# INITIAL EXPRESS TERMS FOR PROPOSED BUILDING STANDARDS OF THE OFFICE OF THE STATE FIRE MARSHAL REGARDING THE 2022 CALIFORNIA ADMINISTRATIVE CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1 (SFM 01/22)

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* Repealed California language appears ~~upright and in strikeout~~
* Ellipses ( ...) indicate existing text remains unchanged

## INITIAL EXPRESS TERMS

### ITEM 1 Chapter 3 ADMINISTRATIVE REGULATIONS FOR THE OFFICE OF THE STATE FIRE MARSHAL (SFM), Article 3-1 General Provisions and Article 3-2 Definitions

[The SFM is proposing to add language to clarify the special relationship between the State Fire Marshal and the University of California per statute 13146 (A)(5).]

**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, and, to the extent permitted by law, buildings administered or occupied by the Regents of the University of California. 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.

…

**3-102. Scope.** Title 24, California Code of Regulations (C.C.R.); known as the California Building Standards Code, designates building regulations that are applicable to the fire and life safety portions of the design, construction, reconstruction, rehabilitation, alteration or addition to any state-owned building, specified state-occupied buildings, and state institutions as defined in Article 3-2 Definitions, and, to the extent permitted by law, buildings administered or occupied by the Regents of the University of California. 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.

…

**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, and, to the extent permitted by law, buildings administered or occupied by the Regents of the University of California, construction for compliance with building standards; including but not limited to plan checking, and inspections have been vested by law in the Office of the State Fire Marshal.

…

**3-104. Application of Building Standards.** Building standards applicable to state-owned buildings, specified state-occupied buildings, and state institutions, and, to the extent permitted by law, buildings administered or occupied by the Regents of the University of California, 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 construction of state-owned, specified state-occupied, and state institutions 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.

…

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

…

8. Properties leased by California State University (CSU) ~~or University of California (UC)~~.

…

~~Except as provided in Items 1 through 11, buildings shall become the responsibility of the local jurisdiction.~~

**Notation:**

Authority: Health and Safety Code Sections 13108, 13108.5, 13113, 13114, 13132, 16022.5, 17921, 18949.2, Education Code Section 17074.50.

Reference(s): Health and Safety Code Sections 13143; 13143.2, 13143.6, 13145, 13146, 13210, 13211; Government Code Sections 51176, 51177, 51178, 51179, 51189; Public Resources Code Sections 4201 through 4204.