# INITIAL EXPRESS TERMS FOR PROPOSED BUILDING STANDARDS OF THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REGARDING THE 2022 CALIFORNIA ELECTRICAL CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3

# (HCD 01/20)

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, italic and ellipsis.

## LEGEND for EXPRESS TERMS

* Model Code language appears upright
* Existing California amendments appear in *italic*
* Amended model code or new California amendments appear *underlined & italic*
* Repealed model code language appears ~~upright and in strikeout~~
* Repealed California amendments appear in *~~italic and strikeout~~*
* Ellipsis (...) indicate existing text remains unchanged

## INITIAL EXPRESS TERMS

### Item 1 HCD proposes to bring forward existing California amendments in Article 89, from the 2019 California Electrical Code for adoption into the 2022 California Electrical Code with modifications as follows.

***89.101.1 Title.*** *These regulations shall be known as the California Electrical Code, may be cited as such and will be referred to herein as “this code.” The California Electrical Code is Part 3 of thirteen parts of the official compilation and publication of the adoption, amendment, and repeal of electrical regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. This part incorporates by adoption the ~~2017~~ 2020 National Electrical Code of the National Fire Protection Association with necessary California amendments.*

*~~89.101.2 Purpose.~~* ***89.101.2 Purpose.*** *The purpose of this code… (No change to existing California amendment other than bolding title.)*

*~~89.101.3 Scope.~~* ***89.101.3 Scope.*** *The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or ~~an~~ any appurtenances connected or attached to such ~~building~~ buildings or structures throughout the State of California.*

***89.101.3.1 Nonstate-Regulated Buildings, Structures, and Applications*** *(No change to existing California amendment.)*

***89.101.3.2 State-Regulated Buildings, Structures, Applications.*** *The model code, ... (No change to existing California amendment.)*

***89.101.3.3 Exempted from This Code.*** *This code does not cover:*

*1 through 6 (No change to existing California amendment.)*

***89.101.4 Annexes.*** *Provisions contained… (No change to existing California amendment.)*

***89.101.5 Referenced Codes.*** *The codes… (No change to existing California amendment.)*

***89.101.6 Non-Building Standards, Orders and Regulations.*** *Requirements contained… (No change to existing California amendment.)*

***89.101.7 Order of Precedence and Use.***

***89.101.7.1 Differences.*** *In the event… (No change to existing California amendment.)*

***89.101.7.2 Specific Provisions.*** *Where a specific provision varies from a general provision, the specific provisions shall apply. (No change to existing California amendment.)*

***89.101.7.3 Conflicts.*** *When the requirements of this code conflict with the requirements of any other part of the California Building Standards Code, Title 24, the most restrictive requirements shall prevail.*

***~~Exception:~~*** *~~Detached one- and two-family dwellings, lodging houses, live/work units, townhouses not more than three stories above grade plane with a separate means of egress, and their accessory structures, shall not be required to comply with the California Residential Code if constructed in accordance with the California Building Code.~~*

***89.101.7.3.1 Detached One- and Two-Family Dwellings.*** *Detached one- and two-family dwellings, lodging houses, live/work units, townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures, may be designed and constructed in accordance with the California Building Code or the California Residential Code, but not both, unless the proposed structure(s) or element(s) exceed the design limitations established in the California Residential Code, and the code user is specifically directed by the California Residential Code to use the California Building Code.*

***89.101.8 City, County, or City and County Amendments, Additions or Deletions.*** *The provisions of this code do not limit the authority of city, county, or city and county governments to establish more restrictive and reasonably necessary differences to the provisions contained in this code pursuant to complying with Section 89.101.8.1. The effective date of amendments, additions, or deletions to this code by a city, county, or city and county filed pursuant to Section 89.101.8.1 shall be the date filed. However, in no case shall the amendments, additions, or deletions to this code be effective any sooner than the effective date of this code.*

*Local modifications shall comply with Health and Safety Code Section 18941.5 for Building Standards Law, Health and Safety Code Section 17958 for State Housing Law or Health and Safety Code Section 13869.7 for Fire Protection Districts.*

