A PUBLIC GUIDE TO THE BUILDING STANDARDS ADOPTION PROCESS

An explanation for the general public

3rd Edition
March 2019
Governor Gavin Newsom

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The California Building Standards Commission is a commission within
the Department of General Services

Visit our website at www.dgs.ca.gov/bsc
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**Introduction**

This guidebook is provided by the California Building Standards Commission (CBSC) for the purpose of explaining the process by which building standards are developed and adopted. Building standards are state regulations adopted or proposed by a variety of state agencies, and approved by CBSC as authorized in state law. Building standards are published and available to the public in the California Building Standards Code, located in Title 24 of the California Code of Regulations. Title 24 is reserved for building standards which apply to the design and construction of buildings and associated facilities throughout California. The process of adopting the Title 24 building standards involves multiple state agencies, rulemaking documents, public participation and public comment periods, hearings, meetings, and actions of CBSC that will be identified and explained herein.

**CBSC Authority**

A portion of state law known as the California Building Standards Law establishes CBSC, and governs how building standards are created with oversight by CBSC. The process of establishing building standards, called rulemaking, is also governed by the Administrative Procedure Act located in the California Government Code. CBSC must coordinate the rulemaking efforts of state adopting and proposing agencies, oversee the proposal of building standards, conduct meetings and hearings, make decisions as to the adoption of building standards, and publish the adopted building standards. The process is to be transparent to all stakeholders, ensuring adequate public participation.

**The State Agencies**

There are as many as 14 state agencies involved in the process of creating California’s building standards. State law establishes the area of authority for each of the agencies. For example:

- The Office of the State Fire Marshal is responsible for the development of building standards that provide for fire and panic safety within assembly buildings, schools, residential buildings and numerous other occupancies.
- The Department of Housing and Community Development is responsible for the development of building standards for residential occupancies such as single-family dwellings, apartments, hotels and motels, and accessibility in privately funded multifamily dwellings.
The Division of the State Architect is responsible for the development of building standards for public schools, essential service buildings, and accessibility in public accommodations, commercial facilities and public housing.

The responsibilities of the other involved state agencies are explained in our Guide to Title 24, which is available on our website www.dgs.ca.gov/bsc.

Two types of state agencies are involved with creating building standards: proposing agencies and adopting agencies.

**State Proposing Agency.** A proposing agency must submit proposed building standards to CBSC for adoption. CBSC conducts public comment periods, hearings and meetings, and exercises appropriate action on rulemakings.

**State Adopting Agency.** An adopting agency has authority in state law to administer the adoption process, conduct its own hearings, and make the adoption decision. The state adopting agency must submit adopted building standards to CBSC for approval of the adoption process and publication in Title 24. CBSC’s role is to verify compliance with state laws governing the rulemaking process. Some examples of state adopting and proposing agencies are:

<table>
<thead>
<tr>
<th>State Proposing Agencies</th>
<th>State Adopting Agencies</th>
</tr>
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<tbody>
<tr>
<td>Office of the State Fire Marshal</td>
<td>California Energy Commission</td>
</tr>
<tr>
<td>Department of Housing and Community Development</td>
<td>State Historical Building and Safety Board</td>
</tr>
<tr>
<td>Division of the State Architect</td>
<td>Board of State &amp; Community Corrections</td>
</tr>
</tbody>
</table>

The building standards adopted by the state adopting agencies and approved by CBSC, and the building standards developed by the state proposing agencies adopted by CBSC, are published by CBSC in Title 24, California Code of Regulations, which is known as the California Building Standards Code.

**Types of Adoption Actions**

The process of adopting building standards includes four types of actions.

1. **Triennial Code Adoption Cycle.** As the name implies, a triennial cycle occurs at three-year intervals. State law requires a new edition of Title 24 every three years. The primary purpose for this cycle is to adopt and amend for California the most recent editions of national model codes, such as the International Building
Model codes are created and published every three years by nationally recognized code organizations using consensus processes. California’s triennial code adoption cycle requires approximately 18 months to complete, and results in a new edition of Title 24.

