# APPROVED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION JANUARY 18, 2022

# FINAL EXPRESS TERMS FOR PROPOSED BUILDING STANDARDS OF THE STATE FIRE MARSHAL REGARDING THE 2022 CALIFORNIA ADMINISTRATIVE CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART **1**

# (SFM 03/21)

The State agency shall draft the regulations in plain, straightforward language, avoiding technical terms as much as possible and using a coherent and easily readable style. The agency shall draft the regulation in plain English. A notation shall follow the express terms of each regulation listing the specific statutes authorizing the adoption and listing specific statutes being implemented, interpreted, or made specific (Government Code Section 11346.2(a)(1)).

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

## LEGEND for EXPRESS TERMS (California only codes - Parts 1, 6, 8, 11, 12)

* Existing California amendments appear upright
* Amended or new California amendments appear underlined
* Repealed California language appears ~~upright and in strikeout~~
* Ellipsis ( …) indicate existing text remains unchanged

The Office of the State Fire Marshal (SFM) proposes to adopt Chapter 3 of the 2022 edition of the California Administrative Code (CAC). SFM further proposes to:

Adopt new building standards or necessary amendments to the 2022 California Administrative Code as they pertain to California laws.

## FINAL EXPRESS TERMS

**CHAPTER 3**

**ADMINISTRATIVE REGULATIONS**

**FOR THE OFFICE OF THE STATE FIRE MARSHAL (SFM)**

**~~(RESERVED)~~**

**ARTICLE 3-1**

**GENERAL PROVISIONS**

### Item 1-1 Chapter 3, Administrative Regulations For The Office of the State Fire Marshal, Article 3-1, Section 3-101 Purpose

**3-101. Purpose.** The State Fire Marshal shall prepare and adopt building standards in the California Building Standards Code relating to fire and panic safety. The State Fire Marshal shall enforce these regulations in all state-owned buildings, specified state-occupied buildings, and state institutions. Facilities constructed or altered pursuant to these regulations shall be in compliance with the California Code of Regulations, Title 24 related to the design aspects of the fire and life safety (FLS) elements, components and systems.

**Authority -** Health and Safety Code Sections 13108, 13145, 13146, 16022.5 and 17921

**Reference -** Health and Safety Code Sections 13108, 13145, 13146, 16022.5 and 17921

### Item 1-2 Chapter 3, Administrative Regulations For The Office of the State Fire Marshal, Article 3-1, Section 3-102 Scope

**3-102. Scope.** Title 24, California Code of Regulations (C.C.R.); known as the California Building Standards Code, designate building regulations that are applicable to the fire and life safety portions of the design, construction, reconstruction, rehabilitation, alteration of or addition to any state-owned building, specified state-occupied building, and state institution as defined in Article 3-2 Definitions. The term “Specified State-Occupied Buildings” shall include all buildings, structures, appurtenances and related systems or facilities as defined in Section 13108 and Section 13146 of the Health and Safety Code, authorizing the Office of the State Fire Marshal (SFM) to carry out the functions and duties related to plan check, construction, use and inspections of the construction of state-owned buildings, specified state-occupied buildings, and state institutions.

**Authority -** Health and Safety Code Sections 13108, 13145, 13146, 16022.5 and 17921

**Reference -** Health and Safety Code Sections 13108, 13145, 13146, 16022.5 and 17921

### Item 1-3 Chapter 3, Administrative Regulations For The Office of the State Fire Marshal, Article 3-1, Section 3-103 Authority for Enforcement of Regulations

**3-103. Authority for Enforcement of Regulations.**  All duties and functions that relate to the fire and life safety aspects of state-owned buildings, specified state-occupied buildings, and state institutions construction plan checking, and inspections have been vested by law in the Office of the State Fire Marshal.

**Authority -** Health and Safety Code Sections 13108, 13145, 13146, 16022.5 and 17921

**Reference -** Health and Safety Code Sections 13108, 13145, 13146, 16022.5 and 17921

### Item 1-4 Chapter 3, Administrative Regulations For The Office of the State Fire Marshal, Article 3-1, Section 3-104 Application of Building Standards

**3-104. Application of Building Standards.** Building standards applicable to state-owned buildings, specified state-occupied buildings, and state institutions are set forth in Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11 and 12, Title 24, C.C.R., and have been adopted as minimum design and construction standards upon which to base the approval of plans and specifications. These regulations shall not be construed to prevent the use of higher design standards or to restrict the use of new or innovative design or construction techniques. Where the designer desires to use innovative design or construction techniques not addressed in these regulations it shall be necessary to submit for review and approval information including computations, test data and recommendations covering the design in question. The designer shall confer with the SFM concerning the applicability of these innovative design or construction techniques to state-owned, specified state-occupied, and state institutions construction prior to the submittal of plans and specifications. SFM must be satisfied that the degree of safety achieved by these innovative design and construction techniques is at least equivalent to that achieved by the regulations. The determination of the equivalency of the degree of safety shall be the responsibility of SFM.