***89.101.8.1 Findings and Filings.***

*1 and 2 (No change to existing California amendment.)*

*3. Findings prepared by fire protection districts shall be ratified by the local city, county, or city and county and filed with the California Department of Housing and Community Development, Division of Codes and Standards, P.O. Box 278180, Sacramento, CA 95827-8180 or at 9342 Tech Center Drive, Suite 500, Sacramento, CA 95826-2581.*

***89.101.8.2 Locally Adopted Energy Standards — California Energy Code, Part 6.***

*In addition… (No change to existing California amendment.)*

***89.101.9 Effective Date of This Code.*** *Only those standards approved by the California Building Standards Commission that are effective at the time an application for building permit is submitted shall apply to the plans and specifications for, and to the construction performed under, that permit. For the effective dates of the provisions contained in this code, see the History Note page of this code. (No change to existing California amendment.)*

***~~(HCD 1 & HCD 2) Exceptions~~ Exceptions: (HCD 1 & HCD 2):***

*1. Retroactive permits issued in accordance with Health and Safety Code Section 17958.12.*

*2. Plans approved by the Department of Housing and Community Development or a Department-approved design approval agency for factory-built housing as defined by Health and Safety Code Section 19971. Approved plans, pursuant to the California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1, Article 3, Section ~~3048~~ 3037 remain valid for a period of 36 months from the date of plan approval.*

***89.101.10 Availability of Codes.*** *At least… (No change to existing California amendment.)*

***89.101.11 Format.*** *This part fundamentally… (No change to existing California amendment.)*

***89.101.12 Validity.*** *If any chapter… (No change to existing California amendment.)*

***89.108.1 Purpose.*** *The purpose of… (No change to existing California amendment.)*

*~~89.108.2 Authority and Abbreviations.~~* ***89.108.2 Authority and Abbreviations.***

***89.108.2.1 General.*** *The Department of… (No change to existing California amendment.)*

***89.108.2.1.1 Housing Construction.*** *Application — Hotels, motels, lodging houses, apartments, dwellings, dormitories, condominiums, shelters for homeless persons, congregate residences, employee housing, factory-built housing and other types of dwellings containing sleeping accommodations with or without common toilet or cooking facilities including accessory buildings, facilities, and uses thereto. Sections of this code which pertain to applications listed in this section are identified using the abbreviation “HCD 1.”*

***Enforcing Agency******—*** *Local building department or the Department of Housing and Community Development.*

**Authority Cited** *— Health and Safety Code Sections 17040, ~~17050~~, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17922.15, 17926, 17927, 17928, 17958.12, ~~18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5~~, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.*

**Reference** *— Business and Professions Code Division 5; Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.6, 18941, 19890, 19891, 19892 and 19960 through 19997; Civil Code Sections 832, 1101.4 ~~and~~, 1101.5, 1954.201, 1954.202 and 5551; and Government Code Sections 8698.4, 12955.1 and 12955.1.1. California Code of Regulations, Title 20, Sections 1605.1, 1605.3 and 1607.*

***89.108.2.1.2 Housing Accessibility.*** *Application — Covered multifamily dwellings as defined in Chapter 2 of the California Code of Regulations, Title 24, Part 2, also known as the California Building Code including, but not limited to, lodging houses, dormitories, timeshares, condominiums, shelters for homeless persons, congregate residences, apartments, dwellings, employee housing, factory-built housing and other types of dwellings containing sleeping accommodations with or without common toilet or cooking facilities. Sections of this code identified by the abbreviation “HCD 1-AC” require specific accommodations for persons with disabilities, as defined in Chapter 2 of the California Building Code. The application of such provisions shall be in conjunction with other requirements of this code and apply only to newly-constructed covered multifamily dwellings as defined in Chapter 2 of the California Building Code. “HCD 1-AC” applications include, but are not limited to, the following:*

1. *All newly constructed covered multifamily dwellings as defined in Chapter 2 of the California Building Code.*
2. *New common use areas as defined in Chapter 2 of the California Building Code serving existing covered multifamily dwellings.*
3. *Additions to existing buildings, where the addition alone meets the definition of covered multifamily dwellings as defined in Chapter 2 of the California Building Code.*
4. *~~Common~~ New common use areas serving new covered multifamily dwellings.*
5. *Where any portion of a building’s exterior is preserved, but the interior of the building is removed, including all structural portions of floors and ceilings, the building is considered a new building for determining the application of the California Building Code, Chapter 11A.*