2. **Intervening Code Adoption Cycle.** An intervening cycle occurs midway between the triennial cycles. It results in additions and amendments to the current edition of Title 24. An intervening cycle, like the triennial cycle, takes about 18 months to complete. Replacement pages of affected code sections in the current code are issued as “supplements” printed on blue paper. The words “SUPPLEMENT – BLUE” are printed at the bottom of each page along with the effective date of the changes. Purchasers of Title 24 may receive supplements automatically and, after publication, the supplements may also be accessed and printed from CBSC’s or the publisher’s website.

3. **Change Without Regulatory Effect (CWoRE).** At any time during either a triennial or intervening cycle, a current code provision may be amended without hearings, when the change has no effect on code requirements. CBSC regulations define “change without regulatory effect” to include changing section numbering, making provisions comply with state law, or amending spelling and grammar.

4. **Emergency Building Standards.** At any time, regardless of other ongoing code adoption activities, an emergency action may be taken to adopt new or amended building standards. State law restricts this authority to true and defined emergency conditions. As recently as 2017, an emergency action was taken to adopt exterior elevated elements building standards in response to a balcony collapse in Berkeley, California. Emergency adoptions are rare. State law allows for the adoption of emergency building standards that become effective immediately upon adoption by CBSC and filing with the Secretary of State. Following adoption, the state agency responsible for the emergency building standards must then comply with all rulemaking requirements for public participation, hearings and final adoption. No emergency building standard may remain in effect for more than 180 days unless a complying rulemaking action is completed or CBSC readopts the emergency building standard. State law permits up to two readoptions, each for a period not to exceed 90 days. Generally, this allows for completion of the certifying rulemaking processes necessary to make the emergency building standard(s) permanent in Title 24.
Phases and Steps in the Rulemaking Process

The rulemaking process for triennial and intervening code adoption cycles may take up to 18 months to complete. The cycles include numerous phases, procedural steps, public meetings, analysis of code proposals, development of various documents, public participation and comment periods, and codification and publication of the Title 24 codes. The following are major phases and steps in the adoption process.

Precycle Public Participation Phase

1. **Workshops.** Meetings with public participation are conducted by various state agencies for preliminary development of building standards. Both state law and CBSC regulations require steps to ensure public participation in the code development process. Precycle public workshops are conducted before the official start of a proposed code adoption cycle and may also be known as focus groups, task forces, stakeholder meetings, or other designations. Regardless of the name, the purpose is to involve the public, explore the proposal and gain feedback while developing regulatory language. Workshops are open to the public and are conducted individually by various state agencies and CBSC, when CBSC also is proposing building standards.

2. **Initial Submittal to CBSC.** Following the precycle workshops, state proposing agencies submit their proposed building standards to CBSC. CBSC coordinates, assembles and organizes the submittals from the various agencies and prepares the proposed building standards for the next step, which is to bring the proposals before the appropriate Code Advisory Committee.

3. **Code Advisory Committee (CAC) Meetings.** As authorized by California Health and Safety Code (HSC) Section 18927, CBSC has established six CACs to review proposed building standards developed by the state proposing agencies, and to then make recommendations for the commissioners’ consideration. The committee members are unpaid volunteers selected from the public, building professions, and related industries based on a variety of necessary expertise. Each committee has a specific area or subject matter within the codes to consider, such as accessibility, fire and life safety, plumbing and mechanical, or sustainable construction practices. The resulting CAC recommendations are then considered by the state proposing agencies and may result in amendments to the proposed regulatory language.

