



# California Regulatory Notice Register

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## PROPOSED ACTION ON REGULATIONS

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

*Conflict-of-Interest Code — Notice File No. Z2015-0901-04* ..... 1527  
*Amendment*

Multi-County: Shasta Tehama Trinity Joint Community College District  
Coachella Valley Water District

#### *Adoption*

State Agency: California Collaborative for Educational Excellence

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

*Made at the behest; Independent versus Coordinated Expenditures — Notice File No. Z2015-0828-01* ..... 1528

### TITLE 13. CALIFORNIA HIGHWAY PATROL

*General Hazardous Material Regulations — Notice File No. Z2015-0827-02* ..... 1529

### TITLE 13. CALIFORNIA HIGHWAY PATROL

*Liquid Fuel Supply Tanks and Systems — Notice File No. Z2015-0827-01* ..... 1531

### TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

*Prison Rape Elimination Act — Notice File No. Z2015-0828-02* ..... 1533

### TITLE 18. BOARD OF EQUALIZATION

*Foreign Consuls — Notice File No. Z2015-0831-01* ..... 1536

### TITLE 24. BUILDING STANDARDS COMMISSION

*2013 California Green Building Standards Code, Part 11, Title 24, CCR (CALGreen) —  
Notice File No. Z2015-0901-24* ..... 1542

### TITLE 24. BUILDING STANDARDS COMMISSION

*2015 Triennial Code Adoption Cycle — CCR, Title 24, Part 2 — Notice File No. Z2015-0901-18* ..... 1547

### TITLE 24. BUILDING STANDARDS COMMISSION

*2015 Triennial Code Adoption Cycle — CCR, Title 24, Part 10 — Notice File No. Z2015-0901-19* ..... 1552

(Continued on next page)

***Time-  
Dated  
Material***

TITLE 24. BUILDING STANDARDS COMMISSION 2015–Triennial Code Adoption Cycle — Title 24, Part 1, California Administrative Code, Chapter 7 — Notice File No. Z2015–0901–16 .....	1557
TITLE 24. BUILDING STANDARDS COMMISSION 2015 Triennial Code Adoption Cycle — Title 24, Part 2 Volume 1, California Building Code — Notice File No. Z2015–0901–15 .....	1560
TITLE 24. BUILDING STANDARDS COMMISSION 2015 Triennial Rulemaking Cycle — CCR, Title 24, Part 2.5 — Notice File No. Z2015–0901–20 .....	1564
TITLE 24. BUILDING STANDARDS COMMISSION 2015–Triennial Rulemaking Cycle — CCR, Title 24, Part 9 — Notice File No. Z2015–0901–17 .....	1569
TITLE 24. BUILDING STANDARDS COMMISSION 2016 California Administrative Code, Part 1, Title 24, California Code of Regulations — Notice File No. Z2015–0901–09 .....	1574
TITLE 24. BUILDING STANDARDS COMMISSION 2016 California Building Code (CBC), Part 2, California Code of Regulations, Title 24 — Notice File No. Z2015–0901–08 .....	1578
TITLE 24. BUILDING STANDARDS COMMISSION 2016 California Existing Building Code (CEBC), Part 10, California Code of Regulations, Title 24 — Notice File No. Z2015–0901–06 .....	1583
TITLE 24. BUILDING STANDARDS COMMISSION Adoption of the 2015 International Building Code with Amendments into the 2016 California Building Code — Notice File No. Z2015–0901–13 .....	1587
TITLE 24. BUILDING STANDARDS COMMISSION Adoption of the 2015 International Existing Building Code with Amendments into the 2016 California Existing Building Code — Notice File No. Z2015–0901–12 .....	1591
TITLE 24. BUILDING STANDARDS COMMISSION Adoption of the 2015 International Residential Code with Amendments into the 2016 California Residential Code — Notice File No. Z2015–0901–10 .....	1595
TITLE 24. BUILDING STANDARDS COMMISSION California Administrative Code, Part 1, Title 24, California Code of Regulations — Notice File No. Z2015–0901–07 .....	1599

**(Continued on next page)**

TITLE 24. BUILDING STANDARDS COMMISSION <i>California Building Code, Part 2, Title 24, California Code of Regulations — Notice File No. Z2015-0901-23</i> .....	1602
TITLE 24. BUILDING STANDARDS COMMISSION <i>California Existing Building Code, Part 10, Title 24, California Code of Regulations — Notice File No. .... Z2015-0901-22</i>	1605
TITLE 24. BUILDING STANDARDS COMMISSION <i>California Green Building Standards Code (CALGreen)— Notice File No. Z2015-0901-26</i> .....	1609
TITLE 24. BUILDING STANDARDS COMMISSION <i>California Reference Standards Code, Part 12, Title 24, California Code of Regulations — Notice File No. Z2015-0901-21</i> .....	1613
TITLE 24. BUILDING STANDARDS COMMISSION <i>Emergency Regulations — 2013 California Green Building Code — Outside Irrigation — Notice File No. Z2015-0901-25</i> .....	1616
TITLE 24. BUILDING STANDARDS COMMISSION <i>Title 24, Part 1, California Administrative Code, Chapters 6 — Seismic Evaluation Procedure and Chapter 7 2015 Triennial Code Adoption Cycle — Title 24, Part 2 California Building Code — Structural Requirements — Notice File No. Z2015-0901-14</i> .....	1619
TITLE 24. BUILDING STANDARDS COMMISSION <i>Title 24, Part 8, 2016 California Historical Building Code (CHBC) — 2016 Triennial Code Adoption Cycle — Notice File No. Z2015-0901-11</i> .....	1623
<b>GENERAL PUBLIC INTEREST</b>	
<b>AIR RESOURCES BOARD</b>	
<i>Notice of Public Hearing Location Change — On-Board Diagnostic System Requirement (OBDII) (Previously Published in Notice Register 2015, 32-Z)</i> .....	1626
<b>DEPARTMENT OF HEALTH CARE SERVICES</b>	
<i>State Plan Amendment for Licensed Midwives</i> .....	1627
<b>PROFESSIONAL FIDUCIARIES BUREAU</b>	
<i>Notice of Correction — Client Notification (Previously Published in Notice Register 2015, 35-Z)</i> .....	1627
<b>OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT</b>	
<i>Notice of Correction — Hazard Identification Materials Notice Possible delisting “Nitrapyrin” (Previously Published in Notice Register 2015, 35-Z)</i> .....	1628

(Continued on next page)

## DECISION NOT TO PROCEED

### DEPARTMENT OF JUSTICE

*Concerning Record Security Regulations (Previously Published in Notice Register 2014, 38–Z)* . . . . . 1628

### DEPARTMENT OF STATE HOSPITALS

*Concerning Patients’ Rights Complaint and Appeal Procedures (Previously Published in Notice Register 2014, 45–Z)* . . . . . 1628

## SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State . . . . . 1628

Sections Filed, April 1, 2015 to September 2, 2015 . . . . . 1631

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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.

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**PROPOSED ACTION ON REGULATIONS**

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**TITLE 2. FAIR POLITICAL PRACTICES COMMISSION**

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (Commission), pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest codes of the following:

**CONFLICT OF-INTEREST CODES**

**AMENDMENT**

**MULTI-COUNTY:** Shasta Tehama Trinity Joint  
Community College District  
Coachella Valley Water District

**ADOPTION**

**STATE AGENCY:** California Collaborative for  
Educational Excellence

A written comment period has been established commencing on September 11, 2015, and closing on October 26, 2015. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for her review, unless any interested person or his/her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government

Code Section 87302, employees who must disclose certain investments, interests in real property and income.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than October 26, 2015. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

**COST TO LOCAL AGENCIES**

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

**EFFECT ON HOUSING COSTS AND BUSINESSES**

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

**AUTHORITY**

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code-reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

**REFERENCE**

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

**CONTACT**

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED  
CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 2. FAIR POLITICAL  
PRACTICES COMMISSION**

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the Commission), under the authority vested in it under the Political Reform Act (the Act)<sup>1</sup> by section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulations at a public hearing on or after **October 15, 2015**, at the offices of the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, California, commencing at approximately **10 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m. on October 13, 2015**.