*"HCD 1-AC" building standards generally do not apply to public use areas or public accommodations such as hotels, motels and public housing. Public use areas, public accommodations and public housing as defined in Chapter 2 of the California Building Code are subject to the Division of the State Architect (DSA‑AC) in Chapter 11B, and are referenced in Section ~~1.9.1.~~ 89.109.1.*

*Newly constructed covered ~~multifamilydwellings,~~ multifamily dwellings, which can also be defined as public housing, shall be subject to the requirements of Chapter 11A and Chapter 11B.*

***Enforcing Agency*** *— Local building department or the Department of Housing and Community Development.*

**Authority Cited** *—* *Health and Safety Code Sections 17040, ~~17050,~~ 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17926, 17927, 17928, 17958.12, ~~18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5,~~ 18938.3, 18944.11, and 19990; and Government Code Sections 12955.1 and 12955.1.1.*

**Reference** *—* *Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.6, 18941 and 19960 through 19997; Civil Code Sections 1101.4 ~~and~~, 1101.5, 1954.201 and 1954.202; and Government Code Sections 12955.1 and 12955.1.1. California Code of Regulations, Title 20, Sections 1605.1, 1605.3 and 1607.*

***89.108.2.1.3 Permanent Buildings in Mobilehome Parks and Special Occupancy Parks.*** *Application — Permanent buildings, and permanent accessory buildings or structures, constructed within mobilehome parks and special occupancy parks that are under the control and ownership of the park operator. Sections of this code which pertain to applications listed in this section are identified using the abbreviation “HCD 2.”*

***Enforcing Agency*** *— The Department of Housing and Community Development, local building department or other local agency that has assumed responsibility for the enforcement of Health and Safety Code, Division 13, Part 2.1, commencing with Section 18200 for mobilehome parks and Health and Safety Code, Division 13, Part 2.3 commencing with Section 18860 for special occupancy parks.*

**Authority Cited** *—* *Health and Safety Code Sections 17040, ~~17050,~~ 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17922.15, 17926, 17927, 17928, 17958.12, ~~18300,~~ 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.*

**Reference** *—* *Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.6, 18941, 19890, 19891, 19892 and 19960 through 19997; Civil Code Sections 1101.4, ~~and~~ 1101.5 and 1954.201; and Government Code Sections 12955.1 and 12955.1.1. California Code of Regulations, Title 20, Sections 1605.1, 1605.3 and 1607; and Title 25, Sections 1042 and 2042.*

***89.108.3 Local Enforcing Agency.***

***89.108.3.1 Duties and Powers.*** *The building department of every city, county, or city and county shall enforce all the provisions of law, this code, and the other rules and regulations promulgated by the Department of Housing and Community Development pertaining to the installation, erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition or arrangement of apartments, ~~condominimums,~~ condominiums, hotels, motels, lodging houses and dwellings, including accessory buildings, facilities, and uses thereto.*

*The provisions regulating the erection and construction of dwellings and appurtenant structures shall not apply to existing structures as to which construction is commenced or approved prior to the effective date of these regulations. Requirements relating to use, maintenance and occupancy shall apply to all dwellings and appurtenant structures approved for construction or constructed before or after the effective date of this code.*

*For additional information regarding the use and occupancy of existing buildings and appurtenant structures, see California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, commencing with Article 1, Section 1.*

*For additional requirements regarding additions, alterations or repairs to existing buildings and appurtenant structures, see the California Existing Building Code.*

***89.108.3.2 Laws, Rules, and Regulations.*** *Other than… (No change to existing California amendment.)*

***89.108.3.2.1 State Housing Law.*** *Refer to the State Housing Law, California Health and Safety Code, Division 13, Part 1.5, commencing with Section 17910 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, commencing with Section 1, for the erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition or arrangement of apartments, ~~condominimums,~~ condominiums, hotels, motels, lodging houses and dwellings, including accessory buildings, facilities, and uses thereto.*