   **Note:** Building standards adopted by a state adopting agency are not required to be considered by the CACs.
Public Comment Phase

4. Issuance of Rulemaking Documents. After CAC review and state proposing agencies’ consideration of CAC recommendations, the agencies resubmit their proposed building standards, which may include amendments based on the CAC recommendations, to CBSC. There are several rulemaking documents required by state law that begin the official rulemaking process. The four principal documents to watch for are:

- **Notice of Proposed Action (NOPA):** This document announces the proposal to adopt building standards. It is created by each state proposing agency for each part of Title 24 proposed to be adopted or amended and then posted on CBSC’s website. Each state proposing agency will also post its NOPA on its website. NOPAs include information intended to inform the public of the application and scope of the proposal, economic impact, how to obtain proposed regulatory language, and information about scheduled hearings. The NOPA also is filed with the Office of Administrative Law (OAL) for publication in the California Regulatory Notice Register. Subsequent to issuance of the NOPA, CBSC will issue a meeting Notice and Agenda to announce the public meeting where the proposed building standard(s) will be considered.

- **Express Terms (ET):** This document provides the proposed regulatory language and is posted on the CBSC website. (See Appendix 3 for a sample of an Express Terms wording).

- **Initial Statement of Reasons (ISOR):** This document provides the rationale and need for each proposed building standard and is posted on the CBSC website. (See Appendix 3 for a sample of an ISOR wording).

- **Nine-Point Criteria Analysis:** This document substantiates that the provisions of HSC Section 18930 were met.

CBSC and each state proposing agency will post the NOPA, ET and ISOR on its website. (See Appendix 4 for contact information for several state agencies that participate in the rulemaking process for Title 24.)

**Note:** As previously explained, state adopting agencies issue their own NOPAs and conduct their own hearings separate from CBSC actions at this point. Once adopted, State adopting agencies submit the adopted building standards to CBSC for approval of rulemaking proceedings and publication in Title 24.
5. **Public Comment Periods.** Once the NOPA is filed with OAL and published in the California Regulatory Notice Register, the NOPA, ET and ISOR are made available to the public and a public comment period is announced via email to CBSC’s and the involved agencies’ mailing lists. The documents are posted on CBSC’s website and each of the respective state proposing agencies’ websites. The minimum public comment period is 45 days. During this period, the public may submit written comments regarding the proposal. Following the close of the 45-day public comment period, the state proposing agencies must address each public comment. If a public comment results in an amendment to the proposed regulatory language, an additional public comment period is required. If the amendment is nonsubstantial or solely grammatical in nature, or sufficiently related change as provided for in Government Code Section 11346.8(c), the comment period may be for a minimum of 15 days. However, when the amendment is not nonsubstantial or solely grammatical in nature, or is not a sufficient related change, an additional minimum 45-day comment period is required. Occasionally, multiple comment periods are necessary.

**Note:** CBSC recommends using its “Public Comment on Proposed Building Standards” form when making comments. The form is available on CBSC’s website when the NOPA, ET and ISOR are posted. (See Appendix 5 for a sample of the form.)

State proposing agencies are required to consider all public comments and include an explanation of any action taken or not taken as a result of the comments. The rationale for additions, amendments and deletions is provided in the Final Statement of Reasons (FSOR) developed near the end of the adoption process and submitted to CBSC in the final rulemaking file. Not all public comments will necessarily result in a change to the proposed building standard.

**Adoption/Approval Phase**

After the close of all public comment periods, each state proposing agency will prepare its final rulemaking file(s) for submittal to CBSC.

6. **CBSC Public Meetings for Adoption/Approval.** CBSC prepares the submitted final proposed building standards rulemaking files for consideration by the commissioners and then conducts the public meeting(s). During the meeting(s), the commissioners will consider for adoption/approval building standards developed by the state agencies and submitted to CBSC. Interested members of the public may attend the meeting, and may submit written comment and/or provide oral testimony. This does not necessarily mean there will be a change in the proposed building
standard or that the commissioners will amend, disapprove or return for further study a proposed or adopted building standard.

