

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916

CALIFORNIA BUILDING STANDARDS COMMISSION INFORMATION BULLETIN 23-01

DATE: September 26, 2023

TO: CBSC INTERESTED PARTIES
LOCAL BUILDING DEPARTMENTS
FIRE OFFICIALS
STATE AGENCIES AND DEPARTMENTS

SUBJECT: National Fire Protection Association Tentative Interim Amendment 20-19, regarding Article 210 Section 210.8 (F) of the 2022 California Electrical Code based on the 2020 National Electrical Code.

This Information Bulletin is to advise the California Building Standards Code, Title 24, California Code of Regulations regulated community of Tentative Interim Amendment (TIA) 20-19 issued by the National Fire Protection Association (NFPA) applicable to the 2020 National Electrical Code (NEC). Specifically, this TIA revises Article 210, Section 210.8(F) that addresses outdoor outlets rated 150-volts to ground, 50 amperes at dwelling units to enhance electrical safety. This bulletin modifies [CBSC Information Bulletin 22-03](https://dgs.ca.gov/BSC/News) (dgs.ca.gov/BSC/News), issued on June 30, 2022

The 2020 NEC is the base model code for the 2022 California Electrical Code (CEC) which is Part 3 of Title 24. The 2022 CEC became effective on January 1, 2023.

The provisions of NFPA TIA 20-19 were developed after California's adoption of the 2020 NEC and therefore were not approved as part of the 2022 CEC. It is important to note that for local government to enforce the provisions of the NFPA TIA 20-19 they may do so by one of two means:

- **Enacting a local ordinance:** Local ordinances that amend Title 24 building standards and are subject to requirements of California law, must be enacted and filed with the appropriate state office for each edition of the California Building Standards Code. Ordinances generally must exercise more restrictive standards than the building standards approved/adopted by the Commission. Amendments to Title 24 are neither effective nor operative until filed with the appropriate state office. CBSC's [Information Bulletin 22-02](https://dgs.ca.gov/BSC/News) (dgs.ca.gov/BSC/News), issued June 30, 2022, provides additional information and resources to assist local jurisdictions with local ordinance filing requirements.

The [CBSC website](https://dgs.ca.gov/BSC) (dgs.ca.gov/BSC) has some helpful resources including the *Guide for Local Amendments of Building Standards* and an updated *California Code Adoption for Local Jurisdictions* video.

- **Permit alternative methods:** California Electrical Code Article 89, Section 89.108.7 (for dwellings) Enforcement, allows the authority having jurisdiction enforcement flexibility by allowing alternate methods, use of products, construction, or materials.

TIA 20-19 ([nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards/detail?code=70&year=2020](https://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards/detail?code=70&year=2020))

2020 National Electrical Code, Article 210, Section 210.8(F) and Exception No. 2

Background (provided by NFPA):

Pursuant to Section 5 of the NFPA Regulations Governing the Development of NFPA Standards, the National Fire Protection Association has issued the following Tentative Interim Amendment to NFPA 70®, National Electrical Code®, 2020 edition. The TIA was processed by the NEC Code-Making Panel 2, and the NEC Correlating Committee, and was issued by the Standards Council on August 12, 2022, with an effective date of September 1, 2022.

As background, the text of Section 210.8(F), and the subject of ground fault circuit interrupter protection for outdoor HVAC equipment, have had multiple processed TIA's as well as extensive Task Group work since issuance of the 2020 Edition of NFPA 70.

Four TIAs were balloted by Code Making Panel (CMP) 2 and the Correlating Committee (CC) in accordance with the Regulations Governing the Development of NFPA Standards (Regs) to determine whether the necessary three-fourths majority support was achieved on technical merit, emergency nature, and correlation for recommendation of issuance. Two of the TIAs – TIA Numbers 1653 and 1656 – were processed on the 2020 Edition, while the two remaining TIAs at issue – TIA Numbers 1654 and 1657 – were processed concurrently on the 2023 edition. TIA Nos. 1653 and 1654 each failed to achieve the necessary support of CMP 2 on technical merit, but achieved the necessary support on emergency nature, while achieving support of CMP 2 on both technical merit and emergency nature, as well as achieving support of the CC on correlation.

The Standards Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Standards Council, this appeal does present a clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Standards Council has voted to uphold the appeal. The effect of this action is that the NFPA 70, National Electrical Code (2020 and 2023 editions) will include the text of TIA Numbers 1653 and 1654, rather than the text of TIA Nos. 1656 and 1657.

For the full background on recent developments see [NFPA 70®: National Electrical Code®](https://www.nfpa.org/code-and-standards) ([nfpa.org/code-and-standards](https://www.nfpa.org/code-and-standards))

Revise paragraph 210.8(F) to read as follows:

210.8(F) Outdoor Outlets.

All outdoor outlets for dwellings, other than those covered in 210.8(A)(3), Exception to (3), that are supplied by single-phase branch circuits rated 150 volts to ground or less, 50 amperes or less, shall have ground-fault circuit-interrupter protection for personnel. ~~This requirement shall become effective on January 1, 2023, for mini-split type heating/ventilating/air-conditioning (HVAC) equipment~~

~~and other HVAC units employing power conversion equipment as a means to control compressor speed.~~

~~Informational Note: Power conversion equipment is the term used to describe the components used in HVAC equipment that is commonly referred to as a variable speed drive. The use of power conversion equipment to control compressor speed differs from multistage compressor speed control.~~

~~Exception No. 1: Ground-fault circuit-interrupter protection shall not be required on lighting outlets other than those covered in 210.8(C).~~

~~Exception No. 2: Ground-fault circuit-interrupter protection shall not be required for listed HVAC equipment. This exception shall expire September 1, 2026.~~

The California Building Standards Commission developed this Information Bulletin which provides NFPA background information that supports the need for this TIA with the intent of statewide distribution via CBSC information bulletin that impacts the 2022 Building Standards Codes, Title 24, California Code of Regulations. Additionally, please see CBSC [Information Bulletin 22-01](https://dgs.ca.gov/BSC/News) (dgs.ca.gov/BSC/News) that announced the publication of the 2022 edition of Title 24.

To purchase the 2022 California Electrical Code, visit the following location:

[National Fire Protection Association \(NFPA\) Catalog](https://catalog.nfpa.org/NFPA-70) (catalog.nfpa.org/NFPA-70)
NFPA.org
Telephone: 800-344-3555
(Publishes Part 3 of Title 24)

Questions regarding the Tentative Interim Amendment should be directed to the [National Fire Protection Association Contact page](https://nfpa.org/contactus) (NFPA/contactus.org). Questions specific to this bulletin should be directed to CBSC's staff at (916) 263-0916 or via email at cbsc@dgs.ca.gov.



Kevin Day
Acting Executive Director