



# California Regulatory Notice Register

REGISTER 2014, NO. 17-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

APRIL 25, 2014

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002–931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 888-3600. “Periodicals Postage Paid in Saint Paul, MN.” **POSTMASTER:** Send address changes to the: CALIFORNIA REGULATORY NOTICE REGISTER, Barclays, a subsidiary of West, a Thomson Reuters Business, P.O. Box 2006, San Francisco, CA 94126. The Register can also be accessed at <http://www.oal.ca.gov>.



## PROPOSED ACTION ON REGULATIONS

*Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.*

### TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture amended subsection 3435(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Asian Citrus Psyllid Interior Quarantine as an emergency action which was effective on February 5, 2014. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than August 4, 2014.

This notice is being provided to be in compliance with Government Code Section 11346.4.

#### PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

#### WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to [Lindsay.rains@cdfa.ca.gov](mailto:Lindsay.rains@cdfa.ca.gov). The written comment period closes at 5:00 p.m. on June 9, 2014. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Lindsay Rains  
Department of Food and Agriculture  
Plant Health and Pest Prevention Services  
1220 N Street  
Sacramento, CA 95814  
[lindsay.rains@cdfa.ca.gov](mailto:lindsay.rains@cdfa.ca.gov)  
916.654.1017  
916.654.1018 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this state and determine the probability of its spread and the feasibility of its control or eradication (FAC Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (FAC Sections 401, 403, 407 and 5322).

#### Anticipated Benefits from This Regulatory Action

Existing law, FAC section 403, provides that the department shall prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds.

Existing law, FAC section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code which she is directed or authorized to administer or enforce.

Existing law, FAC section 5321, provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication.

Existing law, FAC section 5322, provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in her opinion necessary to circumscribe and exterminate or prevent the spread of any pest which is described in FAC section 5321.

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest which is a mandated statutory goal.

The amendment of this regulation benefits the citrus industries (nursery, fruit growers, wholesalers, retailers, exporters) and the environment by having a quarantine program to prevent the artificial spread of ACP over long distances. Most all of the commercial citrus

fruit and nursery stock production is located outside this proposed quarantine boundary area.

The California, national and international consumers of California citrus benefit by having high quality fruit available at lower cost. It is assumed that any increases in production costs will ultimately be passed on the consumer.

The amendment of this regulation benefits homeowners who grow citrus for consumption and host material which is planted as ornamentals in various rural and urban landscapes.

FAC Section 401.5 states, “the department shall seek to protect the general welfare and economy of the state and seek to maintain the economic well-being of agriculturally dependent rural communities in this state.” The amendment of this regulation is preventing the artificial spread of ACP to uninfested areas of the State. Huanglongbing (HLB) is generally distributed in Florida due to ACP being generally distributed there. The University of Florida IFAS Extension calculated and compared the impact of having and not having HLB present in Florida and concluded HLB had a total impact of \$3.64 billion and eliminated seven percent of the total Florida workforce. The overall California economy benefits by the amendment of this regulation which is intended to prevent ACP from becoming generally distributed in California and resulting in a similar effect on our economy as to what happened in Florida. This is now critical as HLB has been introduced into California.

There is no existing, comparable federal regulation or statute regulating the intrastate movement.

The Department considered any other possible related regulations in this area, and we find that these are the only regulations dealing in this subject area, and the only State agency which can implement plant quarantines. As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of this regulation and has determined that it is not inconsistent or incompatible with existing state regulations.

AMENDED TEXT

This proposed emergency action expanded the quarantine area for ACP in the Porterville area of Tulare County by approximately 13 square miles. The effect of the amendment of this regulation is to provide authority for the State to perform quarantine activities against ACP within these additional areas. The total area which would be under regulation is now approximately 46,336 square miles.

DISCLOSURES REGARDING THE PROPOSED ACTION

*The Department has made the following initial determinations:*

Mandate on local agencies and school districts: None.  
 Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None and no nondiscretionary costs or savings to local agencies or school districts.

Cost or savings in federal funding to the state: None.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or business: There are no citrus production nurseries, retail nurseries, or citrus growers in the new quarantine area. Therefore, the agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

*Small Business Determination*

The Department has determined that the proposed regulations may affect small business.

Significant effect on housing costs: None.

Results of the Economic Impact Analysis

Amendment of these regulations will not:

- (1) Create or eliminate jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California.

The Department is not aware of any specific benefits the amendment of this regulation will have on worker safety or the health of California residents. The Department believes the amendment of this regulation benefits the welfare of California residents by protecting the economic health of the entire citrus industry. In 2010 the estimated value was \$2.1 billion for citrus fruit and \$28.5 million for citrus nursery stock without all the upstream buyers and downstream retailers included (*Reference: John Gilstrap of California Citrus Nursery Board for citrus nursery stock value and USDA-National Agricultural Statistics Service 2010 data for citrus fruit*). This is a needed source of revenue for the State’s economic health and this amendment will help protect this source of revenue.

ALTERNATIVES CONSIDERED

The Department must determine that no reasonable alternative it considered to the regulation or that has

otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

#### AUTHORITY

The Department proposes to amend Section 3435(b) pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

#### REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

#### CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed to is: Lindsay Rains, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: Lindsay.rains@cdfa.ca.gov. In her absence, you may contact Stephen Brown at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

#### INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Web site ([www.cdfa.ca.gov/plant/Regulations.html](http://www.cdfa.ca.gov/plant/Regulations.html)).

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based

may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

### TITLE 4. CALIFORNIA HORSE RACING BOARD

#### NOTICE OF PROPOSAL TO AMEND RULE 1536, STEWARDS' MINUTES

The California Horse Racing Board (Board, or CHRB) proposes to amend the regulation described below after considering all comments, objections or recommendations regarding the proposed action.

#### PROPOSED REGULATORY ACTION

The Board proposes to amend Rule 1536, Stewards' Minutes. The proposed amendment would require the stewards to report on-track accidents involving exercise riders, or for harness racing, an employee riding in a jog cart or sulky not engaged in a race. The amendment would also modify form CHRB-201, Jockey/Driver Accident Report (Rev. 2/14) (CHRB-201), and add a new form CHRB-201A, Training Accident Report (New 2/14) (CHRB-201A). The proposed amendment to form CHRB-201 would capture the number of the race in which an on-track accident occurred and add a distribution list. The proposed addition of form CHRB-201A would require the name of the track; date and time of the incident; the name of the trainer and the exercise rider/employee; and the condition of the exercise rider/employee and the horse. In addition, a description of the actions of the horse and the accident would also be required.

#### PUBLIC HEARING

The Board will hold a public hearing starting at **9:30 a.m., Thursday, June 19, 2014**, or as soon after that as business before the Board will permit, at the **Santa Anita Park Race Track, Baldwin Terrace Room, 285 West Huntington Drive, Arcadia, California**. At the hearing, any person may present statements or arguments orally or in writing about the proposed action described in the informative digest. It is requested, but not

required, that persons making oral comments at the hearing submit a written copy of their testimony.

#### WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes **at 5:00 p.m. on June 9, 2014**. The Board must receive all comments at that time; however, written comments may still be submitted at the public hearing. Submit comments to:

Leeland Turner, Regulation Analyst  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
Telephone: (916) 263-6026  
Fax: (916) 263-6042  
E-mail: [ltturner@chrh.ca.gov](mailto:ltturner@chrh.ca.gov)

#### AUTHORITY AND REFERENCE

Authority cited: Sections 19420, 19440 and 19481.3(e), Business and Professions Code. Reference: Sections 19432, 19440 and 19481.3(e), Business and Professions Code.

Business and Professions Code sections 19420 and 19440 give the Board jurisdiction and supervision over meetings in California where horse races with wagering on their results are held, and authorize the Board to adopt, amend or repeal regulations.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Business and Professions Code section 19420 provides that jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the CHRB. Business and Professions Code section 19440 states that the Board shall have all powers necessary and proper to enable it to adopt rules and regulations for the protection of the public and the control of horse racing. Business and Professions Code section 19432 provides that the Executive Director shall preserve all books, documents, and papers of the Board. Business and Professions Code section 19481.3(e) provides that the stewards shall investigate and prepare a report with respect to all on-track accidents involving jockeys that occur during the performance of their duties. The report shall, at a minimum, identify the cir-

cumstances of the accident, the likely causes, and the extent of any injuries.

Rule 1536, Stewards' Minutes, provides that the stewards shall maintain minutes and records of all proceedings before the stewards, and report all on-track accidents involving jockeys or drivers. The proposed amendment would change form CHRB-201 to collect the number of the race in which the accident occurred. Including the race number is necessary to provide a complete record of the accident. The proposed amendment to form CHRB-201 would add a distribution list, providing a quick reference identifier for the user as to where copies of the completed document should be forwarded. The proposed amendment would remove the reference to the distribution "described above" noted in the "Description of Accident" section of form CHRB-201. Removing the reference is necessary to eliminate confusion since a distribution list has been added to the bottom of the document. All other changes to form CHRB-201 are for purposes of clarity, grammar and consistency.

Although jockey and driver accidents are reported with the stewards' minutes, there are currently no reports of exercise rider accidents. The Board has no way of tracking the number of exercise rider accidents or their severity. The proposed amendment to Rule 1536 will add subsection 1536(c) which will require that a report of all on-track accidents involving exercise riders, or for harness racing, an employee riding in a jog cart or sulky not engaged in a race, be forwarded to the Board as an attachment to the stewards' minutes. Form CHRB-201A will require the name of the exercise rider/employee, the name of the horse owner, the name of the trainer, the name of the horse, and the date and time of the accident. It also will require the circumstances of the accident, the accident's likely causes, and the extent of injury to the exercise rider/employee. Requiring answers to the questions on form CHRB-201A is necessary to ensure data collected on training accidents will be useful for future analysis. The information required on the form CHRB-201A will mirror that required on the form CHRB-201, providing consistency in the type of information gathered for jockey/driver and exercise rider/employee accidents. The proposed amendment to Rule 1536 states that form CHRB-201A is incorporated by reference as it would be cumbersome, unduly expensive, or otherwise impractical to publish the document in the California Code of Regulations.

The amendment to Rule 1536 to capture data on exercise rider accidents will allow the Board to broaden its current database of on-track related accidents. The Board has determined that the amendment to Rule 1536 is necessary to ensure that accident data involving jockeys and exercise riders is recorded. Horse racing is an

inherently dangerous sport. Horses outweigh riders by a thousand pounds or more and have a propensity to respond to situations based on fright and flight which increases the possibility for an accident. Jockeys, drivers, exercise riders and horses are very valuable and their health and safety is of great importance to the industry. The data currently collected on jockey and driver accidents provides that on average, a licensed jockey in California can expect to have a fall every 502 rides in Thoroughbred races and every 318 rides in quarter horse races. While jockey fall rates were lower, injury rates were similar to those in other racing jurisdictions. Any information that can be gleaned from past horse racing or exercise riding accidents is invaluable industry data. The collected data allows for research into finding out how to mitigate injuries and identify risk factors. Data collection is important as it helps the industry to make decisions about issues affecting the health and welfare of rider and horse. Workers' compensation rates vary depending on recent claims history and changes in the frequency and cost of claims to the industry. Therefore, reducing the possibility of injury to riders and horses while training and during race meeting could assist with stabilizing or lowering workers' compensation rates.

#### POLICY STATEMENT OVERVIEW OF ANTICIPATED BENEFITS OF PROPOSAL

The proposed amendment to Rule 1536 promotes the protection of worker, public, and equine safety. The proposed amendment would require the stewards to report on-track accidents involving exercise riders, or for harness racing, an employee riding in a jog cart or sulky not engaged in a race. Although jockey and driver accidents are currently reported with the stewards' minutes, there are currently no reports of training accidents. The Board has no way of tracking the numbers of exercise rider/employee accidents or their severity. The proposed amendment to Rule 1536 will assist the Board in broadening its current database of on-track related accidents. The collected data allows for research into finding out how to mitigate injuries and identify risk factors. Data collection is important as it helps the industry to collect, study and record information, make decisions about industry issues as well as to pass information on to the industry for future use. Workers' compensation rates vary depending on recent claims history and changes in the frequency and cost of claims to the industry. Therefore, reducing the possibility of injury to riders and horses while training and during race meetings could assist with the workers' compensation rates. The regulation will benefit California by promoting the protection of worker, public and equine safety. Jockeys

and horses are essential elements of the horseracing industry, and their health and safety is of the utmost importance. Although it is already rare for the public to be involved in a horseracing accident, a reduction in injury rates makes horseracing that much safer for horseracing customers.

#### CONSISTENCY EVALUATION

During the process of developing these regulations and amendments, the CHRB has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

#### FORMS INCORPORATED BY REFERENCE

CHRB-201, Jockey/Driver Accident Report (Rev. 2/14)

CHRB-201A, Training Accident Report (New 2/14)

#### DISCLOSURE REGARDING THE PROPOSED ACTION/RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code Section 17500 through 17630: none.

Other non-discretionary cost or savings imposed upon local agencies: none.

Cost or savings in federal funding to the state: none.

The Board has made an initial determination that the proposed amendment to Rule 1536 will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: The Board relied on statements made by Brad McKenzie, representing Finish Line Self Insurance Group, during the April 10, 2013 Jockey and Driver Safety Committee Meeting.

Cost impact on representative private persons or businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: none.

The adoption of the proposed addition of Rule 1536 will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California. The proposed amendment to Rule 1536 promotes the protection of worker, public, and equine safety.

Effect on small businesses: none. The proposal to amend Rule 1536 does not affect small businesses because horse racing associations in California are not classified as small businesses under Government Code Section 11342.610.

#### CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome on affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

#### CONTACT PERSONS

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Leeland Turner, Regulation Analyst  
California Horse Racing Board  
1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
Telephone: (916) 263-6026  
Fax: (916) 263-6042  
E-mail: [ltturner@chrb.ca.gov](mailto:ltturner@chrb.ca.gov)

If the person named above is not available, interested parties may contact:

Harold Coburn, Manager  
Policy and Regulations  
Telephone: (916) 263-6397

#### AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register,

the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies of these documents, or any of the information upon which the proposed rulemaking is based, may be obtained by contacting Leeland Turner, or the alternative contact person at the address, phone number or e-mail address listed above.

#### AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulations. Requests for copies of any modified regulations should be sent to the attention of Leeland Turner at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

#### AVAILABILITY OF FINAL STATEMENT OF REASONS

Requests for copies of the final statement of reasons, which will be available after the Board has adopted the proposed regulation in its current or modified form, should be sent to the attention of Leeland Turner at the address stated above.

#### BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of the notice, the proposed text of the regulations and the initial statement of reasons. The Board's web site address is: [www.chrb.ca.gov](http://www.chrb.ca.gov).

#### TITLE 14. DEPARTMENT OF FISH AND WILDLIFE

**NOTICE IS HEREBY GIVEN** that the Department of Fish and Wildlife (CDFW or Department) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action. The Department invites interested persons to present statements or arguments with respect to alternatives to the regulations at the scheduled hearing or during the written comment period.

#### PUBLIC HEARING

A public hearing has not been scheduled at this time. The Department will hold a public hearing if it receives

a written request for a hearing no later than 15 days prior to the close of the written comment period. Hearing requests should be directed to Ms. Helen Birss at the address below. At the public hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Department requests, but does not require, that the persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. All written comments must be received by the Department at the office below not later than 5:00 p.m. on June 9, 2014. All written comments must include the true name and mailing address of the commenter. When submitting comments, please indicate whether you agree to accept subsequent notices for this rulemaking electronically.

Written comments may be submitted by mail, fax, or e-mail as follows:

California Department of Fish and Wildlife  
 Helen Birss, Branch Chief  
 Habitat Conservation Planning Branch  
 1416 9<sup>th</sup> Street,  
 Sacramento, CA 95814  
 Fax: (916) 653-2588  
 E-mail: [suctiondredge@wildlife.ca.gov](mailto:suctiondredge@wildlife.ca.gov)

AUTHORITY

Sections 5653 and 5653.9, Fish and Game Code.

REFERENCE

Sections 5653-5653.9, Fish and Game Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

**Existing Laws and Regulations Related Directly to the Proposed Amendment to Section 228(a):**

CDFW regulates the use of vacuum and suction dredge equipment in California rivers, streams, and lakes pursuant to Fish and Game Code section 5653. In March 2012, for the first time since 1994, CDFW updated and adopted comprehensive regulations to imple-

ment its related permitting program. (Cal. Code Regs., tit. 14, §§ 228, 228.5; see also Fish & G. Code, § 5653.9.) Consistent with statute, the updated regulations implement Section 5653.<sup>1</sup>

On June 28, 2013, OAL approved an emergency action by CDFW under the Administrative Procedure Act (APA) to amend the regulatory definition of suction dredging. (See Cal. Reg. Notice Register 2013, No. 28-Z, pp. 1034-1035; Cal. Code Regs., tit. 14, 228, subd. (a).) On December 26, 2013, OAL approved CDFW's proposed emergency rulemaking action to readopt the definition. (Office of Administrative Law, Notice of Approval of Emergency Regulatory Action, OAL File No. 2013-1216-01 EE.) Thus, the new definition is now in effect statewide. Under the Administrative Procedure Act (APA), the emergency regulatory definition can remain in effect by law for no more than 360 days following the initial emergency action. (Gov. Code, § 1346.1, subs. (e), (h).) Even if readopted by CDFW for a second time and approved by OAL, the existing emergency definition of suction dredging currently found in Title 14 will expire by law in June 2014. The proposed amendment would thus adopt through regular rulemaking a definition that is already in effect but that will expire.

Under the existing and proposed definition, the use of any vacuum or suction dredge equipment (i.e., suction dredging) is defined for purposes of Sections 228 and 228.5 of Title 14, as well as Fish and Game Code section 5653, as the use of a suction system to vacuum material from a river, stream or lake for the extraction of minerals. (Cal. Code Regs., tit. 14, § 228, subd. (a), effective June 28, 2013.) The definition also provides that, for purposes of the same sections, the definition and the regulations do not apply to, prohibit or restrict nonmotorized recreational mining activities, including panning for gold. (Cal. Code Regs., tit. 14, § 228, subd. (a).)

**Difference from Existing, Comparable Federal Regulation or Statute**

The Director of CDFW has determined for purposes of the proposed amendment of California Code of Regulations, Title 14, section 228, subdivision (a), that there are no existing, comparable federal regulations or statutes. Absent such federal regulation or statute, there is no basis for comparison with and nothing related to compare to the proposed amendment. Likewise, importantly, CDFW's substantive authority to regulate the use of vacuum or suction dredge equipment for instream mining is statewide; that is, CDFW's regulatory authority extends to any river, stream, or lake in California. (Id., § 5653, subs. (a), (b).)

<sup>1</sup> All unspecified "section" references are to the Fish and Game Code.

**Policy Statement Regarding Specific and Broad Objectives**

The Director of CDFW has determined that the following specific and broad policy objectives are the purpose and goal of the proposed amendment to the California Code of Regulations, Title 14, section 228, subdivision (a):

- To protect against and minimize the prospect of adverse impacts, and aid in the conservation of fish and wildlife resources held in trust for the people of California by and through CDFW (Fish & G. Code, § 1802);
- To protect against and minimize the prospect of adverse impacts to other important natural and cultural resources in California, and the water quality of the State;
- To protect and conserve those important resources, and the health, safety, and welfare of the people of California, consistent with the letter and spirit of the existing statutory moratorium on vacuum and suction dredging activities conducted for instream mining purposes;
- To ensure the use of any vacuum and suction dredge equipment in any river, stream, or lake in California for the extraction of minerals will not be deleterious to fish as defined by Fish and Game Code section 45; and
- To end the practice and foreclose the prospect during the existing statutory moratorium of individuals invoking the 2012 regulatory definition of what it means to use any vacuum or suction dredge equipment in a river, stream, or lake to extract minerals as a basis to modify related equipment in order to avoid or otherwise attempt to evade CDFW’s substantive regulatory authority or the statewide moratorium established by Fish and Game Code sections 5653 and 5653.1, respectively.

The Director of CDFW has also determined the broad policy objectives as just described in terms of the proposed amendment will result in, once effective following OAL review and approval, and otherwise provide similar, related, benefits to the people of California through the protection of the natural, cultural, and fish and wildlife resources of the State.

In terms of other benefits, the Director has also determined the amendment, once effective, will result in fair and open transparency for law enforcement personnel, which is particularly important given the spirit of the ongoing moratorium, and related criminal and civil litigation that has been the hallmark of significant, related controversy concerning CDFW and its regulatory authority related to instream suction dredge mining since at least 2005.

**Benefits of the Proposed Action**

CDFW’s 2012 update to the regulations occurred as part of an environmental review effort required by a court order entered with the consent of CDFW and various other parties in December 2006. That order and ongoing litigation related to, among other things, the CDFW environmental review and rulemaking effort that culminated in March 2012 are part of a longstanding controversy related to CDFW and its regulation of instream vacuum and suction dredge mining under the Fish and Game Code. Of the fourteen related civil lawsuits filed against CDFW since May 2005, seven are still pending in San Bernardino County Superior Court as a coordinated proceeding by order of the California Judicial Council. (*Suction Dredge Mining Cases*, Sup.Ct. San Bernardino County, Judicial Council Proceeding No. JCPRS4720.)

When CDFW adopted its updated regulations in March 2012, later effective in April 2012 with the approval of the Office of Administrative Law (OAL), the use of any vacuum or suction dredge equipment for instream mining purposes had been prohibited throughout California pursuant to a statutory moratorium enacted as an urgency measure in August 2009. (Stats. 2009, ch. 62 (Sen. Bill 670), §§ 1–2, enacting former Fish & G. Code, § 5653.1.) Consistent with the consent order and its obligations pursuant to Section 5653.9, CDFW’s March 2012 regulations prescribe time, place, and manner restrictions to ensure the use of vacuum and suction equipment for instream mining purposes is not deleterious to fish. (Fish & G. Code, § 5653, subs. (a), (b); Cal. Code Regs., tit. 14, § 228.) In promulgating its updated regulations, however, CDFW acknowledged that unavoidable significant impacts related to water quality, cultural resources, noise, and certain riparian habitat-associated bird species would also result.

CDFW’s regulations implementing Section 5653 define related statutory language regarding the use of vacuum or suction dredge equipment for mining purposes. (Cal. Code Regs., tit. 14, § 228, subd. (a).) The identical statutory language that appears in Section 5653 (i.e., “use of any vacuum or suction dredge equipment”) also appears in Section 5653.1, the latter section being the statutory moratorium.

The amendment is cast in terms entirely consistent with Section 5653 (i.e., “use of any vacuum and suction dredge equipment”). It is also consistent, in this respect, with identical language in, and the letter and spirit of the related statutory moratorium codified in Section 5653.1. Most important, the proposed amendment will address through regular rulemaking the well-documented adverse environmental effects to California fish and wildlife, and other important natural and cultural resources motivating the enactment of Section

5653 in the early 1960s and the ongoing statutory moratorium in 2009.

**Inconsistency or Incompatibility with Existing State Regulations**

The Department has reviewed the Title 14, CCR, and conducted a search of any similar regulations on this topic and has concluded that the proposed amendments to subsection 228(a) are neither inconsistent nor incompatible with existing state regulations. No other state agency has the authority to promulgate regulations governing suction dredging. The proposed amendment, in fact, is identical to the emergency regulation now in effect, and, moreover, is consistent and compatible with CDFW’s related regulations currently found in California Code of Regulations, Title 14, section 228, subdivisions (b) through (p), and section 228.5, as adopted by CDFW and approved by OAL in March and April 2012, respectively.

and natural resources will benefit the state’s environment and protect the health, safety, and welfare of the people of California, consistent with the letter and spirit of the existing statutory moratorium on vacuum and suction dredging activities for instream mining purposes.

**Cost impacts on a representative private person or business:**

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**Business reporting requirement:** None.

**Effect on small business:** It has been determined that the adoption of these regulations may affect small business. The Department has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

DISCLOSURES REGARDING THE PROPOSED ACTION

**Mandate on local agencies or school districts:** None.

**Costs or savings to any state agency:** None.

**Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630:** None.

**Other nondiscretionary costs or savings imposed on local agencies:** None.

**Costs or savings in federal funding to the state:** None.

**Significant effect on housing costs:** None

**Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:**

The proposed action to adopt, through regular rule-making, the definition already in effect since June 2013 will have no adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

**Results of the Economic Impact Analysis**

The results of the Economic Impact Analysis do not indicate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses, the expansion of businesses in California, or worker safety.

As stated above under the **Informative Digest/Policy Statement Overview**, minimizing the adverse effects of suction dredging on water quality, cultural,

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

MITIGATION MEASURES REQUIRED BY REGULATORY ACTION

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

CONTACT PERSONS

Department of Fish and Wildlife  
Helen Birss, Branch Chief  
Habitat Conservation Planning Branch  
14169<sup>th</sup> Street,  
Sacramento, CA 95814  
Office: (916) 653-4681  
Fax: (916) 653-2588  
E-mail: [suctiondredge@wildlife.ca.gov](mailto:suctiondredge@wildlife.ca.gov)

The backup contact person is:

Department of Fish and Wildlife  
Habitat Conservation Planning Branch  
Cathie Vouchilas, Environmental Program Manager  
1416 9<sup>th</sup> Street, Room 1260  
Sacramento, CA 95814  
Fax: (916) 916-653-2588  
E-mail: [cathie.vouchilas@wildlife.ca.gov](mailto:cathie.vouchilas@wildlife.ca.gov)

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Helen Birss at the above address.

#### AVAILABILITY OF THE INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The Department will have the entire rulemaking file available for inspection and copying at its office at 1416 9<sup>th</sup> Street, Room 1208, Sacramento. As of the publication date of this notice, the rulemaking file consists of this notice, the proposed text of the regulations, the Economic Impact Analysis, the Economic and Fiscal Impact Assessment (STD. Form 399) and the Initial Statement of Reasons. Please direct requests for copies of the rulemaking file to Helen Birss as indicated above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Helen Birss as indicated above. The Department will accept written comments on any modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Helen Birss as indicated above.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Website Access: The entire rulemaking file can be found at <http://www.dfg.ca.gov/suctiondredge/>

#### TITLE 15. CALIFORNIA PRISON INDUSTRY AUTHORITY

**NOTICE IS HEREBY GIVEN** that the California Prison Industry Authority (CALPIA) and the Prison Industry Board (PIB) pursuant to the authority granted by Penal Code (PC) Sections 2801 and 2808 in order to implement, interpret and make specific PC Sections 2801 and 2809, propose to amend Section 8000 of Article 1, and adopt Sections 8100, 8101, 8102, 8103, 8104, 8105, 8106, 8107, 8108, 8109, 8110, 8111, 8112, 8113, 8114, 8115, 8116, 8117, 8118, 8119, 8119.1, 8120 of new Article 6, Chapter 1, of the California Code of Regulations (CCR), Title 15, Division 8, concerning CALPIA Personnel.

#### PUBLIC HEARING

Date and Time: June 9, 2014 — 2:00 p.m. to 3:00 p.m.  
Place: CALPIA Central Office  
560 East Natoma Street  
Folsom, CA 95630  
Purpose: To receive comments about this action.

#### PUBLIC COMMENT PERIOD

The public comment period will close, **June 9, 2014 at 5:00 p.m.** Any person may submit public comments in writing (by mail, by fax, or by e-mail) regarding the proposed changes. To be considered, comments must be received before the close of the comment period to: CALPIA, Legal Services Unit, 560 East Natoma Street, Folsom, CA 95630; by fax at (916) 358-2709; or by e-mail to [CALPIAregs@calpia.ca.gov](mailto:CALPIAregs@calpia.ca.gov).

#### CONTACT PERSON

Please direct any inquiries regarding this action or questions of substance of the proposed regulatory action to:

**Dawn Eger, Legal Assistant**  
**California Prison Industry Authority**  
**560 East Natoma Street**  
**Folsom, CA 95630**  
**Telephone (916) 358-1711**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**Rachael McCord, Executive Assistant**  
**California Prison Industry Authority**  
**560 East Natoma Street**  
**Folsom, CA 95630**  
**Telephone (916) 358-1711**

general manager shall be the appointing authority for all personnel of the authority other than the general manager.

INFORMATIVE DIGEST/POLICY STATEMENT  
 OVERVIEW

AUTHORITY AND REFERENCE

PC Section 2800 provides that commencing July 1, 2005, there is hereby continued in existence within the Department of Corrections and Rehabilitation the Prison Industry Authority. As used in this article, “authority” means the Prison Industry Authority. Commencing July 1, 2005, any reference to the Department of Corrections shall refer to the Department of Corrections and Rehabilitation.