BACKGROUND/OVERVIEW

Regulation 18225.7 has long been the chief source of authority for determining what is, and what is not, an expenditure “made at the behest” of a candidate or committee under the Act. After Proposition 34 added Government Code section 85500(b), to explain when an expenditure may not be considered “independent” of a candidate, the Commission implemented regulation 18550.1 to clarify section 85500(b) by describing conduct that will, or will not, justify treating an ostensibly “independent” expenditure as a “contribution” to a candidate. Both regulations describe candidate involvement in an expenditure by another person, but regulation 18225.7 is also applicable to such expenditures to ballot measure committees. As a result, regulation 18550.1 simply treats a subclass of the campaign communications governed by regulation 18225.7.

Importantly, although regulation 18550.1 does not use the term “made at the behest,” and does not apply to committees, regulations 18227.5 and 18550.1 are virtu-

ally identical in all other respects, including the conduct described. Because of the substantial overlap, and the lack of an obvious reason to have separate regulations, staff proposes to merge regulation 18550.1 into the broader regulation 18227.5. The Act’s “coordination” rules would thus be contained in a single regulation.

In addition, staff proposes to amend regulation 18225.7 to include new provisions that identify the different applications of the term “made at the behest” within the Act, while clarifying that all applications of the term will be governed by the definition provided in regulation 18225.7. Finally, staff seeks to add more situations which give rise to a presumption that an expenditure was coordinated with a candidate or committee, and to add an additional case where such “coordination” will not be found.

REGULATORY ACTION

Amend 2 Cal. Code Regs. Section 18225.7

Subdivision (a) of the proposed regulation describes the three separate contexts in which the term “made at the behest” is used within the Act. It provides that the definition for that term, located in subdivision (b), will apply to all uses of the term in the Act.

Subdivision (c) defines those instances where an expenditure will be considered made at the behest of a candidate or committee, and not independent, for purposes of Sections 82031 and 85500(b).

Subdivision (d) adds more specific instances which give rise to a presumption that an expenditure was coordinated with a candidate or committee. The proposed presumptions provide additional specific situations where it is reasonable to suspect underlying conduct that would meet the definition of “coordination” if all the facts were known.

Subdivision (e) contains the “safe harbor” provisions and describes one additional case concerning the use of “hyperlinks” where “coordination” will not be found.

Subdivision (f) will now contain existing provisions that apply to certain committee communications where “coordination” will not be found.

Subdivision (g) proposes to treat all coordinated expenditures with a candidate or committee as contributions unless such expenditures are exempted from the definition of “contribution” by Section 82015, regulation 18215 or some other provision of the Act or its regulations.

Repeal 2 Cal. Code Regs. Section 18550.1

SCOPE

The Commission may adopt the language noticed herein or it may choose new language to implement its

<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014. All further statutory references are to the Government Code. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations (hereafter Regulation).

decisions concerning the issues identified above or related issues.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. These regulations will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. These regulations will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. These regulations will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of this regulation is to implement, interpret, and make specific section 82015, 82025, 82031 and 85500.

CONTACT

Any inquiries should be made to Jack Woodside, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660.

Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.php?id=247#2>.

**TITLE 13. CALIFORNIA HIGHWAY PATROL**

CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6, ARTICLE 3, AMEND SECTION 1160.2, AND ADOPT SECTIONS 1160.7 AND 1161.8

**GENERAL HAZARDOUS MATERIALS REGULATIONS (CHP-R-15-06)**

In compliance with the requirements of Title 49, United States Code (USC), Chapter 51, Section 5125, and Title 49, Code of Federal Regulations (CFR), Part 107, Subpart C, the California Highway Patrol (CHP)

proposes to amend the state’s hazardous materials regulations (HMR) to be consistent with national transportation requirements as required by federal law.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Title 13, California Code of Regulations (CCR), Division 2, Chapter 6, Article 3, Sections 1160 through 1167, contain the CHP’s regulations governing the highway transportation of hazardous materials (HM). These sections contain the general provisions, hazard classification and shipping names, HM training, and the reporting of incidents involving HM or hazardous waste.

The proposed rulemaking action will make substantive changes to align state and federal HMR for persons subject to federal jurisdiction per Title 49, CFR, Part 171.1. Adopting the most recent edition of the federal HMR, incorporated by reference, in Title 13, CCR, Section 1160.2, ensures this alignment.

In order to further align the state and federal regulations, this action proposes the adoption of two additional sections. Title 13, CCR, Section 1160.7 is being added to address the federal requirements for HM registration and Title 13, CCR, Section 1161.8 is addressing the federal requirements for safety and security plans.

The following is a list of the specific changes being made:

**Title 13, California Code of Regulations, Division 2, Chapter 6, Article 3, Section 1160.2, U.S. Department of Transportation Regulations**

The state’s HMR contained in Title 13, CCR, Sections 1160 through 1167, are required to be continuously evaluated and updated to avoid federal preemption. Title 49, USC, Section 5125, requires states to adopt HM laws and regulations which are “*substantively the same as*” the corresponding federal HM laws and regulations. In order for the CHP to fulfill the mandate established in Section 34501(b) of the California Vehicle Code, and be in compliance with federal law, it must align its HMR applicable to persons subject to federal jurisdiction pursuant to Title 49, CFR, Part 171. This alignment will reflect the change from the October 1, 2013, to the October 1, 2014, printed edition of the federal HMR.

**Title 13, California Code of Regulations, Division 2, Chapter 6, Article 3, Section 1160.7, Hazardous Materials Registration**

The state’s HMR contained in Title 13, CCR, are required to be continuously evaluated and updated to avoid federal preemption. Title 49, USC, Section 5125, requires states to adopt HM laws and regulations which are “*substantively the same as*” the corresponding federal HM laws and regulations. The proposed adoption

of this section will meet the federal requirements applicable to HM registration.

**Title 13, California Code of Regulations, Division 2, Chapter 6, Article 3, Section 1161.8, Safety and Security Plans**

As previously explained, the proposed adoption of this section will meet the federal requirements applicable to safety and security plans.

Currently, the federal HM regulations apply to interstate and intrastate operations. Alignment of state and federal regulations will create consistency for industry by ensuring there is only one set of regulations needed for compliance. This rulemaking action will continue to provide nonmonetary benefits by protecting the health and safety of the public, employees, and environment by providing a regulatory authority for enforcement efforts as they relate to violations of the current hazardous materials regulations found in Title 49 CFR, which directly improves the safety of the motoring public. The CHP has evaluated the proposed regulations and has found the referenced regulations are the only regulations governing the highway transportation of HM. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing regulations.

**DOCUMENT INCORPORATED BY REFERENCE**

Title 49, CFR, Part 107, Parts 171–180 and Part 393 (October 1, 2014).

**PUBLIC COMMENTS**

Interested persons may submit written comments on these proposed actions via facsimile to (916) 322–3154, by electronic mail to [cvsregs@chp.ca.gov](mailto:cvsregs@chp.ca.gov), or by writing to:

California Highway Patrol  
Enforcement and Planning Division  
Commercial Vehicle Section  
Attention: Officer Adam Roha  
P.O. Box 942898  
Sacramento, CA 94298–0001

Written comments will be accepted until 5:00 p.m., on October 26, 2015.

**PUBLIC HEARINGS**

No public hearing has been scheduled. If any person desires a public hearing, a written request must be received by the CHP, Commercial Vehicles Section (CVS), no later than 15 days prior to the close of the written comment period.