Any action that the commissioners take is governed by statutory authority, specifically HSC Section 18930(a), which is known as the Nine-Point Criteria.

Building standards adopted or approved by the commissioners are then filed with the Secretary of State. Next, CBSC proceeds to have the building standards codified and published in Title 24.

Implementation Phase

7. Codification and Publication. All CBSC adopted and approved building standards are published in Title 24 and generally become effective and enforceable 180 days after publication. Other effective dates allowed by law are:

- Administrative Building Standards for Part 1 of Title 24 become effective 30 days after filing with the Secretary of State.
- Any amendments to existing building standards providing a lesser standard, as determined by the commission, become effective 30 days after filing with the Secretary of State.
- Changes Without Regulatory Effect (CWoRE) become effective 30 days after filing with the Secretary of State.
- Emergency building standards become effective immediately upon filing with the Secretary of State, or at a later date as determined by the state agency and approved by the commissioners.
- Emergency amendments made to the model codes become effective 60 days after adoption by the commission.

Effective dates are generally easily remembered dates, such as January 1 or July 1. CBSC avoids multiple effective dates for a single code adoption cycle.

Appendix 1 illustrates the rulemaking process in a flow chart, with public participation opportunities shown in orange. Also see Appendix 2 for a typical timeline of an adoption cycle.

How to Participate

State law and CBSC administrative regulations enable and encourage public participation in the rulemaking process. A state agency responsible for creating a proposed building standard needs industry and general public feedback to ensure the
proposal achieves the intended purpose and does not create unintended consequences. To participate effectively, the following actions are recommended:

- **Subscribe to CBSC’s mailing list to receive email notification of proposed building standards, meetings, and rulemaking document availability.** The subscription form is located under the Contact tab on our website.

  You also should subscribe to the mailing lists of individual state agencies that propose or adopt building standards that concern you so you will receive their notifications of proposed building standards, precycle workshops and meetings. (Appendix 4 provides contact information for several state agencies.)

- **Attend workshops conducted by the state agencies in order to comment on building standards under development.** Draft building standards presented during a workshop are not yet official proposals and are subject to refinement, change or deletion.

- **Attend CBSC Code Advisory Committee meetings conducted for the purpose of developing recommendations to the CBSC commissioners on the proposed building standards.** The committee members will discuss a proposal, call for public comment and then decide on a recommendation.

- **Provide written comment.** Upon receiving a NOPA, follow the directions provided on how to obtain the ET and ISOR. Submit written comment during the announced public comment period(s) using CBSC’s form discussed in Section 5 of the Public Comment Phase above. In accordance with state law regarding rulemaking, only comments received during the public comment period can be considered. All submitted comments are posted on CBSC’s website.

- **Participate in CBSC meetings when adoption of a building standard of interest is being considered.** If you wish to speak to the commission in person, complete a request-to-speak form provided at the meeting to advise the commission’s chair of the building standard(s) you wish to address. If participating by teleconference, the chair will request public comment for each agenda item. When it’s your turn, provide oral testimony regarding the proposed or adopted building standard. Written comments may also be submitted at the CBSC meeting. Comments may be in support of or opposition to the proposal, and should offer amendment language where applicable.

CBSC’s website provides the tentative commission meeting dates for the year. At least 15 days prior to each meeting, CBSC emails and posts a Notice and Agenda which
How to Make a Compelling Comment

Public comments received by the state agencies in regard to proposed regulations and building standards often do not result in the desired outcome. Generally, that is because the commenter does not cite one or more of the nine-point criteria that the building standard may fail to meet, is vague, does not clearly state why the proposal is not desirable, or does not provide a viable alternative. Simply stating that you don’t like or are opposed to the proposal will not compel the state agency to make a change, nor prompt the commissioners to disapprove, return for further study or approve as amended the building standard.