PC Section 2801 provides that the purposes of the authority are:

- (a) To develop and operate industrial, agricultural, and service enterprises employing prisoners in institutions under the jurisdiction of the Department of Corrections, which enterprises may be located either within those institutions or elsewhere, all as may be determined by the authority.
- (b) To create and maintain working conditions within the enterprises as much like those which prevail in private industry as possible, to assure prisoners employed therein the opportunity to work productively, to earn funds, and to acquire or improve effective work habits and occupational skills.
- (c) To operate a work program for prisoners which will ultimately be self-supporting by generating sufficient funds from the sale of products and services to pay all the expenses of the program, and one which will provide goods and services which are or will be used by the Department of Corrections, thereby reducing the cost of its operation.

PC Section 2809 provides that notwithstanding any other provision of law, commencing July 1, 2005, the authority may recruit and employ civilian staff that may be necessary to carry out the purposes of this article, and shall establish recruiting, testing, hiring, promotion, disciplinary, and dismissal procedures and practices which will meet the unique personnel needs of the authority. The practices may include incentives based on productivity, profit-sharing plans, or other criteria which will encourage civilian employee involvement in the productivity goals of the authority. The procedures and practices shall apply to all employees working in enterprises under the jurisdiction of the authority. The

The California Prison Industry Authority (CALPIA) and the Prison Industry Board (PIB) propose to amend Section 8000 of Article 1 and adopt sections 8100, 8101, 8102, 8103, 8104, 8105, 8106, 8107, 8108, 8109, 8110, 8111, 8112, 8113, 8114, 8115, 8116, 8117, 8118, 8119, 8119.1, 8120 of new Article 6, Chapter 1, of the California Code of Regulations (CCR), Title 15, Division 8, concerning CALPIA Personnel. This action is necessary to implement, interpret and make specific Penal Code (PC) section 2809 regarding the General Manager’s authority to determine personnel rules for CALPIA employees. CALPIA enterprises are located within CDCR facilities and CALPIA employees work closely with CDCR employees. This close connection between CALPIA and CDCR may confuse staff, the public and other state agencies, such that CALPIA’s independence from CDCR regarding personnel rules is often undistinguishable. These proposed regulations are necessary to clarify CALPIA’s position as distinct from CDCR as is authorized by PC section 2809.

As part of the July 1, 2005 reorganization of CDCR, the Legislature, in SB 737, amended PC sections 2800–2816. Although the CALPIA continues its existence within the newly established CDCR, section 2809 provides the General Manager with the authority to establish recruiting, testing, hiring, promotion, disciplinary and dismissal procedures and practices that meet the unique personnel needs of the authority. The procedures and practices established shall apply to all employees working in enterprises under the jurisdiction of the authority. Statute states “The general manager shall be the appointing authority for all personnel of the authority other than the general manager.” The CALPIA’s rulemaking authority is established by PC sections 2801 and 2809. PC Section 2809 identifies the CALPIA general manager as the hiring authority for all CALPIA personnel. CALPIA employees work with CDCR employees within CDCR institutions and facilities where inmates participate in work training programs. CALPIA employees should comply with the same or similar regulatory requirements as those imposed upon CDCR employees to maintain consistency and provide safety in the workplace. CALPIA employees work under a hiring authority which is separate and distinct from the CDCR hiring authority and, therefore, CALPIA requires its own separate personnel rules. These proposed regulations set forth the personnel requirements for CALPIA employees that are as similar

as possible to the personnel requirements for CDCR employees, yet they are independent.

As specified in CCR, Title 1, section 12(b)(1), the CALPIA acknowledges that some language contained within these regulations is a restatement of statute found in PC section 2809 and regulations found in California Code of Regulations (CCR), Title 15, Division 3, Chapter 1, Subchapter 5, Article 2. In justifying the restatement of statute and regulation, the CALPIA contends the re-statement satisfies Government Code (GC) Section 11349.1(a)(3) by providing clarity to the General Manager's scope of authority and establishing personnel requirements for CALPIA employees that are separate from those of CDCR. This clarity eliminates any confusion with regards to CALPIA's autonomy from CDCR with regards to its authority given in PC section 2809, specific to CALPIA personnel. The construction of Chapter 6 of the PC may confuse or be misinterpreted by CALPIA staff, inmate workers and the public regarding the authority of the General Manager as the appointing authority for all personnel of CALPIA and CALPIA's status as an agency separate and independent from CDCR. Statutes specific to CALPIA and the PIB are spread out and are not in one tightly woven format; therefore, restatement of certain statutes and regulations within these proposed regulations provide a clearer, more condensed format, to alleviate any confusion and enable staff, inmates, and the public in general to more fully understand the CALPIA personnel requirements.

The proposed CALPIA personnel regulations will be vetted through the public process of the PIB, as required in PC Section 2808, subsections (h) and (i), and are now being promulgated through the regulatory process as specified in the Administrative Procedure Act (APA). The PIB will review these regulations at the next board meeting held on June 25, 2014. Upon approval, the PIB's Record of Vote and the applicable portion of the transcribed minutes will be filed as an attachment to the Final Statement of Reasons. These documents will be filed with the Office of Administrative Law (OAL).

PC sections 2801 and 2809 provide CALPIA with implied rulemaking authority. PC section 2809 authorizes the CALPIA to recruit and employ civilian staff as necessary to carry out its purpose and establishes the General Manager as the appointing authority for all personnel of CALPIA. Further, CALPIA may also establish policies and procedures to recruit, test, hire, promote, discipline, and dismiss employees to encourage civilian employee involvement in the CALPIA productivity goals. Pursuant to section 2809, these policies and procedures shall apply to all employees working in enterprises under the jurisdiction of the CALPIA. This means that the policies and procedures apply to both civilian staff and civil service staff. However, as deter-

mined by the Office of the Attorney General (OAG) in 93 Ops. Cal. Atty. Gen. 35, the policies and procedures apply to civil service staff only to the extent that the policies and procedures are consistent with civil service laws and rules.

#### SPECIFIC BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS

CALPIA anticipates the proposed regulatory action will benefit CALPIA employees and its visitors by providing clear and concise personnel rules while ensuring and promoting increased efficiency in prison industry operations.

#### EVALUATION OF INCONSISTENCY/INCOMPATIBILITY WITH EXISTING REGULATIONS

During the process of developing these regulations and amendments, CALPIA has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

#### LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Government Code Sections 17500 through 17630.

#### FISCAL IMPACT STATEMENT

- Cost to any local agency or school district that is required to be reimbursed: None
- Cost or savings to any state agency: None
- Other nondiscretionary cost or savings imposed on local agencies: None
- Cost or savings in federal funding to the State: None.

#### EFFECT ON HOUSING COSTS

The CALPIA has made an initial determination that the proposed action will have no significant effect on housing costs.

#### SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The CALPIA has initially determined that the proposed regulations will not have a significant statewide

adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states because they are not affected by the internal management of CALPIA employees.

#### ECONOMIC IMPACT ASSESSMENT

In accordance with Government Code Section 11346.3(b), the California Prison Industry Authority has made the following assessments regarding the proposed regulation:

##### **Creation or Elimination of Jobs Within the State of California**

The proposed regulations will not create or eliminate jobs within the State of California. It is determined that this action has no significant adverse economic impact on jobs within the State of California because the jobs are not affected by the internal management of CALPIA employees. The benefits of new, proposed regulations will be clear and concise personnel rules that will only affect CALPIA employees.

##### **Creation, Expansion, or Elimination of Existing Businesses (Small or Large) within the State of California**

The proposed regulations will not have an effect on the creation, expansion, or elimination, of small or large businesses within California. It is determined that this action has no significant adverse economic impact on small or large businesses within the State of California because businesses are not affected by the internal management of CALPIA employees. The benefits of new, proposed regulations will be clear and concise personnel rules that will only affect CALPIA employees.

##### **Benefits of the Regulations**

The proposed regulatory action will benefit CALPIA employees by providing clear and concise personnel rules while ensuring that CALPIA is carrying out the requirements set forth in statute.

#### COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The CALPIA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### EFFECT ON SMALL BUSINESSES

CALPIA has determined that the proposed regulations will not affect small businesses. It is determined that this action has no significant adverse economic im-

act on small business because they are not affected by the internal management of CALPIA employees.

#### CONSIDERATION OF ALTERNATIVES

The CALPIA must determine that no reasonable alternative considered, or that has otherwise been identified and brought to the attention of the CALPIA, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome on affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

#### AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The CALPIA has prepared, and will make available, the Initial Statement of Reasons (ISOR) and text of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based, is available to the public upon request directed to the CALPIA's contact person. The proposed text, ISOR, and Notice of Proposed Action will also be made available on the CALPIA website <http://www.calpia.ca.gov>.

#### AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the PIB may adopt the proposed regulations substantially as described in this Notice. If any modifications are made that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the PIB adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The CALPIA will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the CALPIA's contact person.

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**REGARDING THE 2013 CALIFORNIA  
ELECTRICAL CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 3  
AMEND ARTICLE 625  
(BSC 03/13)**

Notice is hereby given that the California Building Standards Commission (CBSC) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 3. The CBSC is proposing building standards related to electric vehicle charging.

**PUBLIC COMMENT PERIOD**  
(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014, until 5:00 p.m. on June 9, 2014**. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or e-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS**  
(Government Code Section 11346.5(a)(18))

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and

notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

**AUTHORITY AND REFERENCE**  
(Government Code Section 11346.5(a)(2))

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Sections (H&SC) 18928 and 18934.5. The purpose of these building standards is to implement, interpret, and make specific the provisions of H&SC Section 18928 and 18928.1. The California Building Standards Commission is proposing this regulatory action based on Health and Safety Code Section (H&SC) 18928.

**INFORMATIVE DIGEST**

**Summary of Existing Laws**

**Health & Safety Code Section 18928. Model code, national standard, or specification; adoption of and reference to the most recent addition; date of publication; committee**

Authorizes the commission to adopt the most recent edition of the National Electrical Code.

**Health & Safety Code Section 18928(b). Model code, national standard, or specification; adoption of and reference to the most recent addition; date of publication; committee**

Sets forth that each state agency adopting or proposing adoption of a model code, national standard, or specification shall adopt or propose adoption of the most recent edition of the model code, as amended or proposed to be amended by the adopting agency, within one (1) year after the date of publication of the model code, national standard, or specification.

**Health & Safety Code Section 18934.5. Standards or administrative regulations for state buildings; adoption, approval, codification and publication**

Sets forth that where no state agency has the authority to adopt building standards applicable to state buildings, the commission shall adopt, approve, codify, and publish building standards providing the minimum standards for the design and construction of state buildings.

**Summary of Existing Regulations**

The existing 2013 California Electric Code is a part of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code and incorporates, by adoption, by the California Building Standards Commission, the 2011 National Electric Code of the National Fire Protection Association (NFPA) without amendments for state owned buildings and buildings constructed by the University of California and California State Universities.

**Summary of Effect**

This proposed action will make necessary amendments, for state-owned buildings and to all occupancies identified pursuant to Health and Safety Code 18938, 180 days after the publication, to the 2013 CEC by adding code references from the 2013 CEC to the 2013 CALGreen Code part 11.

**Comparable Federal Statute or Regulations**

There are no comparable Federal Statutes or regulations related to the proposed action by the California Building Standards Commission.

**Policy Statement Overview**

This proposed modification to the current 2013 California Electrical Code makes applicable a supplement for state-owned building projects, or any person seeking a building permit at the local level, the most current edition of the NEC by reference through the California Code of Regulations, Title 24 with supplemental amendments.

The proposed action would amend Part 3 of Title 24 (2013 California Electrical Code) by adding code references from the 2013 CEC to the 2013 CALGreen Code part 11.

**Evaluation of consistency**

The proposed regulation is not inconsistent or incompatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE  
APPLICABLE TO THE AGENCY OR TO ANY  
SPECIFIC REGULATION OR CLASS  
OF REGULATIONS

(Government Code Section 11346.5(a)(4))

The California Building Standards Commission has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS

(Government Code Section 11346.5(a)(5))

The California Building Standards Commission has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts and does not require reimbursement pursuant to Part 7 (commencing with section 17500) of Division 4, Government Code. H&SC section 18928 requires the CBSC to adopt the most current edition of the model codes. [If the proposed action would impose a mandate, discuss whether the mandate requires reimbursement pursuant to Part 7 (commencing with Section 17500 of Division 4 of the Government Code)]

ESTIMATE OF COST OR SAVINGS

(Government Code Section 11346.5(a)(6))

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district. Provide a copy of the "Economic and Fiscal Impact Statement" (Form 399)

- A. Cost or Savings to any state agency: **None.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **None.**
- E. Cost or savings in federal funding to the state: **None.**  
Estimate: **None.**

INITIAL DETERMINATION OF SIGNIFICANT  
STATEWIDE ADVERSE ECONOMIC IMPACT  
ON BUSINESSES

(Government Code Section 11346.5(a)(7))

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation may have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, the determination shall include the following: The CBSC has made an initial determination that the adoption of this regulation will **not have** a significant statewide adverse economic impact on businesses,

including the ability of California businesses to compete with businesses in other states.

**DECLARATION OF EVIDENCE**  
(Government Code Section 11346.5(a)(8))

The declaration the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relies upon to support its initial determination of no effect.

The CBSC affirms that the rulemaking action complies with the mandates set forth by the Health & Safety Code, Sections 18928 and 18934.5.

Therefore, the CBSC’s initial determination of no significant, statewide adverse economic impact directly affecting businesses in California and their ability to compete with businesses in other states does not require any additional evidence, documents or other evidence to support this action.

**FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE**  
(Government Code Section 11346.3(d)).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

The CBSC has made an assessment of the proposed code changes and has determined that these changes **do not** require a report.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**  
(Government Code Section 11346.5(a)(9))

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

The CBSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION**  
(Government Code Section 11346.5(a)(10), Government Code Section 11346.3(b)(1))

The CBSC 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.  
**These regulations will not affect the creation of or elimination of jobs within the State of California.**
- The creation of new businesses or the elimination of existing businesses within the State of California.  
**These regulations will not affect the creation of or the elimination of existing business within the State of California.**
- The expansion of businesses currently doing business with the State of California.  
**These regulations will not affect the expansion of businesses currently doing business within the State of California.**
- The benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment.  
**These regulations will update and clarify minimum building standards, which will provide increased protection of public health and safety, worker safety and the environment.**

**ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING**

Government Code Section 11346.5(a)(12) requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any, that were included in the initial statement of reasons. In addition, the agency officers shall make available to the public, upon request, the agency’s evaluation, if any, of the effect of the proposed regulatory action on housing costs.

- No increased cost of compliance because the regulations make only nonsubstantive or clarifying changes.
- Protection of public health and safety, worker safety and the environment.
- General welfare of California residents.

**CONSIDERATION OF ALTERNATIVES**  
(Government Code Section 11346.5(a)(13))

The CBSC must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF  
RULEMAKING DOCUMENTS  
(Government Code Section 11346.5(a)(20)),  
(Government Code Section 11346.5(a)(19))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that CBSC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL  
AND ADMINISTRATIVE QUESTIONS  
(Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

**Michael L. Nearman, Deputy Executive Director**  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[Michael.Nearman@dgs.ca.gov](mailto:Michael.Nearman@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

**Enrique M. Rodriguez,**  
**Associate Construction Analyst**  
California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No: (916) 263-0845  
Facsimile No: (916) 263-0959  
[Enrique.Rodriguez@dgs.ca.gov](mailto:Enrique.Rodriguez@dgs.ca.gov)

**Back-up:**

**Mia Marvelli,**  
**Architectural Designer**  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov)

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**REGARDING THE 2013 CALIFORNIA  
PLUMBING CODE (CPC)  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 5  
(BSC 05/13)**

[**Note to agencies:** Directions below, which, like this note, are not intended to be shown in your submittal, have been updated to reflect requirements of AB 1612 (Chapter 471, Statutes of 2012) effective January 1, 2013. New directions are shown in underline.]

Notice is hereby given that the California Building Standards Commission (CBSC) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 5. The CBSC is proposing building standards related to the 2013 CPC.

**PUBLIC COMMENT PERIOD**  
(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014, until 5:00 p.m. on June 9, 2014**. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS**  
(Government Code Section 11346.5(a)(18))

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

**AUTHORITY AND REFERENCE**  
(Government Code Section 11346.5(a)(2))

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Sections (H&SC) 18928 and 18934.5. The purpose of these building standards is to implement, interpret, and make specific the provisions of H&SC Sections 18928 and 18928.1.

The California Building Standards Commission is proposing this regulatory action based on Health and Safety Code Section (H&SC) 18928.

**INFORMATIVE DIGEST**  
(Government Code Section 11346.5(a)(3))

An informative digest drafted in plain English in a format similar to the Legislative Counsel's Digest shall include the following:

**Summary of Existing Laws**

Health & Safety Code Section 18928. Model code, national standard, or specification; adoption of and reference to the most recent addition; date of publication; committee Authorizes the commission to adopt the most recent edition of the Uniform Plumbing Code.

Health & Safety Code Section 18928(b). Model code, national standard, or specification; adoption of and reference to the most recent addition; date of publication; committee Sets forth that each state agency adopting or proposing adoption of a model code, national standard, or specification shall adopt or propose adoption of the most recent edition of the model code, as amended or proposed to be amended by the adopting agency, within one (1) year after the date of publication of the model code, national standard, or specification.

Health & Safety Code Section 18934.5. Standards or administrative regulations for state buildings; adoption, approval, codification and publication Sets forth that where no state agency has the authority to adopt building standards applicable to state buildings, the commission shall adopt, approve, codify, and publish building standards providing the minimum standards for the design and construction of state buildings.

**Summary of Existing Regulations**

The 2013 California Plumbing Code is a part of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. It incorporates, by adoption, by the California Building Standards Commission, the 2012 Uniform Plumbing Code (UPC) of the International Association of Plumbing and Mechanical Officials (IAPMO) with amendments, including references to the latest national standards for heating, cooling and ventilating duct insulation, for state-owned buildings & buildings constructed by the University of California and California State Universities.

**Summary of Effect**

This proposed action will make necessary amendments, for state-owned buildings and to all occupancies identified pursuant to Health and Safety Code 18938, 180 days after the publication, to the 2013 CPC by adding a reference to new Civil Code provisions mandating replacement of certain plumbing fixtures.

**Comparable Federal Statute or Regulations**

There are no comparable Federal Statutes or regulations related to the proposed action by the California Building Standards Commission.

**Policy Statement Overview**

The proposed action would amend Part 5 of Title 24 (2013 California Plumbing Code) by adding a reference to new Civil Code provisions mandating replacement of certain plumbing fixtures.

**Evaluation of consistency**

The proposed regulation is not inconsistent or incompatible with existing state regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

(Government Code Section 11346.5(a)(4))

The California Building Standards Commission has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

(Government Code Section 11346.5(a)(5))

The CBSC has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts. [If the proposed action would impose a mandate, discuss whether the mandate requires reimbursement pursuant to Part 7 (commencing with Section 17500 of Division 4 of the Government Code).]

**ESTIMATE OF COST OR SAVINGS**

(Government Code Section 11346.5(a)(6))

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district. Provide a copy of the "Economic and Fiscal Impact Statement" (Form 399)

- A. Cost or Savings to any state agency: **None.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **None.**
- E. Cost or savings in federal funding to the state: **None.**

Estimate: **None.**

**INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**  
(Government Code Section 11346.5(a)(8))

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect. The CBSC has made an initial determination that the adoption/amendment/ repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

**DECLARATION OF EVIDENCE**  
(Government Code Section 11346.5(a)(8))

The declaration the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relies upon to support its initial determination of no effect. Therefore, the CBSC's initial determination of no significant, statewide adverse economic impact directly affecting businesses in California and their ability to compete with businesses in other states does not require any additional evidence, documents or other evidence to support this action.

**FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE**

(Government Code Section 11346.3(d)).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to, businesses. The CBSC has made an assessment of the proposed code changes and has determined that these changes do not require a report.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

(Government Code Section 11346.5(a)(9))

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement: The CBSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS  
UPON JOBS AND BUSINESS EXPANSION,  
ELIMINATION OR CREATION  
(Government Code Section 11346.5(a)(10),  
Government Code Section 11346.3(b)(1))

The CBSC 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.  
**This regulation will not affect the creation or elimination of jobs within the State of California.**
- The creation of new businesses or the elimination of existing businesses within the State of California.  
**This regulation will not affect the creation or elimination of existing businesses within the State of California.**
- The expansion of businesses currently doing business with the State of California.  
**This regulation will not affect the expansion of businesses currently doing business with the State of California.**
- The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.  
**The benefits derived from the regulations will enable code users to easily identify the more restrictive code from one single code location which will be a benefit to California residents.**

ESTIMATED COST OF COMPLIANCE OF  
STANDARDS THAT WOULD IMPACT HOUSING

Government Code Section 11346.5(a)(12) requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any that were included in the initial statement of reasons. In addition, the agency officers shall make available to the public, upon request, the agency's evaluation, if any of the effect of the proposed regulatory action on housing costs. The CBSC has made an initial determination that this proposal would not have a significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES  
(Government Code Section 11346.5(a)(13))

The CBSC must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the pur-

pose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF  
RULEMAKING DOCUMENTS  
(Government Code Section 11346.5(a)(20)),  
(Government Code Section 11346.5(a)(19))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that CBSC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL  
AND ADMINISTRATIVE QUESTIONS  
(Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

**Michael L. Nearman, Deputy Executive Director**  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[Michael.Nearman@dgs.ca.gov](mailto:Michael.Nearman@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

**Enrique M. Rodriguez,**  
**Associate Construction Analyst**  
 California Building Standards Commission  
 2525 Natomas Park Drive, Suite 130  
 Sacramento, CA 95833  
 Telephone No: (916) 263-0845  
 Facsimile No: (916) 263-0959  
[Enrique.Rodriguez@dgs.ca.gov](mailto:Enrique.Rodriguez@dgs.ca.gov)

**California Building Standards Commission,**  
**2525 Natomas Park Drive, Suite 130**  
**Sacramento, California 95833**  
**Attention: Jim McGowan, Executive Director**

Written comments may also be faxed to (916) 263-0959 or e-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current 2013 Intervening Code Adoption Cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**Back-up:**

**Mia Marvelli,**  
**Architectural Designer**  
 2525 Natomas Park Drive, Suite 130  
 Sacramento, CA 95833  
 Telephone No.: (916) 263-0916  
 Facsimile No.: (916) 263-0959  
[Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov)

**TITLE 24. BUILDING STANDARDS  
 COMMISSION**

**REGARDING THE 2013 CALIFORNIA  
 BUILDING CODE  
 CALIFORNIA CODE OF REGULATIONS,  
 TITLE 24, PART 2  
 (HCD 02/13)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. HCD is proposing building standards related to the 2013 California Building Code.

This rulemaking action extends the installation date of carbon monoxide alarms in existing hotel and motel dwelling units intended for human occupancy, clarifies the definition of “Covered Multifamily Dwellings” and addresses sound transmission regulations.

**PUBLIC COMMENT PERIOD**  
 (Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014, until 5:00 p.m. on June 9, 2014.** Please address your comments to:

**POST-HEARING MODIFICATIONS TO THE  
 TEXT OF THE REGULATIONS**  
 (Government Code Section 11346.5(a)(18))

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). The CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE: To be notified of any modifications, you must submit written and/or oral comments or request that you be notified of any modifications.**

**AUTHORITY AND REFERENCE**  
 (Government Code Section 11346.5(a)(2))

The CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18949.5 and 18949.6. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 17000-17062.5, 17910-17995.5, 18200-18700, 18860-18874, and 19960-19997; and Government Code Sections 12955.1 and 12955.1.1. HCD is proposing this regulatory action based on Health and Safety Code Sections 17040, 17921, 17922,

18300, 18690, 18865, 18873.4 and 19990; and Government Code Section 12955.1.

**INFORMATIVE DIGEST**  
(Government Code Section 11346.5(a)(3))

Summary of Existing Laws

Section 17921 of the Health and Safety Code and Section 12955.1 of the Government Code require HCD to propose the adoption, amendment, or repeal of building standards by the CBSC.

Section 17922 of the Health and Safety Code, requires that the building standards be essentially the same as the most recent editions of the uniform industry codes. The CBSC is authorized to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5.

Health and Safety Code Section 17922 states that the most recent editions of the uniform codes referred to in the section shall be considered to be adopted one year after the date of publication of the uniform codes.

Health and Safety Code Section 17040 requires HCD to adopt building standards for employee housing for “. . . the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing.”

Health and Safety Code Sections 18300 and 18865 require HCD to adopt, building standards for mobile-home parks and special occupancy parks.

Health and Safety Code Section 19990 requires HCD to adopt building standards for factory-built housing.

Summary of Existing Regulations

The 2013 California Building Code, Part 2 of Title 24 of the California Code of Regulations (CCR), also known as the California Building Standards Code, adopted by reference the 2012 International Building Code (IBC) with California amendments, became effective on January 1, 2014.

The purpose of the California Building Code is to establish the minimum requirements necessary to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, accessibility, use and occupancy, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment.

Summary of Effect

HCD proposes to amend the 2013 California Building Code, Part 2, Title 24 of the California Code of Regulations for the following programs:

- (a) State Housing Law: relative to residential occupancies, buildings or structures accessory thereto and as provided for through the Federal Fair Housing Amendment Act and state law accessibility requirements, except where the application is for public use only.
- (b) Employee Housing Act: relative to the occupancy of any buildings or structures, on the property in accordance with Health and Safety Code Section 17040.
- (c) Mobilehome Parks and Special Occupancy Parks: relative to the design or construction of permanent buildings and accessory buildings within the park in accordance with Health and Safety Code Sections 18300, 18620, 18640, 18865, 18865.3, 18873 and 18873.2.
- (d) Factory-built Housing Law: relative to residential buildings, dwellings or portions thereof, or building component, or manufactured assembly in accordance with Health and Safety Code Section 19990.

The amendments provide consistency with model code format, state and federal laws and regulations, and conditions unique to California. In addition, these amendments provide clarity and specificity, and give direction for the code user.

An in-depth discussion of the effect of the amendments may be found in the Initial Statement of Reasons.

Comparable Federal Statute or Regulations

None.

Policy Statement Overview

The proposed regulations amend existing building standards by providing guidance and clarity to code users.

This rulemaking action clarifies the definition of “Covered Multifamily Dwellings”, extends the installation date of carbon monoxide alarms to January 1, 2016, for existing hotel and motel dwelling units intended for human occupancy, and clarifies sound transmission regulations, including the requirements affecting interior noise levels.

Evaluation of Consistency

HCD has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE  
APPLICABLE TO THE AGENCY OR TO ANY  
SPECIFIC REGULATION OR CLASS  
OF REGULATIONS**

(Government Code Section 11346.5(a)(4))

None.

MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS  
(Government Code Section 11346.5(a)(5))

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts; and therefore, does not mandate state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

ESTIMATE OF COST OR SAVINGS  
(Government Code Section 11346.5(a)(6))

- A. Cost or Savings to any state agency: Health and Safety Code Section 17921 requires HCD to propose the adoption, amendment or repeal of building standards to the Commission pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5 of the Government Code. Part 2.5 of the Government Code requires state agencies to ensure that regulatory language meets the requirements of clarity and non-duplication. This proposed rulemaking incorporates specific provisions into one location with the California Building Standards Code to meet these requirements. This action will result in a minimal cost to HCD, which will be absorbed in the current budget.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- D. Other nondiscretionary cost or savings imposed on local agencies: NONE.
- E. Cost or savings in federal funding to the state: NONE.

Estimate: HCD believes that any additional expenditure resulting from this proposed action will be minimal and will be able to be absorbed within existing budgets and resources.

INITIAL DETERMINATION OF NO  
SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESSES  
(Government Code Section 11346.5(a)(8))

HCD has made an initial determination that the proposed action will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with busi-

nesses in other states. (See *Economic and Fiscal Impact Statement* in the rulemaking file.)