**AVAILABILITY OF INFORMATION**

The CHP has available for public review an Initial Statement of Reasons for the proposed regulatory action, the information upon which this action is based (the rulemaking file), and the proposed regulation text. Requests to review or receive copies of this information should be directed to the CHP at the above address, by facsimile to (916) 322–3154, or by calling the CHP, CVS, at (916) 843–3400. All requests for information should include the following information: the title of the rulemaking package, the requester's name, proper mailing address (including city, state, and zip code), and a daytime telephone number in case the requester's information is incomplete or illegible.

The rulemaking file is available for inspection at CHP, CVS, 601 North 7th Street, Sacramento CA 95811. Interested parties are advised to call for an appointment.

All documents regarding the proposed action are also available through the CHP's Web site at <https://www.chp.ca.gov/News-Alerts/Regulatory-Actions>.

**CONTACT PERSON**

Any inquiries concerning the written materials pertaining to the proposed regulations, or questions regarding the substance of the proposed regulations, should be directed to Officer Adam Roha or Sergeant Josh Clements (backup contact) CHP, CVS 601 N. 7th St., Sacramento, CA 95811 or by telephone at (916) 843–3400.

**ADOPTION OF PROPOSED REGULATIONS**

After consideration of public comments, the CHP may adopt the proposal substantially as set forth without further notice. If the proposal is modified prior to adoption and the change is not solely grammatical or nonsubstantive in nature, the full text of the resulting regulation, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date of adoption.

**FISCAL AND ECONOMIC IMPACT**

The CHP has made an initial determination that this proposed regulatory action (1) will have no effect on housing costs; (2) will impose no new mandate upon local agencies or school districts; (3) will involve no non-discretionary cost or savings to any local agency, no cost to any local agency or school district for which Sections 17500–17630 of the Government Code (GC) require reimbursement, no cost or savings to any state agency, nor costs or savings in federal funding to the

state; (4) will neither create or eliminate jobs in the state of California, nor result in the elimination of existing businesses, nor create or expand businesses in the state of California; (5) will have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states; (6) benefits of the regulation: will continue to provide a nonmonetary benefit to the protection and safety of public health, employees, and safety to the environment by providing a regulatory authority for enforcement efforts as they relate to violations of the current hazardous materials regulations found in Title 49 CFR; and (7) will continue to provide a nonmonetary benefit to the protection and safety of public health, employees, and safety to the environment by providing a regulatory authority for enforcement efforts as they relate to violations of the current HMR found in Title 49, CFR. The regulated community is encouraged to respond during the comment period of this regulatory process if significant impacts are identified.

**COST IMPACTS ON PRIVATE PERSONS  
OR BUSINESSES**

The CHP is not aware of any cost impacts that a private person or business would incur while maintaining compliance with the proposed action.

**EFFECT ON SMALL BUSINESSES**

The CHP has not identified any significant adverse effect on small businesses. The proposed regulations do not increase any requirements upon any small businesses. Businesses subject to federal jurisdiction are currently required to comply with the federal HMR, and therefore, the mere adoption of regulations to avoid preemption or to grant enforcement authority of preexisting regulations provides no additional impact on businesses. The proposed regulatory amendment in Title 13, CCR, Section 1160.2, and adoption of Sections 1160.7 and 1161.8 are already applicable and enforceable on businesses subject to federal jurisdiction pursuant to Title 49, CFR, Part 171.

The federal HMR being adopted by reference in Title 13, CCR, were subjected to the procedures under the Federal Administrative Procedures Act (FAPA). The FAPA provided regulated businesses the opportunity to participate in the rulemaking process, prior to adopting the current federal HMR.

**ALTERNATIVES**

In accordance with Section 11346.5(a)(13) GC, the CHP must determine that no reasonable alternative considered by the agency would be more effective in carrying out the purpose for which the action is proposed. The CHP must also consider if an alternative method would be as effective as 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 another provision of law. The CHP invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

**AUTHORITY**

This regulatory action is being taken pursuant to Sections 2402.7 and 34501(b) CVC.

**REFERENCE**

This action implements, interprets, and/or makes specific Sections 2402.7, 27903, 34510, 34506, and 34501(b) CVC.

**TITLE 13. CALIFORNIA  
HIGHWAY PATROL**

**TITLE 13, CALIFORNIA CODE OF  
REGULATIONS, DIVISION 2, CHAPTER 6.5  
AMEND ARTICLE 8, SECTION 1253**

**LIQUID FUEL SUPPLY TANKS AND SYSTEMS  
(CHP-R-15-05)**

The California Highway Patrol (CHP) proposes to amend the motor carrier safety regulations contained in Title 13, California Code of Regulations (CCR) to be consistent with the current version of federal regulations in Title 49, Code of Federal Regulations (CFR).

**INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW**

Title 13, CCR, Division 2, Chapter 6.5, contains the CHP motor carrier safety regulations and Article 8, Section 1253, contains requirements specific to liquid fuel supply tanks and systems, including general tank standards, construction, and installation of such systems. Additional safety requirements were added in 1996, requiring motor vehicles with impact damage protection and excess flow valves.

This rulemaking action adopts Federal Motor Carrier Safety Regulations by reference, which updates standards for liquid fuel supply tanks and systems on motor vehicles, including installation, mounting, certifications, tank testing, and safety requirements.

Anticipated Benefits of the Proposed Regulation:

This rulemaking action will ensure the most current standards are used in liquid fuel supply tank construction and installation, which would ultimately contribute to safer motor vehicle operations. Additionally, this rulemaking action will enhance the competitiveness of California by eliminating or modifying, to the extent possible, regulations which conflict with updated federal regulations, in order to prevent any negative impact on businesses. Also, this rulemaking will allow the CHP to remain consistent with regulations adopted by the United States Department of Transportation. Current state regulation incorporates outdated regulations. This amendment would incorporate the requirements of Subpart E, Part 393, Title 49, CFR, as published on October 1, 2014.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations:

The CHP has evaluated the proposed regulations and has found these are the only regulations concerning liquid fuel supply tanks and systems. Therefore, the proposed regulations are neither inconsistent not incompatible with existing regulations.

**PUBLIC COMMENTS**

Any interested person may submit written comments on this proposed action via facsimile at (916) 322-3154, by electronic mail to [cvsregs@chp.ca.gov](mailto:cvsregs@chp.ca.gov), or by writing to:

California Highway Patrol  
Commercial Vehicle Section  
Attention: Officer Kristi McNabb  
P.O. Box 942898  
Sacramento, CA 94298-0001

Written comments will be accepted until 5:00 p.m., on October 26, 2015.

No public hearing has been scheduled. If any person desires a public hearing, a written request must be received by the CHP, Commercial Vehicle Section (CVS), no later than 15 days prior to the close of the written comment period.

**AVAILABILITY OF INFORMATION**

The CHP has available for public review an initial statement of reasons for the proposed regulatory action,

the information upon which this action is based (the rulemaking file), and the proposed regulation text. Requests to review or receive copies of this information should be directed to the CHP at the above address, by facsimile at (916) 322-3154 or by calling the CHP, CVS, at (916) 843-3400. All requests for information should include the following information: the title of the rulemaking package, the requester's name, proper mailing address (including city, state, and zip code), and a daytime telephone number (in case information is incomplete or illegible).

The rulemaking file is available for inspection. Interested parties are advised to call CHP, CVS for an appointment.

All documents regarding the proposed action are available through the CHP's Web site at <https://www.chp.ca.gov/News-Alerts/Regulatory-Actions>.

Any person desiring to obtain a copy of the adopted text and a final statement of reasons may request them at the above-noted address. Copies will be posted on the CHP's Web site.

**CONTACT PERSON**

Any inquiries concerning the written materials pertaining to the proposed regulations, or questions regarding the substance of the proposed regulations, should be directed to Officer Kristi McNabb or Sergeant Josh Clements (Backup Contact), of CHP, CVS, 601 N. 7th St., Sacramento, CA 95811, or by telephone at (916) 843-3400.