To achieve the desired outcome with your public comment, we recommend following the guidelines below:

1. **Be specific.** Identify the code, section, and page of the proposal on which you are commenting.
2. **Identify the Nine-Point Criteria.** Reference the appropriate Nine-Point Criteria in HSC 18930(a) upon which your comment is based. CBSC’s comment form includes the Nine-Point Criteria for your convenience.
3. **Provide the rationale for your position.** Clearly explain why you oppose or support a proposed building standard.
4. **Provide an alternative.** The building standard was proposed with a goal of correcting an issue or problem. Your comment should recommend an alternative solution or different regulatory language that will accomplish that goal.

See Appendix 5 for CBSC’s Public Comment form (BSC-25) including the Nine-Point Criteria (HSC 18930(a)).

A public comment that provides a clear, complete and compelling position is more likely to result in the proposing state agency amending the proposal before proceeding further, or in the commissioners taking the requested action.

**Conclusion**

CBSC administers and oversees the rulemaking process for building standards which results in the publication of Title 24. This process involves multiple state agencies, rulemaking documents and public participation. If you wish to study this subject further,
we suggest reading our *Guide to Title 24, Frequently Asked Questions, and Glossary of Terms*. These educational documents are available at no charge on our website’s Resources page.

We hope this guidebook has been helpful, and would appreciate receiving your comments and suggestions on how it or any of our other guides and educational material might be improved. You can email us at cbsc@dgs.ca.gov or send by mail to California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, CA, 95833.

**Appendices**

1. California Building Standards Commission Rulemaking Process (Flowchart)
2. California Building Standards Code Adoption Cycle (Timeline)
3. Sample Express Terms and Initial Statement of Reasons
4. California Agency Information Contact List
5. Public Comment on Proposed Building Standards (BSC-25) with the Nine-Point Criteria (HSC 18930(a)) on the reverse
California Building Standards Code Adoption Cycles

Showing major events of Triennial and Intervening Code Adoption Cycles

Notes:
1. New model code adoption in triennial cycle only. Must be adopted or proposed for adoption within one year of publication date (Ref: Health and Safety Code, Section 18928).
2. CBSC means California Building Standards Commission.
3. CAC means Code Advisory Committees.
4. Errata issuance may occur at any time as needed to correct errors in the published code.
5. Intervening cycle produces supplement to the triennial published code.
6. Cycles repeat indefinitely.

*Emergency and Change Without Regulatory Effect (CWoRE) adoptions may occur at any time as needed.
State law requires the Express Terms to illustrate a proposed addition, deletion or amendment to building standards by using underline, italics or strikeout. (Please note: Language shown in italics only occurs in parts of Title 24 that are based on model code.) State building standards not based on model code will only use upright text.

Fictitious Example:

5.106.4.1.2 Long-term bicycle parking. For new buildings with tenant spaces that have 20 10 or more tenant-occupants, provide secure bicycle parking for 4 percent 5 percent of the tenant-occupant vehicular parking spaces, with a minimum of one bicycle parking facility.

- Existing language is in normal, upright font.
- New language is underlined.
- Repealed language has strike-through text.

In the above fictitious example, the existing Section 5.106.4.1.2 code language requiring long-term bicycle parking is being amended to require more bicycle parking. The existing regulation required one percent of parking spaces if there were 20 or more tenants. When approved or adopted by the CBSC commissioners, the regulation will require five percent of parking spaces if there are 10 or more tenant-occupants.

If you want to know the rationale for the proposed change, go to the Initial Statement of Reasons (ISOR) and find the explanation for Section 5.106.4.1.2.