DECLARATION OF EVIDENCE  
(Government Code Section 11346.5(a)(8))

HCD has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts or documents either supporting HCD's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S  
HEALTH, SAFETY, OR WELFARE  
(Government Code Section 11346.3(d))

HCD has made an assessment of the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(c) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE  
PERSON OR BUSINESS  
(Government Code Section 11346.5(a)(9))

HCD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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))

HCD has initially 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.  
**These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.**
- The creation of new businesses or the elimination of existing businesses within the State of California.  
**These regulations will not affect the creation or the elimination of existing business within the State of California.**

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

**These regulations will not affect the expansion of businesses currently doing business within the State of California.**

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

**These regulations will update and clarify minimum building standards, which will provide increased protection of public health and safety, worker safety and the environment.**

#### ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

(Government Code Section 11346.5(a)(12) requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any, that were included in the Initial Statement of Reasons. In addition, the agency of-ficers shall make available to the public, upon request, the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs)

- No increased cost of compliance because the regulations make only technical, nonsubstantive or clarifying changes.
- Potential benefits include clarifying sound transmission regulations and the requirements affecting interior noise levels remain unchanged and have not been reduced.
- Pursuant to enacted legislation, the required installation date of carbon monoxide alarms in existing hotel and motel dwelling units is extended.

#### CONSIDERATION OF ALTERNATIVES (Government Code Section 11346.5(a)(13))

HCD must determine that no reasonable alternative considered by HCD, or that has otherwise been identified and brought to the attention of HCD, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

#### AVAILABILITY OF RULEMAKING DOCUMENTS (Government Code Sections 11346.5(a)(19) and 11346.5(a)(20))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review by contacting the person named below. This Notice, the Express Terms and Initial Statement of Reasons can also be accessed from the California Building Standards Commission website at <http://www.bsc.ca.gov>; in addition, the rule-making documents will be posted on HCD's website at [http://www.hcd.ca.gov/codes/shl/2013icac\\_part2.html](http://www.hcd.ca.gov/codes/shl/2013icac_part2.html).

Interested parties may obtain a copy of the Final Statement of Reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website or HCD's website.

#### DISABILITY ACCESS (Government Code Sections 11346.5(a)(21) and 11346.6)

HCD shall provide, upon request, a description of proposed changes included in the proposed action in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

#### CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS (Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

**CBSC Contact:** Michael Nearman, Deputy  
Executive Director  
[michael.nearman@dgs.ca.gov](mailto:michael.nearman@dgs.ca.gov)  
**CBSC Address:** California Building Standards  
Commission  
2525 Natomas Park Drive,  
Suite 130  
Sacramento, CA 95833  
**CBSC Telephone:** (916) 263-0916  
**CBSC Fax:** (916) 263-0959  
**CBSC E-mail:** [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS

**California Building Standards Commission,  
2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833  
Attention: Jim McGowan, Executive Director**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Tom Martin  
HCD, Division of Codes and Standards  
Telephone: (916) 445-9471;  
Fax: (916) 327-4712  
E-mail: [Thomas.G.Martin@hcd.ca.gov](mailto:Thomas.G.Martin@hcd.ca.gov)

Written comments may also be faxed to (916) 263-0959 or e-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days, prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current 2013 Intervening Code Adoption Cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

Back-up

Shawn Huff  
HCD, Division of Codes and Standards  
Telephone: (916) 445-9471;  
Fax: (916) 327-4712  
E-mail: [Shawn.Huff@hcd.ca.gov](mailto:Shawn.Huff@hcd.ca.gov)

POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS  
(Government Code Section 11346.5(a)(18))

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). The CBSC will accept written comments on the modified building standards during the 15-day period.

**REGARDING THE 2013 CALIFORNIA  
ELECTRICAL CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 3  
(HCD 03/13)**

**NOTE: To be notified of any modifications, you must submit written, and/or oral comments or request that you be notified of any modifications.**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 3. HCD is proposing building standards related to the National Electrical Code (NEC).

AUTHORITY AND REFERENCE  
(Government Code Section 11346.5(a)(2))

PUBLIC COMMENT PERIOD  
(Government Code Section 11346.5(a)(17))

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18949.5 and 18949.6. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 17000-17062.5, 17910-17995.5, 18200-18700, 18860-18874, and 19960-19997; and Government Code Sections 12955.1 and 12955.1.1. HCD is proposing this regulatory action based on Health and Safety

A public hearing has not been scheduled; however, written comments will be accepted from **April 26, 2014, until 5:00 p.m. on June 9, 2014**. Please address your comments to:

Code Sections 17040, 17921, 17922, 18300, 18690, 18865, 18873.4 and 19990; and Government Code Section 12955.1.

**INFORMATIVE DIGEST**  
(Government Code Section 11346.5(a)(3))

Summary of Existing Laws

Section 17921 of the Health and Safety Code and Section 12955.1 of the Government Code require HCD to propose the adoption, amendment, or repeal of building standards by the CBSC.

Section 17922 of the Health and Safety Code requires that the building standards be essentially the same as the most recent editions of the uniform industry codes. The CBSC is authorized to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5.

Health and Safety Code Section 17922 states that the most recent editions of the uniform codes referred to in the section shall be considered to be adopted one year after the date of publication of the uniform codes.

Health and Safety Code Section 17040 requires HCD to adopt building standards for employee housing for “. . . the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use sanitation, ventilation, and maintenance of all employee housing.”

Health and Safety Code Sections 18300 and 18865 require HCD to adopt building standards for mobile-home parks and special occupancy parks.

Health and Safety Code Section 19990 requires HCD to adopt building standards for factory-built housing.

Summary of Existing Regulations

The California Electrical Code, Part 3 of Title 24 of the California Code of Regulations (CCR), also known as the California Building Standards Code, adopted by reference the 2011 National Electrical Code (NEC) with California amendments, became effective on January 1, 2014.

Summary of Effect

HCD proposes to amend the 2013 California Electrical Code, Part 3, Title 24 of the California Code of Regulations for the following programs:

(b) Employee Housing Act: relative to the use of electrical equipment and systems in or on any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.

(c) Mobilehome Parks and Special Occupancy Parks: relative to the use of electrical equipment and systems in or on any permanent buildings within the park in accordance with Health and Safety Code Sections 18300 and 18865.

(d) Factory-built Housing Law: relative to residential buildings, dwellings or portions thereof, or building component, or manufactured assembly in accordance with Health and Safety Code Section 19990.

The amendments provide consistency with model code format, state and federal law and conditions unique to California. In addition, these amendments provide clarity and specificity and give direction for the code user.

An in-depth discussion of the effect of the amendments may be found in the Initial Statement of Reasons.

Comparable Federal Statute or Regulations

None.

Policy Statement Overview

The proposed regulations amend existing electrical standards by providing guidance and clarity to code users.

The benefits anticipated from this proposed regulatory action are summarized below:

This rulemaking action clarifies the 2013 CEC, helps to avoid regulatory impediments regarding new technology for electric vehicles and supporting infrastructure, including electric vehicle supply equipment, and incorporates acceptable standards which recognize changing technology and safety for the general public.

The proposal is an important step in meeting California's goals to reduce greenhouse gas and to encourage the use of electric vehicles to effectively reduce air pollution.

Also, providing the most recent methods and applying those building standards on a statewide basis, as required by statute, results in uniformity and promotes affordable costs.

Evaluation of Consistency

HCD has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE  
APPLICABLE TO THE AGENCY OR TO ANY  
SPECIFIC REGULATION OR CLASS  
OF REGULATIONS**

(Government Code Section 11346.5(a)(4))

None.

MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS  
(Government Code Section 11346.5(a)(5))

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts; and therefore, does not mandate state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

ESTIMATE OF COST OR SAVINGS  
(Government Code Section 11346.5(a)(6))

- A. Cost or Savings to any state agency: Health and Safety Code Section 17921 requires HCD to propose the adoption, amendment or repeal of building standards to the Commission pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5 of the Government Code. Part 2.5 of the Government Code requires state agencies to ensure that regulatory language meets the requirements of clarity and non-duplication. This proposed rulemaking incorporates specific provisions into one location with the California Building Standards Code to meet these requirements. This action will result in a minimal cost to HCD, which will be absorbed in the current budget.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- D. Other nondiscretionary cost or savings imposed on local agencies: NONE.
- E. Cost or savings in federal funding to the state: NONE.

Estimate: HCD believes that any additional expenditure resulting from this proposed action will be minimal and will be able to be absorbed within existing budgets and resources.

INITIAL DETERMINATION OF NO  
SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESSES  
(Government Code Section 11346.5(a)(8))

HCD has made an initial determination that the proposed action will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with busi-

nesses in other states. (See *Economic and Fiscal Impact Statement* in the rulemaking file.)

DECLARATION OF EVIDENCE  
(Government Code Section 11346.6(a)(8))

HCD has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts or documents either supporting HCD's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S  
HEALTH, SAFETY, OR WELFARE  
(Government Code Section 11346.3(d))

HCD has made an assessment of the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(c) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE  
PERSON OR BUSINESS  
(Government Code Section 11346.5(a)(9))

HCD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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))

HCD has initially 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.  
**These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.**
- The creation of new businesses or the elimination of existing businesses within the State of California.  
**These regulations will not affect the creation or the elimination of existing business within the State of California.**
- The expansion of businesses currently doing business within the State of California.

**These regulations will not affect the expansion of businesses currently doing business within the State of California.**

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

**These regulations will update and improve minimum electrical standards, which will provide increased protection of public health and safety, worker safety and the environment.**

#### ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

(Government Code Section 11346.5(a)(12) requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any that were included in the Initial Statement of Reasons. In addition, the agency officers shall make available to the public, upon request, the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs.)

- No increased cost of compliance because the regulations make only technical, nonsubstantive or clarifying changes. It is anticipated that decreased costs may result since the use of less costly options for facilitating electric vehicle use are recognized.
- Potential benefits include updated and improved minimum standards for electric vehicles and supporting infrastructure, including electric vehicle supply equipment.
- Protection of public health and safety, worker safety and the environment.

#### CONSIDERATION OF ALTERNATIVES (Government Code Section 11346.5(a)(13))

HCD must determine that no reasonable alternative considered by HCD, or that has otherwise been identified and brought to the attention of HCD, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy, or other provisions of law.

#### AVAILABILITY OF RULEMAKING DOCUMENTS (Government Code Sections 11346.5(a)(19) and 11346.5(a)(20))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review by contacting the person named below. This Notice, the Express Terms and Initial Statement of Reasons can also be accessed from the California Building Standards Commission website at <http://www.bsc.ca.gov>; in addition, the rulemaking documents will be posted on HCD's website at [http://www.hcd.ca.gov/codesshl/2013icac\\_part3.html](http://www.hcd.ca.gov/codesshl/2013icac_part3.html).

Interested parties may obtain a copy of the Final Statement of Reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website or HCD's website.

#### DISABILITY ACCESS (Government Code Sections 11346.5(a)(21) and 11346.6)

HCD shall provide, upon request, a description of proposed changes included in the proposed action in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

#### CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS (Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

**CBSC Contact:** Michael Nearman, Deputy  
Executive Director  
[michael.nearman@dgs.ca.gov](mailto:michael.nearman@dgs.ca.gov)  
**CBSC Address:** California Building Standards  
Commission  
2525 Natomas Park Drive,  
Suite 130  
Sacramento, CA 95833  
**CBSC Telephone:** (916) 263-0916  
**CBSC Fax:** (916) 263-0959  
**CBSC E-mail:** [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the standards should be addressed to:

Greg Cobabe  
HCD, Division of Codes and Standards  
Telephone: (916) 445-9471;  
Fax: (916) 327-4712  
E-mail: [Gregory.Cobabe@hcd.ca.gov](mailto:Gregory.Cobabe@hcd.ca.gov)

Back-up:

Shawn Huff  
HCD, Division of Codes and Standards  
Telephone: (916) 445-9471;  
Fax: (916) 327-4712  
E-mail: [Shawn.Huff@hcd.ca.gov](mailto:Shawn.Huff@hcd.ca.gov)

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**REGARDING THE 2013 CALIFORNIA GREEN  
BUILDING STANDARDS CODE (CALGREEN)  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 11  
(HCD 05/13)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. HCD is proposing green building standards.

**PUBLIC COMMENT PERIOD**  
(Government Code Section 11346.5(a)(1))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014, until 5:00 p.m. on June 9, 2014.** Please address your comments to:

**California Building Standards Commission,  
2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833  
Attention: Jim McGowan, Executive Director**

Written comments may also be faxed to (916) 263-0959 or e-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current 2013 Intervening Code Adoption Cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS**  
(Government Code Section 11346.5(a)(18))

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). The CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE: To be notified of any modifications, you must submit written and/or oral comments or request that you be notified of, any modifications.**

**AUTHORITY AND REFERENCE**  
(Government Code Section 11346.5(a)(2))

The CBSC proposes to amend these building standards under the authority granted by Health and Safety Code Section 18949.5. HCD is proposing this regulatory action based on Health and Safety Code Sections 17921, 17922 and 19990; and Government Code Section 12955.1. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code Sections 17000-17060, 17910-17990 and 19960-19997; and Government Code Sections 12955.1 and 12955.1.1.

**INFORMATIVE DIGEST**  
(Government Code Section 11346.5(a)(3))

Summary of Existing Laws

Section 17921 of the Health and Safety Code and Section 12955.1 of the Government Code require HCD to propose the adoption, amendment, or repeal of building standards by the CBSC.

Section 17922 of the Health and Safety Code requires that the building standards be essentially the same as the most recent editions of the uniform industry codes. The CBSC is authorized to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5.

Health and Safety Code Section 17922 states that the most recent editions of the uniform codes referred to in the section shall be considered to be adopted one year after the date of publication of the uniform codes

Health and Safety Code Section 17040 requires HCD to adopt building standards for employee housing for “. . . the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing.”

Health and Safety Code Sections 18300 and 18865 require HCD to adopt building standards for mobile-home, parks and special occupancy parks.

Health and Safety Code Section 19990 requires HCD to adopt building standards for factory–built housing.

Summary of Existing Regulations

The 2013 California Green Building Standards Code (CALGreen), Part 11 of Title 24 of the California Code of Regulations (CCR), also known as the California Building Standards Code, became effective on January 1, 2014.

The purpose of the California Green Building Standards Code, also known as CALGreen, is to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental air quality. CALGreen also includes standards designed to address unique California conditions.

Summary of Effect

HCD proposes to amend the 2013 California Green Building Standards Code (CALGreen), Part 11, Title 24 of the California Code of Regulations for the following programs:

- (a) State Housing Law: relative to residential occupancies, buildings or structures accessory thereto and as provided in Health and Safety Code Section 17921.2.
- (b) Employee Housing Act: relative, to the occupancy of any buildings or structures on the property in accordance with Health and Safety Code Section 17040.

- (c) Factory–built Housing Law: relative to residential buildings, dwellings or portions thereof, or building component, or manufactured assembly in accordance with Health and Safety Code Section 19990.

The amendments provide consistency with model code format, state and federal laws and regulations, and conditions unique to California. In addition, these amendments provide clarity and specificity, and give direction for the code user.

An in–depth discussion of the effect of the amendments may be found in the Initial Statement of Reasons.

Comparable Federal Statute or Regulations

None.

Policy Statement Overview

The purpose of the amendment of the 2013 California Green Building Standards Code (CALGreen) is to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental air quality.

Additionally, the modifications to the electrical vehicle (EV) charging provisions support implementation of the Governor’s Executive Order B–16–2012 and the Governor’s October 2013 announcement regarding zero–emission vehicles and the growing market for electric vehicles. Also, the Governor’s Interagency Working Group on Zero–Emission Vehicles, “2013 ZEV Action Plan,” designates HCD as the lead agency for considering amendments to the California Building Standards Code to ensure new residential buildings are ZEV–ready, including requiring multi–unit buildings to dedicate a portion of their parking lots for EV charging.

Finally, providing the most recent methods and applying those building standards on a statewide basis, as required by statute, results in uniformity and promotes affordable costs.

Evaluation of Consistency

HCD has determined that the proposed regulations are not inconsistent or, incompatible with existing state regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE  
APPLICABLE TO THE AGENCY OR TO ANY  
SPECIFIC REGULATION OR CLASS  
OF REGULATIONS**

(Government Code Section 11346.5(a)(4))

None.

MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS  
(Government Code Section 11346.5(a)(5))

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts; and therefore, does not mandate state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

ESTIMATE OF COST OR SAVINGS  
(Government Code Section 11346.5(a)(6))

- A. Cost or Savings to any state agency: Health and Safety Code Section 17921 requires HCD to propose the adoption, amendment or repeal of building standards to the Commission pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5 of the Government Code. Part 2.5 of the Government Code requires state agencies to ensure that regulatory language meets the requirements of clarity and non-duplication. This proposed rulemaking incorporates specific provisions into one location with the California Building Standards Code to meet these requirements. This action will result in a minimal cost to HCD which will be absorbed in the current budget.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- D. Other nondiscretionary cost or savings imposed on local agencies: NONE.
- E. Cost or savings in federal funding to the state: NONE.

Estimate: HCD believes that any additional expenditure resulting from this proposed action will be minimal and will be able to be absorbed within existing budgets and resources.

INITIAL DETERMINATION OF NO  
SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESSES  
(Government Code Section 11346.5(a)(8))

HCD has made an initial determination that the proposed action will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with busi-

nesses in other states. (See *Economic and Fiscal Impact Statement* in the rulemaking file.)

DECLARATION OF EVIDENCE  
(Government Code Section 11346.5(a)(8))

HCD has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts or documents either supporting HCD's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S  
HEALTH, SAFETY, OR WELFARE  
(Government Code Section 11346.3(d))

HCD has made an assessment of the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(c) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE  
PERSON OR BUSINESS  
(Government Code Section 11346.5(a)(9))

HCD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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 creation or elimination of jobs within the State of California.  
**These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.**
- The creation of new businesses or the elimination of existing businesses within the State of California.  
**These regulations will not affect the creation or the elimination of existing business within the State of California.**
- The expansion of businesses currently doing business within the State of California.  
**These regulations will not affect the expansion of businesses currently doing business within the State of California.**

- The benefits of the regulations to the health and welfare of California residents, worker safety and the State’s environment.

**These regulations will update and improve minimum green building standards, which will provide increased protection of public health and safety, worker safety and the environment.**

#### ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

(Government Code Section 11346.5(a)(12) requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any that were included in the initial Statement of Reasons. In addition, the agency officers shall make available to the public, upon request, the agency’s evaluation, if any of the effect of the proposed regulatory action on housing costs.)

- No increased cost of compliance for those regulations that make only technical, nonsubstantive or clarifying changes.
- The estimated cost of compliance related to infrastructure for future installation of electric vehicle charging station equipment (EVSE) is expected to be less than \$500 per dwelling unit; however, since costs are spread across the different types of residential housing affected by this rulemaking package (i.e., single-family, multifamily dwelling units), \$100 per unit is a more likely estimate.
- Potential benefits include providing the groundwork for new green technology, encouraging use of electric vehicles, cost savings to homeowners who choose to use EVs for transportation, reduction of greenhouse gas emissions and preservation of natural resources.
- Protection of public health and safety, worker safety and the environment.

#### CONSIDERATION OF ALTERNATIVES (Government Code Section 11346.5(013))

HCD must determine that no reasonable alternative considered by HCD, or that has otherwise been identified and brought to the attention of HCD, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

#### AVAILABILITY OF RULEMAKING DOCUMENTS (Government Code Sections 11346.5(a)(19) and 11346.5(a)(20))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review by contacting the person named below. This Notice, the Express Terms and initial Statement of Reasons can also be accessed from the California Building Standards Commission website at <http://www.bsc.ca.gov>; in addition, the rulemaking documents will be posted on HCD’s website at [http://www.hcd.ca.gov/codes/shl/2013icac\\_part11.html](http://www.hcd.ca.gov/codes/shl/2013icac_part11.html).

Interested parties may obtain a copy of the Final Statement of Reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website or HCD’s website.

#### DISABILITY ACCESS (Government Code Sections 11346.5(a)(21) and 11346.6)

HCD shall provide, upon request, a description of proposed changes included in the proposed action in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

#### CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS (Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

**CBSC Contact:** Mia Marvelli, Architectural Designer  
(916) 263-0916

**CBSC Back-up:** If the contact person is unavailable, please contact Michael Nearman at the phone number or fax number provided below.

**CBSC Address:** California Building Standards Commission  
2525 Natomas Park Drive,  
Suite 130  
Sacramento, CA 95833

**CBSC Telephone:** (916) 263-0916

**CBSC Fax:** (916) 263-0959

**CBSC E-mail:** [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS

**California Building Standards Commission,  
2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833  
Attention: Jim McGowan, Executive Director**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Emily Withers  
HCD, Division of Codes and Standards  
Telephone: (916) 445-9471;  
Fax: (916) 327-4712  
E-mail: [emily.withers@hcd.ca.gov](mailto:emily.withers@hcd.ca.gov)

Written comments may also be faxed to (916) 263-0959 or e-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current 2013 Intervening Code Adoption Cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

Back-up:

Shawn Huff  
HCD, Division of Codes and Standards  
Telephone: (916) 445-9471;  
Fax: (916) 327-4712  
E-mail: [shawn.huff@hcd.ca.gov](mailto:shawn.huff@hcd.ca.gov)

POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS  
(Government Code Section 11346.5(a)(18))

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**REGARDING THE 2013 CALIFORNIA  
PLUMBING CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 5  
(HCD 01/13)**

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). The CBSC will accept written comments on the modified building standards during the 15-day period.

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 5. HCD is proposing building standards related to the Uniform Plumbing Code (UPC).

**NOTE: To be notified of any modifications, you must submit written and/or oral comments or request that you be notified of any modifications.**

AUTHORITY AND REFERENCE  
(Government Code Section 11346.5(a)(2))

PUBLIC COMMENT PERIOD  
(Government Code Section 11346.5(a)(17))

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18949.5 and 18949.6. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 17000-17062.5, 17910-17995.5, 18200-18700, 18860-18874, and 19960-19997; and Government Code Sections 12955.1 and 12955.1.1. HCD is proposing this regulatory action based on Health and Safety

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014, until 5:00 p.m. on June 9, 2014**. Please address your comments to:

Code Sections 17040, 17921, 17922, 18300, 18690, 18865, 18873.4 and 19990; and Government Code Section 12955.1.

INFORMATIVE DIGEST  
(Government Code Section 11346.5(a)(3))

Summary of Existing Laws

Section 17921 of the Health and Safety Code and Section 12955.1 of the Government Code require HCD to propose the adoption, amendment, or repeal of building standards by the CBSC.

Section 17922 of the Health and Safety Code requires that the building standards be essentially the same as the most recent editions of the uniform industry codes. The CBSC is authorized to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5.

Health and Safety Code Section 17922 states that the most recent editions of the uniform codes referred to in the section shall be considered to be adopted one year after the date of publication of the uniform codes.

Health and Safety Code Section 17040 requires HCD to adopt building standards for employee housing for “. . . the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing.”

Health and Safety Code Sections 18300 and 18865 require HCD to adopt building standards for mobile-home parks and special occupancy parks.

Health and Safety Code Section 19990 requires HCD to adopt building standards for factory-built housing.

Summary of Existing Regulations

The California Plumbing Code, Part 5 of Title 24 of the California Code of Regulations (CCR), also known as the California Building Standards Code, adopted by reference the 2012 Uniform Plumbing Code (UPC) with California amendments, became effective on January 1, 2014.

Summary of Effect

HCD proposes to amend the 2013 California Plumbing Code, Part 5, Title 24 of the California Code of Regulations for the following programs:

- (a) State Housing Law: relative to residential occupancies, buildings or structures accessory thereto and as provided for through the Federal Fair Housing Amendment Acts accessibility requirements, except where the application is for public use only.

- (b) Employee Housing Act: relative to the use of plumbing equipment and systems in or on any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.
- (c) Mobilehome Parks and Special Occupancy Parks: relative to the use of plumbing equipment and systems in or on any permanent buildings within the park in accordance with Health and Safety Code Sections 18300, 18690, 18865 and 18873.4.
- (d) Factory-built Housing Law: relative to residential buildings, dwellings or portions thereof, or building component, or manufactured assembly in accordance with Health and Safety Code Section 19990.

The amendments provide consistency with model code format, state and federal laws and conditions unique to California. In addition, these amendments provide clarity and specificity and give direction for the code user.

An in-depth discussion of the effect of the amendments may be found in the Initial Statement of Reasons.

Comparable Federal Statute or Regulations

None.

Policy Statement Overview

The proposed regulations amend existing plumbing standards by providing guidance and clarity to code users.

The benefits anticipated from this proposed regulatory action include updating plumbing standards, which will result in the protection of public health and safety, worker safety, the environment and general welfare of California residents. Also providing the most recent methods and applying those building standards on a statewide basis, as required by statute, results in uniformity and promotes affordable costs.

Evaluation of Consistency

HCD has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE  
APPLICABLE TO THE AGENCY OR TO ANY  
SPECIFIC REGULATION OR CLASS OF  
REGULATIONS

(Government Code Section 11346.5(a)(4))

None.

MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS

(Government Code Section 11346.5(a)(5))

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or

school districts; and therefore, does not mandate state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

ESTIMATE OF COST OR SAVINGS  
(Government Code Section 11346.5(a)(6))

- A. Cost or Savings to any state agency: Health and Safety Code Section 17921 requires HCD to propose the adoption, amendment or repeal of building standards to the Commission pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5 of the Government Code. Part 2.5 of the Government Code requires state agencies to ensure that regulatory language meets the requirements of clarity and non-duplication. This proposed rulemaking incorporates specific provisions into one location with the California Building Standards Code to meet these requirements. This action will result in a minimal cost to HCD, which will be absorbed in the current budget.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: NONE.
- D. Other nondiscretionary cost or savings imposed on local agencies: NONE.
- E. Cost or savings in federal funding to the state: NONE.

Estimate: HCD believes that any additional expenditure resulting from this proposed action will be minimal and will be able to be absorbed within existing budgets and resources.

INITIAL DETERMINATION OF NO  
SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESSES  
(Government Code Section 11346.5(a)(8))

HCD has made an initial determination that the proposed action will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states. (See *Economic and Fiscal Impact Statement* in the rulemaking file.)

DECLARATION OF EVIDENCE  
(Government Code Section 11346.5(a)(8))

HCD has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts or documents either supporting HCD's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S  
HEALTH, SAFETY, OR WELFARE  
(Government Code Section 11346.3(d))

HCD has made an assessment of the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(c) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE  
PERSON OR BUSINESS  
(Government Code Section 11346.5(a)(9))

HCD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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))

HCD has initially 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.  
**These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.**
- The creation of new businesses or the elimination of existing businesses within the State of California.  
**These regulations will not affect the creation or the elimination of existing business within the State of California.**
- The expansion of businesses currently doing business within the State of California.  
**These regulations will not affect the expansion of businesses currently doing business within the State of California.**
- The benefits of the regulations to the health and welfare of California residents, worker safety and the State's environment.

**These regulations will update and improve minimum plumbing standards, which will provide increased protection of public health and safety, worker safety and the environment.**

**ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING**

(Government Code Section 11346.5(a)(12) requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any that were included in the Initial Statement of Reasons. In addition, the agency officers shall make available to the public, upon request, the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs.)

- No increased cost of compliance because the regulations make only technical, nonsubstantive or clarifying changes. It is anticipated that a reduction in costs may result from compliance with certain proposed clarifying provisions.
- Potential benefits include updated and improved minimum standards for plumbing systems.
- Protection of public health and safety, worker safety and the environment.

**CONSIDERATION OF ALTERNATIVES**  
(Government Code Section 11346.5(a)(13))

HCD must determine that no reasonable alternative considered by HCD, or that has otherwise been identified and brought to the attention of HCD, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

**AVAILABILITY OF RULEMAKING DOCUMENTS**  
(Government Code Sections 11346.5(a)(19) and 11346.5(a)(20))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review by contacting the person named below. This Notice, the Express Terms and Initial Statement of Reasons can also be accessed from the California Building Standards Commission website at <http://www.bsc.ca.gov>. In addition, the rulemaking documents will be posted on HCD's website at

[http://www.hcd.ca.gov/codes/shl/2013icac\\_part5.html](http://www.hcd.ca.gov/codes/shl/2013icac_part5.html).

Interested parties may obtain a copy of the Final Statement of Reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website or HCD's website.

**DISABILITY ACCESS**  
(Government Code Sections 11346.5(a)(21) and 11346.6)

HCD shall provide, upon request, a description of proposed changes included in the proposed action in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS**  
(Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

**CBSC Contact:** Michael Nearman, Deputy Executive Director  
[michael.nearman@dgs.ca.gov](mailto:michael.nearman@dgs.ca.gov)  
**CBSC Address:** California Building Standards Commission  
2525 Natomas Park Drive,  
Suite 130  
Sacramento, CA 95833  
**CBSC Telephone:** (916) 263-0916  
**CBSC Fax:** (916) 263-0959  
**CBSC E-mail:** [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov)

**PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Greg Cobabe  
HCD, Division of Codes and Standards  
Telephone: (916) 445-9471;  
Fax: (916) 327-4712  
E-mail: [Gregory.Cobabe@hcd.ca.gov](mailto:Gregory.Cobabe@hcd.ca.gov)

Back-up

Shawn Huff  
 HCD, Division of Codes and Standards  
 Telephone: (916) 445-9471;  
 Fax: (916) 327-4712  
 E-mail: [Shawn.Huff@hcd.ca.gov](mailto:Shawn.Huff@hcd.ca.gov)

**TITLE 24. BUILDING STANDARDS  
 COMMISSION**

**REGARDING THE CALIFORNIA BUILDING  
 CODE  
 CALIFORNIA CODE OF REGULATIONS,  
 TITLE 24, PART 2  
 PUBLIC POOLS**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the California Department of Public Health (CDPH) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. The CDPH is proposing building standards related to public pools.