**ADOPTION OF PROPOSED REGULATIONS**

After consideration of public comments, the CHP may adopt the proposal substantially as set forth without further notice. If the proposal is modified prior to adoption and the change is not solely grammatical or nonsubstantive in nature, the full text of the resulting regulation, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date of adoption.

**FISCAL IMPACT AND RESULTS OF THE ECONOMIC IMPACT ANALYSIS**

The CHP has made an initial determination that this proposed regulatory action: (1) will have no effect on housing costs; (2) will impose no new mandate upon local agencies or school districts; (3) will involve no non-discretionary costs or savings to any local agency; no cost to any local agency or school district for which Sections 17500-17630 of the Government Code (GC) require reimbursement; no cost or savings to any state

agency; nor costs or savings in federal funding to the state; (4) will neither create or eliminate jobs in the State of California, nor result in the elimination of existing businesses, nor create or expand businesses in the State of California; (5) will continue to provide a nonmonetary benefit to the protection and safety of public health, employees, and safety to the environment by providing a regulatory basis for enforcement efforts as they relate to the CFR; and (6) will have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

**Benefits of the Proposed Action:** This rulemaking action will ensure the most current standards are used in liquid fuel supply tank construction and installation, which would ultimately contribute to safer motor vehicle operations. Additionally, this rulemaking action will enhance the competitiveness of California by eliminating or modifying, to the extent possible, regulations which conflict with updated federal regulations, in order to prevent any negative impact on businesses.

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

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

**EFFECT ON SMALL BUSINESSES**

The CHP has determined the proposed regulation will not affect small businesses as the proposed amendments are either already required by federal regulation or are editorial in nature, and are without regulatory effect. However, the regulated community is encouraged to respond during the public comment period of this regulatory process if significant impacts are identified.

**ALTERNATIVES**

In accordance with Section 11346.5(a)(13) GC, the CHP must determine no reasonable alternative considered by the agency, or otherwise identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed; nor be as effective and less burdensome to affected private persons than the proposed action; nor be more cost-effective to affected private persons; and equally effective in implementing the statutory policy or other provision of law. The CHP invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

**AUTHORITY AND REFERENCE**

This regulatory action is being taken pursuant to Sections 2402 and 34501 of the California Vehicle Code (CVC). This action implements, interprets, or makes specific, Sections 2402 and 34501 CVC.

**TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION**

**NOTICE IS HEREBY GIVEN** that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code (GC) Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Section 5058 and 5058.3, in order to implement, interpret and make specific PC section 5054, proposes to amend Sections 3084.9, 3323, 3335, and 3401.5 of the California Code of Regulations (CCR), Title 15, Division 3, concerning changes to the Federal guidelines to the Prison Rape Elimination Act.

**PUBLIC HEARING**

**Date and Time:** November 4, 2015 from 10:00 a.m. to 11:00 a.m.  
**Place:** Department of Corrections and Rehabilitation  
 Kern Room  
 1515 S Street — North Building  
 Sacramento, CA 95811  
**Purpose:** To receive comments about this action.

**INFORMATIVE DIGEST**

In 2003, the federal Prison Rape Elimination Act (PREA) was enacted and established the National Prison Rape Elimination Commission (NPREC), whose purpose was to develop national standards for the detection, prevention, reduction, and punishment of prison rape. The California Department of Corrections and Rehabilitation (CDCR) established the Prison Rape Elimination Program in 2006, as a first step to achieve compliance with the statute (see Department Operations Manual Chapter 5, Article 44). In 2012, the Federal Department of Justice (DOJ) issued a final rule adopting additional national standards as recommended by NPRC, which required further action by states to achieve compliance. In 2014, the California Governor submitted an assurance to the Federal DOJ that the CDCR would continue its work on developing and implementing policy to ensure compliance with national

standards. This proposed rulemaking is associated with that process.

In this regulatory action, the Secretary proposes to amend regulatory provisions to ensure compliance with the National PREA Standards and ensure funding received from the Department of Justice is not jeopardized.

This action provides the following:

- The addition of language to the Inmate Appeals Process to address the standard of timeframes and specific criteria for Departmental response to emergency appeals concerning allegations of staff sexual harassment or staff sexual misconduct.
- The revision of text within Title 15, Article 5 Inmate Discipline incorporating clarifying references to Sexual Assault or Battery to ensure identification of the appropriate charge to be used in the disciplinary process with incidents that include a sexual component.
- The addition of criteria determining an inmate's eligibility for non-disciplinary segregation if investigation related to being a victim of a PREA incident exists.
- The addition of language to provide clarity by adding staff sexual harassment toward an inmate as a component of the Employee Sexual Misconduct policy.

#### POLICY STATEMENT OVERVIEW

The anticipated benefits of the proposed regulations are based upon the Department of Justice's Initial Regulatory Impact Analysis that was conducted during the federal rulemaking process in 2011. The Department of Justice believes it is reasonable to expect that the federal standards, if fully adopted and complied with, would achieve a level of reduction in the prevalence of sexual abuse. By making prisons safer there is an anticipated increase in the general well-being and morale of staff and inmates alike. Non-quantifiable benefits will accrue to society at large by ensuring that inmates re-entering the community are less traumatized and better equipped to support their community.

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

Pursuant to Government Code 11346.5(a)(3)(D), the Department must evaluate whether the proposed regulations are inconsistent or incompatible with existing State regulations. Pursuant to this evaluation, the Department has reviewed existing regulations pertaining

to the Prison Rape Elimination Act and determined that these proposed regulations are not inconsistent or incompatible.

#### LOCAL MANDATES

The Department has determined that these regulations do not impose a mandate on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500-17630.

#### 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: Loss of 5% of federal DOJ grant funds if states do not comply.

#### SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT AFFECTING BUSINESSES

The Department 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.

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

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

#### RESULTS OF ECONOMIC IMPACT ASSESSMENT

These regulations are directed at the internal management of State prisons and do not impose any obligations, duties, fees, costs, responsibilities, reporting requirements, etc. on California businesses, large or small. No economic impacts have been brought to the attention of the Department. The Department has therefore concluded that these regulations will have no impact on the creation of new, or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in

California. Regarding benefits, these regulations will protect the health and safety of California residents, worker safety, and the State's environment by providing a safe environment that will encourage visitation for families, which will have a positive impact on inmates, and increase worker safety.

#### EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations may not affect small businesses. It is determined that this action has no significant adverse economic impact on small business because they are not affected by the internal management of state prisons.

#### EFFECT ON HOUSING COSTS

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

#### CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, 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 proposed regulatory action. 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.

#### CONTACT PERSON

Please direct any inquiries regarding this action to:

Timothy M. Lockwood, Chief  
Regulation and Policy Management Branch  
Department of Corrections and Rehabilitation  
P.O. Box 942883  
Sacramento, CA 94283-0001  
Telephone (916) 445-2269

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

Anthony Carter  
Regulation and Policy Management Branch  
Telephone (916) 445-2220

Questions regarding the substance of the proposed regulatory action should be directed to:

Lt. Matthew Rustad  
Division of Adult Institutions  
California Department of Corrections and  
Rehabilitation  
(916) 324-0788

#### WRITTEN COMMENT PERIOD

The public comment period will close November 4, 2015 at 5:00 p.m. Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action (by mail, by fax, or by e-mail) to CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 324-6075; or by e-mail at [RPMB@cdcr.ca.gov](mailto:RPMB@cdcr.ca.gov) before the close of the comment period.

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

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

#### AVAILABILITY OF CHANGES TO PROPOSED TEXT

After 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. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department 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 will be available on the Department’s website at <http://www.cdcr.ca.gov>, and may also be obtained from the Department’s contact person.