**Authority -** Health and Safety Code Sections 13108, 13145, 13146, 16022.5 and 17921

**Reference -** Health and Safety Code Sections 13108, 13145, 13146, 16022.5 and 17921

### Item 1-5 Chapter 3, Administrative Regulations For The Office of the State Fire Marshal, Article 3-1, Section 3-105 Approval of construction, reconstruction, rehabilitation, alteration of or addition to any state-owned, specified state-occupied, and state institutions.

**3-105. Approval of construction, reconstruction, rehabilitation, alteration of or addition to any state-owned, specified state-occupied, and state institutions.** Plans and specifications for any new state building or for the reconstruction, rehabilitation, alteration of or addition to state buildings shall be submitted to SFM for approval as required by and in accordance with Health and Safety Code Sections 13108 through 13146.

**Authority -** Health and Safety Code Sections 13108, 13145, 13146, 16022.5 and 17921

**Reference -** Health and Safety Code Sections 13108, 13145, 13146, 16022.5 and 17921

**ARTICLE 3-2**

**DEFINITIONS**

### Item 1-6 Chapter 3, Administrative Regulations For The Office of the State Fire Marshal, Article 3-2, Special Inspector.

**SPECIAL INSPECTOR.** A Special Inspectorshall mean any person duly approved by the State Fire Marshal to perform construction inspections for a project.

### Item 1-7 Chapter 3, Administrative Regulations For The Office of the State Fire Marshal, Article 3-2, Plans

**PLANS.** Plans as used in these regulations shall mean the drawings associated with the project such as, but not limited to, specifications, vicinity maps, site plans, foundation plans, floor plans, ceiling plans, roof plans, cross-sections, interior elevations, exterior elevations and details which are used in conjunction with the project specifications, and which are necessary to accomplish construction in conformance with the requirements of the Health and Safety Code Section 13108.

### Item 1-8 Chapter 3, Administrative Regulations For The Office of the State Fire Marshal, Article 3-2, Specifications

**SPECIFICATIONS.** Specificationsas used in these regulations shall mean the written document which is used in conjunction with the project plans to establish the job conditions, the quality and quantity of construction materials used in the project and the quality of workmanship required to accomplish the construction in conformance with the provisions of this Code.

### Item 1-9 Chapter 3, Administrative Regulations For The Office of the State Fire Marshal, Article 3-2, Specified state-occupied buildings

**SPECIFIED STATE-OCCUPIED BUILDINGS.** Any building, structure or area which meets the criteria of any of the following:

1. A building where the state has contracted into a build-to-suit lease.
2. A courthouse holding facility or trial court with a detention area.
3. A building used by the Department of Corrections and Rehabilitation (CDCR) as a community correctional reentry center.
4. 100% state occupied.
5. State occupied areas in a state leased building that is a high-rise and is 75 percent of the net area floor space or more occupied by state entities.
6. State occupied areas in a building that contains 5,000 square feet or more space of state leased Group H or Group L occupancy.
7. A state leased building with facilities with the primary purpose of housing state records and/ or state artifacts of historical significance.
8. Properties leased by California State University (CSU) or University of California (UC).
9. State institutions and their real property.
10. CAL FIRE occupied areas in leased buildings.
11. State leased facilities where governing body’s fire protection services rely on an all-volunteer fire department.

Except as provided in items 1 through 9, buildings shall become the responsibility of the local jurisdiction.

**Authority -** Health and Safety Code Sections 13108, 13145, 13146, 16022.5 and 17921.

**Reference -** Health and Safety Code Sections 13108, 13143, 13145, 13146, 16022.5 and 17921.

### Item 1-10 Chapter 3, Administrative Regulations For The Office of the State Fire Marshal, Article 3-2, State Institution

[Withdrawn]

### Item 1-11 Chapter 3, Administrative Regulations For The Office of the State Fire Marshal, Article 3-2, State-owned building

**STATE-OWNED BUILDING.** A state-owned buildingshall mean any building owned by the state or political subdivision thereof. A building or real property which are owned by or deeded to the state.

**Authority:** Health and Safety Code Sections 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13210, 13211, 16022.5, 17921, 18949.2, Government Code Section 51189, Public Education Code 17074.50.

**Reference(s):** Health and Safety Code Sections 13108, 13143, 13145, 13146, 13211, 16022.5, 17921, 18949.2, Government Code Sections 51176, 51177, 51178 and 51179, Public Resources Code Sections 4201 through 4204.

**Notation:**

Authority: Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13143, 13143.2, 13143.6, 13145, 13146, 13210, 13211, 16022.5, 17921, 18949.2, Government Code Section 51189, Public Education Code 17074.50.

Reference(s): Health and Safety Code Sections 13108, 13143, 13145, 13146, 13211, 16022.5, 17921, 18949.2, Government Code Sections 51176, 51177, 51178 and 51179, Public Resources Code Sections 4201 through 4204.