***89.108.3.2.2 Mobilehome Parks Act.*** *Refer to… (No change to existing California amendment.)*

***89.108.3.2.3 Special Occupancy Parks Act.*** *Refer to… (No change to existing California amendment.)*

***89.108.3.2.4 Employee Housing Act.*** *Refer to… (No change to existing California amendment.)*

***89.108.3.2.5 Factory-Built Housing Law.*** *Refer to… (No change to existing California amendment.)*

***89.108.4 Permits, Fees, Applications and Inspections.***

***89.108.4.1 Permits.*** *(a) Except as exempted in paragraphs (b) or (c) of this subsection, a written construction permit shall be obtained from the enforcing agency prior to the erection, construction, reconstruction, installation, movement, or alteration of any electrical system.*

*(b) Consistent with the requirements of Section 17960 of the Health and Safety Code, the local enforcing agency shall enforce the requirements of this code, but shall exempt the following activities from the requirement for a permit or inspection.*

1. *Listed cord and plug connected temporary decorative lighting.*
2. *Reinstallation of attachment plug receptacles, but not the outlets ~~therefore~~.*
3. *Repair or replacement of branch circuit overcurrent devices of the required capacity in the same location.*
4. *Installation or maintenance of communications wiring, devices, appliances, apparatus or equipment.*

*(c) Retroactive permits issued in accordance with Health and Safety Code Section 17958.12.*

*Exemptions from permit ~~and inspection~~ requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of ~~any~~ other provisions of law or this code.*

***89.108.4.2 Fees****. Subject to other provisions of law, the governing body of any city, county, or city and county may prescribe fees to defray the cost of enforcement of rules and regulations promulgated by the Department of Housing and Community Development. The amount of the fees shall not exceed the amount reasonably necessary to administer or process permits, certificates, forms, or other documents, or to defray the costs of enforcement. For additional information, see the State Housing Law, Health and Safety Code, Division 13, Part 1.5, Section 17951 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 3, commencing with Section 6.*

***89.108.4.3 Plan Review and Time Limitations.*** *Subject to other provisions of law, provisions related to plan checking, prohibition of excessive delays and contracting with or employment of private parties to perform plan checking are set forth in the State Housing Law, Health and Safety Code Section 17960.1, and for employee housing, in Health and Safety Code Section 17021.*

***89.108.4.3.1 Retention of Plans****. The building department of every city, county, or city and county shall maintain an official copy, microfilm, ~~or~~ electronic or other type of photographic copy of the plans of every building, during the life of the building, for which the department issued a building permit.*

***Exceptions:***

1. *Single or multiple dwellings not more than two stories and basement in height.*
2. *Garages and other structures appurtenant to buildings listed in Exception ~~(~~1~~)~~.*
3. *Farm or ranch buildings appurtenant to buildings listed in Exception ~~(~~1~~)~~.*
4. *Any one-story building where the span between bearing walls does not exceed 25 feet (7620 mm), except a steel frame or concrete building.*

*All plans for common interest developments as defined in Section 4100 of the California Civil Code shall be retained. For additional information regarding plan retention and reproduction of plans by an enforcing agency, see Health and Safety Code Sections 19850 through 19852.*

***89.108.4.4 Inspections.*** *Construction or… (No change to existing California amendment.)*

***89.108.5 Right of Entry for Enforcement.***

***89.108.5.1 General.*** *Subject to…1 through 3 and 5 (No change to existing California amendment.)*

*4. For applications subject to the Employee Housing Act as referenced in Section 89.108.3.2.4 of this code, refer to Health and Safety Code, Division 13, Part 1, commencing with Section 17000 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 3, commencing with ~~Section600~~ Section 600.*

***89.108.6 Local Modification by Ordinance or Regulation.***

***89.108.6.1 General.*** *Subject to… (No change to existing California amendment.)*

***89.108.6.2 Findings, Filings, and Rejections of Local Modifications.*** *Prior to making… (No change to existing California amendment.)*

***89.108.7 Alternate Materials, Designs, Tests and Methods of Construction.***

***89.108.7.1 General.*** *The provisions… (No change to existing California amendment.)*

***89.108.7.2 Local Building Departments.*** *The building department of any city, county, or city and county may approve alternates for use in the erection, construction, reconstruction, movement, enlargement, conversion, alteration, repair, removal, demolition or arrangement of apartments, ~~condominimums,~~ condominiums, hotels, motels, lodging houses, dwellings, or accessory structures, except for the following:*

*1 through 3 (No change to existing California amendment.).*

***89.108.7.2.1 Approval of Alternates.*** *The consideration and approval of alternates by a local building department shall comply with the following procedures and limitations:*