**TITLE 18. BOARD OF EQUALIZATION**

**The State Board of Equalization Proposes to  
Adopt Amendments to California Code of  
Regulations, Title 18,  
Section 1619, *Foreign Consuls***

NOTICE IS HEREBY GIVEN that the State Board of Equalization (Board), pursuant to the authority vested in it by Revenue and Taxation Code (RTC) section 7051, proposes to adopt amendments to California Code of Regulations, title 18, section (Regulation or Reg.) 1619, *Foreign Consuls*. The proposed amendments:

- Rename the regulation from “Foreign Consuls” to “Foreign Missions and Consuls” and add additional references to a federal treaty and diplomatic agreements relating to the American Institute in Taiwan (AIT) to the regulation’s reference note;
- Add a new subdivision (a)(1) to the regulation entitled “Official Purchases — In General,” to clarify that sales or use tax does not apply to the sale or lease of tangible personal property to a foreign mission or representative office, itself, to the extent that such mission or representative office has been identified by the United States (U.S.) Department of State or the AIT as exempt from the tax pursuant to treaties or other diplomatic agreement with the United States, and specify that an exemption for the sale or lease to a mission or representative office for official purchases must be supported by evidence showing that payment was in a form bearing the name of the foreign mission or representative office;
- Renumber the first paragraph in current subdivision (a)(1) as subdivision (a)(2), add the title “Personal Purchases — In General” to the subdivision, and revise the subdivision to clarify that sales or use tax does not apply to the sale or lease of tangible personal property sold or leased to a representative office’s employees and members of their families, to the extent that such persons have been identified by the AIT as exempt

from the tax pursuant to treaties or other diplomatic agreements with the United States;

- Add references to new subdivision (a)(1) and renumbered subdivision (a)(2) regarding the issuance of tax exemption cards by the AIT to eligible representative offices and personnel;
- Renumber the second paragraph in current subdivision (a)(1) of the regulation as subdivision (a)(3);
- Renumber current subdivision (a)(2), which is entitled “Vehicles,” as subdivision (a)(4), update the type of records that a retailer may use to support an exempt sale or lease of a vehicle to include a copy of a tax exemption card and exemption letter issued by the AIT, and remove obsolete language with respect to the sale or lease of vehicles prior to June 1, 2003, including retailers’ record-keeping requirements with respect to such sales;
- Add provisions to renumbered subdivision (a)(3) to clarify that tax does apply to sales of tangible personal property to foreign missions or representatives offices or to a representative office’s employees and members of their families who do not hold a Tax Exemption Card issued by the U. S. Department of State or the AIT, except as provided in renumbered subdivision (a)(4);
- Clarify in subdivision (b) that a retailer shall retain evidence that the form of payment for purchases made as described in new proposed subdivision (a)(1) was made in the name of the foreign mission or representative office, and that such payments may include official checks, official credit cards, or electronic funds transfers (automated clearing house debits, automated clearing house credits, or wire transfers); and
- Clarify in subdivision (b) that a retailer must retain a copy of a letter from the U.S. Department of State, Office of Foreign Missions or the AIT stating that the vehicle sale or lease to the purchaser is eligible for exemption from tax.

**PUBLIC HEARING**

The Board will conduct a meeting in Room 121, at 450 N Street, Sacramento, California, on October 27, 2015. The Board will provide notice of the meeting to any person who requests that notice in writing and make the notice, including the specific agenda for the meeting, available on the Board’s Website at [www.boe.ca.gov](http://www.boe.ca.gov) at least 10 days in advance of the meeting.

A public hearing regarding the proposed regulatory action will be held at 10:00 a.m. or as soon thereafter as

the matter may be heard on October 27, 2015. At the hearing, any interested person may present or submit oral or written statements, arguments, or contentions regarding the adoption of the proposed amendments to Regulation 1619.

AUTHORITY

RTC section 7051.

REFERENCE

RTC sections 6272, 6352, and 7053; Vienna Convention on Diplomatic Relations of April 18, 1961, article 34, 23 U.S.T. 3242), T.I.A.S. No. 7502; Vienna Convention on Consular Relations of April 24, 1963, article 49, 21 U.S.T. 77, T.I.A.S. No. 6820; Taiwan Relations Act (22 U.S.C. §§ 3301–3316); Agreement on Privileges, Exemptions and Immunities between the American Institute in Taiwan and Taipei Economic and Cultural Representative Office in the United States, signed February 4, 2013; and Designation and Determination under the Foreign Missions Act, dated March 9, 2014 (79 Fed.Reg. 16090 (March 24, 2014)).

INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW

Summary of Existing Laws and Regulations

California imposes sales tax on retailers for the privilege of selling tangible personal property at retail. (RTC, § 6051.) Unless an exemption or exclusion applies, the tax is measured by a retailer’s gross receipts from the retail sale of tangible personal property in California. (RTC, §§ 6012, 6051.) Although sales tax is imposed on retailers, retailers may collect sales tax reimbursement from their customers if their contracts of sale so provide. (Civ. Code, § 1656.1; Reg. 1700, subd. (a)(1).)

When sales tax does not apply, California use tax is imposed, measured by the sales price of property purchased from a retailer for storage, use, or other consumption in California. (RTC, §§ 6201, 6401.) The use tax is imposed on the person actually storing, using, or otherwise consuming the property. (RTC, § 6202.) However, every retailer “engaged in business” in California that makes sales subject to California use tax is required to collect the use tax from its customers and remit it to the Board, and such retailers are liable for California use tax that they fail to collect from their customers and remit to the Board. (RTC, §§ 6203, 6204; Reg. 1684.)

The term “retail sale” means a sale of tangible personal property for any purpose other than resale in the regular course of business. (RTC, § 6007, subd. (a)(1).) The term “seller” includes “every person engaged in the business of selling tangible personal property of a kind the gross receipts from the retail sale of which are required to be included in the measure of the sales tax.” (RTC, § 6014.) The term “retailer” includes “[e]very seller who makes any retail sale or sales of tangible personal property . . .” (RTC, § 6015, subd. (a)(1).) Also, retailers are generally required to keep all records necessary to determine their correct tax liability under the Sales and Use Tax Law (RTC, § 6001 et seq.) and all records necessary for the proper completion of their sales and use tax returns. (RTC, § 7053; Reg. 1698.)

RTC section 6352 specifies that “[t]here are exempted from the taxes imposed by this part the gross receipts from the sale of and the storage, use, or other consumption in this State of tangible personal property the gross receipts from the sale of which, or the storage, use, or other consumption of which, this State is prohibited from taxing under the Constitution or laws of the United States or under the Constitution of this State.” Regulation 1619 currently implements, interprets, and makes specific RTC section 6352 as it applies to sales and leases of tangible personal property, including vehicles (as defined in RTC, § 6272), to certain persons affiliated with foreign consulates that have been identified by the U.S. Department of State as exempt from taxation pursuant to treaties or other diplomatic agreements with the United States. Regulation 1619 also currently prescribes a retailer’s general record keeping requirements in order to support any deduction claimed on sales tax returns for exempt sales to persons associated with foreign consulates.

*Office of Foreign Missions — Tax Exemption Cards*

The U.S. Department of State’s website explains that the Office of Foreign Missions (OFM) issues two types of diplomatic tax exemption cards to eligible foreign missions and their accredited members and dependents based on international law and reciprocity. These cards facilitate the United States in honoring its host country obligations under the Vienna Convention on Diplomatic Relations (VCDR), Vienna Convention on Consular Relations (VCCR), and other treaties to provide an exemption from sales tax and other similarly imposed taxes throughout the United States at the point of sale. (See Attachments A and B to the Initial Statement of Reasons.)

*Mission Tax Exemption Cards*

OFM issued diplomatic tax exemption cards labeled “Mission Tax Exemption — Official Purchases Only” are used by foreign missions to obtain exemption from sales or use tax on purchases that are necessary for the

mission's operations and functions. Also, all purchases must be paid for with a check, credit card, or wire transfer transaction in the name of the foreign mission to be exempt from tax. (See Attachment A to the Initial Statement of Reasons.)