**PUBLIC COMMENT PERIOD  
 (Government Code Section 11346.5(a)(17))**

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014** until 5:00 p.m. on **June 9, 2014**. Please address your comments to:

California Building Standards Commission  
 2525 Natomas Park Drive, Suite 130  
 Sacramento, CA 95833  
 Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE  
 TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

**AUTHORITY AND REFERENCE**

The California Building Standards Commission proposes to adopt these building standards under the authority granted by the California Health and Safety Code (HSC). The purpose of these building standards is to implement, interpret, and make specific the provisions of the HSC. The California Department of Public Health is proposing this regulatory action based on the HSC, Sections 116025-116068.

**INFORMATIVE DIGEST**

An informative digest drafted in plain English in a format similar to the Legislative Counsel's Digest shall include the following:

**Summary of Existing Laws**

HSC Section 1797.182 requires that all ocean, public beach, and public swimming pool lifeguards and all firefighters in the state, except those whose duties are primarily clerical or administrative, shall be trained to administer first aid and cardiopulmonary resuscitation.

HSC Sections 116025-116068 require every public swimming pool and its operation to ensure the safety of its bathers and provide measures to ensure that the public swimming pools at all times are sanitary, healthful and safe.

HSC Sections 116028 and 116033 require lifeguards to possess, as minimum qualifications as determined by the CDPH, current certificates from an American Red Cross or YMCA of the U.S.A. lifeguard training program or to have equivalent qualifications and to have been trained to administer first aid.

HSC Section 115990 requires a wave pool operator to comply with several specified safety requirements to ensure that there are consistent safety standards to reduce or eliminate drowning and near-drowning cases.

**Summary of Existing Regulations**

Chapter 31B, Part 2, Title 24, CCR requires standards for the construction, installation, alteration, addition, relocation, replacement or use of any public swimming pool including its appurtenant auxiliary areas, facilities, mechanical equipment, and related piping.

**Summary of Effect**

The proposal will update the public pool regulations to reflect current health and safety practices, industry standards, and operations. The proposed pool regulations have been posted on the CDPH web site at <http://www.cdph.ca.gov/HealthInfo/environhealth/water/Pages/CaliforniaPublicSwimmingPoolRequirements.aspx>. Pool industry stakeholders have been notified that the proposed regulations are available for review. To date no comments have been received by CDPH.

**Comparable Federal Statute or Regulations**

Virginia Graeme Baker Pool and Spa Safety Act, 15 USC 8001, Title XIV Sections 1401–1408 require that each public pool in the United States be equipped with antientrapment devices or systems that comply with a specified performance standard, and each public pool and spa in the United States equipped with a single main drain other than an unblockable drain be equipped at a minimum with 1 or more specified devices or systems designed to prevent entrapment by pool or spa drains.

**Policy Statement Overview**

The purpose of the proposal is to update existing public pool regulations to reflect current health and safety practices, industry standards, and public pool operations.

**Evaluation of consistency**

The proposed regulation is compatible with existing regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

None.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The California Department of Public Health has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

**ESTIMATE OF COST OR SAVINGS**

- A. Cost or Savings to any state agency: No.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: No.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: No.
- D. Other nondiscretionary cost or savings imposed on local agencies: No.
- E. Cost or savings in federal funding to the state: No.

Estimate: \$0 for each new public pool constructed.

**INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

The California Department of Public Health has made an initial determination that the adoption/amendment/ repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

**DECLARATION OF EVIDENCE**

CDPH has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to the Government Code Section 11346.5 (a)(8). The public is welcome to submit any information, facts, or documents either supporting CDPH’s initial determination or finding to the contrary.

**FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE**

CDPH has made an assessment of the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(c) is not required.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

The CDPH is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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

The CDPH 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 proposed regulations will not create or eliminate jobs within the State of California.

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

The proposed regulations will not create new businesses or eliminate existing businesses within the State of California.

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

The proposed regulations will not expand businesses currently doing business with the State of California.

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

The proposed regulations will benefit the health and welfare of California residents in that the changes will result in an enhanced protection of the health and safety of the pool users who use public pools in the state.

ESTIMATED COST OF COMPLIANCE OF  
STANDARDS THAT WOULD IMPACT HOUSING

CDPH has made an initial determination that this proposal would not have a significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES

The CDPH must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF  
RULEMAKING DOCUMENTS

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that CDPH shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBCS CONTACT PERSON FOR PROCEDURAL  
AND ADMINISTRATIVE QUESTIONS  
(Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[Michael.Nearman@dgs.ca.gov](mailto:Michael.Nearman@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Mark Jeude, REHS, Environmental Health Services  
Section Chief  
California Department of Public Health,  
Division of Drinking Water  
(916) 449-5693  
[Mark.Jeude@cdph.ca.gov](mailto:Mark.Jeude@cdph.ca.gov)  
Fax: (916) 449-5665

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**REGARDING PROPOSED CHANGES TO THE  
CALIFORNIA GREEN BUILDING  
STANDARDS CODE (CALGreen CODE)  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 11  
2013 CALGreen Intervening Code Cycle**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Division of the State Architect proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 11. The DSA–SS is proposing building standards related to the 2013 California Green Building Standards Code (CALGreen Code).

**PUBLIC COMMENT PERIOD**  
(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014**, until 5:00 p.m. on **June 9, 2014**. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

Written Comments may also be faxed to (916) 263–0959 or E–mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST–HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS**  
(Government Code Section 11346.5(a)(18))

Following the public comment period, the CBSC may adopt the proposed building standards substantial-

ly as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15–day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

**AUTHORITY AND REFERENCE**  
(Government Code Section 11346.5(a)(2))

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18928. The purpose of these building standards is to implement, interpret, and make specific the provisions of Education Code Sections 17280 through 17317, and 81130 through 81147 and Health and Safety Code Sections 16000–16023. The DSA–SS is proposing this regulatory action based on Education Code Sections 17310 and 81142, and Health and Safety Code Section 16022.

**INFORMATIVE DIGEST**  
(Government Code Section 11346.5(a)(3))

An informative digest drafted in plain English in a format similar to the Legislative Counsel’s Digest shall include the following:

**Summary of Existing Laws**

Section 16022 of the Health and Safety Code authorizes the State Architect to establish building standards for the design, construction and inspection of building systems for state–owned or state–leased essential services buildings. Sections 17310, 81142 and 81053 of the Education Code authorize the State Architect to establish building standards for the design, construction and inspection of building systems for public elementary and secondary schools, and community colleges.

**Summary of Existing Regulations**

Existing green building standards apply to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure throughout the State of California. It is not the intent that the green building standards substitute or be identified as meeting the certification requirements of any green building program. The green building standards are promulgated by the Division of the State Architect. These regulations are contained in the California Green Building Standards Code (CALGreen Code, Part 11, Title 24) and incorporate the following:

Part 5, the California Plumbing Code, with Chapter 16 for alternate water sources for non-potable applications authored by Department of Water Resources.

Part 6, the California Energy Code, which contains minimum energy efficiency standards for nonresidential buildings in California promulgated by the California Energy Commission (CEC).

Part 11, the California Green Building Standards Code (CALGreen Code), which contains mandatory and voluntary green building standards for residential, nonresidential, and medical facilities.

Other relevant CCR titles:

Title 17 includes regulations for air quality promulgated by the California Air Resources Board.

Title 20, Article 4, Appliance Efficiency regulations, contains CEC standards for water consumption of widely used plumbing fixtures.

Title 23 includes the Model Water Efficient Landscape Ordinance recently updated by Department of Water Resources.

Summary of Governor’s Executive Orders

S–20–04, December 14, 2004, instructs state entities to design, construct, and operate all new and renovated state-owned facilities paid for with state funds as “LEED Silver” or higher certified buildings.

S–3–05, June 1, 2005, establishes targets for limiting GHG emissions to 2000 levels by 2010, to 1990 levels by 2020, and to 80% of 1990 levels by 2050. It directs the Secretary of the Environmental Protection Agency (EPA) to coordinate this effort with the Secretary of the Business, Transportation and Housing Agency, Secretary of the Department of Food and Agriculture, Secretary of the Resources Agency, Chairperson of the Air Resources Board, Chairperson of the Energy Commission, and the President of the Public Utilities Commission. These agencies formed a Climate Action Team (CAT) to report to the governor by January, 2006 and periodically thereafter on strategies and progress in meeting the goals.

S–20–06, October 17, 2006, directs EPA to continue coordinating reduction of GHG emissions and development of market-based strategies for achievement, mandated by AB 32.

**Summary of Effect**

These proposed regulations will amend the 2013 edition of the California Green Building Standards Code (CALGreen Code) for application by DSA–SS to public elementary and secondary schools, and community colleges. The proposed action would update Part 11 of Title 24 by:

- Updating the existing measures for clarification to specific requirements in order to coordinate with the application for public schools and community colleges, and make proposed revisions based on input by the California Department of Education and other stakeholders.
- Incorporate measures promulgated by the California Buildings Standards Commission for non-residential buildings and to align with the requirements for public schools and community colleges.
- Repealing existing voluntary measures deemed to be sufficiently addressed by other related codes.

**Comparable Federal Statute or Regulations**

The Environmental Protection Agency (EPA) defines “Brownfield Development”, an option proposed for site planning and design. EPA also regulates ozone-depleting and climate-warming chemicals, as well as other air pollutants like wood smoke in updates to the 1970 Clean Air Act. The Federal Water Pollution Control Act (33 U.S.C. 1251 et seq., also known as the Clean Water Act) is adopted in California by the State Water Resources Control Board for management of storm water during construction.

**Policy Statement Overview**

The broad objective of the proposed action is to maintain green building standards in conformance with current state law, by updating the 2013 California Green Building Standards Code (CALGreen Code).

**Evaluation of consistency**

There are no inconsistent or incompatible regulations proposed.

OTHER MATTERS PRESCRIBED BY STATUTE  
APPLICABLE TO THE AGENCY OR TO ANY  
SPECIFIC REGULATION OR CLASS  
OF REGULATIONS

(Government Code Section 11346.5(a)(4))

There are no other matters prescribed by statute applicable to the Division of the State Architect, or to any specific regulation or class of regulations.

MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS

(Government Code Section 11346.5(a)(5))

The DSA–SS has determined that projects following the California Green Building Standards Code would impose a mandate on local agencies in the form of veri-

fication. However, the mandate does not require reimbursement pursuant to Part 7 (commencing with section 17500) of Division 4, Government Code. No mandate is imposed on school districts.

**ESTIMATE OF COST OR SAVINGS**  
(Government Code Section 11346.5(a)(6))

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district. Provide a copy of the “Economic and Fiscal impact Statement” (Form 399)

- A. Cost or Savings to any state agency: **NO.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO.**
- E. Cost or savings in federal funding to the state: **NO.**  
Estimate: Not applicable

**INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**  
(Government Code Section 11346.5(a)(8))

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

The DSA–SS has made an initial determination that the adoption/amendment/ repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

**DECLARATION OF EVIDENCE**  
(Government Code Section 11346.5(a)(8))

The declaration the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relies upon to support its initial determination of no effect.

No facts, evidence, documents, testimony or other evidence has been relied upon to support the initial determination of no effect.

**FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE**  
(Government Code Section 11346.3(d))

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

The proposed action does not require a report by any business or agency, so the Division of the State Architect has not made a finding of necessity for the public’s health, safety or welfare.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**  
(Government Code Section 11346.5(a)(9))

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

The DSA–SS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION**  
(Government Code Section 11346.5(a)(10),  
Government Code Section 11346.3(b)(1))

The DSA–SS 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 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 has determined that the proposed action has no effect.
- The expansion of businesses currently doing business with the State of California.  
The DSA 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 has determined that the proposal is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in the following categories:

1. Planning and design
2. Energy efficiency
3. Water efficiency and conservation
4. Material conservation and resource efficiency
5. Environmental quality

#### ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Government Code Section 11346.5(a)(12) requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any, that were included in the initial statement of reasons. In addition, the agency officers shall make available to the public, upon request, the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs.

DSA-SS has determined that this proposal would not have a significant effect on housing costs.

#### CONSIDERATION OF ALTERNATIVES (Government Code Section 11346.5(a)(13))

The DSA-SS must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

#### AVAILABILITY OF RULEMAKING DOCUMENTS (Government Code Section 11346.5(a)(20)), (Government Code Section 11346.5(a)(19))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and

initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that DSA-SS shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

#### CBCS CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS (Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

Enrique Rodriguez, Assoc. Construction Analyst  
(916)-263-0845  
[Enrique.Rodriguez@dgs.ca.gov](mailto:Enrique.Rodriguez@dgs.ca.gov)

Michael Nearman, Deputy Executive Director  
(916) 263-0916  
[Michael.Nearman@dgs.ca.gov](mailto:Michael.Nearman@dgs.ca.gov)

Department of General Services/  
California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Facsimile No.: (916) 263-0959

#### PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to the Division of the State Architect:

Dennis Corelis, Principal Architect  
(916) 445-4167  
[Dennis.Corelis@dgs.ca.gov](mailto:Dennis.Corelis@dgs.ca.gov)

Theresa Townsend, Supervising Architect  
(916) 445-1304  
Theresa.Townsend@dgs.ca.gov

## TITLE 24. BUILDING STANDARDS COMMISSION

### REGARDING THE CALIFORNIA ADMINISTRATIVE CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1, CHAPTER 4. GROUP 2 SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS: Fire & Life Safety (FLS)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Division of the State Architect proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 1. The DSA is proposing building standards applicable to the administrative aspects of the fire and life safety design of public elementary and secondary schools and community colleges.

#### PUBLIC COMMENT PERIOD (Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014, until 5:00 p.m. on June 9, 2014**. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

#### POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS (Government Code Section 11346.5(a)(18))

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

#### AUTHORITY AND REFERENCE (Government Code Section 11346.5(a)(2))

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18930 and 18949.1. The purpose of these administrative standards is to implement, interpret, and make specific the provisions of Government Code Section 14963. The Division of the State Architect is proposing this regulatory action based on Government Code Section 14963.

#### INFORMATIVE DIGEST (Government Code Section 11346.5(a)(3))

An informative digest drafted in plain English in a format similar to the Legislative Counsel's Digest shall include the following:

##### **Summary of Existing Laws**

Section 14963 of the Government Code transfers the duties and functions formerly conducted by the State Fire Marshal that relate to construction, school, plan checking, and construction inspection to the Division of the State Architect.

##### **Summary of Existing Regulations**

Existing administrative standards which prescribe administrative requirements for building design and construction of public elementary and secondary schools, and community colleges are promulgated by the Division of the State Architect. These regulations are contained in Title 24, Part 1.

##### **Summary of Effect**

The proposed action would:

- Define the DSA Fire and Life Safety program for school construction plan checking and inspections.

- Define and codify the required fees sufficient to recover the cost incurred for the Fire and Life Safety program and activities related to school construction plan checking and inspections.

**Comparable Federal Statute or Regulations**

There are no comparable federal regulations or statutes.

**Policy Statement Overview**

The broad objective of the proposed action is to establish regulations that define the DSA Fire and Life Safety program for school construction plan checking and inspections.

**Evaluation of consistency**

There are no inconsistent or incompatible regulations being proposed.

OTHER MATTERS PRESCRIBED BY STATUTE  
APPLICABLE TO THE AGENCY OR TO ANY  
SPECIFIC REGULATION OR CLASS  
OF REGULATIONS

(Government Code Section 11346.5(04))

There are no other matters prescribed by statute applicable to the Division of the State Architect, or to any specific regulation or class of regulations.

MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS

(Government Code Section 11346.5(a)(5))

The DSA has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts. [If the proposed action would impose a mandate, discuss whether the mandate requires reimbursement pursuant to Part 7 (commencing with Section 17500 of Division 4 of the Government Code).]

ESTIMATE OF COST OR SAVINGS

(Government Code Section 11346.5(a)(6))

An estimate, prepared in accordance with instructions adopted by the Department of Finance, of cost or savings to any state agency, local agency, or school district. Provide a copy of the "Economic and Fiscal Impact Statement" (Form 399).

- A. Cost or Savings to any state agency: **YES.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**

C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **YES.**

D. Other nondiscretionary cost or savings imposed on local agencies: **NO.**

E. Cost or savings in federal funding to the state: **NO.**

Estimate: A: Savings — Currently unreimbursed costs of operation for the Division of the State Architect's mandated fire and life safety plan review and construction oversight responsibilities will be reduced or eliminated in the amount of approximately 7.2 million dollars annually.

Savings — Costs for the Division of the State Architect's mandated fire and life safety, plan review and construction oversight responsibilities of public school and community college projects consisting only of fire and life safety work will be reduced approximately 50%. Costs for the Division of the State Architect's mandated fire and life safety plan review and construction oversight responsibilities of public school and community college projects consisting of both structural safety and fire-life safety work will be increased approximately 0.15% to 0.30%, depending on the size of the project.

INITIAL DETERMINATION OF NO  
SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESSES  
(Government Code Section 11346.5(a)(6))

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

The DSA has made an initial determination that the adoption of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

DECLARATION OF EVIDENCE  
(Government Code Section 11346.5(a)(8))

The declaration the agency shall provide in the record of facts, evidence, documents, testimony or other evidence that the agency relies upon to support its initial determination of no effect.

No facts, evidence, documents, testimony or other evidence has been relied upon to support the initial determination of no effect.

FINDING OF NECESSITY FOR THE PUBLIC'S  
HEALTH, SAFETY, OR WELFARE  
(Government Code Section 11346.3(d)).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

The proposed regulatory action does not require a report by any business or agency, so the Division of the State Architect has not made a finding of necessity for public's health, safety or welfare.

COST IMPACT ON REPRESENTATIVE PRIVATE  
PERSON OR BUSINESS  
(Government Code Section 11346.5(a)(9))

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

The DSA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS  
UPON JOBS AND BUSINESS EXPANSION,  
ELIMINATION OR CREATION  
(Government Code Section 11346.5(a)(10),  
Government Code Section 11346.3(b)(1))

The DSA 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 Division of the State Architect has determined that this proposed action has no effect.
- The creation of new businesses or the elimination of existing businesses within the State of California.
- The Division of the State Architect has determined that this proposed action has no effect.
- The expansion of businesses currently doing business with the State of California.
- The Division of the State Architect has determined that this 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 Division of the State Architect has determined that proposed regulatory action would have no adverse effect on the health and welfare of California residents, worker safety, and the state's environment.

ESTIMATED COST OF COMPLIANCE OF  
STANDARDS THAT WOULD IMPACT HOUSING

The Division of the State Architect has made an initial determination that this proposed regulatory action would not have a significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES  
(Government Code Section 11346.5(a)(13))

The Division of the State Architect (DSA) has determined that no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more effective in carrying out the purpose for which this action is proposed, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF  
RULEMAKING DOCUMENTS  
(Government Code Section 11346.5(a)(20)),  
(Government Code Section 11346.5(a)(19))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that DSA shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR PROCEDURAL  
AND ADMINISTRATIVE QUESTIONS**  
(Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[michael.nearman@dgs.ca.gov](mailto:michael.nearman@dgs.ca.gov)

**PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Dale Kuroda, Business Operations Deputy  
Telephone No.: (916) 322-0600  
[Dale.Kuroda@dgs.ca.gov](mailto:Dale.Kuroda@dgs.ca.gov)  
Division of the State Architect — Headquarters  
1102 Q Street, Suite 5100  
Sacramento, CA 95811  
DSA Facsimile No.: (916) 324-0207

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**REGARDING THE 2013 CALIFORNIA  
BUILDING CODE, CALIFORNIA CODE OF  
REGULATIONS, TITLE 24, PART 2 2013  
INTERIM RULEMAKING CYCLE**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Office of the State Fire Marshal (OSFM) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. The OSFM is proposing building standards related to the 2013 California Building Code.

**PUBLIC COMMENT PERIOD**  
(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25,**

**2014, until 5:00 p.m. on June 9, 2014.** Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

**AUTHORITY AND REFERENCE**

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code section 18949.2. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code section 18928.

The OSFM is proposing this regulatory action pursuant to Health and Safety Code Sections 13108, 13211, 13113, 13113.5, 13114, 13132.7, 13133, 13135, 13143, 13143.1, 13143.6, 13143.9, 13146, 17921 and 18897.3 and Government Code Section 11152.5.

## INFORMATIVE DIGEST

An informative digest drafted in plain English in a format similar to the Legislative Counsel's Digest shall include the following:

**Summary of Existing Laws**

**Health and Safety Code Section 13108(a)** The State Fire Marshal shall prepare and adopt building standards related to the means of egress, the installation of fire alarms and fire extinguishing systems in any state-owned building or in any state-occupied building.

**Health and Safety Code Section 13113** An automatic sprinkler system shall be installed in all 24-hour institutional type occupancies, and homes for the care of aged or senile persons.

**Health and Safety Code Section 13113.5** The State Fire Marshal Shall adopt regulations requiring the installation of automatic smoke detectors in all facilities which provide 24-hour per day care, which house six or fewer persons, and which do not have automatic sprinkler systems.

**Health and Safety Code Section 13114(a)** The State Fire Marshal shall adopt regulations and standards to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state, and no person shall market, distribute, offer for sale, or sell any fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.

**Health and Safety Code Section 13132** Every person, firm, or corporation maintaining or operating any facility for the care of the mentally handicapped shall file a statement with the fire authority having jurisdiction within five days of the admission or readmission of a patient stating that such patient is an ambulatory or a nonambulatory person and enumerating the reasons for such classification. Such a statement shall also be filed for each existing patient within 30 days of the effective date of this section.

Any statement required to be filed pursuant to this section shall be certified as to its correctness by the person attending such patient.

It shall be unlawful for any person, firm, or corporation required to file a statement pursuant to this section to include false statements therein. Any such act shall be in violation of this section and subject to the provisions of Section 13112.

**Health and Safety Code Section 13132.7** Mandates fire-retardant roof coverings in fire hazard severity zones.

**Health and Safety Code Section 13133(a)** The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire

safety standards appropriate for residential facilities, and residential care facilities for the elderly. These fire safety standards shall apply uniformly throughout the state.

**Health and Safety Code Section 13135** The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities based on whether the residents or patients of the facilities are nonambulatory.

**Health and Safety Code Section 13143** grants the State Fire Marshal authority to prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children's nursery, children's home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

**Health and Safety Code Section 13143.1(a)** The State Fire Marshal shall prepare, adopt, and submit building standards for establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any motion picture or television production facility.

**Health and Safety Code Section 13143.6(a)** The State Fire Marshal shall prepare and adopt regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire in any building or structure used or intended for use as a home or institution for the housing of any person of any age for protective social care and supervision services by any governmental agency, certified family care homes, out-of-home placement facilities, and halfway houses.

**Health and Safety Code Section 13143.9(a)** The State Fire Marshal shall prepare, adopt, and submit building standards and other fire and life safety regulations establishing minimum requirements for the storage, handling, and use of hazardous materials.

**Health and Safety Code Section 13211** The State Fire Marshal shall prepare and adopt building standards relating to fire and panic safety in high-rise structures.

**Health and Safety Code Section 17921(b)** The State Fire Marshal shall adopt, amend, or repeal and submit building standards for approval pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the State Fire Marshal shall adopt, amend, and repeal other rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment

houses and dwellings, buildings, and structures accessory thereto. These building standards and regulations shall be enforced pursuant to Sections 13145 and 13146; however, this section is not intended to require an inspection by a local fire agency of each single-family dwelling prior to its occupancy.

**Health and Safety Code Section 18928(a)** requires each state agency adopting or proposing adoption of a model code, national standards, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

**Health and Safety Code Section 18897.3** Except as provided in Section 18930, the State Fire Marshal shall adopt minimum fire safety regulations for organized camps in accordance with the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The State Fire Marshal shall adopt and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of this division for the purposes described in this section.

**Health and Safety Code Section 18949.2(b)** The State Fire Marshal shall remain the state agency responsible for developing building standards to implement the state’s fire and life safety policy. In its role as the fire and life safety standard developing agency, the State Fire Marshal shall continue its existing activities and forums designed to facilitate compromise and consensus among the various individuals and groups involved in development of the state’s codes related to fire and life safety.

(c) The state’s fire and life safety building standards, as developed by the State Fire Marshal and as adopted by the commission, shall continue to be based on the state’s fire and life safety policy goals and mandates as they existed prior to the enactment of this chapter and as they are amended.

**Summary of Existing Regulations**

The OSFM currently adopts by reference the California Code of Regulations, Title 24, Part 2, 2013 California Building Code with SFM amendments and additional building standards relating to regulations that establish minimum requirements for the prevention of fire and for the protection of life and property against fire and in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

**Summary of Effect**

The general purpose of this proposed action is principally to update the 2013 California Building Code (California Code of Regulations, Title 24, Part 2) based upon updated information or recent actions of the OSFM. This proposed action:

- Repeals certain amendments to the 2012 International Building Code and/or California Building Standards not addressed by the model code that are no longer necessary nor justified pursuant with Health and Safety Code Section 18930(a)(7).
- Adopts and implements additional necessary amendments to the 2013 California Building Code that address inadequacies of the 2012 International Building Code as they pertain to California laws.
- Codifies non-substantive editorial and formatting amendments to the 2013 California Building Code.

**Comparable Federal Statute or Regulations**

The OSFM has determined that there are no comparable federal regulations or statutes addressing the fire and life safety requirements as presented in this notice.

**Policy Statement Overview**

The specific purpose of this rulemaking effort by the OSFM is to act in accordance with Health and Safety Code section 18929.1, which requires all proposed regulations to specifically comply with this section in regards to the annual code adoption cycle.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in the 2012 International Building Code and published as the 2013 California Building Code.

The OSFM further proposes to offer new amendments where necessary to ensure that the regulations of the California Building Code establish and or maintain minimum requirements for the prevention of fire and panic for the protection of life and property against fire and panic in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above in the summary of existing laws.

**Evaluation of consistency**

The proposed regulations are consistent with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE  
 APPLICABLE TO THE AGENCY OR TO ANY  
 SPECIFIC REGULATION OR CLASS  
 OF REGULATIONS

The OSFM has determined that there are no other prescribed statutes or any specific regulation or class of regulation applicable to the amendments and building

standards relating to the 2013 California Building Code.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The OSFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

**ESTIMATE OF COST OR SAVINGS**

- A. Cost or Savings to any state agency: **NO.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO.**
- E. Cost or savings in federal funding to the state: **NO.**

**INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

The OSFM has made an initial determination that this proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

**DECLARATION OF EVIDENCE**

The OSFM affirms that this rulemaking action complies specifically with the mandates of Health and Safety Code Sections 13143, 18928, 18949.2(b), 18949(c) and the mandates of the statutory authority of the OSFM as shown in the Informative Digest.

Therefore, the OSFM's initial determination of no significant, statewide adverse economic impact directly affecting businesses in California and their ability to compete with businesses in other states does not require any additional documents or other evidence to support this action.

**FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE**

The OSFM has made an assessment of the proposed code changes and has determined that these changes

would not require a report; therefore, a finding is not necessary for the health, safety, or welfare of the people of the state that the regulation is applicable to businesses.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

The OSFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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

The OSFM has assessed that adoption of these regulations will not:

- Create or eliminate jobs within California;
- Create new businesses or eliminate existing businesses within California; or
- Affect the expansion of businesses currently doing business within California.

**ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING**

Proposals contained in this rulemaking relating to housing are editorial or are being proposed to clarify the original intent of the regulations or statute. No additional cost of compliance should be incurred. Potential benefits of this rulemaking should bring uniformity for the design, installation/construction and enforcement.

**CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code §11346.5 subdivision (a)(13), the OSFM has determined that no reasonable alternative considered by it or that has been otherwise identified and brought to the attention of the OSFM would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

**AVAILABILITY OF RULEMAKING DOCUMENTS**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that OSFM shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS**

General questions regarding procedural and administrative issues should be addressed to:

Michael Nearman, Deputy Executive Director  
 2525 Natomas Park Drive, Suite 130  
 Sacramento, CA 95833  
 Telephone No.: (916) 263-0916  
 Facsimile No.: (916) 263-0959  
[michael.nearman@dgs.ca.gov](mailto:michael.nearman@dgs.ca.gov)

**PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Kevin Reinertson  
 Division Chief  
 Office of the State Fire Marshal,  
 Code Development and Analysis Division  
 (916) 327-4998  
[kevin.reinertson@fire.ca.gov](mailto:kevin.reinertson@fire.ca.gov)  
 FAX: (916) 324-3784

**TITLE 24. BUILDING STANDARDS COMMISSION**

**REGARDING THE 2013 CALIFORNIA RESIDENTIAL CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2.5 2013 INTERIM RULEMAKING CYCLE**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Office of the State Fire Marshal (OSFM) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2.5. The OSFM is proposing building standards related to the 2013 California Residential Code.

**PUBLIC COMMENT PERIOD**  
 (Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014, until 5:00 p.m. on June 9, 2014**. Please address your comments to:

California Building Standards Commission  
 2525 Natomas Park Drive, Suite 130  
 Sacramento, CA 95833  
 Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed building standards substantial-

ly as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

#### AUTHORITY AND REFERENCE

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code section 18949.2. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code section 18928.

The OSFM is proposing this regulatory action pursuant to Health and Safety Code Sections 13108, 13211, 13113, 13113.5, 13114, 13132.7, 13133, 13135, 13143, 13143.1, 13143.6, 13143.9, 13146, 17921 and 18897.3 and Government Code Section 11152.5.

#### INFORMATIVE DIGEST

An informative digest drafted in plain English in a format similar to the Legislative Counsel's Digest shall include the following:

##### Summary of Existing Laws

**Health and Safety Code Section 13108(a)** The State Fire Marshal shall prepare and adopt building standards related to the means of egress, the installation of fire alarms and fire extinguishing systems in any state-owned building or in any state-occupied building.

**Health and Safety Code Section 13113** An automatic sprinkler system shall be installed in all 24-hour institutional type occupancies, and homes for the care of aged or senile persons.

**Health and Safety Code Section 13113.5** The State Fire Marshal Shall adopt regulations requiring the installation of automatic smoke detectors in all facilities which provide 24-hour per day care, which house six or fewer persons, and which do not have automatic sprinkler systems.

**Health and Safety Code Section 13114(a)** The State Fire Marshal shall adopt regulations and standards to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state, and no person shall market, distribute, offer for sale, or sell any fire alarm system or

fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.

**Health and Safety Code Section 13132** Every person, firm, or corporation maintaining or operating any facility for the care of the mentally handicapped shall file a statement with the fire authority having jurisdiction within five days of the admission or readmission of a patient stating that such patient is an ambulatory or a nonambulatory person and enumerating the reasons for such classification. Such a statement shall also be filed for each existing patient within 30 days of the effective date of this section.

Any statement required to be filed pursuant to this section shall be certified as to its correctness by the person attending such patient.

It shall be unlawful for any person, firm, or corporation required to file a statement pursuant to this section to include false statements therein. Any such act shall be in violation of this section and subject to the provisions of Section 13112.

**Health and Safety Code Section 13132.7** Mandates fire-retardant roof coverings in fire hazard severity zones.

**Health and Safety Code Section 13133(a)** The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, and residential care facilities for the elderly. These fire safety standards shall apply uniformly throughout the state.

**Health and Safety Code Section 13135** The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities based on whether the residents or patients of the facilities are nonambulatory.

**Health and Safety Code Section 13143** grants the State Fire Marshal authority to prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children's nursery, children's home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

**Health and Safety Code Section 13143.1(a)** The State Fire Marshal shall prepare, adopt, and submit building standards for establishing minimum requirements for the prevention of fire and for the protection of

life and property against fire and panic in any motion picture or television production facility.

**Health and Safety Code Section 13143.6(a)** The State Fire Marshal shall prepare and adopt regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire in any building or structure used or intended for use as a home or institution for the housing of any person of any age for protective social care and supervision services by any governmental agency, certified family care homes, out-of-home placement facilities, and halfway houses.

**Health and Safety Code Section 13143.9(a)** The State Fire Marshal shall prepare, adopt, and submit building standards and other fire and life safety regulations establishing minimum requirements for the storage, handling, and use of hazardous materials.

**Health and Safety Code Section 13211** The State Fire Marshal shall prepare and adopt building standards relating to fire and panic safety in high-rise structures.

**Health and Safety Code Section 17921(b)** The State Fire Marshal shall adopt, amend, or repeal and submit building standards for approval pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the State Fire Marshal shall adopt, amend, and repeal other rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses and dwellings, buildings, and structures accessory thereto. These building standards and regulations shall be enforced pursuant to Sections 13145 and 13146; however, this section is not intended to require an inspection by a local fire agency of each single-family dwelling prior to its occupancy.

**Health and Safety Code Section 18928(a)** requires each state agency adopting or proposing adoption of a model code, national standards, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

**Health and Safety Code Section 18897.3** Except as provided in Section 18930, the State Fire Marshal shall adopt minimum fire safety regulations for organized camps in accordance with the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The State Fire Marshal shall adopt and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of this division for the purposes described in this section.

**Health and Safety Code Section 18949.2(b)** The State Fire Marshal shall remain the state agency responsible for developing building standards to implement the state's fire and life safety policy. In its role as the fire and life safety standard developing agency, the State Fire Marshal shall continue its existing activities and forums designed to facilitate compromise and consen-

sus among the various individuals and groups involved in development of the state's codes related to fire and life safety.

(c) The state's fire and life safety building standards, as developed by the State Fire Marshal and as adopted by the commission, shall continue to be based on the state's fire and life safety policy goals and mandates as they existed prior to the enactment of this chapter and as they are amended.

### Summary of Existing Regulations

The OSFM currently adopts by reference the California Code of Regulations, Title 24, Part 2, 2013 California Building Code with SFM amendments and additional building standards relating to regulations that establish minimum requirements for the prevention of fire and for the protection of life and property against fire and in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

### Summary of Effect

The general purpose of this proposed action is principally to update the 2013 California Residential Code (California Code of Regulations, Title 24, Part 2.5) based upon updated information or recent actions of the OSFM. This proposed action:

- Repeals certain amendments to the 2012 International Residential Code and/or California Building Standards not addressed by the model code that are no longer necessary nor justified pursuant with Health and Safety Code 18930(a)(7).
- Adopts and implements additional necessary amendments to the 2013 California Residential Code that address inadequacies of the 2012 International Residential Code as they pertain to California laws.
- Codifies non-substantive editorial and formatting amendments to the 2013 California Residential Code.

### Comparable Federal Statute or Regulations

The OSFM has determined that there are no comparable federal regulations or statutes addressing the fire and life safety requirements as presented in this notice.

### Policy Statement Overview

The specific purpose of this rulemaking effort by the OSFM is to act in accordance with Health and Safety Code section 18929.1, which requires all proposed regulations to specifically comply with this section in regards to the annual code adoption cycle.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the

protection of life and property against fire and panic in occupancies addressed in the 2012 International Residential Code and published as the 2013 California Residential Code.

The OSFM further proposes to offer new amendments where necessary to ensure that the regulations of the California Building Code establish and/or maintain minimum requirements for the prevention of fire and panic for the protection of life and property against fire and panic in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above in the summary of existing laws.

**Evaluation of consistency**

The proposed regulations are consistent with existing state regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE  
APPLICABLE TO THE AGENCY OR TO ANY  
SPECIFIC REGULATION OR CLASS  
OF REGULATIONS**

The OSFM has determined that there are no other prescribed statutes or any specific regulation or class of regulation applicable to the amendments and building standards relating to the 2013 California Residential Code.

**MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS**

The OSFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

**ESTIMATE OF COST OR SAVINGS**

- A. Cost or Savings to any state agency: **NO.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO.**
- E. Cost or savings in federal funding to the state: **NO.**

**INITIAL DETERMINATION OF NO  
SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESSES**

The OSFM has made an initial determination that this proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with business in other states.

**DECLARATION OF EVIDENCE**

The OSFM affirms that this rulemaking action complies specifically with the mandates of Health and Safety Code Sections 13143, 18928, 18949.2(b), 18949(c) and the mandates of the statutory authority of the OSFM as shown in the Informative Digest.

Therefore, the OSFM's initial determination of no significant, statewide adverse economic impact directly affecting business in California and their ability to compete with businesses in other states does not require any additional documents or other evidence to support this action.

**FINDING OF NECESSITY FOR THE PUBLIC'S  
HEALTH, SAFETY, OR WELFARE**

The OSFM has made an assessment of the proposed code changes and has determined that these changes would not require a report; therefore, a finding is not necessary for the health, safety, or welfare of the people of the state that the regulation is applicable to businesses.

**COST IMPACT ON REPRESENTATIVE PRIVATE  
PERSON OR BUSINESS**

The OSFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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

The OSFM has assessed that adoption of these regulations will not:

- Create or eliminate jobs within California;
- Create new businesses or eliminate existing businesses within California; or
- Affect the expansion of businesses currently doing business within California.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Proposals contained in this rulemaking relating to housing are editorial or are being proposed to clarify the original intent of the regulations or statute. No additional cost of compliance should be incurred. Potential benefits of this rulemaking should bring uniformity for the design, installation/construction and enforcement.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code §11346.5 subdivision (a)(13), the OSFM has determined that no reasonable alternative considered by it or that has been otherwise identified and brought to the attention of the OSFM would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF RULEMAKING DOCUMENTS

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that OSFM shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

General questions regarding procedural and administrative issues should be addressed to:

Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[michael.nearman@dgs.ca.gov](mailto:michael.nearman@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Kevin Reinertson  
Division Chief  
Office of the State Fire Marshal,  
Code Development and Analysis Division  
(916) 327-4998  
[kevin.reinertson@fire.ca.gov](mailto:kevin.reinertson@fire.ca.gov)  
FAX: (916) 324-3784

TITLE 24. BUILDING STANDARDS COMMISSION

REGARDING THE 2013 CALIFORNIA FIRE CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9 2013 INTERIM RULEMAKING CYCLE

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Office of the State Fire Marshal (OSFM) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 9. The OSFM is proposing building standards related to the 2013 California Fire Code.

PUBLIC COMMENT PERIOD  
(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014, until 5:00 p.m. on June 9, 2014.** Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

#### POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

#### AUTHORITY AND REFERENCE

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code section 18949.2. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code section 18928.

The OSFM is proposing this regulatory action pursuant to Health and Safety Code Sections 13108, 13211, 13113, 13113.5, 13114, 13132.7, 13133, 13135, 13143, 13143.1, 13143.6, 13143.9, 13146, 17921 and 18897.3 and Government Code Section 11152.5.

#### INFORMATIVE DIGEST

An informative digest drafted in plain English in a format similar to the Legislative Counsel's Digest shall include the following:

#### Summary of Existing Laws

**Health and Safety Code Section 13108(a)** The State Fire Marshal shall prepare and adopt building standards related to the means of egress, the installation of fire alarms and fire extinguishing systems in any state-owned building or in any state-occupied building.

**Health and Safety Code Section 13113** An automatic sprinkler system shall be installed in all 24-hour institutional type occupancies, and homes for the care of aged or senile persons.

**Health and Safety Code Section 13113.5** The State Fire Marshal Shall adopt regulations requiring the installation of automatic smoke detectors in all facilities which provide 24-hour per day care, which house six or fewer persons, and which do not have automatic sprinkler systems.

**Health and Safety Code Section 13114(a)** The State Fire Marshal shall adopt regulations and standards to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state, and no person shall market, distribute, offer for sale, or sell any fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.

**Health and Safety Code Section 13132** Every person, firm, or corporation maintaining or operating any facility for the care of the mentally handicapped shall file a statement with the fire authority having jurisdiction within five days of the admission or readmission of a patient stating that such patient is an ambulatory or a nonambulatory person and enumerating the reasons for such classification. Such a statement shall also be filed for each existing patient within 30 days of the effective date of this section.

Any statement required to be filed pursuant to this section shall be certified as to its correctness by the person attending such patient.

It shall be unlawful for any person, firm, or corporation required to file a statement pursuant to this section to include false statements therein. Any such act shall be in violation of this section and subject to the provisions of Section 13112.

**Health and Safety Code Section 13132.7** Mandates fire-retardant roof coverings in fire hazard severity zones.

**Health and Safety Code Section 13133(a)** The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, and residential care facilities for the elderly. These fire safety standards shall apply uniformly throughout the state.

**Health and Safety Code Section 13135** The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities based on whether the residents or patients of the facilities are nonambulatory.

**Health and Safety Code Section 13143** grants the State Fire Marshal authority to prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children's nursery, children's home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

**Health and Safety Code Section 13143.1(a)** The State Fire Marshal shall prepare, adopt, and submit building standards for establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any motion picture or television production facility.

**Health and Safety Code Section 13143.6(a)** The State Fire Marshal shall prepare and adopt regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire in any building or structure used or intended for use as a home or institution for the housing of any person of any age for protective social care and supervision services by any governmental agency, certified family care homes, out-of-home placement facilities, and halfway houses.

**Health and Safety Code Section 13143.9(a)** The State Fire Marshal shall prepare, adopt, and submit building standards and other fire and life safety regulations establishing minimum requirements for the storage, handling, and use of hazardous materials.

**Health and Safety Code Section 13211** The State Fire Marshal shall prepare and adopt building standards relating to fire and panic safety in high-rise structures.

**Health and Safety Code Section 17921(b)** The State Fire Marshal shall adopt, amend, or repeal and submit building standards for approval pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the State Fire Marshal shall adopt, amend, and repeal other rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses and dwellings, buildings, and structures accessory thereto. These building standards and regulations shall be enforced pursuant to Sections 13145 and 13146; however, this section is not intended to require

an inspection by a local fire agency of each single-family dwelling prior to its occupancy.

**Health and Safety Code Section 18928(a)** requires each state agency adopting or proposing adoption of a model code, national standards, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

**Health and Safety Code Section 18897.3** Except as provided in Section 18930, the State Fire Marshal shall adopt minimum fire safety regulations for organized camps in accordance with the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The State Fire Marshal shall adopt and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of this division for the purposes described in this section.

**Health and Safety Code Section 18949.2(b)** The State Fire Marshal shall remain the state agency responsible for developing building standards to implement the state's fire and life safety policy. In its role as the fire and life safety standard developing agency, the State Fire Marshal shall continue its existing activities and forums designed to facilitate compromise and consensus among the various individuals and groups involved in development of the state's codes related to fire and life safety.

(c) The state's fire and life safety building standards, as developed by the State Fire Marshal and as adopted by the commission, shall continue to be based on the state's fire and life safety policy goals and mandates as they existed prior to the enactment of this chapter and as they are amended.

### Summary of Existing Regulations

The OSFM currently adopts by reference the California Code of Regulations, Title 24, Part 9, 2013 California Fire Code with SFM amendments and additional building standards relating to regulations that establish minimum requirements for the prevention of fire and for the protection of life and property against fire and in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

### Summary of Effect

The general purpose of this proposed action is principally to update the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9) based upon updated information or recent actions of the OSFM. This proposed action:

- Repeals certain amendments to the 2012 International Fire Code and/or California Building Standards not addressed by the model code that are no longer necessary nor justified pursuant with Health and Safety Code 18930(a)(7).

- Adopts and implements additional necessary amendments to the 2013 California Fire Code that address inadequacies of the 2012 International Fire Code as they pertain to California laws.
- Codifies non-substantive editorial and formatting amendments to the 2013 California Fire Code.

**Comparable Federal Statute or Regulations**

The OSFM has determined that there are no comparable federal regulations or statutes addressing the fire and life safety requirements as presented in this notice.

**Policy Statement Overview**

The specific purpose of this rulemaking effort by the OSFM is to act in accordance with Health and Safety Code section 18929.1, which requires all proposed regulations to specifically comply with this section in regards to the annual code adoption cycle.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in the 2012 International Fire Code and published as the 2013 California Fire Code.

The OSFM further proposes to offer new amendments where necessary to ensure that the regulations of the California Building Code establish and/or maintain minimum requirements for the prevention of fire and panic for the protection of life and property against fire and panic in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above in the summary of existing laws.

**Evaluation of consistency**

The proposed regulations are consistent with existing state regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

The OSFM has determined that there are no other prescribed statutes or any specific regulation or class of regulation applicable to the amendments and building standards relating to the 2013 California Fire Code.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The OSFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

**ESTIMATE OF COST OR SAVINGS**

- A. Cost or Savings to any state agency: **NO.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO.**
- E. Cost or savings in federal funding to the state: **NO.**

**INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

The OSFM has made an initial determination that this proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

**DECLARATION OF EVIDENCE**

The OSFM affirms that this rulemaking action complies specifically with the mandates of Health and Safety Code Sections 13143, 18928, 18949.2(b), 18949(c) and the mandates of the statutory authority of the OSFM as shown in the Informative Digest.

Therefore, the OSFM's initial determination of no significant, statewide adverse economic impact directly affecting businesses in California and their ability to compete with businesses in other states does not require any additional documents or other evidence to support this action.

**FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE**

The OSFM has made an assessment of the proposed code changes and has determined that these changes would not require a report; therefore, a finding is not necessary for the health, safety, or welfare of the people of the state that the regulation is applicable to businesses.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

The OSFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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

The OSFM has assessed that adoption of these regulations will not:

- Create or eliminate jobs within California;
- Create new businesses or eliminate existing businesses within California; or
- Affect the expansion of businesses currently doing business within California.

ESTIMATED COST OF COMPLIANCE OF  
STANDARDS THAT WOULD IMPACT HOUSING

Proposals contained in this rulemaking relating to housing are editorial or are being proposed to clarify the original intent of the regulations or statute. No additional cost of compliance should be incurred. Potential benefits of this rulemaking should bring uniformity for the design, installation/construction and enforcement.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code §11346.5 subdivision (a)(13), the OSFM has determined that no reasonable alternative considered by it or that has been otherwise identified and brought to the attention of the OSFM would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF  
RULEMAKING DOCUMENTS

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that OSFM shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate

a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL  
AND ADMINISTRATIVE QUESTIONS

General questions regarding procedural and administrative issues should be addressed to:

Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[michael.nearman@dgs.ca.gov](mailto:michael.nearman@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Kevin Reinertson  
Division Chief  
Office of the State Fire Marshal,  
Code Development and Analysis Division  
(916) 327-4998  
[kevin.reinertson@fire.ca.gov](mailto:kevin.reinertson@fire.ca.gov)  
FAX: (916) 324-3784

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**REGARDING THE CALIFORNIA BUILDING  
CODE CALIFORNIA CODE OF  
REGULATIONS, TITLE 24, PART 2,  
VOLUME 2  
HEALTH FACILITIES**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Office of Statewide Health Planning and Development (OSHPD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. The OSHPD is proposing building standards related to structural requirements for health facilities.

**PUBLIC COMMENT PERIOD**  
(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014, until 5:00 p.m. on June 9, 2014**. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento CA 95833  
Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

**AUTHORITY AND REFERENCE**

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code 18949.3. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code Section 129850. The OSHPD is proposing

this regulatory action based on Health and Safety Code Sections 1275 and 129850, and Government Code Section 11152.5.

**INFORMATIVE DIGEST**

**Summary of Existing Laws**

Health and Safety Code Section 1275 authorizes the Office to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing facilities and correctional treatment centers.

Health and Safety Code Section 129850 authorizes the Office to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act. The Office is also authorized to submit to the California Building Standards Commission for approval and adoption of building standards related to the seismic safety of hospital buildings.

Government Code Section 11152.5 authorizes a state department to adopt regulations pursuant to the Government Code. Regulations which are building standards must be adopted pursuant to State Building Standards Law of the Health and Safety Code (commencing with 18901).

**Summary of Existing Regulations**

OSHPD enforces the California Code of Regulations, Title 24, Part 2, 2013 California Building Code (CBC), which is based on the 2012 International Building Code with California amendments. OSHPD enforces requirements related to the construction of hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers. Requirements governing the structural design and construction of OSHPD regulated health facilities are currently found in Volumes 1 & 2 of the CBC.

**Summary of Effect**

The purpose of this proposed action is to make editorial and minor technical amendments to Title 24, Part 2 Volume 2 related to the structural design requirements of health facilities. The editorial amendments will provide clarification within the code and the minor technical amendments will provide consistency with ASCE 7-10, to align building function with component importance factor.

**Comparable Federal Statute or Regulations**

These regulations do not duplicate or conflict with federal statute or regulation.

**Policy Statement Overview**

The intent of this proposal is to amend the regulations, as necessary for health facility construction, pursuant to Health and Safety Code Section 129850. The OSHPD is responsible for the development of regula-

tions regarding the physical plant for hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers. Additionally, OSHPD is responsible for amending model code requirements for these health facilities, as necessary.

**Evaluation of consistency**

The proposed building standards are not inconsistent or incompatible with existing state regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

There are no other matters to identify.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The OSHPD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

**ESTIMATE OF COST OR SAVINGS**

- A. Cost or Savings to any state agency: **No.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **No.**
- E. Cost or savings in federal funding to the state: **No.**  
Estimate: None.

**INITIAL DETERMINATION OF SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

The OSHPD has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

**DECLARATION OF EVIDENCE**

The OSHPD has not relied on any other facts, evidence, documents, testimony or other evidence to make its initial determination of no statewide adverse economic impact.

The scope of the proposed action is to make minor technical amendments to the regulations pursuant to statutory requirements.

**FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE**

OSHPD has made an assessment of this proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(d) is not required.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

The OSHPD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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

The OSHPD 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.**  
These regulations will not affect the creation or elimination of jobs within California.
- **The creation of new businesses or the elimination of existing businesses within the State of California.**  
These regulations will not affect the creation of new businesses or the elimination of existing businesses in California.
- **The expansion of businesses currently doing business with the State of California.**  
These regulations will not affect the expansion of businesses currently doing business in California.
- **The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.**  
These regulations are intended to ensure that health care facilities that serve patients who have less than the capacity of normally healthy persons to protect themselves, and that must be reasonably capable of providing services to the public after a disaster, shall be designed and constructed to resist, insofar as practical, the forces generated by earthquake, floods, wind and gravity.

**ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING**

These building standards are relative to health facilities construction and will not impact housing.

**CONSIDERATION OF ALTERNATIVES**

The OSHPD must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

**AVAILABILITY OF RULEMAKING DOCUMENT**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that OSHPD shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS**

General questions regarding procedural and administrative issues should be addressed to:

Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[michael.nearman@dgs.ca.gov](mailto:michael.nearman@dgs.ca.gov)

**PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Glenn S.A. Gall, Supervisor, Building Standards Unit  
Office of Statewide Health Planning and Development  
Facilities Development Division  
400 R Street, Suite 200  
Sacramento, CA 95811  
[regsunit@oshpd.ca.gov](mailto:regsunit@oshpd.ca.gov)  
Telephone (916) 440-8300  
FAX (916) 324-9188

**TITLE 24. BUILDING STANDARDS COMMISSION**

**REGARDING THE CALIFORNIA BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 2,  
VOLUME 1  
HEALTH FACILITIES**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Office of Statewide Health Planning and Development (OSHPD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2, Volume 1. The OSHPD is proposing building standards related to health facilities.

**PUBLIC COMMENT PERIOD  
(Government Code Section 11346.5(a)(17))**

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014, until 5:00 p.m. on June 9, 2014**. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

## INFORMATIVE DIGEST

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

#### POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

#### AUTHORITY AND REFERENCE

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.3. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code Sections 1226, 1275, 1323.5 and 129790. The OSHPD is proposing this regulatory action based on Health and Safety Code Sections 1226, 1275, 129790 & 129850 and Government Code Section 11152.5.

An informative digest drafted in plain English in a format similar to the Legislative Counsel's Digest shall include the following:

#### Summary of Existing Laws

Health and Safety Code Section 1226 authorizes the Office to prescribe, in consultation with the Community Clinics Advisory Committee, minimum building standards for the physical plant of clinics, for adoption in the California Building Standards Code.

Health and Safety Code Section 1275 authorizes the Office to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing facilities and correctional treatment centers.

Health and Safety Code Section 1323.5 establishes the Small House Skilled Nursing Facility Pilot Program with the California Department of Public Health (CDPH). It authorizes the Office to promulgate building standards for the physical plant of Small House Skilled Nursing Facilities (SHSHF). In developing standards for the pilot program, CDPH and OSHPD will consult with long-term care providers, health care advocacy organizations, health care employee organizations, consumer advocates, elder care advocates, and others identified as having a vested interest in long-term health care. The statute will remain in effect until January 1, 2020, unless statute is enacted to repeal or extend the date. *SB 1228 (Chapter 671, Statutes of 2012)*

Health and Safety Code Section 129790 authorizes the Office to propose building standards for correctional treatment centers in cooperation with the Department of Corrections, Board of Corrections and Department of Youth Authority.

Health and Safety Code Section 129850 authorizes the Office to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act. The Office is also authorized to submit to the California Building Standards Commission for approval and adoption of building standards related to the seismic safety of hospital buildings.

Government Code Section 11152.5 authorizes a state department to adopt regulations pursuant to the Government Code. Regulations which are building standards, must be adopted pursuant to State Building Standards Law of the Health and Safety Code (commencing with 18901).

#### Summary of Existing Regulations

Title 24, Part 2, contains regulations pertaining to the construction of hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correction-

al treatment centers. These regulations include service space requirements and administrative requirements.

**Summary of Effect**

The proposed building standards make technical amendments to the 2013 California Building Code, Volume 1 for clarification and consistency of service space requirements regarding hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers.

In addition, OSHPD is proposing service space requirements specifically for skilled nursing facilities that participate in the “Small House Skilled Nursing Facilities Pilot Program” (SHSNF PP) under the California Department of Public Health (CDPH). This program is to be established by the CDPH in accordance with Health and Safety Code Section 1323.5 which was enacted by SB 1228 (Chapter 671, Statutes of 2012). This statute authorizes OSHPD to develop the building standards for the SHSNF PP. Up to 10 facilities may participate in this program.

**Comparable Federal Statute or Regulations**

There are no comparable federal statutes or regulations related to this proposed action.

**Policy Statement Overview**

Title 24, Part 2 contains regulations for licensed health facilities that are promulgated and enforced by OSHPD. OSHPD is proposing changes to the code that will clarify existing regulations, implement statute and make technical amendments for consistency with nationally recognized standards.

**Evaluation of consistency**

The proposed building standards are not inconsistent or incompatible with other state regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

There are no other matters to be identified.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The OSHPD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

**ESTIMATE OF COST OR SAVINGS**

A. Cost or Savings to any state agency: **No.**

- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **No.**
- E. Cost or savings in federal funding to the state: **No.**

**INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

The OSHPD has made an initial determination that the adoption/amendment/ repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

**DECLARATION OF EVIDENCE**

OSHPD has determined there was no record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

**FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE**

OSHPD has made an assessment of this proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(d) is not required.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

The OSHPD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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

The OSHPD 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.**  
These regulations will not affect the creation or elimination of jobs in California.

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

These regulations will not affect the creation of new businesses or the elimination of existing businesses in California.

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

These regulations will not affect the expansion of businesses currently doing business in California.

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

These building standards ensure that health facilities are constructed to provide protection of the public's health and safety.

**ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING**

These building standards are relative to health facility construction and will not impact housing.

**CONSIDERATION OF ALTERNATIVES**

The OSHPD must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

**AVAILABILITY OF RULEMAKING DOCUMENTS**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that OSHPD shall provide, upon request, a description of

proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS**  
(Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[michael.nearman@dgs.ca.gov](mailto:michael.nearman@dgs.ca.gov)

**PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS**

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Glenn S.A. Gall, Supervisor, Building Standards Unit  
Office of Statewide Health Planning and Development  
Facilities Development Division  
400 R Street, Suite 200  
Sacramento, CA 95811  
[regsunit@oshpd.ca.gov](mailto:regsunit@oshpd.ca.gov)  
Telephone (916) 440-8300  
FAX (916) 324-9188

**TITLE 24. BUILDING STANDARDS COMMISSION**

**REGARDING THE CALIFORNIA ELECTRICAL CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3**

**HEALTH FACILITIES**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Office

of Statewide Health Planning and Development (OSHPD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 3. The OSHPD is proposing building standards related to health facility construction.