*1 through 3 (No change to existing California amendment.)*

*4. If the proposed alternate is related to accessibility in covered multifamily dwellings or in facilities serving covered multifamily dwellings as defined in Chapter 2, of the California Building Code, the proposed alternate must also meet the threshold set for ~~equilivant~~ equivalent facilitation as defined in Chapter 2 of the California Building Code.*

*For additional information regarding approval of alternates by a local building department pursuant to the State Housing Law, see California Health and Safety Code Section 17951(e) and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1.*

***89.108.7.3 Department of Housing and Community Development.*** *The Department… (No change to existing California amendment.)*

***89.108.8 Appeals Board.***

***89.108.8.1 General.*** *Every city… (No change to existing California amendment.)*

***89.108.8.2 Definitions.*** *The following terms shall for the purposes of this section have the meaning shown.*

***Housing Appeals Board.*** *The board … (No change to existing California amendment.)*

***Local Appeals Board.*** *The board… (No change to existing California amendment.)*

***89.108.8.3 Appeals.*** *Except as otherwise provided ~~by~~ in law, any person, firm, or corporation adversely affected by a decision, order, or determination by a city, county, or city and county relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any lawfully enacted ordinance by a city, county, or city and county, may appeal the issue for resolution to the local appeals board or housing appeals board as appropriate. The local appeals board shall hear appeals relating to new building construction and the housing appeals board shall hear appeals relating to existing buildings.*

***89.108.9 Unsafe Buildings or Structures.***

***89.108.9.1 Authority to Enforce.*** *Subject to other provisions of law, the administration, enforcement, actions, proceedings, abatement, violations and penalties for unsafe buildings and structures are contained in the following statutes and regulations:*

*1 and 2 (No change to existing California amendment.)*

*3. For applications subject to the Special Occupancy Parks Act as referenced in Section 89.108.3.2.3 of this code, refer to Health and Safety Code, Division 13, Part 2.3, commencing with Section 18860 and California Code of Regulations, Title 25, Division 1, Chapter 2.2, commencing with Section 2000.*

*4. For applications subject to the Employee Housing Act as referenced in Section 89.108.3.2.4 of this code, refer to Health and Safety Code, Division 13, Part 1, commencing with Section 17000 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 3, commencing with Section 600.*

*~~4.~~ 5. For applications subject to the Factory-Built Housing Law as referenced in Section 89.108.3.2.5 of this code, refer to Health and Safety Code, Division 13, Part 6, commencing with Section 19960 and California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1, commencing with Section 3000.*

***89.108.9.2 Actions and Proceedings.*** *Subject to other provisions of law, punishments, penalties and fines for violations of building standards are contained in the following statutes and regulations:*

*1. For applications subject to the State Housing Law as referenced in Section 89.108.3.2.1 of this code, refer to Health and Safety Code, Division 13, Part 1.5, commencing with Section 17910 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, commencing with Section 1.*

*2 through 5 (No change to existing California amendment.)*

***89.108.10 Other Building Regulations.***

***89.108.10.1 Existing Structures.*** *Notwithstanding… (No change to existing California amendment.)*

***89.108.10.2 Moved Structures.*** *Subject to… (No change to existing California amendment.)*

**Authority Cited:** Health and Safety Code Sections 17040, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17926, 17927, 17928, 17958.12, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5, 18938.3, and 19990; and Government Code Sections 12955.1 and 12855.1.1.

**Reference:** Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.6, 18941, 18941.5, 19890, 19891, 19892 and 19960 through 19997; Civil Code Sections 1101.4, 1101.5, 1954.201, 1954.202 and 5551; and Government Code Sections 8698.4, 12955.1, 12955.1.1 and 65852.2. California Code of Regulations, Title 20, Sections 1605.1, 1605.3 and 1607.

### Item 2 HCD proposes to adopt Article 90 from the 2020 National Electrical Code into the 2022 California Electrical Code with modifications as follows.

**ARTICLE 90**

**Introduction**

**90.2 Scope.**

**(A) Covered**… (No change to model code text.)

**(B) Not Covered.** This Code does not cover the following:

(1) Installations in ships, watercraft other than floating buildings, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles. (No change to model code text; shown only for reference.)