OFM will only issue mission tax exemption cards to an individual who (1) is a principal member or employee of the mission, (2) holds an A or G series visa (and in the case of a G series visa holder, is a diplomatic agent), and (3) is not considered to be "permanently resident in" the United States for purposes of the VCDR and VCCR. This person's photo will appear on the card and is the mission's point of contact. However, individuals other than the person pictured on the exemption card may present the card when making purchases in the name of the mission. (See Attachment A to the Initial Statement of Reasons.)

*Personal Tax Exemption Cards*

OFM issued diplomatic tax exemption cards labeled "Personal Tax Exemption" are used by eligible foreign mission members and their dependents to obtain exemption from sales or use tax on personal purchases in the United States. The card must be used solely for the benefit of the individual identified and pictured on the card. The card is not transferable and cannot be loaned to any other person, regardless of that person's eligibility for exemption from taxation. There is no restriction on the form of payment that can be used with the card. (See Attachment A to the Initial Statement of Reasons.)

Eligibility for personal tax exemption cards is determined on a case-by-case basis, but the following individuals are generally entitled to apply for a card, if they are neither United States nationals nor permanently resident in the United States for purposes of the VCDR or VCCR:

- Diplomatic agents, members of the administrative and technical staff, consular officers, and consular employees; and
- The members of their families forming part of their households, but in the case of a child: those aged 18–21 years, or aged 18–23 years if accredited as a justified student.

In addition, other personnel may also be eligible to apply for a card if they qualify based on a treaty other than the VCDR or VCCR. (See Attachment A to the Initial Statement of Reasons.)

*American Institute in Taiwan — Issues Tax Exemption Cards*

The U.S. Department of State's website also explains that, in 1979, after the United States established diplomatic relations with the People's Republic of China, Congress, via the Taiwan Relations Act (TRA), created the AIT and charged it with the task of fostering strong but non-diplomatic ties between the people of the

United States and Taiwan. The AIT serves as the advocate to Taiwan authorities for U.S. political, economic and security interests. In addition, the AIT supports the operations of a wide variety of U.S. agencies by negotiating cooperation agreements on behalf of the United States with its Taiwan counterpart, the Taipei Economic and Cultural Representative Office in the United States (TECRO). (See Attachment C to the Initial Statement of Reasons.)

Pursuant to federal law, TECRO, the Taipei Economic and Cultural Offices (TECOs), their designated employees, and their qualifying dependents are also entitled to tax exemption privileges. (Taiwan Relations Act (22 U.S.C. §§ 3301–3316); Agreement on Privileges, Exemptions and Immunities between the American Institute in Taiwan and Taipei Economic and Cultural Representative Office in the United States, signed February 4, 2013; and Designation and Determination under the Foreign Missions Act, dated March 9, 2014 (79 Fed.Reg. 16090 (March 24, 2014).) Such privileges are authorized by the AIT, not the OFM. (See Attachment D to the Initial Statement of Reasons.)

Similar to the tax exemption cards issued by the OFM, the tax exemption cards issued by the AIT for eligible TECRO and TECOs personnel authorize an exemption from state sales and use tax, lodging/occupancy tax and similarly imposed taxes at the point of sale. The cards incorporate the same features and design elements as OFM's tax exemption cards. (See Attachment D to the Initial Statement of Reasons.)

*Levels of Exemption*

Not all missions or personnel are issued diplomatic tax exemption cards, and missions and personnel holding cards may have varying levels of tax exemption privileges authorized by the card. The level of exemption is set by the OFM based on reciprocity, determined by the tax relief privileges enjoyed by the U.S. Mission and personnel in a foreign country. The cards contain text on the front and back that indicate the level of exemption authorized for the cardholder. Some cards authorize an unrestricted exemption from sales taxes, and other cards authorize an exemption with some degree of restriction, such as a minimum purchase requirement, excluded categories, or both. In addition, tax exemption cards may not be used for exemption from taxes imposed on purchases of motor vehicles, gasoline/diesel fuel, utility services, airline tickets, or cruises. (See Attachments A and B to the Initial Statement of Reasons.) Exemption from taxes on these items is managed and authorized by different means, and requires a request to be directed to the OFM or AIT. With respect to the sales and use tax exemption for vehicles, the purchaser is required to provide a valid Tax Exemption Card or protocol identification card and the retailer is required to ob-

tain an exemption letter from the OFM or AIT. (See Attachment E to the Initial Statement of Reasons.)

*OFM Assistance*

OFM regularly communicates with vendors to educate them about the tax exemption program. OFM explains that tax exemption cardholders should encourage vendors to verify the card's validity at its website or by calling OFM during business hours. (See Attachment A to the Initial Statement of Reasons.)

Effect, Objective, and Benefits of the Proposed Amendments to Regulation 1619

*Need for Clarification*

In a December 16, 2014, letter addressed to the Board's Executive Director, the OFM notified the Board that the AIT issues tax exemption cards to certain eligible persons, as explained above, the AIT has now issued tax exemption cards to TECRO, TECOs, and their eligible personnel and dependents, and that the policies regarding the use of AIT-issued tax exemption cards are the same as the policies for the OFM-issued tax exemption cards. The letter suggested that the Board issue a regulation, ruling, or statement mirroring the rules discussed above with respect to the tax exemption cards for TECRO, TECOs, and their personnel, "particularly in light of the presence of TECO offices in both Los Angeles and San Francisco." The letter also suggested that the Board revise Regulation 1619 to include a specific reference to sales to a foreign government/consulate itself for official purposes.

Based on the letter and a review of Regulation 1619, Board staff determined that there were issues with Regulation 1619 because:

- There were no specific references to exempt sales of tangible personal property other than vehicles to a foreign government consulate or mission, itself (i.e., official purchases);
- The regulation did not address the tax exemption for TECRO, TECOs, and their personnel, or the tax exemption cards being issued by the AIT;
- There was obsolete language regarding exempt sales or leases of vehicles to individuals who do not hold a Personal Tax Exemption Card and missions that do not have a Mission Tax Exemption Card, prior to June 1, 2003; and
- There was a need to update the type of records that a retailer may use to support an exempt sale or lease of a vehicle to conform to the requirements for the tax exemption for TECRO, TECOs, and their personal discussed above.

*Interested Parties Process*

The Board's Business Taxes Committee (BTC) staff prepared draft amendments to Regulation 1619 to address the issues described above and a discussion paper

to explain the draft amendments. Both were provided to interested parties.

On May 5, 2015, BTC staff conducted an interested parties meeting to discuss the draft amendments. No written comments were submitted prior to or at the interested parties meeting. However, staff did receive a May 5, 2015, email from Ms. Cheryl A. Cappiello Edson, Program Manager, Tax & Customs, Office of Foreign Missions, U.S. Department of State, after the interested parties meeting, which suggested adding citations to the following relevant treaty and diplomatic agreements relating to the AIT to the regulation's reference note: Vienna Convention on Consular Relations of April 24, 1963, article 49, 21 U.S.T. 77, T.I.A.S. No. 6820; Taiwan Relations Act (22 U.S.C. §§ 3301–3316); Agreement on Privileges, Exemptions and Immunities between the American Institute in Taiwan and Taipei Economic and Cultural Representative Office in the United States, signed February 4, 2013; and Designation and Determination under the Foreign Missions Act, dated March 9, 2014 (79 Fed.Reg. 16090 (March 24, 2014)). Therefore, BTC staff agreed to add the citations to the regulation's reference note.

BTC staff also received and worked with interested parties' informal suggestions to refine the draft amendments, including a suggestion to add provisions to the regulation regarding the type of payments that would be acceptable for official purchases by a foreign mission. It was generally agreed that a form of payment bearing the name of the foreign mission or representative office would be acceptable and that unacceptable forms of payment would include cash, cashier's check, personal check, money order or personal credit card. BTC staff agreed to consider adding clarifying language to the draft amendments with respect to the acceptable types of payment.

Given the overall support for the draft amendments and the fact that BTC staff did not receive any written comments, other than the May 5, 2015, email, subsequent to the interested parties meeting, the second discussion paper and second interested parties meeting were cancelled.

