

**INITIAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS  
OF THE DIVISION OF THE STATE ARCHITECT (DSA-SS AND DSA-CC)  
REGARDING THE 2019 CALIFORNIA ADMINISTRATIVE CODE,  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1  
(DSASS 01/19)**

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**

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

**ITEM 1**

**CHAPTER 4**

**Section 4-306**

**PURPOSE AND RATIONALE:**

In the 2019 CBC, DSA added an amendment requiring egress from within a new addition when the existing building was constructed to a lesser gravity and lateral load design criteria. DSA is proposing to remove this amendment because DSA has determined that the existing provisions for multiple occupancies in Section 1604A.5.1, Part 2, and gravity load requirements for alterations to existing buildings in Section 503.3, Part 10 adequately address the concern and eliminates duplication and avoids potential confusion. This provision has no fiscal impact.

**ASSOCIATED SECTIONS TO ITEM 1:**

(None)

**ITEM 2**

**CHAPTER 4**

**Section 4-309(a)**

**PURPOSE AND RATIONALE:**

Many existing structures receive alterations that result in slight force increases on individual structural elements but have little effect on the structure as a whole. Most existing structural members of a lateral force resisting system are designed and constructed to have some excess strength, and minor alterations that result in slight force increase on existing structural members do not typically result in overstressed conditions. DSA recognizes this fact and has elected to align with similar provisions in the 2019 International Existing Building Code. For these individual elements that receive a slight increase in force due to an alteration, DSA proposes to allow force increases on individual elements of up to 10% before having to evaluate the element for potential retrofit.

However, when slight alterations to the configuration, strength and/or stiffness of existing force resisting elements occur, such as adding openings in walls or floors, the effect on the structure can be more significant; and therefore, DSA will maintain the 5% decrease allowance before having to evaluate and potentially retrofit the affected member when the member is physically altered.

Minor fiscal impact - unknown.

Extending the cost threshold before having to evaluate and potentially retrofit existing lateral force resisting elements will potentially reduce costs to the district from having to pay for evaluation and potential retrofit of affected elements. The number of alterations this will affect, and the costs associated with these conditions is unknown, and DSA does not maintain this level of data to justify such an estimate. However, this revised amendment may save school districts in design costs and potential retrofit costs of members that would otherwise have been affected.

**ASSOCIATED SECTIONS TO ITEM 2:**

(None)

**ITEM 3**

**CHAPTER 4**

**Section 4-315**

**PURPOSE AND RATIONALE:**

The 2019 California Administrative Code revised the estimated project cost threshold for reconstruction and alteration projects within Section 4-315(a) in accordance with legislative revisions to California Education Code (EC), Section 17295 in the 2018 Budget Bill; however, the cost limit was inadvertently not changed in subsection (c). This revision corrects the inconsistency to align with the section and EC requirements. There is no fiscal impact resulting from this provision.

**ASSOCIATED SECTIONS TO ITEM 3:**

(None)

**ITEM 4**

**CHAPTER 4**

**Section 4-317(a)**

**PURPOSE AND RATIONALE:**

The design profession has been utilizing electronic technology to prepare construction documents for many years. DSA has begun receiving and reviewing project construction documents electronically, in addition to the traditional paper method, over the last two years with string support from the design community. The revisions to this section codify that DSA may establish procedures for both electronic and paper submittal and plan review of construction documents. Earlier editions of the CAC were limited to paper submittal of project construction documents. There is no fiscal impact resulting from this provision since it is updating DSA regulations to align with current industry and DSA practice.

#### **ASSOCIATED SECTIONS TO ITEM 4:**

(None)

#### **ITEM 5**

#### **CHAPTER 4**

#### **Section 4-333(d)**

#### **PURPOSE AND RATIONALE:**

This revision is editorial to correct a section reference. No fiscal impact results from this provision.

#### **ASSOCIATED SECTIONS TO ITEM 5:**

(None)

#### **TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS**

Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

These administrative regulations are applicable to Parts 2, 3, 4, 5, 8, 10, 11 and 12 of Title 24, California Code of Regulations. The International Existing Buildings Code was used in the evaluation and development of Item 1. No other technical reports or studies were used in the development of these proposed amendments.

#### **STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS**

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

The proposed amendments do not contain any mandates for specific technologies or equipment or prescriptive standards.

#### **CONSIDERATION OF REASONABLE ALTERNATIVES**

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

The Division of the State Architect did not identify nor determine any reasonable alternatives to the proposed administrative regulations.

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

Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

The Division of the State Architect did not identify any reasonable alternatives to the proposed administrative regulations that would lessen any adverse impact on small business.

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

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

No significant adverse impact on business was determined and no other documents or evidence was determined applicable to the proposed provisions.

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

Government Code Sections 11346.3(b)(1) and 11346.5(a)(10)

The Division of the State Architect has assessed whether or not and to what extent this proposal will affect the following:

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

The Division of the State Architect did not identify any amended regulation that would lead to the creation or elimination of jobs within the State of California.

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

The Division of the State Architect did not identify any amended regulation that would lead to the creation of new businesses or the elimination of existing businesses within the State of California.

- C.** The expansion of businesses currently doing business within the State of California.

The Division of the State Architect did not identify any amended regulation that would lead to the expansion of businesses currently doing business within the State of California.

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

Part 1, California Administrative Code (CAC) is the administrative regulations for application of the California Building code, implementation of construction testing and inspection programs, and certification of construction for the safety and protection of life and property of public K-14 school buildings in compliance with the California Education Code and state-owned or state-leased essential service buildings in compliance with the California Health and Safety Code. The benefits of the regulations provide clarity to the CAC.

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

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance,

the estimated potential benefits, and the related assumptions used to determine the estimates.

The proposed changes to the regulations are primarily editorial to provide clarity or to align with statutory changes, and do not result in an increase to the cost of compliance in the application and implementation of the California Administrative Code or California Building Code. Item 1 will benefit school districts and building owners by saving them from having to evaluate and potentially retrofit elements of existing buildings. However, the actual dollar savings is unknown and not reasonably determinable, and will be relatively insignificant to the annual cost of construction of school and essential services buildings.

### **DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

DSA is not affiliated with the EPA, Resources Agency, or OSFM. These proposed administrative regulations do not duplicate or conflict with federal regulations.