Example:

Section 5.106.4.1.2. This section is being amended to require more long-term bicycle parking spaces. The department has received numerous requests for commercial buildings to provide more bicycle parking spaces. During the workshop, numerous people testified that they were unable to ride their bikes to many locations due to the lack of a secure place to park them. A survey of bike riders confirmed the testimony of those at the workshop. The existing regulation provided too few parking spaces for buildings with larger populations of bike riders. It is the intent of the department to provide sufficient bicycle parking in order to reduce the use of gas-powered vehicles on the roads of California.
California Agency Information Contact List

All the following state agencies may propose building standards for publication in Title 24. Request notice of such activity with each agency of interest. See Sections 1.2 through 1.14 of the California Building Code (Part 2 of Title 24) for more detailed information on the regulatory jurisdiction of each state agency.

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<thead>
<tr>
<th>Board of State and Community Corrections</th>
<th>Department of Food and Agriculture</th>
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<tbody>
<tr>
<td>Local Adult and Juvenile Detention Facility Standards</td>
<td>Meat &amp; Poultry Packing Plant Standards (916) 900-5004</td>
</tr>
<tr>
<td><a href="http://www.bsc.ca.gov">www.bsc.ca.gov</a> (916) 445-5073</td>
<td>Dairy Standards (916) 900-5008</td>
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<td>General Information (916) 654-0466</td>
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<td><a href="http://www.cdfa.ca.gov">www.cdfa.ca.gov</a> (See Above)</td>
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<tr>
<th>California Building Standards Commission</th>
<th>Department of Housing and Community Development</th>
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<tr>
<td><a href="http://www.dgs.ca.gov">www.dgs.ca.gov</a> (916) 263-0916</td>
<td><a href="http://www.hcd.ca.gov">www.hcd.ca.gov</a> (916) 445-9471</td>
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<td></td>
<td>Factory-Built Housing, Manufactured Housing &amp; Commercial Modular Standards</td>
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<td><a href="http://www.hcd.ca.gov">www.hcd.ca.gov</a> (916) 445-3338</td>
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<th>Department of Public Health</th>
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<td>Building Efficiency Standards Appliance Efficiency Standards Compliance Manual/Forms</td>
<td>Organized Camps Standards Public Swimming Pools Standards</td>
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<tr>
<td><a href="http://www.energy.ca.gov">www.energy.ca.gov</a></td>
<td><a href="http://www.cdpd.ca.gov">www.cdpd.ca.gov</a> (916) 449-5709</td>
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<td>Title 24 Energy Hotline (800) 772-3300</td>
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<th>California State Lands Commission</th>
<th>Division of the State Architect</th>
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<td><a href="http://www.slc.ca.gov">www.slc.ca.gov</a> (562) 499-6312</td>
<td><a href="http://www.dgs.ca.gov/dsa">www.dgs.ca.gov/dsa</a> (916) 445-8100</td>
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<tr>
<th>California State Library</th>
<th>Office of Statewide Health Planning and Development</th>
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<tbody>
<tr>
<td>Current &amp; Past Code Books Available For Viewing</td>
<td>Acute Care Hospital and Psychiatric Hospital Buildings Standards Standards for Nonconforming Acute Care Hospital Buildings Removed from Acute Care Service Skilled Nursing and Intermediate Care Facilities Standards Licensed Clinic Standards</td>
</tr>
<tr>
<td><a href="http://www.library.ca.gov">www.library.ca.gov</a> (916) 323-9843</td>
<td><a href="http://www.oshpd.ca.gov">www.oshpd.ca.gov</a> (916) 326-3800</td>
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<th>Department of Consumer Affairs</th>
<th>Office of the State Fire Marshal</th>
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<td>Acupuncture Board Office Standards</td>
<td>Fire and Panic Safety Standards</td>
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<tr>
<td><a href="http://www.acupuncture.ca.gov">www.acupuncture.ca.gov</a> (916) 515-5200</td>
<td>osfm.fire.ca.gov (916) 568-3800</td>
</tr>
<tr>
<td>Board of Pharmacy Pharmacy Standards</td>
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<tr>
<td><a href="http://www.pharmacy.ca.gov">www.pharmacy.ca.gov</a> (916) 574-7900</td>
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<tr>
<td>Bureau of Barbering and Cosmetology Barber, Beauty Shop &amp; College Standards</td>
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<tr>
<td><a href="http://www.barbercosmo.ca.gov">www.barbercosmo.ca.gov</a> (800) 952-5210</td>
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<tr>
<td>Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation Insulation Testing Standards</td>
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<tr>
<td><a href="http://www.bearhfti.ca.gov">www.bearhfti.ca.gov</a> (916) 999-2041</td>
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<tr>
<td>Structural Pest Control Board Structural Standards</td>
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<td><a href="http://www.pestboard.ca.gov">www.pestboard.ca.gov</a> (800) 737-8188</td>
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<tr>
<td>Veterinary Medical Board Veterinary Hospital Standards</td>
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<tr>
<td><a href="http://www.vmb.ca.gov">www.vmb.ca.gov</a> (866) 229-0170</td>
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PUBLIC COMMENT on PROPOSED BUILDING STANDARDS
For Publication in Title 24, California Code of Regulations
See instructions for completing this form on Page 2.