*July 28, 2015 Business Taxes Committee Meeting*

Subsequently, BTC staff prepared Formal Issue Paper 15–006 and distributed it to the Board Members for consideration at the Board's July 28, 2015, BTC meeting. Formal Issue Paper 15–006 recommended that the Board propose to change the name of Regulation 1619 from "Foreign Consuls" to "Foreign Missions and Consuls." The change to the title of the regulation was suggested by BTC staff as more inclusive of the proposed clarification regarding an exemption from sales or use tax for foreign missions (discussed below). The formal issue paper also recommended adding additional refer-

ences to the treaty and diplomatic agreements relating to the AIT referred to in the May 5, 2015, email discussed above to Regulation 1619's reference note so that the regulation's reference note refers to the relevant treaties and the diplomatic agreements relating to the AIT that are being implemented, interpreted, and made specific by Regulation 1619.

The formal issue paper recommended that a new subdivision (a)(1), entitled "Official Purchases — In General," be added to the regulation to clarify that sales or use tax does not apply to the sale or lease of tangible personal property to a foreign mission or representative office, such as TECRO or a TECO, to the extent that such mission or representative office has been identified by the U.S. Department of State or the AIT as exempt from the tax pursuant to treaties or other diplomatic agreement with the United States, and specify that the sale or lease to a mission or representative office for official purchases must be supported by evidence showing that payment was in a form bearing the name of the foreign mission or representative office, as provided by federal law.

The formal issue paper recommended that the first paragraph in current subdivision (a)(1) of the regulation be renumbered as subdivision (a)(2), and entitled "Personal Purchases — In General." The formal issue paper recommended that renumbered subdivision (a)(2) be amended to clarify that sales or use tax does not apply to the sale or lease of tangible personal property sold or leased to a representative office's employees and members of their families, to the extent that such persons have been identified by the AIT as exempt from the tax pursuant to treaties or other diplomatic agreements with the United States, as provided by federal law. The formal issue paper also recommended adding references to new subdivision (a)(1) and renumbered subdivision (a)(2) regarding the issuance of tax exemption cards by the AIT to eligible representative offices and personnel.

Additionally, the formal issue paper recommended that the second paragraph in current subdivision (a)(1) of the regulation be renumbered as subdivision (a)(3). The formal issue paper recommended renumbering current subdivision (a)(2), which is entitled "Vehicles," as subdivision (a)(4), updating the type of records that a retailer may use to support an exempt sale or lease of a vehicle to include a copy of a "valid" tax exemption card and exemption letter from the AIT, as currently provided by federal law, moving the regulation's current definition of "vehicle" to the end of renumbered subdivision (a)(4), and deleting the obsolete language with respect to the sale or lease of vehicles prior to June 1, 2003, including a retailers' record-keeping requirements with respect to such sales, from renumbered subdivision (a)(4) and current subdivision (b). The formal issue paper also recommended that renumbered subdivi-

vision (a)(3) be amended to clarify that tax does apply to sales of tangible personal property to foreign missions or representative offices or to a representative office's employees and members of their families who do not hold a Tax Exemption Card issued by the U. S. Department of State or the AIT, except as provided in renumbered subdivision (a)(4).

Furthermore, the formal issue paper recommended that the Board propose amendments to update and clarify subdivision (b) to reflect the documentation that retailers must currently have to establish that a transaction is exempt from sales and use tax under federal law. The recommended amendments clarify that a retailer shall retain evidence that the form of payment for purchases made as described in new subdivision (a)(1) was made in the name of the foreign mission or representative office, that such payments may include official checks, official credit cards, or electronic funds transfers (automated clearing house debits, automated clearing house credits, or wire transfers), as provided by federal law, and clarify that a retailer must retain a copy of a letter from the U.S. Department of State, OFM or similar letter from the AIT stating that the vehicle sale or lease to the purchaser is eligible for exemption from tax that the retailer is required to obtain under federal law.

At the conclusion of the Board's discussion of Formal Issue Paper 15-006 during the July 28, 2015, BTC meeting, the Board Members unanimously voted to propose the amendments to Regulation 1619 recommended in the formal issue paper. The Board determined that the proposed amendments to Regulation 1619 are reasonably necessary to have the effect and accomplish the objective of clarifying and updating the regulation to address the issues referred to above and make the regulation consistent with current federal law regarding exempt sales to foreign missions, representative offices, their employees and their dependents.

The Board anticipates that the proposed amendments to Regulation 1619 will promote fairness and benefit foreign missions, representative offices, and their respective representatives and employees as well as retailers, Board staff, and the Board by providing updated guidance about how the exemption provided by RTC section 6352 applies and what identification and documents must be provided to the retailer and retained by the retailer for purposes of claiming the exemption. The Board has performed an evaluation of whether the proposed amendments to Regulation 1619 are inconsistent or incompatible with existing state regulations and determined that the proposed amendments are not inconsistent or incompatible with existing state regulations because Regulation 1619 is the only state regulation that provides specific guidance to retailers regarding the proper application of RTC section 6352 to sales to foreign missions, representative offices, foreign con-

sular officers, and employees of foreign missions and representative offices, and their dependents. In addition, the proposed amendments do implement, interpret, and make specific provisions in federal statutes (22 U.S.C. §§ 3301–3316) and a designation and determination published in the Federal Register (79 Fed.Reg. 16090 (March 24, 2014)); however, the Board has determined that there are no comparable federal regulations or statutes to Regulation 1619 or the proposed amendments to Regulation 1619.

#### NO MANDATE ON LOCAL AGENCIES AND SCHOOL DISTRICTS

The Board has determined that the adoption of the proposed amendments to Regulation 1619 will not impose a mandate on local agencies or school districts, including a mandate that is required to be reimbursed under part 7 (commencing with section 17500) of division 4 of title 2 of the Government Code.

#### NO COST OR SAVINGS TO ANY STATE AGENCY, LOCAL AGENCY, OR SCHOOL DISTRICT

The Board has determined that the adoption of the proposed amendments to Regulation 1619 will result in no direct or indirect cost or savings to any state agency and will result in no cost or savings in federal funding to the State of California. The Board has also determined that the adoption of the proposed amendments to Regulation 1619 will result in no direct or indirect cost to any local agency or school district that is required to be reimbursed under part 7 (commencing with section 17500) of division 4 of title 2 of the Government Code, and will result in no other non-discretionary cost or savings imposed on local agencies.

#### NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The Board has made an initial determination that the adoption of the proposed amendments to Regulation 1619 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 adoption of the proposed amendments to Regulation 1619 may affect small business.

#### NO KNOWN COST IMPACTS TO 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.

#### RESULTS OF THE ECONOMIC IMPACT ASSESSMENT REQUIRED BY GOVERNMENT CODE SECTION 11346.3, SUBDIVISION (b)

The Board has determined that the proposed amendments to Regulation 1619 are not a major regulation, as defined in Government Code section 11342.548 and California Code of Regulations, title 1, section 2000. Therefore, the Board has prepared the economic impact assessment required by Government Code section 11346.3, subdivision (b)(1), and included it in the initial statement of reasons. The Board has determined that the adoption of the proposed amendments to Regulation 1619 will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses nor create or expand business in the State of California. Furthermore, the Board has determined that the adoption of the proposed amendments to Regulation 1619 will not affect the benefits of Regulation 1619 to the health and welfare of California residents, worker safety, or the state's environment.

#### NO SIGNIFICANT EFFECT ON HOUSING COSTS

The adoption of the proposed amendments to Regulation 1619 will not have a significant effect on housing costs.

#### DETERMINATION REGARDING ALTERNATIVES

The Board must determine that no reasonable alternative considered by it or that has been otherwise 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 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 proposed action.

