

NOTICE OF CORRECTION

**CALIFORNIA BUILDING STANDARDS COMMISSION, on behalf of the
OFFICE OF THE STATE FIRE MARSHAL (SFM)
2022 CALIFORNIA MECHANICAL CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4
(SFM 05/22)**

The California Building Standards Commission (CBSC) Notice of Proposed Action (NOPA) for SFM's amendments to the 2022 California Mechanical Code (Part 4, Title 24, California Code of Regulations) was originally published in the April 21 Notice Register 2023, 16-Z, p. 570 (OAL Notice File No. Z2023-0411-09). This published NOPA contains errors, which inadvertently omitted language intended for inclusion in the Summary of Existing Laws section on page 6 of 12 and the Declaration of Evidence section on page 9 of 12. The NOPA should have provided the following information:

Summary of Existing Laws

Health and Safety Code Section 18949.2

(a) Any responsibilities of the State Fire Marshal to adopt, through a formal rulemaking process as provided in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, relating to building standards, including, but not limited to, Sections 13108, 13143, 13143.6, and 13211, are hereby transferred to the commission.

(b) The State Fire Marshal shall remain the state agency responsible for developing building standards to implement the state's fire and life safety policy. In its role as the fire and life safety standard developing agency, the State Fire Marshal shall continue its existing activities and forums designed to facilitate compromise and consensus among the various individuals and groups involved in development of the state's codes related to fire and life safety.

(c) The state's fire and life safety building standards, as developed by the State Fire Marshal and as adopted by the commission, shall continue to be based on the state's fire and life safety policy goals and mandates as they existed prior to the enactment of this chapter and as they are amended.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

SFM has determined that this proposed action will not have a significant adverse economic impact on business. The SFM affirms that this rulemaking action complies specifically with the mandates of HSC Sections 13143, 18928, 18949.2(b), 18949(c) and the mandates of the statutory authority of the SFM. Numerous public workshops were held during the pre-rulemaking phase of the intervening code cycle and no

comments have been made that the proposed changes would have significant statewide adverse economic impact on businesses.

Therefore, the SFM has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.2(b)(5)(A). The public is welcome to submit any information, facts, or documents either supporting SFM's initial determination or finding to the contrary.

The complete text of the notice, the Initial Statement of Reasons, and the Express Terms are available on the CBSC Web site for this rulemaking at:

<https://www.dgs.ca.gov/BSC/Rulemaking/2022-Intervening-Cycle/2022-Public-Comments/PEME-45>

Any inquiries regarding this correction should be made to the following:

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