#### PUBLIC COMMENT PERIOD

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014**, until **5:00 p.m. on June 9, 2014**. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

#### POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

#### AUTHORITY AND REFERENCE

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.3. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code Sections 1226, 1275, 1323.5 and 129790. The OSHPD is proposing this regulatory action based on Health and Safety Sections 1226, 1275, 129790 & 129850 and Government Code Section 11152.5.

#### INFORMATIVE DIGEST

##### Summary of Existing Laws

Health and Safety Code Section 1226 authorizes the Office to prescribe, in consultation with the Community Clinics Advisory Committee, minimum building standards for the physical plant of clinics, for adoption in the California Building Standards Code.

Health and Safety Code Section 1275 authorizes the Office to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing facilities and correctional treatment centers.

Health and Safety Code Section 1323.5 establishes the Small House Skilled Nursing Facility Pilot Program with the California Department of Public Health (CDPH). It authorizes the Office to promulgate building standards for the physical plant of Small House Skilled Nursing Facilities (SHSHF). In developing standards for the pilot program, CDPH and OSHPD will consult with long-term care providers, health care advocacy organizations, health care employee organizations, consumer advocates, elder care advocates, and others identified as having a vested interest in long-term health care. The statute will remain in effect until January 1, 2020, unless statute is enacted to repeal or extend the date. (*SB 1228 (Chapter 671, Statutes of 2012)*)

Health and Safety Code Section 129790 authorizes the Office to propose building standards for correctional treatment centers in cooperation with the Department of Corrections, Board of Corrections and Department of Youth Authority.

Health and Safety Code Section 129850 authorizes the Office to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act. The Office is also authorized to submit to the California Building Standards Commission for approval and adoption of building standards related to the seismic safety of hospital buildings.

Government Code Section 11152.5 authorizes a state department to adopt regulations pursuant to the Gov-

ernment Code. Regulations which are building standards, must be adopted pursuant to State Building Standards Law of the Health and Safety Code (commencing with 18901).

**Summary of Existing Regulations**

Title 24, Part 3, California Electrical Code (CEC) contains regulations pertaining to electrical system requirements for hospitals, skilled nursing and intermediate care facilities, licensed clinics and correctional treatment centers.

**Summary of Effect**

The 2013 CEC is based on the 2011 NEC. Section 517.16 of the 2011 NEC was amended and no longer permits receptacles with insulated grounding terminals in patient care areas. OSHPD is repealing its existing amendment to Section 517.16 of the 2013 CEC since it is no longer applicable. This regulatory action will provide clarity and consistency with the model code requirement.

**Comparable Federal Statute or Regulations**

There are no comparable federal statutes or regulations related to this proposed action.

**Policy Statement Overview**

Title 24, Part 3 contains electrical requirements for health facilities that are promulgated and enforced by OSHPD. The proposed regulation repeals an outdated amendment and provides consistency with the current model code.

**Evaluation of consistency**

The proposed regulation is not inconsistent or incompatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE  
APPLICABLE TO THE AGENCY OR TO ANY  
SPECIFIC REGULATION OR CLASS  
OF REGULATIONS

There are no other matters prescribed by statute that are applicable to OSHPD or specific regulation or class of regulations.

MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS

The OSHPD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

A. Cost or Savings to any state agency: **No.**

- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **No.**
- E. Cost or savings in federal funding to the state: **No.**

INITIAL DETERMINATION OF NO  
SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESSES

The OSHPD has made an initial determination that the amendment of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

DECLARATION OF EVIDENCE

This proposal will repeal an outdated requirement that is no longer applicable. OSHPD has determined there was no record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

FINDING OF NECESSITY FOR THE PUBLIC'S  
HEALTH, SAFETY, OR WELFARE

OSHPD has made an assessment of the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(d) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE  
PERSON OR BUSINESS

The OSHPD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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

The OSHPD 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.**

These regulations will not affect the creation or elimination of jobs in California.

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

These regulations will not affect the creation of new businesses or the elimination of existing businesses in California.

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

These regulations will not affect the expansion of businesses currently doing business in California.

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

OSHPD promulgates building standards regarding the design and construction of licensed health facilities to ensure the protection of the public's health and safety in these facilities.

#### ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

The proposed action relates to health facility construction and will not have a cost impact on housing.

#### CONSIDERATION OF ALTERNATIVES

The OSHPD must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

#### AVAILABILITY OF RULEMAKING DOCUMENTS

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at

the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that OSHPD shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

#### CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS (Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[michael.nearman@dgs.ca.gov](mailto:michael.nearman@dgs.ca.gov)

#### PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Glenn S.A. Gall, AIA, Supervisor, Health Facilities Review  
Office of Statewide Health and Development  
Facilities Development Division  
400 R Street, Suite 200  
Sacramento, CA 95811  
[regsunit@oshpd.ca.gov](mailto:regsunit@oshpd.ca.gov)  
Phone (916) 440-8300  
FAX (916) 324-9188

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**REGARDING THE CALIFORNIA PLUMBING  
CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 5  
HEALTH FACILITIES**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Office of Statewide Health Planning and Development (OSHPD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 5. The OSHPD is proposing building standards related to health facilities.

**PUBLIC COMMENT PERIOD**  
(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014, until 5:00 p.m. on June 9, 2014**. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made,

the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

**AUTHORITY AND REFERENCE**

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.3. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code Sections 1226, 1275, 1323.5 and 129790. The OSHPD is proposing this regulatory action based on Health and Safety Sections 1226, 1275, 129790 & 129850 and Government Code Section 11152.5.

**INFORMATIVE DIGEST**

**Summary of Existing Laws**

Health and Safety Code Section 1226 authorizes the Office to prescribe, in consultation with the Community Clinics Advisory Committee, minimum building standards for the physical plant of clinics, for adoption in the California Building Standards Code.

Health and Safety Code Section 1275 authorizes the Office to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing facilities and correctional treatment centers.

Health and Safety Code Section 1323.5 establishes the Small House Skilled Nursing Facility Pilot Program with the California Department of Public Health (CDPH). It authorizes the Office to promulgate building standards for the physical plant of Small House Skilled Nursing Facilities (SHSHF). In developing standards for the pilot program, CDPH and OSHPD will consult with long-term care providers, health care advocacy organizations, health care employee organizations, consumer advocates, elder care advocates, and others identified as having a vested interest in long-term health care. The statute will remain in effect until January 1, 2020, unless statute is enacted to repeal or extend the date. (*SB 1228 (Chapter 671, Statutes of 2012)*)

Health and Safety Code Section 129790 authorizes the Office to propose building standards for correctional treatment centers in cooperation with the Department

of Corrections, Board of Corrections and Department of Youth Authority.

Health and Safety Code Section 129850 authorizes the Office to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act. The Office is also authorized to submit to the California Building Standards Commission for approval and adoption of building standards related to the seismic safety of hospital buildings.

Government Code Section 11152.5 authorizes a state department to adopt regulations pursuant to the Government Code. Regulations which are building standards, must be adopted pursuant to State Building Standards Law of the Health and Safety Code (commencing with 18901).

**Summary of Existing Regulations**

Title 24, Part 5, California Plumbing Code contains building standards pertaining to plumbing requirements for hospitals, skilled nursing facilities, intermediate care facilities, licensed clinics and correctional treatment centers.

**Summary of Effect**

The proposed action will make technical amendments regarding the definition of handwashing fixtures and correct an erroneous reference to NFPA 99 for medical gas piping. These amendments will provide clarification and consistency within the code.

**Comparable Federal Statute or Regulations**

There is no comparable federal statute or regulation related to this proposed action.

**Policy Statement Overview**

OSHPD’s proposal will result in clarifying existing language and mitigating the potential or misinterpretation.

**Evaluation of consistency**

The proposed regulation is not inconsistent or incompatible with existing state regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

There are no other matters prescribed by statute that are applicable to OSHPD or specific regulation or class of regulations.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The OSHPD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

**ESTIMATE OF COST OR SAVINGS**

- A. Cost or Savings to any state agency: **No.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **No.**
- E. Cost or savings in federal funding to the state: **No.**

**INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

The OSHPD has made an initial determination that the adoption/amendment/ repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

**DECLARATION OF EVIDENCE**

OSHPD has determined there was no record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

**FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE**

OSHPD has made an assessment of the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(d) is not required.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

The OSHPD is not aware of any cost impacts that a representative private person or business would neces-

sarily incur in reasonable compliance with the proposed action.

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

The OSHPD 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.**  
These regulations will not affect the creation or elimination of jobs in California.
- **The creation of new businesses or the elimination of existing businesses within the State of California.**  
These regulations will not affect the creation of new businesses or the elimination of existing businesses in California.
- **The expansion of businesses currently doing business with the State of California.**  
These regulations will not affect the expansion of businesses currently doing business in California.
- **The benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment.**  
These building standards ensure that health facilities are constructed to provide protection of the public’s health and safety.

ESTIMATED COST OF COMPLIANCE OF  
STANDARDS THAT WOULD IMPACT HOUSING

The proposed action relates to health facility construction and will not have a cost impact on housing.

CONSIDERATION OF ALTERNATIVES

The OSHPD must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF  
RULEMAKING DOCUMENTS

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that OSHPD shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL  
AND ADMINISTRATIVE QUESTIONS  
(Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
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Telephone No: (916) 263-0916  
Facsimile No (916) 263-0959  
[michael.nearman@dgs.ca.gov](mailto:michael.nearman@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Glenn S.A. Gall, AIA, Supervisor, Health Facilities Review  
Office of Statewide Health and Development  
Facilities Development Division  
400 R Street, Suite 200  
Sacramento, CA 95811  
[regsunit@oshpd.ca.gov](mailto:regsunit@oshpd.ca.gov)  
Phone (916) 440-8300  
FAX (916) 324-9188

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**REGARDING THE 2013 CALIFORNIA  
ADMINISTRATIVE CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 1  
(BSC 01/13)**

Notice is hereby given that the California Building Standards Commission (CBSC) proposes to adopt, approve, codify, and publish changes to administrative standards contained in the California Code of Regulations (CCR), Title 24, Part 1. The CBSC is proposing administrative standards related to the 2013 California Administrative Code.

**PUBLIC COMMENT PERIOD**  
(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014**, until 5:00 p.m. on **June 9, 2014**. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS**  
(Government Code Section 11346.5(a)(18))

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and

notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

**AUTHORITY AND REFERENCE**  
(Government Code Section 11346.5(a)(2))

The California Building Standards Commission proposes to adopt these building standards under the authority granted in Government Code (GC) Sections 11000, 11346.1, 11346.5, 82019, 87306; and Health and Safety Code (H & SC) Sections 18909, 18929, 18929.1, 18930, 18930.5, 18931, 18931(f), 18931.6, 18931.7, 18934, 19835, 18945, 18946 and 18949.6.

The purpose of these building standards is to implement, interpret, and make specific the provisions of Government Code Sections 11000, 11346.1, 11346.5, 82019 and 87306; and Health and Safety Code Sections 18909-18949.

**INFORMATIVE DIGEST**  
(Government Code Section 11346.5(a)(3))

**Summary of Existing Laws**

**Government Code 11000.** Defines commissions and other referenced departments as “state agencies”.

**Government Code 11346.1** Allows for regulations to be adopted on an emergency basis within defined parameters and holds that emergency building regulations be filed with CBSC and not with the Office of Administrative Law. (OAL).

Government Code 11346.5 establishes requirements for public notices of proposed regulatory adoption, including economic impact statements, statements of potential impact on California businesses, effect on housing costs, and where and how to obtain copies of the proposed regulations.

**Government Code 82019** defines a “designated employee” for the purposes of the Conflict of Interest Code.

**Government Code 87306** requires that a state agency report to the Fair Political Practices Commission changes to its Conflict of Interest Code on a biennial basis.

**Government Code 14617. Lighting for college campus parking lots and walkways; standards; adoption of regulations**

Mandates that CBSC adopt and publish regulations for lighting for parking lots and primary campus walkways at the University of California, California State University, and California Community Colleges.

**Health and Safety Code 18909** defines what is and what is not a building standard.

**Health and Safety Code 18925** provides for CBSC to appoint an Executive Director with defined responsibilities.

**Health and Safety Code 18927** permits CBSC to appoint advisory panels composed of volunteers from professions most likely to be knowledgeable in and affected by building standards, to advise CBSC.

**Health and Safety Code 18929 through 18932** outline the duties of CBSC in its review of building standards proposed by state agencies; criteria to be used for acceptance; authority of CBSC to propose green building standards where no other agency has authority; procedural duties of CBSC; reimbursement by state agencies for review and development of building standards; establishment of a local fee on building permits to be used by CBSC and other agencies in the development and training of building standards, primarily green building standards; permission for CBSC to accept grants and gifts to perform its duties; and content of the code and authority of CBSC for its format.

**Health and Safety Code 16600. Building seismic retrofit guidelines for state buildings; seismic retrofit building standards**

Authorizes CBSC and the Division of the State Architect to develop building seismic retrofit guidelines for existing state buildings.

**Health and Safety Code 16601. Approval of guidelines and standards; administrative actions**

Provides that CBSC shall approve the standards and take administrative actions to make them applicable to all state buildings, including those owned by the University of California or the California State University.

**Health and Safety Code 16603. Applicability of chapter to University of California**

Allows that provisions of this chapter only apply to the University of California if so resolved by the Regents of the University.

**Health and Safety Code 16604. Legislative intent**

Provides funding to carry out the provisions of this chapter.

**Health and Safety Code 18928. Model code, national standard, or specification; adoption of and reference to the most recent addition; date of publication; committee**

Authorizes the commission to adopt the most recent edition of the International Building Code, and requires that state agencies propose the adoption within one year of publication of a model code.

**Health and Safety Code 18928.1. Building Standards; incorporation of model codes, applicable national specifications or published standards; publication agreement**

Sets forth that the commission shall incorporate text of the model code only by reference, unless otherwise established in a publication agreement between the commission and the model code organization.

**Health and Safety Code 18929. Adoption of administrative regulations applying to implementation or enforcement of building standards; publication, certain Housing and Community Development Department regulations excepted.** (a) Except as otherwise provided in subdivision (b), administrative regulations adopted by state agencies that apply directly to the implementation or enforcement of building standards shall be forwarded to the California Building Standards Commission for approval. Each regulation shall be adopted in compliance with the procedures specified in Section 18930 and in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. These administrative regulations shall be published in the administrative part of the California Building Standards Code.

(b) This section shall not apply to any regulations adopted by the Department of Housing and Community Development that apply directly to the implementation or enforcement of building standards.

**Health and Safety Code 18934.5. Standards for state buildings; adoption, approval, codification and publication**

Authorizes CBSC to adopt and publish building standards applicable to state buildings, including state university buildings and, to the extent permitted by law, University of California buildings.

**Health and Safety Code 18938. Filing and codification; publication; effective date; emergency standards; application of section**

Sets forth that model codes as referenced in the California Building Standards Code shall apply to occupancies throughout the state and shall become effective 180 days after publication.

**Health and Safety Code 18940.5. Reference green building standards**

Mandates that state agencies proposing green building standards reference or reprint the green building standards in other relevant portions of Part 2, 2.5, 3, 4, 5, 6 of Title 24 of the California Code of Regulations.

**Health and Safety Code 18941.10 Future electric vehicle infrastructure.** Mandates that the commission shall, adopt, approve, codify, and publish mandatory building standards for the installation of future electric vehicle charging.

**Health and Safety Code 18942 (b). Publication, supplements; emergency standards; availability and possession of code**

Mandates that CBSC publish statutory safety requirements for the construction of private swimming pools.

**Summary of Existing Regulations**

The existing 2013 California Administrative Code (CAC) is Part 1 of CCR, Title 24 and was effective January 1, 2014. This code provides minimum building standards to safeguard public welfare for local jurisdictions within the state of California and for state owned buildings and buildings constructed by the University of California and California State Universities. It contains references to other codes, such as the fire code, mechanical code, and plumbing code that are adopted for use in California.

**Summary of Effect**

CBSC proposed to amend the 2013 California Administrative Code. Part 1, Title 24 of the California Code of Regulations. This proposed action will:

A thorough description of the amendment effects may be found in the *Initial Statement of Reasons*.

**Comparable Federal Statute or Regulations**

There are no comparable federal statutes or regulations related to the proposed action by CBSC.

**Policy Statement Overview**

The proposed amendments to the 2013 California Administrative Code provide accuracy and clarity, remedy formatting and typographical errors. The majority of these updates are without regulatory effect.

**The specific purpose** of this action is to further refine the guidelines in Article 5, City, County, and City and County Building Permit Fees.

**Evaluation of consistency**

CBSC has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

(Government Code Section 11346.5(a)(4))

CBSC has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**  
(Government Code Section 11346.5(a)(5))

The CBSC has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

**ESTIMATE OF COST OR SAVINGS**

(Government Code Section 11346.5(a)(6)) An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district. Provide a copy of the "Economic and Fiscal Impact Statement" (Form 399)

- A. Cost or Savings of any state agency: **None.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **None.**
- E. Cost or savings in federal funding to the state: **None.**

Estimate: Additional expenditure resulting from this proposed action will be minimal and will be absorbed within the existing budget and resources.

**INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**  
(Government Code Section 11346.5(a)(8))

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

The CBSC has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

**DECLARATION OF EVIDENCE**  
(Government Code Section 11346.5(a)(8))

The CBSC has determined that there are minimal facts, evidence, documents, testimony, or other evi-

dence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts, or documents either supporting CBSC's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE  
(Government Code Section 11346.3(d)).

CBSC has determined that no report is required for this regulation.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS  
(Government Code Section 11346.5(a)(9))

The CBSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION  
(Government Code Section 11346.5(a)(10), Government Code Section 11346.3(b)(1))

The CBSC 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.  
**This regulation will not affect the creation or elimination of jobs within the State of California.**
- The creation of new businesses or the elimination of existing businesses within the State of California.  
**This regulation will not affect the creation or elimination of existing businesses within the State of California.**
- The expansion of businesses currently doing business with the State of California.  
**This regulation will not affect the expansion of businesses currently doing business with the State of California.**
- The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

**These regulations will update and clarify minimum building standards, which will provide increased protection of public health and safety, worker safety and the environment.**

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

(Government Code Section 11346.5(a)(12) requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any, that were included in the initial statement of reasons. In addition, the agency officers shall make available to the public, upon request, the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs)

- No increase in the cost of compliance because the regulations make only technical, nonsubstantive or clarifying changes.

CONSIDERATION OF ALTERNATIVES  
(Government Code Section 11346.5(a)(13))

The CBSC must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS  
(Government Code Section 11346.5(a)(20)),  
(Government Code Section 11346.5(a)(19))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

DISABILITY ACCESS  
(Government Code Section 11346.5(a)(21))

CBSC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL  
AND ADMINISTRATIVE QUESTIONS  
(Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

**Michael L. Nearman, Deputy Executive Director**  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[Michael.Nearman@dgs.ca.gov](mailto:Michael.Nearman@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

**Mia Marvelli, Architectural Designer**  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov)

**Back-up:**

**Enrique M. Rodriguez, Associate Construction Analyst**  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[Enrique.Rodriguez@dgs.ca.gov](mailto:Enrique.Rodriguez@dgs.ca.gov)

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**REGARDING THE 2013 CALIFORNIA  
BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 2  
(BSC 02/13)**

Notice is hereby given that the California Building Standards Commission (CBSC) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. The CBSC is proposing building standards related to 2013 California Building Code.

**PUBLIC COMMENT PERIOD**  
(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014** until 5:00 p.m. on **June 9, 2014**. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or E-mailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS**  
(Government Code Section 11346.5(a)(18))

Following the public comment period, the CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indi-

cated, will be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

**AUTHORITY AND REFERENCE**  
(Government Code Section 11346.5(a)(2))

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code (H & SC) §§18934.5 and 18942(b) and Government Code (GC) §14617. The purpose of these building standards is to implement, interpret, and make specific the provisions of H & SC §§18928, 18928.1, 18934.5 and 18938.

**INFORMATIVE DIGEST**  
(Government Code Section 11346.5(a)(3))

**Summary of Existing Laws**

**H & SC §16600. Building seismic retrofit guidelines for state buildings; seismic retrofit building standards**

Authorizes CBSC and the Division of the State Architect to develop building seismic retrofit guidelines for existing state buildings.

**H & SC §16601. Approval of guidelines and standards; administrative actions**

Provides that CBSC shall approve the standards and take administrative actions to make them applicable to all state buildings, including those owned by the University of California or the California State University.

**H & SC §16603. Applicability of chapter to University of California**

Allows that provisions of this chapter only apply to the University of California if so resolved by the Regents of the University.

**H & SC §16604. Legislative intent**

Provides funding to carry out the provisions of this chapter.

**H & SC §18928. Model code, national standard, or specification; adoption of and reference to the most recent edition; date of publication; committee**

Authorizes the commission to adopt the most recent edition of the International Building Code, and requires that state agencies propose the adoption within one year of publication of a model code.

**H & SC §18928.1. Building Standards; incorporation of model codes, applicable national specifica-**

**tions or published standards; publication agreement**

Sets forth that the commission shall incorporate text of the model code only by reference, unless otherwise established in a publication agreement between the commission and the model code organization.

**H & SC §18934.5. Standards for state buildings; adoption, approval, codification and publication**

Authorizes CBSC to adopt and publish building standards applicable to state buildings, including state university buildings and, to the extent permitted by law, University of California buildings.

**H & SC §18938. Filing and codification; publication; effective date; emergency standards; application of section**

Sets forth that model codes as referenced in the California Building Standards Code shall apply to occupancies throughout the state and shall become effective 180 days after publication.

**H & SC §18940.5. Reference green building standards**

Mandates that state agencies proposing green building standards reference or reprint the green building standards in other relevant portions of Part 2, 2.5, 3, 4, 5, 6 of Title 24 of the California Code of Regulations.

**H & SC §18942(b). Publication, supplements; emergency standards; availability and possession of code**

Mandates that CBSC publish statutory safety requirements for the construction of private swimming pools.

**GC §14617. Lighting for college campus parking lots and walkways; standards; adoption of regulations**

Mandates that CBSC adopt and publish regulations for lighting for parking lots and primary campus walkways at the University of California, California State University, and California Community Colleges.

**Summary of Existing Regulations**

The existing 2013 California Building Code (CBC) is. Part 2 of CCR, Title 24 and was effective January 1, 2014. The 2013 CBC was based upon the 2012 International Building Code of the International Code Council. This code provides minimum building standards to safeguard public welfare for local jurisdictions within the state of California and for state-owned buildings and buildings constructed by the University of California and California State Universities. It contains references to other codes, such as the fire code, mechanical code, and plumbing code that are adopted for use in California.

**Summary of Effect**

CBSC proposed to amend the 2013 California Building Code. Part 2, Title 24 of the California Code of Regulations. This proposed action will:

- Add CALGreen references in accordance with H & SC §18940.5
- Amend and adopt structural provisions to align with other state agencies. These amendments provide consistency with model code format, state and federal laws and regulations, and conditions unique to California. In addition, these amendments provide clarity and specificity, and give direction for the code user.

A thorough description of the amendments' effects may be found in the *Initial Statement of Reasons*.

**Comparable Federal Statute or Regulations**

There are no comparable federal statutes or regulations related to the proposed action by CBSC.

**Policy Statement Overview**

The proposed amendments to the 2013 California Building Code provide guidance and clarity to the code user.

**Evaluation of consistency**

CBSC has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations.

**OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

(Government Code Section 11346.5(a)(4))

CBSC has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

(Government Code Section 11346.5(a)(5))

The CBSC has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

**ESTIMATE OF COST OR SAVINGS**

(Government Code Section 11346.5(a)(6)) An estimate, prepared in accordance with instructions adopted by the Department of Finance, of cost or savings to any state agency, local agency, or school district. Provide a copy of the "Economic and Fiscal Impact Statement" (Form 399)

- A. Cost or Savings to any state agency: **None**.

- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None**.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None**.
- D. Other nondiscretionary cost or savings imposed on local agencies: **None**.
- E. Cost or savings in federal funding to the state: **None**.

Estimate: Additional expenditure resulting from this proposed action will be minimal and will be absorbed within the existing budget and resources.

**INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

(Government Code Section 11346.5(a)(8)) If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

The CBSC has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

**DECLARATION OF EVIDENCE**

(Government Code Section 11346.5(a)(8))

The CBSC has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts, or documents either supporting CBSC's initial determination or finding to the contrary.

**FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE**  
(Government Code Section 11346.3(d)).

CBSC has determined that no report is required for this regulation.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

(Government Code Section 11346.5(a)(9))

The CBSC is not aware of any cost impacts that a representative private person or business would necessari-

ly incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS  
UPON JOBS AND BUSINESS EXPANSION,  
ELIMINATION OR CREATION  
(Government Code Section 11346.5(a)(10),  
Government Code Section 11346.3(b)(1))

The CBSC 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.

**This regulation will not affect the creation or elimination of jobs within the State of California.**

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

**This regulation will not affect the creation or elimination of existing businesses within the State of California.**

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

**This regulation will not affect the expansion of businesses currently doing business with the State of California.**

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

**These regulations will update and clarify minimum building standards, which will provide increased protection of public health and safety, worker safety and the environment.**

ESTIMATED COST OF COMPLIANCE OF  
STANDARDS THAT WOULD IMPACT HOUSING

(Government Code Section 11346.5(a)(12) requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any, that were included in the initial statement of reasons. In addition, the agency officers shall make available to the public, upon request, the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs.)

- No increase in the cost of compliance because the regulations make only technical, nonsubstantive or clarifying changes.

CONSIDERATION OF ALTERNATIVES  
(Government Code Section 11346.5(a)(13))

The CBSC must determine that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF  
RULEMAKING DOCUMENTS  
(Government Code Section 11346.5(a)(20)),  
(Government Code Section 11346.5(a)(19))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

DISABILITY ACCESS  
(Government Code Section 11346.5(a)(21))

CBSC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL  
AND ADMINISTRATIVE QUESTIONS  
(Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

**Michael L. Nearman, Deputy Executive Director**  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[Michael.Nearman@dgs.ca.gov](mailto:Michael.Nearman@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

**Mia Marvelli, Architectural Designer**  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov)

**Back-up:**

**Enrique Rodriguez, Associate Construction Analyst**  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[Enrique.Rodriguez@dgs.ca.gov](mailto:Enrique.Rodriguez@dgs.ca.gov)

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**REGARDING THE 2013 CALIFORNIA GREEN  
BUILDING STANDARDS CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 11  
(BSC 06-13)**

Notice is hereby given that CBSC proposes to adopt, approve, codify, and publish amendments to mandatory and voluntary green building standards in CCR, Title 24, Part 11.

**PUBLIC COMMENT PERIOD**

A public hearing has not been scheduled; however, written comments will be accepted from **April 25, 2014**, until 5:00 p.m. on **June 9, 2014**. Please address your comments to:

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Attention: Jim McGowan, Executive Director

Written comments may also be faxed to (916) 263-0959 or emailed to [CBSC@dgs.ca.gov](mailto:CBSC@dgs.ca.gov).

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE  
TEXT OF THE REGULATIONS**

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

**AUTHORITY AND REFERENCE**

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code (H&SC) Sections 16600, 18928, 18930.5, 18934.5, 18934.6, and 18938(b) and Government Code Section 14617. The purpose of these building standards is to implement, interpret, and make specific the provisions of H&SC, Sections 16600 through 16604 and Division 13, Part 2.5, commencing with Section 18901; and Government Code Section 14617.

**INFORMATIVE DIGEST**

**Summary of Existing Laws**

**H&SC Section 16600** authorizes the commission and the Division of the State Architect to develop and adopt building seismic retrofit guidelines for state buildings.

**H&SC Section 18928** authorizes the commission to adopt the most recent edition of model codes, national standards, or specifications.

**H&SC Section 18934.5** sets forth that, where no state agency has the authority to adopt building standards applicable to state buildings, the commission shall adopt, approve, codify, and publish building standards providing the minimum standards for the design and construction of state buildings.

**H&SC Section 18934.6** mandates that the commission shall adopt, approve, codify, and publish by reference Appendix Chapter 1 of the International Existing Building Code for providing the minimum standards for unreinforced masonry buildings,

**H&SC Section 18930.5** grants CBSC the authority, if no state agency has the authority or expertise to propose green building standards applicable to a particular occupancy, the commission shall adopt, approve, codify, update, and publish green building standards for those occupancies.

**H&SC Section 18938(b)** provides that model code standards as referenced in the California Building Standards Code (CCR, Title 24) shall apply to all occupancies throughout the state, and shall become effective 180 days after publication in the California Building Standards Code by CBSC, or on a later date after publication established by CBSC.

**H&SC Section 18940.5** sets forth that, agencies that propose green building standards for inclusion in Part 11 shall reference or reprint the green building standards in other relevant portions.

