) proposes a correction to the 45-day Express Terms (ET) and rationale related to the 2021 International Building Code (IBC) which has changed from the prior 2018 IBC version. The 45-day ET document may be interpreted to reflect the non-adoption of section 3111.3 when non-adoption was not HCD’s intent.

Changes to the 2021 IBC deleted section 1512 originally titled “Photovoltaic Panels and Modules in the 2018 IBC,” therefore, making the HCD 1 and HCD 2 amendment in section 3111.3 of the 2019 California Building Code, referencing section 1512, irrelevant. HCD proposes continued adoption of 2021 IBC section 3111.3 with existing 2019 CBC amendments, excluding the amendment referencing section 1512. This 15-day ET text is consistent with the text from the 2021 IBC with appropriate existing amendments; and consistent with proposals during the 45-day comment period from the California Division of the State Architect. There is no intended change in the adoption of this section from the 2019 CBC with the exception of removal of the reference to section 1512.