

**INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
DIVISION OF THE STATE ARCHITECT (DSA-AC)**

**REGARDING PROPOSED CHANGES TO
THE CALIFORNIA EXISTING BUILDING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10**

**2016 CALIFORNIA EXISTING BUILDING CODE
TRIENNIAL CODE CYCLE**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS:

California Government Code Section 4450 directs the State Architect to develop and submit proposed building standards to the California Building Standards Commission (CBSC) for approval and adoption pursuant to Health and Safety Code Section 18935 for the purpose of making buildings, structures, sidewalks, curbs, and related facilities accessible to and usable by persons with disabilities.

This proposed regulatory action by DSA-AC will provide greater consistency and clarity for code users by:

- Adopting new California administrative and accessibility amendments into the 2016 California Existing Building Code which will direct code users to the existing accessibility requirements of CCR, Title 24, Part 2.

ITEM 1.01

Chapter 1, Division 1 Division of the State Architect

Section 1.9.1 Division of the State Architect – Access Compliance

REASON: DSA-AC is proposing to add a new administrative section to clarify for code users that for applications regulated by the Division of the State Architect-Access Compliance in existing buildings and facilities, the applicable accessibility provisions are located in Title 24, Part 2, California Building Code.

CODE ADVISORY COMMITTEE: Approve as Submitted

ITEM 4.01

Chapter 4 Prescriptive Compliance Method

Section 410 Accessibility for Existing Buildings

REASON: DSA-AC is proposing to amend the model code section to clarify that for applications listed in Title 24, Part 2, Chapter 1, Section 1.9.1 regulated by the Division of the State Architect-Access Compliance, the applicable accessibility provisions for existing buildings and facilities are located in Title 24, Part 2, Chapters 11A or 11B.

CODE ADVISORY COMMITTEE: Approve as Submitted

ITEM 6.01

WITHDRAWN

CODE ADVISORY COMMITTEE: Withdrawn by Agency

ITEM 7.01

WITHDRAWN

CODE ADVISORY COMMITTEE: Withdrawn by Agency

ITEM 8.01

WITHDRAWN

CODE ADVISORY COMMITTEE: Withdrawn by Agency

ITEM 9.01

WITHDRAWN

CODE ADVISORY COMMITTEE: Withdrawn by Agency

ITEM 10.01

WITHDRAWN

CODE ADVISORY COMMITTEE: Withdrawn by Agency

ITEM 11.01

WITHDRAWN

CODE ADVISORY COMMITTEE: Withdrawn by Agency

ITEM 15.01

WITHDRAWN

CODE ADVISORY COMMITTEE: Withdrawn by Agency

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

None required; Section 18928 of the Health & Safety Code mandates this proposed action.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:

The proposed building standards add administrative and accessibility provisions to the 2016 California Existing Building Code which will direct code users to the accessibility requirements of CCR, Title 24, Part 2. Accessibility is required by the federal Americans with Disabilities Act and corresponding California statute and regulations; lack of consistent scoping and technical requirements creates confusion for code users, building officials, and building and facility owners.

CONSIDERATION OF REASONABLE ALTERNATIVES:

The Division of the State Architect has not considered any reasonable alternatives to the proposed action.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS:

The Division of the State Architect has not identified any reasonable alternatives to the proposed action, and no adverse impact to small business due to these proposed changes is expected.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS:

The Division of the State Architect has no evidence indicating any potential significant adverse impact on business with regard to this proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION:

The DSA-AC has assessed whether or not and to what extent this proposal will affect the following:

- The creation or elimination of jobs within the State of California.

The DSA-AC has determined that the proposed action has no effect.

- The creation of new businesses or the elimination of existing businesses within the State of California.

The DSA-AC has determined that the proposed action has no effect.

- The expansion of businesses currently doing business with the State of California.

The DSA-AC has determined that the proposed action has no effect.

- The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

The DSA-AC has determined that the proposal establishes minimum requirements to safeguard the public health, safety and general welfare through access to persons with disabilities.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS:

The Division of the State Architect estimates that the cost of compliance with these proposed regulations will be minimal. Clear and consistent scoping and technical requirements benefit code users, building officials, and building and facility owners.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS:

The regulations proposed for adoption do not duplicate or conflict with federal regulations.