***(HCD 1 & HCD 2)*** *Installations in ships, watercraft other than floating dwelling units, railway rolling stock, aircraft, automotive vehicles, commercial coaches, mobilehomes, and recreational vehicles.*

Informational Note: Although the scope of this Code indicates that the Code does not cover installations in ships, portions of this Code are incorporated by reference into Title 46, Code of Federal Regulations, Parts 110-113.

(2) - (5) (No change to model code text.)

**(C) Special Permission.** (No change to model code text.)

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 3 HCD proposes to adopt Chapter 1, Articles 100 and 110, from the 2020 National Electrical Code into the 2022 California Electrical Code with modified existing California amendments as follows.

**CHAPTER 1 General**

**ARTICLE 100**

**Definitions**

***Accessory Dwelling Unit. (HCD 1 & HCD 2)*** *An attached…* (No change to existing California amendment.)

***Ballasted Solar Photovoltaic System. (~~HCD1~~ HCD 1 & ~~HCD2~~ HCD 2)*** *A roof mounted system composed of solar photovoltaic panels and supporting members that are unattached or partially attached to the roof and must rely on their weight, aerodynamics and friction to counter the effect of wind and seismic forces. (No change to existing California amendment.)*

**Building.** A structure that stands alone or that is separated from adjoining structures by fire walls. (No change to model code text.)

***Exception: (HCD 1, HCD 2 & HCD 1-AC)*** *For applications… (No change to existing California amendment.)*

**ARTICLE 110**

**Requirements for Electrical Installations**

**Part I. General**

**110.13 Mounting and Cooling of Equipment.**

1. **Mounting.** Electrical equipment shall be firmly secured to the surface on which it is mounted. Wooden plugs driven into holes in masonry, concrete, plaster, or similar materials shall not be used. (No change to model code text.)

***Exception:******(HCD 1 & HCD 2)*** *Roof mounted ballasted solar photovoltaic systems provided that the wiring and interconnections are designed to accommodate for maximum system displacement. (No change to existing California amendment.)*

1. **Cooling.** Electrical equipment (no change to model code text)

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 4 HCD proposes to adopt Chapter 2, Articles 200, 210, 215, 220, 225, 230, 240, 242 (formerly 280 and 285), and 250, from the 2020 National Electrical Code into the 2022 California Electrical Code with a new California amendment to 230.67 Part D as follows.

**Chapter 2 Wiring and Protection**

**ARTICLE 230**

**Services**

**230.67 Surge Protection.**

**(A) Surge-Protective Device.** (No change to model code text.)

**(B) Location.** (No change to model code text.)

**(C) Type.** (No change to model code text.)

**(D) Replacement.** Where service equipment is replaced, all of the requirements of this section shall apply.

***Exception (HCD 1 & HCD 2):*** *Subsection (D) shall not apply to services supplying existing dwelling units for which a building permit was submitted prior to January 1, 2023.**Local ordinances or regulations shall permit the replacement, retention and extension of original materials, and the use of original methods of construction, for any building or accessory structure, provided such building or structure complied with the building code provisions in effect at the time of original construction and the building or accessory structure does not become or continue to be a substandard building. For additional information, see Health and Safety Code Sections 17912, 17920.3, 17922(d), 17922.3, 17958.8 and 17958.9.*

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 5 HCD proposes to adopt Chapter 3, Articles 300, 310, 311 (formerly 328), 312, 314, 320, 322, 324, 326, 330, 332, 334, 336, 337 (new), 338, 340, 342, 344, 348, 350, 352, 353, 354, 355, 356, 358, 360, 362, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 393, 394, 396, 398 and 399, from the 2020 National Electrical Code into the 2022 California Electrical Code as follows with modified existing amendments.

**CHAPTER 3 Wiring Methods and Materials**

**ARTICLE 334**

**Nonmetallic-Sheathed Cable: Types NM and NMC**

**Part II. Installation**

**334.10 Uses Permitted.** Type NM and Type NMC, cables shall be permitted to be used in the following, except as prohibited in 334.12: (No change to model code text.)

(1-4) (No change to existing model code text.)

(5) Types I and II construction where installed within raceways permitted to be installed in Types I and II construction. (No change to model code text.)