**H&SC Section 18941.10(a)(1)** mandates that the commission shall adopt, approve, codify, and publish mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in nonresidential development.

**H&SC Section 38500 et seq. (AB 32, Stats 2006, c. 488)** requires a cap on greenhouse gas (GHG) emissions by 2020, mandatory emissions reporting, and a market-based compliance program.

**Government Code Section 14617** authorizes the commission and the Division of State Architect to establish a standard of lighting for parking lots at the University of California, California State University, and California Community Colleges.

**Government Code Sections 65601 through 65607** regulate use of recycled water in landscaping.

**Public Resources Code Sections 42900 through 42911** provide for access in development projects to adequate areas for collection and loading of recyclable materials, and include a model ordinance for local agency adoption.

### Summary of Existing Regulations

California Code of Regulations (CCR), Title 24, also referred to as the 2013 California Building Standards Code incorporates the following:

- Part 1, the California Administrative Code, with administrative regulations for CBSC and the California Energy Commission (CEC);
- Part 5, the California Plumbing Code, Chapters 16 and 17 for graywater and rainwater, respectively, being adopted simultaneously for the 2013 edition;
- Part 6, the California Energy Code, which contains minimum energy efficiency standards for non-residential buildings in California promulgated by the CEC;
- Part 11, the California Green Building Standards Code (CGBSC), also known as the CALGreen Code, which contains mandatory and voluntary green building standards for residential and nonresidential occupancies.

Other relevant CCR titles:

Title 17 includes regulations for air quality promulgated by the California Air Resources Board

- Title 20, Article 4, Appliance Efficiency regulations, contains CEC standards for water consumption of widely used plumbing fixtures.
- Title 23 includes the Model Water Efficient Landscape Ordinance recently updated by Department of Water Resources.

### Summary of Governor's Executive Orders

**B-18-12**, April 25, 2012, instructs state entities to design, construct, and operate all new and renovated state-owned buildings paid for with state funds as Zero Net Energy facilities by 2025 and, with those over 10,000 square feet being "LEED Silver" or higher certified buildings.

**S-3-05**, June 1, 2005, establishes targets for limiting GHG emissions to 2000 levels by 2010, to 1990 levels by 2020, and to 80% of 1990 levels by 2050. It directs the Secretary of the Environmental Protection Agency (EPA) to coordinate this effort with the Secretary of the Business, Transportation and Housing Agency, Secretary of the Department of Food and Agriculture, Secretary of the Resources Agency, Chairperson of the Air Resources Board, Chairperson of the Energy Commission, and the President of the Public Utilities Commission. These agencies formed a Climate Action Team (CAT) to report to the governor by January, 2006 and periodically thereafter on strategies and progress in meeting the goals.

**S-20-06**, October 17, 2006, directs CalEPA to continue coordinating reduction of GHG emissions and development of market-based strategies for achievement, mandated by AB 32.

**Summary of Effect**

This proposed action will make effective mandatory and voluntary green building standards available in Title 24, Part 11 for buildings under authority of CBSC, on a date commensurate with the 2010 annual code adoption cycle, either 180 days after publication in Title 24 or at a later date determined by CBSC.

**Comparable Federal Statute or Regulations**

The Environmental Protection Agency (EPA) defines “Brownfield Development”, an option proposed for site planning and design. EPA also regulates ozone-depleting and climate-warming chemicals, as well as other air pollutants like wood smoke in updates to the 1970 Clean Air Act. The Federal Water Pollution Control Act (33 U.S.C. 1251 et seq., also known as the Clean Water Act) is adopted in California by the State Water Resources Control Board for management of storm water during construction.

**Policy Statement Overview**

Working with its green building focus group made up of state agencies, building officials, industry representatives, model code publishers, and environmental organizations, CBSC is currently proposing modifications to the 2013 mandatory and voluntary standards. To be published in the 2013 intervening supplement, the changes are intended to clarify and improve the code for its various users and to enhance specific requirements meant to assist the state in reaching its energy and greenhouse gas emission goals.

**Evaluation of Consistency**

The proposed action is consistent with both building standards regulations and with enabling statute.

**OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

CBSC has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

CBSC has determined that projects following the Green Building Code would impose a mandate on local agencies in the form of verification. However, the mandate does not require reimbursement pursuant to Part 7 (commencing with section 17500) of Division 4, Government Code. No mandate is imposed on school districts.

**ESTIMATE OF COST OR SAVINGS**

- A. Cost or savings to any state agency: **None.**
  - B. Cost to any local agency required to be reimbursed under Part 7(commencing with Section 17500) of Division 4: **None.**
  - C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
  - D. Other nondiscretionary cost or savings imposed on local agencies: **None.**
  - E. Cost or savings in federal funding to the state: **None.**
- Estimate: **None.**

**INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

CBSC has made an initial determination that the adoption of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

CBSC’s initial determination of no significant, statewide adverse economic impact directly affecting businesses in California and their ability to compete with businesses in other states does not require any additional evidence, documents or other evidence to support this action over and above the Initial Statement of Reasons and the Economic and Fiscal Impact Statement which are part of this rulemaking.

**FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE**

CBSC has made an assessment of the proposed code changes and has determined that these changes do not require a report.

**COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

CBSC is aware of initial cost impacts that a representative private person or business could incur in reasonable compliance with the proposed action. However, it is also anticipated that such costs would be recouped in long-range savings expressed in utility and transportation costs, worker productivity, health costs, and goodwill. The Initial Statement of Reasons and the Economic and Fiscal Impact Statement support this statement.

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

CBSC 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.

**These regulations, employing emerging green building technologies products, and services, should create jobs within the State of California.**

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

**These regulations, employing emerging green building technologies, products, and services should create new business and should expand opportunities for existing business within the State of California.**

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

**These regulations will position California in the lead for statewide green building guidelines, and should provide opportunities for businesses currently doing business within the State of California.**

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

**The benefits derived from the regulations will continue to enhance the reduction of greenhouse gas for California residents.**

ESTIMATED COST OF COMPLIANCE OF  
STANDARDS THAT WOULD IMPACT HOUSING

(Government Code Section 11346.5(a)(12) requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any, that were included in the initial statement of reasons. In addition, the agency officers shall make available to the public, upon request, the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs.

The CBSC has made an initial determination that this proposal would not have a significant effect on housing costs.

CONSIDERATION OF  
REASONABLE ALTERNATIVES

The CBSC has initially determined that no reasonable alternative considered by the state agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action; or would be more cost-effective to private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF  
RULEMAKING DOCUMENTS

(Government Code Section 11346.5(a)(20)),  
(Government Code Section 11346.5(a)(19))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that California Building Standards Commission shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL  
AND ADMINISTRATIVE QUESTIONS  
(Government Code Section 11346.5(a)(14))

General questions regarding procedural and administrative issues should be addressed to:

**Michael L. Nearman, Deputy Executive Director**  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No: (916) 263-0959  
[Michael.Nearman@dgs.ca.gov](mailto:Michael.Nearman@dgs.ca.gov)

PROPOSING STATE AGENCY CONTACT  
PERSON FOR SUBSTANTIVE AND/OR  
TECHNICAL QUESTIONS ON THE PROPOSED  
CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

**Enrique M. Rodriguez, Associate Construction Analyst**

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0845  
Facsimile No.: (916) 263-0959

[Enrique.Rodriguez@dgs.ca.gov](mailto:Enrique.Rodriguez@dgs.ca.gov)

**Back-up:**

**Mia Marvelli, Architectural Designer**

2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959

[Mia.Marvelli@dgs.ca.gov](mailto:Mia.Marvelli@dgs.ca.gov)

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF FISH AND  
WILDLIFE**

**PROPOSED RESEARCH ON FULLY  
PROTECTED SPECIES**

Ecology and Movements of Bald Eagles

The Department of Fish and Wildlife (Department) received a proposal on April 14, 2014 from David Garcelon and Peter Sharpe (applicants) on behalf of the Institute for Wildlife Studies, Arcata, California, requesting authorization to take the bald eagle (*Haliaeetus leucocephalus*) (eagle), for scientific research purposes, consistent with protection and recovery of the species. The eagle is a Fully Protected bird, and is also listed as Endangered under the California Endangered Species Act.

Previously approved research involves investigating the effects of reintroduction techniques on eagles throughout the Channel Islands. Methods include capturing, banding, attaching telemetry devices, and collecting blood and feathers from adults, juveniles, and nestling eagles. Closed-circuit television systems are

used to monitor eagle nesting activities. Ongoing research also includes salvage of addled eggs and eggshells for pesticide and contaminant analysis.

The applicants propose to study the eagle throughout its range in California. The new research proposed involves tracking and monitoring the eagles produced on the Channel Islands to their mainland nests, and documenting reproductive success and contaminant loads of these birds and their progeny. Methods include capturing, banding, attaching telemetry devices, and collecting blood and feathers from adults, juveniles, and nestling eagles. Additional new research includes entering nests to investigate immigration/emigration patterns and to compare contaminant loads across California and includes salvage of eagles, addled eggs and eggshells for pesticide and contaminant analysis. Closed-circuit television systems will be used to monitor eagle nesting activities. Future research on eagles may also include additional field techniques as approved by the Department.

The Department intends to amend, under specified conditions, a Memorandum of Understanding (MOU) to authorize qualified professional wildlife researchers, with Mr. Garcelon and Dr. Sharpe as the Principal Investigators, to carry out the proposed research activities on eagles. The applicants are also required to have valid federal permits for the eagle.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected birds after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected birds, it would issue the authorization on or after May 26, 2014, for an initial and renewable term of three years. Contact: Battistone, [Carie.Battistone@wildlife.ca.gov](mailto:Carie.Battistone@wildlife.ca.gov), 916-445-3615.

**DEPARTMENT OF HEALTH CARE  
SERVICES**

**FINAL RULES, CMS-2249-F, REQUIRE THE  
STATE TO DEVELOP TRANSITION PLANS  
RELATING TO HOME AND  
COMMUNITY-BASED SETTINGS**

The Department of Health Care Services (Department) partners with the California Department of Aging to make the Multipurpose Senior Services Program (MSSP) available to eligible persons with disabilities who are age 65 years or older and who live in their own homes. MSSP is authorized under a federal 1915(c) home and community-based services waiver.

This notice is to inform interested parties of new federal rules that became effective March 17, 2014, which affect submission of the renewal of the MSSP Waiver. The rules require the State, before renewing or amending existing 1915(c) home and community-based services waivers, and 1915(i) state plan home and community-based programs, to submit a transition plan that proposes actions it will take to bring the specific waiver or program into compliance with the new rules as they relate to home and community-based settings.

The rules define home and community-based settings as outcome-oriented by:

- Being integrated in and supports full access to the greater community
- Giving individuals the right to select from among various setting options
- Ensuring individuals' rights of privacy, dignity and respect, and freedom from coercion and restraint
- Optimizing autonomy and independence in making life choices
- Facilitating choice regarding services and who provides them

Settings that are not home and community-based include:

- A nursing facility
- An institution for mental disease
- An intermediate care facility for individuals with intellectual or developmental disabilities
- A hospital
- Any other locations that have qualities of an institutional setting, as determined by the Secretary of Health and Human Services

Because MSSP participants receive services in their own homes, it is anticipated that there will be minimal, if any, adverse impact to provision of MSSP services.

The Department has begun preliminary work with appropriate State departments that administer 1915(c) home and community-based services waivers and 1915(i) home and community-based state plan programs to draft a transition plan that describes the actions the State will take to bring the specific waiver or state plan program into compliance with the new rules as they relate to home and community-based settings. Once a draft is available for review, the Department will make the full document available for public comment. Public input will be included in the final transition plan to be submitted and approved by the Centers for Medicare & Medicaid Services.

More information about MSSP is available at <http://www.dhcs.ca.gov/services/medical/Pages/MSSPMedi-CalWaiver.aspx>.

More information about the new federal rules is available at <https://www.federalregister.gov/regulations/0938-AO53/home-and-community-based-state-plan-services-program-and-provider-payment-reassignments-cms-2249-f->

Contact:

Mr. Jalal Haddad  
Health Program Specialist  
Department of Health Care Services Long-Term Care Division  
jalal.haddad@dhcs.ca.gov

**DEPARTMENT OF INSURANCE**

**REG-2014-00005**

**CORRECTED NOTICE OF PROPOSED RULEMAKING**

**CORRECTED DEADLINE FOR COMMISSIONER'S RECEIPT OF WRITTEN COMMENTS**

In connection with REG-2014-00005, the Notice of Proposed Rulemaking is hereby amended to delete the incorrect date of April 16, 2014 as the final date for receipt of written comments by the Commissioner. The correct date is May 7, 2014, the same date as the hearing on the proposed regulations.

**ENVIRONMENTAL PROTECTION AGENCY**

**Unified Program State Surcharge to Include Assessment for Aboveground Petroleum Storage Act (APSA) Program**

**NOTICE IS HEREBY GIVEN** that the Secretary for the California Environmental Protection Agency proposes to adjust the Unified Program state surcharge according to the California Health and Safety Code, Division 20, Chapter 6.11, section 25404.5(b), and the California Code of Regulations, Title 27, Division 1, Subdivision 4, Chapter 1, Section 15240.

The Unified Program state surcharge is an assessment on each entity regulated under the Unified Program and is used to fund the necessary and reasonable costs of all state agencies responsible for program implementation, ongoing maintenance and oversight of the Unified Program. Assembly Bill 1566 (Wieckowski) appointed the California Department of Forestry and Fire Protection Office of the State Fire Marshal (CAL

FIRE–OSFM) to be the authorizing state agency for the oversight and implementation of the Aboveground Petroleum Storage Act program. A Budget Change Proposal has been approved to fund two positions at the CAL FIRE — OSFM to fulfill the necessary duties of administering the APSA program. The positions will be funded by an annual APSA assessment on regulated tank facilities.

CAL FIRE — OSFM and the California Environmental Protection Agency propose a yearly assessment of \$26.00 applicable to each tank facility regulated under the APSA program. The APSA assessment will be part of the Unified Program state surcharge and will become effective immediately upon final publication in the California Regulatory Notice Register, applicable to fiscal year 2014/2015.

The Unified Program state surcharge will be publicly noticed in the California Regulatory Notice Register for 30 days during which time comments will be accepted on the new APSA state surcharge.

Written comments must be sent to the address, email or fax below and must be received by 5:00 p.m. on May 24, 2014.

**Mail Address:**

Ms. Melinda Blum  
Senior Environmental Scientist  
CalEPA Unified Program  
P.O. Box 2815  
Sacramento, California 95812

**E-mail Address:**

[Melinda.Blum@calepa.ca.gov](mailto:Melinda.Blum@calepa.ca.gov)

**Fax Number:** (916) 322–5615

Following the 30–day comment period, the Secretary will publish the final Unified Program state surcharge in the California Regulatory Notice Register, which will become the effective date. Certified Unified Program Agencies (CUPAs) will be required to begin assessing the new Unified Program state surcharge 60–days after the effective date. Therefore, CUPAs will be responsible for assessing and collecting the APSA state surcharge during their normal billing cycle for fiscal year 2014/2015. The Oversight, Underground Storage Tank and California Accidental Release Prevention Program portions of the Unified Program State Surcharge remain unchanged.

| <b>Unified Program Element</b>                   | <b>Authorizing Agency</b>               | <b>Applicable to</b>   | <b>Current</b> | <b>Proposed</b> |
|--------------------------------------------------|-----------------------------------------|------------------------|----------------|-----------------|
| Oversight                                        | CalEPA                                  | each facility          | \$35.00        | \$35.00         |
| Underground Storage Tank                         | State Water Resources Control Board     | each tank              | \$15.00        | \$15.00         |
| California Accidental Release Prevention Program | California Office of Emergency Services | each stationary source | \$270.00       | \$270.00        |
| Aboveground Petroleum Storage Act                | Office of the State Fire Marshall       | each tank facility     | –              | \$26.00         |

**OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT**

**ANNOUNCEMENT OF PUBLICATION OF DRINKING WATER PUBLIC HEALTH GOALS AND AVAILABILITY OF FINAL TECHNICAL SUPPORT DOCUMENT FOR:  
CHLOROBENZENE, ENDOTHALL, HEXACHLOROCYCLOPENTADIENE, SILVEX, AND TRICHLOROFLUOROMETHANE**

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental

Protection Agency announces the publication of updated Public Health Goals (PHGs) for chlorobenzene, endothall, hexachlorocyclopentadiene, silvex, and trichlorofluoromethane in drinking water. OEHHA is also announcing the availability of the final technical support document for these PHGs. The final document is posted on the OEHHA website at <http://www.oehha.ca.gov/>.

The updated PHGs are 70 parts per billion (ppb) for chlorobenzene, 94 ppb for endothall, 2 ppb for hexachlorocyclopentadiene, 3 ppb for silvex, and 1,300 ppb for trichlorofluoromethane, all based on non–cancer effects. The updates consider recent toxicological literature and incorporate updated water consumption rates, and where appropriate, updates in risk assessment

methodology and provisions to account for the most sensitive members of the population.

The PHG technical support documents provide information on the health effects of contaminants in drinking water. The PHG is a level of drinking water contaminant at which adverse health effects are not expected to occur from a lifetime of exposure. The California Safe Drinking Water Act of 1996<sup>1</sup> requires OEHHA to develop PHGs based exclusively on public health considerations.<sup>2</sup> PHGs published by OEHHA are considered by the California Department of Public Health in setting drinking water standards (Maximum Contaminant Levels, or MCLs).<sup>3</sup>

Draft documents have gone through a public workshop and two public comment periods. The first public review draft PHG document was released on November 1, 2013 and a public workshop was held on December 16, 2013. The second draft PHG document was released for public review on March 7, 2014. OEHHA did not receive any public comments on the draft documents.

If you would like to receive further information on this announcement or have questions, please contact Ms. Hermelinda Jimenez at [hermelinda.jimenez@oehha.ca.gov](mailto:hermelinda.jimenez@oehha.ca.gov) or (510) 622-3170.

**DECISION NOT TO PROCEED**

**Editor's Note**

*The Department of Fish and Wildlife (DFW) is publishing the following Notice of Decision Not to Proceed. Please note that DFW is publishing a new 45-day notice on this same topic in this Notice Register, notice file no. Z2014-0415-02. Please see the new 45-day notice in the "PROPOSED ACTION ON REGULATIONS" section of this register.*

**DEPARTMENT OF FISH AND WILDLIFE**

Pursuant to Government Code Section 11347, the Department of Fish and Wildlife hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register on February 14, 2014, Register 2014, No. 7-Z. The proposed rulemaking concerned Suction Dredging. (OAL Notice Z2014-0204-05.) However, the Department of Fish and Wildlife expects to re-notice and

initiate a similar regular noticed rulemaking in the near term.

Any interested person with questions concerning this rulemaking should contact Craig Martz at either (916) 653-4674 or by e-mail at: [Craig.Martz@wildlife.ca.gov](mailto:Craig.Martz@wildlife.ca.gov). The Department will also publish this Notice of Decision Not to Proceed on its website.

**SUMMARY OF REGULATORY ACTIONS**

**REGULATIONS FILED WITH SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2014-0227-02  
AIR RESOURCES BOARD  
Area Designations 2013

This rulemaking action by the Air Resources Board designates or re-designates various areas within California as attainment, nonattainment, nonattainment-transitional, or unclassified for pollutants with State ambient air quality standards.

Title 17  
California Code of Regulations  
AMEND: 60201, 60203, 60205, 60207, 60210  
Filed 04/10/2014  
Effective 07/01/2014  
Agency Contact: Amy Whiting (916) 322-6533

File# 2014-0313-01  
BOARD OF PHARMACY  
Fee Regulation

This rulemaking by the California State Board of Pharmacy makes substantive changes to section 1749 of Title 16 of the CCR, by adjusting the fees for application, renewal, and late penalties for board licensees and applicants. Additionally, a new fee is added pursuant to Bus. & Prof. Code section 4128.2.

Title 16  
California Code of Regulations  
AMEND: 1749  
Filed 04/14/2014  
Effective 07/01/2014  
Agency Contact: Debbie Damoth (916) 574-7935

<sup>1</sup> Codified at Health and Safety Code, section 116270 et seq.

<sup>2</sup> Health and Safety Code section 116365(c).

<sup>3</sup> Health and Safety Code section 116365(a) and (b).

File# 2014-0401-02

**BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**

Change of Address

The Bureau for Private Postsecondary Education (BPPE) within the Department of Consumer Affairs (DCA) is amending section 70020 of title 5 of the California Code of Regulations as a change without regulatory effect in order to update its principal office address.

Title 5

California Code of Regulations

AMEND: 70020

Filed 04/15/2014

Agency Contact: Joanne Wenzel (916) 384-1254

File# 2014-0411-01

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

Type of Services — SLPAHADB Name Change

The Department of Developmental Services (DDS) submitted this Section 100 action to amend Title 17 section 54342 of the California Code of Regulations to correctly reference the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) instead of the Speech Pathology and Audiology Examining Committee or Hearing Aid Dispensers' Examining Committee. The name of the Board was changed in 2005 in AB 1535 with the merger of the Hearing Aid Dispensers Bureau into the Speech-Language Pathology and Audiology Board. Additionally this section 100 removes the references to the Medical Board of California since the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board is now within the Department of Consumer Affairs. This section 100 corrects the references in this DDS regulation.

Title 17

California Code of Regulations

AMEND: 54342

Filed 04/16/2014

Agency Contact: Jeffrey Greer (916) 654-2201

File# 2014-0325-02

**DEPARTMENT OF HUMAN RESOURCES**

Industrial Disability Leave

This regulatory action eliminates outdated language, clarifies the employee's right to supplement their Industrial Disability Leave (IDL) benefit with available leave credits, explains how time lost on the date of injury must be compensated, converts the calculation of eligibility to hours instead of days, and explains how to pay and track IDL when employees transfer between agencies.

Title 2

California Code of Regulations

ADOPT: 599.760.1

AMEND: 599.757, 599.759, 599.761, 599.768, 599.769 REPEAL: 599.755, 599.760, 599.764, 599.765, 599.766, 599.767

Filed 04/16/2014

Effective 07/01/2014

Agency Contact: Tracy Caldwell (916) 445-9760

File# 2014-0307-02

**DEPARTMENT OF INSURANCE**

Mental Health Parity

The Department of Insurance (Department) submitted this timely certificate of compliance action to make permanent the regulations adopted in OAL File Nos. 2013-0228-04E, and 2013-0829-01EE, and 2013-1112-02EE. In those actions, the Department adopted in title 10 of the California Code of Regulations four sections pertaining to treatment of autism under a new article pertaining to mental health parity. The regulations pertain to insurer coverage under disability or health insurance policies, as specified under Insurance Code sections 10144.5 and 10144.51, of therapies for individuals diagnosed with pervasive developmental disorder or autism. The regulations prohibit specified conditions or limitations on coverage of these therapies when determined to be medically necessary, subject to financial terms and conditions applicable to all benefits under a policy, to ensure compliance with Insurance Code sections 10144.5 and 10144.51.

Title 10

California Code of Regulations

ADOPT: 2562.1, 2562.2, 2562.3, 2562.4

Filed 04/10/2014

Effective 04/10/2014

Agency Contact: George Teekell (415) 538-4390

File# 2014-0304-02

**DEPARTMENT OF MANAGED HEALTH CARE**

Essential Health Benefits

This certificate of compliance defines the term "other health benefits" found in Health and Safety Code section 1367.005, subdivision (a)(2)(A)(v). It further adopts an Essential Health Benefits Filing Worksheet that health plans must electronically file by July 15, 2013, and thereafter as necessary for new or amended plan contracts. The worksheet includes benefits specified in various provisions within the federal Patient Protection and Affordable Care Act, the Code of Federal Regulations, and California's Health and Safety Code.

Title 28  
 California Code of Regulations  
 ADOPT: 1300.67.005  
 Filed 04/14/2014  
 Effective 04/14/2014  
 Agency Contact: Jennifer Willis (916) 324-9014

File# 2014-0314-03  
 DEPARTMENT OF PUBLIC HEALTH  
 HIV Screening Testing by Laboratories

This certificate of compliance makes permanent the Department's prior emergency regulatory actions (OAL file nos. 2013-1210-03EE and 2013-0617-01E) that amended the current HIV screening testing protocols to allow a newly developed HIV testing algorithm developed by federal public health agencies and national HIV laboratory associations, as well as the Centers for Disease Control and Prevention, to be used by licensed California laboratories for laboratory screening testing for HIV.

Title 17  
 California Code of Regulations  
 AMEND: 1230, 2641.57  
 Filed 04/16/2014  
 Effective 04/16/2014  
 Agency Contact: Elizabeth Reyes (916) 445-2529

File# 2014-0320-02  
 DIVISION OF WORKERS COMPENSATION  
 Workers' Compensation

This change without regulatory effect repeals all sections of Article 5.1 of Subchapter 1 of Chapter 4.5 of Division 1 of Title 8 of the California Code of Regulations pursuant to the repeal of statutory authority for these provisions as a result of Senate Bill 863 (Chapter 363, Statutes of 2012). The change without regulatory effect also amends the listing of document types and titles which when electronically filed must be filed under the cover Document Separator Sheet, DWC-CA form 10232.2.

Title 8  
 California Code of Regulations  
 AMEND: 10205.14 REPEAL: 9788.01, 9788.1, 9788.11, 9788.2, 9788.3, 9788.31, 9788.32, 9788.4, 9788.45, 9788.5, 9788.6, 9788.7, 9788.8, 9788.9, 9788.91  
 Filed 04/16/2014  
 Agency Contact: James D. Fisher (510) 286-0679

File# 2014-0320-01  
 FRANCHISE TAX BOARD  
 Info Returns of Brokers/Estates Distributable to Non-resident Beneficiaries

This action repeals two regulation sections because the statutes that they were implementing, interpreting and making specific were repealed. California Code of Regulations (CCR) section 18641 is repealed because it solely describes requirements for a broker that was defined in section 18641 of the Revenue and Taxation Code, which has been repealed. CCR section 19513 is repealed because it implements and makes specific section 19513 of the Revenue and Taxation Code, which has been repealed.

Title 18  
 California Code of Regulations  
 REPEAL: 18641, 19513  
 Filed 04/09/2014  
 Agency Contact: Colleen Berwick (916) 845-3306

File# 2014-0320-03  
 OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
 Tower Cranes

This action corrects a reference citation in section 1619.1(b). The citation inaccurately references section 341.1(b)(2) in title 8 of the California Code of Regulations. This reference does not regard the permitting of tower cranes. The correct reference is section 341.1(c)(2), which regards the permitting of tower cranes, so this action makes that correction.

Title 8  
 California Code of Regulations  
 AMEND: 1619.1(b)  
 Filed 04/09/2014  
 Agency Contact: Marley Hart (916) 274-5721

File# 2014-0321-07  
 OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
 Powered Industrial Trucks—Excessive Loads

This regulatory action amends the standard for loading industrial trucks.

Title 8  
 California Code of Regulations  
 AMEND: 3650  
 Filed 04/14/2014  
 Effective 07/01/2014  
 Agency Contact: Marley Hart (916) 274-5721

File# 2014-0321-08  
 OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
 Update and Harmonization of Crane Hand Signals Standards and Illustrations

This regulatory action updates and harmonizes crane hand signals standards and illustrations.

Title 8  
 California Code of Regulations  
 AMEND: 5001  
 Filed 04/14/2014  
 Effective 07/01/2014  
 Agency Contact: Marley Hart (916) 274-5721

File# 2014-0304-03  
 OFFICE OF ENVIRONMENTAL HEALTH  
 HAZARD ASSESSMENT  
 Proposition 65 — Science Advisory Committee

This rulemaking action by the State Office of Environmental Health Hazard Assessment amends sections 25302 and 25304 in Title 27 of the California Code of Regulations. In furtherance of the implementation of Proposition 65 (The Safe

Drinking Water and Toxics Enforcement Act of 1986), these amendments clarify the level of required education and training for appointment to the Science Advisory Committee and remove redundant language regarding required financial disclosures.

Title 27  
 California Code of Regulations  
 AMEND: 25302, 25304  
 Filed 04/16/2014  
 Effective 07/01/2014  
 Agency Contact: Monet Vela (916) 323-2517

File# 2014-0227-04  
 STATE MINING AND GEOLOGY BOARD  
 Palm Springs P-C Region Designation/Termination of Designation

This rulemaking action implements California Public Resources Code section 2761. It amends the regulation concerning Portland Cement Concrete for the Palm Springs Production-Consumption Region by designating and terminating from designation certain geographic areas of this region as areas of statewide or regional mineral significance.