Commenter Contact Information
Name: ___________________________ Date: ___________
Representing: _________________________________
Mailing Address: _________________________________
Number & Street: _____________________________
City: __________________ State: _______ Zip Code: _______
Telephone #: ___________________________ Email: ___________________________

Proposed Building Standard
Title 24 Part #: (select one) ___________ Section #: ___________
Proposing State Agency ___________________________
This comment is intended for review during: (select one)
  ○ Code Advisory Committee
  ○ 45-Day Comment Period
  ○ 15-Day Comment Period
  ○ Commission Meeting

Your recommendation based on the criteria of Health and Safety Code Section 18930(a) printed on the back of this form is: (select one)
  ○ Approve
  ○ Disapprove
  ○ Further Study Required
  ○ Approve as Amended

In support of your recommendation above, provide the rationale based on the criteria of Health and Safety Code Section 18930(a) printed on the back of this form. If you recommend anything other than approve, cite the criteria in your comment. If you oppose a proposed building standard, offer a solution or alternative for the state agency to consider. Please use separate pages if your comment does not fit in this space.

Attachments?
☐ Check if you have attached additional pages. The number of pages attached is:

For CBSC Office Use Only  Date Received: ________  Rulemaking Item #: ____________
Instructions for completing this form

1. Use of this form is optional. It helps CBSC and other state proposing agencies to correctly administer your comments.
2. For matters to be considered at a public CBSC Code Advisory Committee (CAC) meeting, written comments should be received at least seven days before the scheduled meeting.
3. For matters subject to a 45-Day or 15-Day public comment period announced by a Notice of Proposed Action (NOPA), written comments must be received on or before the close of the comment period identified in the NOPA.
4. Separate comment forms are necessary for CAC and public comment periods.
5. Separate comment forms are necessary for each state agency proposal.
6. This form is available in fill-and-print format at the CBSC website, www.dgs.ca.gov/cbsc, for you to complete and submit electronically. Or print a blank form and type or complete by hand. You may attach additional pages if necessary.
7. Submit comments to CBSC, 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833-2936, or by email to cbsc@dgs.ca.gov. Please do not fax comments.
8. Written and oral comments may also be provided at CBSC public meetings to consider the proposed building standards.

For assistance, call CBSC at (916) 263-0916 or email cbsc@dgs.ca.gov.

Building Standards Nine-Point Criteria. Health and Safety Code Section 18930(a) reads:

(a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:

(1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
(2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
(3) The public interest requires the adoption of the building standards. The public interest includes, but is not limited to, health and safety, resource efficiency, fire safety, seismic safety, building and building system performance, and consistency with environmental, public health, and accessibility statutes and regulations.
(4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
(5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
(6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
(7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
   (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
   (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
(8) The format of the proposed building standards is consistent with that adopted by the commission.
(9) The proposed building standard, if it promotes fire and panic safety, as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.