***Note: (HCD 1 ~~and~~ & HCD 2)*** *Types I, II, III, IV, and V construction as referenced in Section 334.10 shall be as defined in the California Building Code.* (Change to banner of existing California amendment.)

**ARTICLE 394**

**Concealed Knob-and-Tube Wiring**

**Part I. General**

**394.12 Uses Not Permitted.** Concealed knob-and-tube wiring shall not be used in the following: (No change to model code text.)

(1-5) (No change to model code text.)

***Exception: (HCD 1)*** *This article is not intended to prohibit the installation of insulation where knob-and-tube wiring is present, provided the following are complied with:*

*1 through 6* *(No change to existing California amendment.)*

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 6 HCD proposes to adopt Chapter 4, Articles 400, 402, 404, 406, 408, 409, 410, 411, 422, 424, 426, 427, 430, 440, 445, 450, 455, 460, 470, 480 and 490, from the 2020 National Electrical Code into the 2022 California Electrical Code with modified existing amendment as follows.

**Chapter 4 Equipment for General Use**

**ARTICLE 450**

**Transformers and Transformer Vaults (Including Secondary Ties)**

**Part I. General Provisions**

**450.23 Less-Flammable Liquid-Insulated Transformers.** Transformers insulated with listed less-flammable liquids that have a fire point of not less than 300°C shall be permitted to be installed in accordance with 450.23(A) or 450.23(B).

**(A) Indoor Installations.** (No change to model code text.)

**(B)** **Outdoor Installations.** (No change to model code text.)

***Note: (HCD 1 ~~and~~ & HCD 2)*** *Types I and II construction as referenced in Section 450.23 (A)(1) and (B)(1) shall be as defined in the California Building Code.*

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 7 HCD proposes to NOT adopt Chapter 4, Article 425, from the 2020 National Electrical Code.

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 8 HCD proposes to adopt Chapter 5, Articles 518, 545 and 590, from the 2020 National Electrical Code into the 2022 California Electrical Code without amendment.

**CHAPTER 5 Special Occupancies**

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 9 HCD proposes to NOT adopt Chapter 5, Articles 500, 501, 502, 503, 504, 505, 506, 510, 511, 513, 514, 515, 516, 517, 520, 522, 525, 530, 540, 547, 550, 551, 552, and 555 (includes former 553) from the 2020 National Electrical Code.

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 10 HCD proposes to adopt Chapter 6, Articles 600, 620, 625, 626, 646, 680, 682, 690, 691, 692 and 694, from the 2020 National Electrical Code into the 2022 California Electrical Code, and to bring forward an existing California amendment as follows:

**Chapter 6 Special Equipment**

***625.1.1 (HCD 1) Electric Vehicle (EV) Charging for New Construction.*** *In addition to…. (No change to existing California amendment.)*

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 11 HCD proposes to NOT adopt Chapter 6, Articles 604, 605, 610, 630, 640, 645, 647, 650, 660, 665, 668, 669, 670, 675, 685 and 695 from the 2020 National Electrical Code.

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 12 HCD proposes to adopt Chapter 7, Articles 700, 702, 705, 706, 708, 710, 712, 720, 725, 727, 728, 750 and 770, from the 2020 National Electrical Code without amendment.

**Chapter 7 Special Conditions**

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 13 HCD proposes to NOT adopt Chapter 7, Articles 701 and 760 from the 2020 National Electrical Code.

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 14 HCD proposes to adopt Chapter 8, Articles 800, 805 (new; includes portions of formerly 800, 820, 830, and 840), 810, 820, 830 and 840, from the 2020 National Electrical Code into the 2022 California Electrical Code without amendment.

**Chapter 8 Communications Systems**

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 15 HCD proposes to adopt Chapter 9, Tables 1, 2, 4, 5, 5A, 8, 9, 10, 11(A), 11(B), 12(A) and 12(B), from the 2020 National Electrical Code into the 2022 California Electrical Code without amendment.

**Chapter 9 Tables**

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.

### Item 16 HCD proposes to NOT adopt Annexes A, B, C, D, E, F, G, H, I and J from the 2020 National Electrical Code.

**Notation:**

**Authority Cited**: Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18552, 18620, 18865, 18871.3, 18873, 18873.3, 18938.3, and 19990.

**Reference(s)**: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3 and 19960 through 19997.