Title 14  
 California Code of Regulations  
 AMEND: 3550.15  
 Filed 04/11/2014  
 Effective 07/01/2014  
 Agency Contact: Stephen M. Testa (916) 322-1082

**CCR CHANGES FILED  
 WITH THE SECRETARY OF STATE  
 WITHIN November 13, 2013 TO  
 April 16, 2014**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 1**

11/21/13 ADOPT: 2002(c)(4), 2002(c)(5), 2002(c)(8)

**Title 2**

04/16/14 ADOPT: 599.760.1 AMEND: 599.757, 599.759, 599.761, 599.768, 599.769  
 REPEAL: 599.755, 599.760, 599.764, 599.765, 599.766, 599.767

03/10/14 AMEND: 1900, 2002, 2003

03/05/14 ADOPT: 630, 632.5, 632.11 AMEND: 631, 631.5, 632, 632.6, 632.7, 632.8, 632.9, 632.10 REPEAL: 632.5, 632.11

02/10/14 AMEND: 58000

01/27/14 AMEND: 56800

01/21/14 AMEND: 1194

01/13/14 AMEND: 55300

12/23/13 ADOPT: 18950.2 AMEND: 18942, 18944, 18950, 18950.1, 18950.4  
 REPEAL: 18727.5, 18950.3

12/23/13 AMEND: 18351

12/02/13 ADOPT: 18417

11/19/13 ADOPT: 21001.1, 21001.2, 21001.3  
 AMEND: 21000, 21001, 21002, 21003, 21004, 21005, 21006, 21007 (re-numbered to 21004.5), 21008, 21009 (re-numbered to 21005.5)

**Title 3**

04/04/14 AMEND: 3435(b)

03/19/14 AMEND: 3406(b)

03/18/14 ADOPT: 6471 AMEND: 6000, 6400

03/18/14 AMEND: 3423(b)

03/10/14 AMEND: 3589(a)

03/05/14 ADOPT: 1358.3

02/26/14 AMEND: 3434(b)(c)(d)

02/25/14 AMEND: 3417(b)

02/25/14 AMEND: 3700(b)  
 02/20/14 AMEND: 3423(b)  
 02/20/14 AMEND: 3701, 3701.1, 3701.2, 3701.3,  
 3701.4, 3701.5, 3701.6, 3701.7, 3701.8  
 02/12/14 AMEND: 3700(c)  
 02/10/14 AMEND: 3435(b)  
 02/05/14 AMEND: 3435(b)  
 01/27/14 AMEND: 3406(b)  
 01/23/14 AMEND: 3591.11  
 01/14/14 ADOPT: 1392.13  
 01/09/14 AMEND: 1300, 1300.1, 1300.3,  
 1300.11, 1300.12, 1300.13, 1300.14,  
 1300.15 REPEAL: 1300.2, 1300.4  
 12/16/13 AMEND: 3591.12(a) & (b)  
 12/05/1 ADOPT: 1280, 1280.1, 1280.8, 1280.10  
 AMEND: 1280.73  
 11/25/13 AMEND: 3435(b)  
 11/13/13 AMEND: 3700(c)

**Title 4**  
 04/07/14 AMEND: 1656, 1658  
 04/03/14 AMEND: 10030, 10031, 10032, 10033,  
 10034, 10035, 10036  
 04/02/14 AMEND: 2066  
 03/28/14 AMEND: 10302, 10305, 10315, 10317, 10  
 320, 10322, 10325, 10326, 10327, 10328,  
 10337  
 03/24/14 ADOPT: 10170.1, 10170.2, 10170.3,  
 10170.4, 10170.5, 10170.6, 10170.7,  
 10170.8, 10170.9, 10170.10, 10170.11,  
 10170.12, 10170.13, 10170.14, 10170.15  
 03/11/14 ADOPT: 1927.1  
 03/10/14 ADOPT: 10080, 10081, 10082, 10083,  
 10084, 10085, 10086, 10087  
 02/03/14 ADOPT: 10170.16, 10170.17, 10170.18,  
 10170.19, 10170.20, 10170.21,  
 10170.22, 10170.23, 10170.24  
 01/21/14 ADOPT: 10170.1, 10170.2, 10170.3,  
 10170.4, 10170.5, 10170.6, 10170.7,  
 10170.8, 10170.9, 10170.10, 10170.11,  
 10170.12, 10170.13, 10170.14, 10170.15  
 12/26/13 ADOPT: 8034(d)  
 12/24/13 AMEND: 8070, 8072  
 12/23/13 AMEND: 5000, 5170, 5190, 5205, 5212,  
 5230, 5250  
 12/19/13 AMEND: 10325  
 12/04/13 AMEND: 12200.20, 12220.20, 12480,  
 12482, 12500, 12505, 12508 REPEAL:  
 12488  
 11/21/13 ADOPT: 7113, 7114, 7115, 7116, 7117,  
 7118, 7119, 7120, 7121, 7122, 7123,  
 7124, 7125, 7126, 7127, 7128, 7129  
 11/21/13 AMEND: 1101, 1126, 1373.2, 1374,  
 1374.2, 1374.3, 1383.2 REPEAL: 1370,  
 1374.1

**Title 5**  
 04/15/14 AMEND: 70020  
 04/01/14 AMEND: 80303  
 04/01/14 ADOPT: 15498, 15498.1, 15498.2,  
 15498.3  
 02/28/14 ADOPT: 19843, 19844, 19848, 19849,  
 19855 AMEND: 19815, 19816, 19816.1,  
 19817.2, 19819, 19820, 19824, 19828.4,  
 19840, 19845.2, 19850, 19851, 19852,  
 19853 REPEAL: 19839  
 02/13/14 ADOPT: 80033  
 02/06/14 ADOPT: 15494, 15495, 15496, 15497  
 02/05/14 ADOPT: 80691, 80692  
 02/03/14 AMEND: 850, 851, 852, 853, 853.5, 855,  
 857, 858, 859, 861, 862, 862.5, 863, 864  
 REPEAL: 854, 864.5, 865, 866, 867,  
 867.5, 868  
 01/23/14 AMEND: 22000  
 12/04/13 AMEND: 15440, 15444, 15445, 15446,  
 15447, 15448, 15450, 15451, 15453,  
 15455, 15456, 15460, 15461, 15463,  
 15464, 15467, 15468, 15469, 15471,  
 15471.2, 15472, 15473, 15474, 15475,  
 15480, 15483, 15484, 15485, 15486,  
 15490, 15493

**Title 7**  
 02/27/14 AMEND: 213

**Title 8**  
 04/16/14 AMEND: 10205.14 REPEAL: 9788.01,  
 9788.1, 9788.11, 9788.2, 9788.3,  
 9788.31, 9788.32, 9788.4, 9788.45,  
 9788.5, 9788.6, 9788.7, 9788.8, 9788.9,  
 9788.91  
 04/14/14 AMEND: 3650  
 04/14/14 AMEND: 5001  
 04/09/14 AMEND: 1619.1(b)  
 04/03/14 AMEND: 4355  
 04/01/14 AMEND: 1520, 3384  
 02/12/14 ADOPT: 9785.5, 9792.6.1, 9792.9.1,  
 9792.10.1, 9792.10.2, 9792.10.3,  
 9792.10.4, 9792.10.5, 9792.10.6,  
 9792.10.7, 9792.10.8, 9792.10.9  
 AMEND: 9785, 9792.6, 9792.7, 9792.9,  
 9792.10, 9792.11, 9792.12, 9792.15  
 02/12/14 ADOPT: 9792.5.4, 9792.5.5, 9792.5.6,  
 9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10,  
 9792.5.11, 9792.5.12, 9792.5.13,  
 9792.5.14, 9792.5.15 AMEND:  
 9792.5.1, 9792.5.3, 9793, 9794, 9795  
 02/12/14 AMEND: 9780, 9780.1, 9783, 9783.1,  
 9785  
 02/05/14 AMEND: 10133.32, 10133.33,  
 10133.35, 10133.36  
 01/21/14 AMEND: 334

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|                 |                                                                                                                                                                                                                                                                                                 |                                       |                                                                                                               |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------------------------------------------------------------------------------|
| 01/21/14        | AMEND: 344, 344.1                                                                                                                                                                                                                                                                               | 217.45 AMEND: 202, 216, 218, 219, 221 |                                                                                                               |
| 01/09/14        | AMEND: 8495, 8496, 8497, 8500                                                                                                                                                                                                                                                                   | REPEAL: 217                           |                                                                                                               |
| 01/09/14        | AMEND: 5155                                                                                                                                                                                                                                                                                     | 01/07/14                              | ADOPT: 1430 AMEND: 260.210, 260.211, 260.211.1, 260.231, 1422, 1422.7, 1423, 1581, 1582, 1805.204, 1950.122.8 |
| 01/07/14        | AMEND: 4297                                                                                                                                                                                                                                                                                     | 12/30/13                              | AMEND: 260.237                                                                                                |
| 12/26/13        | AMEND: 9789.12.2, 9789.12.3, 9789.12.4, 9789.12.8, 9789.19                                                                                                                                                                                                                                      | 12/27/13                              | AMEND: 2699.100, 2699.200, 2699.201, 2699.205, 2699.207, 2699.209, 2699.210, 2699.400                         |
| 12/16/13        | ADOPT: 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, 10208, 10208.1                                                                                                                                                                                            |                                       | REPEAL: 2699.202, 2699.208, 2699.211                                                                          |
|                 | AMEND: 10205, 10205.12                                                                                                                                                                                                                                                                          | 12/24/13                              | ADOPT: 2598.3(b), 2598.3(c)                                                                                   |
| 12/02/13        | AMEND: 15600, 15605                                                                                                                                                                                                                                                                             | 12/23/13                              | ADOPT: 6456                                                                                                   |
| <b>Title 9</b>  |                                                                                                                                                                                                                                                                                                 | 12/19/13                              | AMEND: 2698.200                                                                                               |
| 01/28/14        | ADOPT: 7005.5 AMEND: 7005                                                                                                                                                                                                                                                                       | 12/19/13                              | AMEND: 2698.602                                                                                               |
|                 | REPEAL: 7144, 7145, 7146, 7147                                                                                                                                                                                                                                                                  | 12/09/13                              | ADOPT: 2594, 2594.1, 2594.2, 2594.3, 2594.4, 2594.5, 2594.6, 2594.7                                           |
| 01/14/14        | AMEND: 7214.1, 7220.7, 7227.2                                                                                                                                                                                                                                                                   | 12/03/13                              | ADOPT: 6540, 6542, 6544, 6546, 6548, 6550, 6552                                                               |
| <b>Title 10</b> |                                                                                                                                                                                                                                                                                                 | 11/27/13                              | ADOPT: 1718.1                                                                                                 |
| 04/10/14        | ADOPT: 2562.1, 2562.2, 2562.3, 2562.4                                                                                                                                                                                                                                                           | 11/26/13                              | ADOPT: 2598.1, 2598.2, 2598.3, 2598.4, 2598.5, 2598.6                                                         |
| 04/01/14        | ADOPT: 6700, 6702, 6704, 6706, 6708, 6710, 6712, 6714, 6716, 6718                                                                                                                                                                                                                               | 11/20/13                              | ADOPT: 2274.50, 2274.51, 2274.52, 2274.53, 2274.54, 2274.55, 2274.56, 2274.57, 2274.58, 2274.59, 2274.60      |
| 04/01/14        | ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620                                                                   | 11/20/13                              | ADOPT: 2562.1, 2562.2, 2562.3, 2562.4                                                                         |
| 04/01/14        | ADOPT: 6800, 6802, 6804, 6806                                                                                                                                                                                                                                                                   | 11/19/13                              | ADOPT: 10.190500, 10.190501                                                                                   |
| 04/01/14        | ADOPT: 6520, 6522, 6524, 6526, 6528, 6530, 6532, 6534, 6536, 6538                                                                                                                                                                                                                               | 11/13/13                              | AMEND: 2699.200, 2699.207                                                                                     |
| 03/25/14        | ADOPT: 6456                                                                                                                                                                                                                                                                                     | 11/13/13                              | AMEND: 2698.401                                                                                               |
| 03/17/14        | ADOPT: 6458                                                                                                                                                                                                                                                                                     | <b>Title 11</b>                       |                                                                                                               |
| 03/10/14        | ADOPT: 6424, 6440                                                                                                                                                                                                                                                                               | 02/27/14                              | AMEND: 20                                                                                                     |
| 03/06/14        | ADOPT: 6420, 6422                                                                                                                                                                                                                                                                               | 02/19/14                              | AMEND: 999.10                                                                                                 |
| 02/25/14        | ADOPT: 2218.30                                                                                                                                                                                                                                                                                  | 01/14/14                              | AMEND: 1015(c)                                                                                                |
| 02/24/14        | ADOPT: 2594, 2594.1, 2594.2, 2594.3, 2594.4, 2594.5, 2594.6, 2594.7                                                                                                                                                                                                                             | 12/26/13                              | ADOPT: 4200, 4210, 4220, 4230, 4240                                                                           |
| 02/20/14        | ADOPT: 8000, 8010, 8020, 8030, 8040, 8050, 8060, 8070                                                                                                                                                                                                                                           | 12/18/13                              | AMEND: 4001, 4002                                                                                             |
| 02/11/14        | AMEND: 3500, 3523, 3525, 3527, 3528, 3529, 3530, 3541, 3542, 3543, 3561, 3563, 3565, 3568, 3569, 3570, 3571, 3575, 3576, 3577, 3581, 3582, 3601, 3602, 3603, 3621, 3661, 3662, 3663, 3664, 3665, 3666, 3668, 3681, 3702, 3704, 3721, 3723, 3724, 3725, 3726, 3728, 3729, 3730, 3732, 3741, 3761 | 12/12/13                              | AMEND: 1001, 1005, 1006, 1007, 1008, 1055, 1070, 1071, 1950                                                   |
| 02/10/14        | ADOPT: 6650, 6652, 6654, 6656, 6657, 6658, 6660, 6662, 6664, 6666, 6668, 6670                                                                                                                                                                                                                   | 12/12/13                              | AMEND: 44.3                                                                                                   |
| 01/28/14        | AMEND: 2318.6, 2353.1                                                                                                                                                                                                                                                                           | 12/12/13                              | ADOPT: 51.28                                                                                                  |
| 01/28/14        | AMEND: 2318.6, 2353.1, 2354                                                                                                                                                                                                                                                                     | 12/02/13                              | AMEND: 1954(f), 1955(g), 1960(f)                                                                              |
| 01/24/14        | ADOPT: 217, 217.5, 217.10, 217.15, 217.20, 217.25, 217.30, 217.35, 217.40,                                                                                                                                                                                                                      | 12/02/13                              | AMEND: 64.1                                                                                                   |
|                 |                                                                                                                                                                                                                                                                                                 | 11/25/13                              | AMEND: 1005, 1007, 1008                                                                                       |
|                 |                                                                                                                                                                                                                                                                                                 | <b>Title 13</b>                       |                                                                                                               |
|                 |                                                                                                                                                                                                                                                                                                 | 03/13/14                              | AMEND: 1239                                                                                                   |
|                 |                                                                                                                                                                                                                                                                                                 | 02/24/14                              | AMEND: 1                                                                                                      |
|                 |                                                                                                                                                                                                                                                                                                 | 02/24/14                              | AMEND: 553.70                                                                                                 |
|                 |                                                                                                                                                                                                                                                                                                 | 12/30/13                              | AMEND: 423.00                                                                                                 |
|                 |                                                                                                                                                                                                                                                                                                 | 12/16/13                              | AMEND: 2262.9, 2263, 2282                                                                                     |
|                 |                                                                                                                                                                                                                                                                                                 | <b>Title 14</b>                       |                                                                                                               |
|                 |                                                                                                                                                                                                                                                                                                 | 04/11/14                              | AMEND: 3550.15                                                                                                |
|                 |                                                                                                                                                                                                                                                                                                 | 04/07/14                              | AMEND: 790, 820.01                                                                                            |
|                 |                                                                                                                                                                                                                                                                                                 | 04/01/14                              | AMEND: 27.80                                                                                                  |

|                 |         |                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------|---------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 03/26/14        | AMEND:  | 916.9(g)(2)(A),<br>936.9(g)(2)(A), 956.9(g)(2)(A)                                                                                 | 1714, 1714.1, 1730, 1730.1, 1731, 1747,<br>1747.1, 1747.5, 1748, 1748.5, 1749,<br>1749.1, 1750, 1750.1, 1751, 1752, 1753,<br>1754, 1756, 1760, 1766, 1767, 1768,<br>1770, 1772, 1776, 1778, 1788, 1790,<br>1792                                                                                                                                                                                                                                                                                           |
| 03/25/14        | ADOPT:  | 5200, 5201, 5202, 5203, 5204,<br>5205, 5206, 5207, 5208, 5209, 5210,<br>5211, 5300, 5301, 5302, 5303, 5304,<br>5305, 5306, 5307   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/24/14        | AMEND:  | 228(a)                                                                                                                            | 01/08/14 AMEND: 3044, 3190, 3315                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 03/18/14        | AMEND:  | 601, 702(a)(1)                                                                                                                    | 01/08/14 AMEND: 3000, 3006, 3084.7, 3165,<br>3176, 3177, 3294.5, 3310, 3315, 3352,<br>3376, 3376.1, 3377.1, 3379, 3426, 3430,<br>3434                                                                                                                                                                                                                                                                                                                                                                     |
| 02/19/14        | AMEND:  | 7.00, 7.50, 8.00                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/10/14        | AMEND:  | 701                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/06/14        | AMEND:  | 1665.6(b)                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/21/14        | AMEND:  | 7.50                                                                                                                              | 12/09/13 AMEND: 3000, 3190, 3213, 3334                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 01/16/14        | ADOPT:  | 3100, 3101, 3102, 3103, 3104,<br>3105, 3106, 3107, 3108, 3109, 3110,<br>3111, 3112, 3113, 3114, 3115, 3116, 3117                  | 12/02/13 ADOPT: 1329 AMEND: 1300, 1302,<br>1303, 1304, 1310, 1311, 1312, 1313,<br>1314, 1320, 1321, 1323, 1324, 1327,<br>1328, 1340, 1341, 1342, 1343, 1350,<br>1351, 1352, 1353, 1354, 1355, 1356,<br>1357, 1358, 1359, 1360, 1361, 1362,<br>1363, 1370, 1371, 1374, 1375, 1378,<br>1390, 1391, 1401, 1402, 1409, 1413,<br>1431, 1432, 1433, 1434, 1435, 1437,<br>1438, 1439, 1453, 1454, 1461, 1464,<br>1465, 1466, 1467, 1480, 1482, 1484,<br>1485, 1486, 1487, 1488, 1501, 1502,<br>1510 REPEAL: 1450 |
| 01/14/14        | AMEND:  | 165, 165.5                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/13/14        | ADOPT:  | 4000                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/13/14        | ADOPT:  | 2830, 2831, 2831.1, 2831.2,<br>2831.3, 2831.4, 2831.5, 2832, 2833,<br>2834, 2835 AMEND: 2000, 2085, 2501                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/26/13        | AMEND:  | 228(a)                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/30/13        | ADOPT:  | 1761, 1780, 1781, 1782, 1783,<br>1783.1, 1783.2, 1783.3, 1783.4, 1788                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/23/13        | AMEND:  | 5.79, 27.92                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/20/13        | ADOPT:  | 2012 AMEND: 2010, 2015,<br>2030, 2040, 2045, 2405, 2505                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/19/13        | AMEND:  | 705                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/19/13        | AMEND:  | 790, 818.02, 825.03, 827.02                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/17/13        | AMEND:  | 2530, 2535                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/09/13        | AMEND:  | 820.01                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/27/13        | AMEND:  | 895.1, 916.9, 936.9, 956.9                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/26/13        | AMEND:  | 895.1                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/21/13        | AMEND:  | 251.4                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/20/13        | AMEND:  | 29.15                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/19/13        | AMEND:  | 699.5                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/18/13        | ADOPT:  | 665                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/14/13        | AMEND:  | 4970.00, 4970.10.2,<br>4970.10.3, 4970.10.4, 4970.15.1,<br>4970.15.2                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Title 15</b> |         |                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/28/14        | ADOPT:  | 3999.17                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/24/14        | AMEND:  | 3044, 3190, 3282, 3335                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/18/14        | AMEND:  | 3290, 3315                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/11/14        | ADOPT:  | 3999.15                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/11/14        | ADOPT:  | 3999.16                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/06/14        | ADOPT:  | 3750, 3751, 3752, 3753, 3754,<br>3756, 3760, 3761, 3761.1, 3762, 3763,<br>3764, 3765, 3766 AMEND: 3000,<br>3075.2, 3768.2, 3768.3 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/23/14        | AMEND:  | 3000, 3075                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/15/14        | REPEAL: | 3999.9                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/09/14        | ADOPT:  | 1712.2, 1714.2, 1730.2, 1740.2<br>AMEND: 1700, 1706, 1712, 1712.1,                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Title 16</b> |         |                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 04/14/14        | AMEND:  | 1749                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/24/14        | ADOPT:  | 1762 AMEND: 1745, 1769                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 02/19/14        | AMEND:  | 1021                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/17/14        | AMEND:  | 475, 476, 3065                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/16/14        | ADOPT:  | 1138                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/13/14        | AMEND:  | 70                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/07/14        | AMEND:  | 1524                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/07/14        | ADOPT:  | 1018.01 AMEND: 1018                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/31/13        | ADOPT:  | 4172                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/23/13        | ADOPT:  | 4128 AMEND: 4122, 4130                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/18/13        | ADOPT:  | 5.5, 18, 19, 20, 21, 22 AMEND:<br>21 (renumbered to 36.1), 26, 98                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/04/13        | AMEND:  | 1065                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/21/13        | AMEND:  | 121                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/18/13        | AMEND:  | 411, 412, 3008, 3009                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/13/13        | ADOPT:  | 15, 16, 16.1, 16.2                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Title 17</b> |         |                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 04/16/14        | AMEND:  | 1230, 2641.57                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 04/16/14        | AMEND:  | 54342                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 04/10/14        | AMEND:  | 60201, 60203, 60205, 60207,<br>60210                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 03/12/14        | ADOPT:  | 56068, 56069, 56070, 56071,<br>56072, 56073, 56074, 56620, 56621,<br>56622, 56623, 56624, 56625 AMEND:<br>56101                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 01/28/14        | ADOPT:  | 54521, 54522, 54523, 54524,<br>54525, 54526, 54527, 54528, 54529,                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

54530, 54531, 54532, 54533, 54534,  
54535 AMEND: 54500, 54505, 54520  
REPEAL: 54521, 54522, 54523, 54524,  
54525  
01/27/14 AMEND: 100600, 100601, 100602,  
100608  
12/31/13 ADOPT: 95124 AMEND: 95101, 95102,  
95103, 95104, 95105, 95110, 95111,  
95112, 95113, 95114, 95115, 95116,  
95117, 95118, 95119, 95120, 95121,  
95122, 95123, 95129, 95130, 95131,  
95132, 95133, 95150, 95151, 95152,  
95153, 95154, 95155, 95156, 95157  
12/17/13 AMEND: 1230, 2641.57  
12/02/13 AMEND: 2505  
11/21/13 ADOPT: 56068, 56069, 56070, 56071,  
56072, 56073, 56074, 56620, 56621,  
56622, 56623, 56624, 56625 AMEND:  
56101

**Title 18**  
04/09/14 REPEAL: 18641, 19513  
04/02/14 AMEND: 1705  
03/10/14 ADOPT: 18662-0, 19002 AMEND:  
18662-1, 18662-2, 18662-3, 18662-4,  
18662-5, 18662-6, 18662-8 REPEAL:  
18662-7, 18662-11, 18662-12,  
18662-13, 18662-14  
03/04/14 AMEND: 1502  
02/25/14 ADOPT: 5255, 5256, 5453, 5552  
AMEND: 5200, 5212, 5215, 5215.4,  
5215.6, 5216, 5217, 5218, 5219, 5220,  
5222, 5224, 5225, 5230, 5233, 5235,  
5237, 5240, 5241, 5242, 5247, 5250,  
5262, 5264, 5266, 5267, 5270, 5311,  
5322, 5323.6, 5323.8, 5324, 5325.6,  
5332, 5332.6, 5333, 5333.4, 5333.6,  
5334, 5334.4, 5334.6, 5335, 5336.5,  
5345, 5421, 5435, 5444, 5450, 5451,  
5452, 5460, 5463, 5510, 5511, 5512,  
5522.8, 5523.6, 5551, 5561, 5562, 5563,  
5570, 5573, 5574 REPEAL: 5450, 5512,  
5563  
02/20/14 ADOPT: 19266  
01/08/14 AMEND: 25106.5-1  
12/24/13 AMEND: 263, 462.020, 462.060,  
462.160, 462.180, 462.220, 462.240  
12/09/13 AMEND: 17951-4, 17951-6, 25101,  
25106.5-9, 25106.5-10, 25128,  
25137-1, 25137-2, 25137-4.2, 25137-7,  
25137-8.2, 25137-9, 25137-10,  
25137-11, 25137-14  
12/09/13 AMEND: 1642  
11/26/13 ADOPT: 2000, 2001  
11/21/13 AMEND: 25106.5

**Title 20**  
01/28/14 AMEND: 2401, 2402  
01/08/14 AMEND: 1660, 1661, 1662, 1663, 1664,  
1665  
01/08/14 AMEND: 1.2, 1.5, 1.9, 1.10, 1.13, 2.4,  
3.3, 3.6, 4.2, 8.3, 13.1, 13.8, 13.11, 13.13,  
14.1, 14.2, 14.5, 14.6, 15.2, 16.6, 18.1

**Title 21**  
01/07/14 ADOPT: 2653, 2654, 2655, 2656, 2657,  
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**Title 22**  
04/07/14 REPEAL: 75040, 75041, 75042, 75043,  
75044  
04/03/14 AMEND: 97212, 97215, 97225, 97226,  
97227, 97228, 97229, 97244, 97248,  
97258, 97259, 97260, 97261  
03/25/14 AMEND: 97225, 97226, 97227  
03/17/14 AMEND: 51516.1  
02/26/14 AMEND: 53800, 53810 REPEAL:  
53830  
02/13/14 AMEND: 51003  
12/24/13 AMEND: 51510, 51510.1, 51510.2,  
51510.3, 51511, 51511.5, 51511.6,  
51535, 51535.1, 54501  
12/17/13 ADOPT: 70438.2  
12/16/13 AMEND: 50090, 50260, 50262.3,  
50951, 50953, 51008, 51008.5, 51015,  
51159, 51200, 51303, 51341.1, 51458.1,  
51476, 51490.1  
12/05/13 ADOPT: 70951, 70952, 70953, 70954,  
70955, 70956, 70957, 70958, 70958.1,  
70959, 70960, 71701, 71702, 71703

**Title 23**  
03/11/14 ADOPT: 3969.4  
02/27/14 AMEND: 2922  
02/04/14 AMEND: 2921  
01/09/14 ADOPT: 13.2, 21, 22, 23, 24, 25, 27, 29  
AMEND: 13, 13.1, 13.2 (renumbered to  
13.3), 20, 21 (renumbered to 26), 26  
(renumbered to 28), 28 (renumbered to  
30) REPEAL: 23, 24, 25, 27  
12/03/13 AMEND: 597

**Title 25**  
04/07/14 AMEND: 4353, 4369  
03/24/14 ADOPT: 6932 REPEAL: 6932

**Title 27**  
04/16/14 AMEND: 25302, 25304  
02/20/14 AMEND: 27001  
12/17/13 ADOPT: 15186.1 AMEND: 15100,  
15110, 15150, 15170, 15180, 15185,  
15186, 15187, 15188, 15190, 15200,  
15210, 15220, 15240, 15242, 15250,  
15260, 15280, 15290, 15300, 15330,

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15400.4, 15410, 15600, 15610, 15620

42-213, 42-221, 42-302, 42-406,  
42-407, 42-716, 42-721, 42-751,  
42-769, 44-101, 44-102, 44-111,  
44-113, 44-115, 44-133, 44-205,  
44-207, 44-211, 44-304, 44-305,  
44-313, 44-314, 44-315, 44-316,  
44-317, 44-318, 44-325, 44-327,  
44-340, 44-350, 44-352, 47-220,  
47-320, 48-001, 80-301, 80-310,  
82-612, 82-812, 82-820, 82-824,  
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44-400, 44-401, 44-402, 44-403

**Title 28**

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**Title MPP**

12/24/13 ADOPT: 40-038 AMEND: 22-071,  
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40-128, 40-131, 40-173, 40-181,  
40-188, 40-190, 41-405, 42-209,

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