#### CONTACT PERSONS

Questions regarding the substance of the proposed amendments should be directed to Monica Gonzalez

Silva, Tax Counsel III, by telephone at (916) 323-3138, by e-mail at [Monica.Silva@boe.ca.gov](mailto:Monica.Silva@boe.ca.gov), or by mail at State Board of Equalization, Attn: Monica Gonzalez Silva, MIC:82, 450 N Street, P.O. Box 942879, Sacramento, CA 94279-0082.

Written comments for the Board's consideration, notice of intent to present testimony or witnesses at the public hearing, and inquiries concerning the proposed administrative action should be directed to Mr. Rick Bennion, Regulations Coordinator, by telephone at (916) 445-2130, by fax at (916) 324-3984, by e-mail at [Richard.Bennion@boe.ca.gov](mailto:Richard.Bennion@boe.ca.gov), or by mail at State Board of Equalization, Attn: Rick Bennion, MIC:80, 450 N Street, P.O. Box 942879, Sacramento, CA 94279-0080. Mr. Bennion is the designated backup contact person to Ms. Silva.

#### WRITTEN COMMENT PERIOD

The written comment period ends at 10:00 a.m. on October 27, 2015, or as soon thereafter as the Board begins the public hearing regarding the adoption of the proposed amendments to Regulation 1619 during the October 27, 2015 Board meeting. Written comments received by Mr. Rick Bennion at the postal address, email address, or fax number provided above, prior to the close of the written comment period, will be presented to the Board and the Board will consider the statements, arguments, and/or contentions contained in those written comments before the Board decides whether to adopt the proposed amendments to Regulation 1619. The Board will only consider written comments received by that time

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

The Board has prepared an underscored and strikethrough version of the text of Regulation 1619 illustrating the express terms of the proposed amendments. The Board has also prepared an initial statement of reasons for the adoption of the proposed amendments to Regulation 1619, which includes the economic impact assessment required by Government Code section 11346.3, subdivision (b)(1). These documents and all the information on which the proposed amendments are based are available to the public upon request. The rulemaking file is available for public inspection at 450 N Street, Sacramento, California. The express terms of the proposed amendments and the initial statement of reasons are also available on the Board's Website at [www.boe.ca.gov](http://www.boe.ca.gov).

#### SUBSTANTIALLY RELATED CHANGES PURSUANT TO GOVERNMENT CODE SECTION 11346.8

The Board may adopt the proposed amendments to Regulation 1619 with changes that are nonsubstantial or solely grammatical in nature, or sufficiently related to the original proposed text that the public was adequately placed on notice that the changes could result from the originally proposed regulatory action. If a sufficiently related change is made, the Board will make the full text of the proposed regulation, with the change clearly indicated, available to the public for at least 15 days before adoption. The text of the resulting regulation will be mailed to those interested parties who commented on the original proposed regulation orally or in writing or who asked to be informed of such changes. The text of the resulting regulation will also be available to the public from Mr. Bennion. The Board will consider written comments on the resulting regulation that are received prior to adoption.

#### AVAILABILITY OF FINAL STATEMENT OF REASONS

If the Board adopts the proposed amendments to Regulation 1619, the Board will prepare a final statement of reasons, which will be made available for inspection at 450 N Street, Sacramento, California, and available on the Board's Website at [www.boe.ca.gov](http://www.boe.ca.gov).

#### **TITLE 24. BUILDING STANDARDS COMMISSION**

#### **NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE CALIFORNIA BUILDING STANDARDS COMMISSION**

#### **REGARDING THE CALIFORNIA GREEN BUILDING STANDARDS CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11**

#### **CERTIFICATION OF COMPLIANCE FOR EMERGENCY BUILDING STANDARDS (BSC EF-01-15)**

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 11. The CBSC is proposing build-

ing standards related to the reduction of water use in outdoor landscape irrigation.

**PUBLIC COMMENT PERIOD**  
(Government Code Section 11346.5(a)(1) and  
Section 11346.5(a)(15))

A public hearing has not been scheduled; however, written comments will be accepted from **September 11, 2015**, until 5:00 p.m. on **October 26, 2015**. 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**  
(Government Code Section 11346.5(a)(18)),  
(Government Code Section 11346.8(c))

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 (H&SC) Sections 18930.5, 18934.5, 18937, 18938, and Government Code (GC) Section 11346.1(e). The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code (H&SC) Sections 18930.5, 18934.5, 18937, 18938, and Government Code (GC) Section 11346.1(e). The CBSC is proposing this regulatory action based on Health and Safety Code (H&SC) Sections 18930.5, 18934.5, 18937, 18938, and Government Code (GC) Section 11346.1(e).

**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**

**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, to adopt, approve, codify, update, and publish green building standards for those occupancies.

**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 18937** provides that the commissioners shall act on emergency standards within 30 days, and they must act on the merit of the emergency finding as well as on the proposed standards.

**H&SC Section 18938** requires the filing of emergency standards with the Secretary of State by CBSC only after they have been approved by the commissioners. It requires that the standards become effective when filed with the Secretary of State or at a later date specified in the standards, and that they be published in Title 24.

**GC Section 11346.1(e)** states that no regulation, amendment, or order of repeal initially adopted as an emergency regulatory action shall remain in effect more than 180 days unless the adopting agency has complied with Sections 11346.2 to 11347.3, inclusive, either before adopting an emergency regulation or within the 180-day period. The adopting agency, prior to the expiration of the 180-day period, shall transmit to the office for filing with the Secretary of State the adopted regulation, amendment, or order of repeal, the rulemak-

ing file, and a certification that Sections 11346.2 to 11347.3, inclusive, were complied with either before the emergency regulation was adopted or within the 180-day period.

**Summary of Existing Regulations**

The California Green Building Standards Code (Part 11, Title 24, California Code of Regulations, also known as “CALGreen”) contains mandatory and voluntary green building standards for residential, nonresidential, and medical facilities. Specified sections of CALGreen (both mandatory and voluntary) reference the Model Water Efficient Landscape Ordinance (MWELo) adopted by the Department of Water Resources in Title 23, California Code of Regulations with regard to outdoor water use.

**Summary of Effect**

This proposed action will make permanent, upon approval by the commissioners, emergency modifications to definitions within Chapter 2, mandatory Sections 5.302 and 5.304 (Outdoor Water Use), and voluntary Sections AB.302, A5.304, and associated tables (Outdoor Water Use) in Title 24, Part 11 for buildings within CBSC authority, that were approved by the commission on May 29, 2015 and effective upon filing with the Secretary of State on June 1, 2015. These emergency building standards necessitated immediate action to avoid serious harm to the public peace, health, safety and general welfare in response to ongoing drought conditions and the subsequent State of Emergency proclamations and Executive Order B–29–15 issued by the governor.

**Comparable Federal Statute or Regulations**

There currently are no federal laws or regulations for the mandatory reduction of outdoor water use.

**Policy Statement Overview**

CBSC is responsible for the development of green building standards for nonresidential occupancies for which no other state agency has authority or expertise.

**Evaluation of Consistency**

The proposed action is not incompatible or inconsistent with existing 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 Department of Water Resources develops and maintains the Model Water Efficient Landscape Ordinance (MWELo) contained within Chapter 2.7 of Division 2 of Title 23 of the California Code of Regulations. Government Code Section 65595 requires local agencies to either adopt the MWELo or a local water effi-

cient landscape ordinance that is at least as effective as the MWELo. The emergency building standard regulations promulgated by CBSC herein reference elements of the MWELo with regard to reductions in outdoor potable water use for landscape irrigation.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

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

CBSC 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))

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

Estimate: CBSC has prepared a Fiscal Impact Statement concerning the proposed action which states the following:

- The modified multiplication factor included in these emergency regulations will greatly reduce the regulated community’s ability to use potable water for outdoor landscape irrigation, which will likely result in a reduction in water intensive landscaping in favor of drought resistant landscaping and may affect the installation of water features such as pools, spas, fountains, etc. as calculated using MWELo or the local water efficient landscape ordinance.
- Because drought resistant landscaping is generally more expensive to purchase and a possible reduction in the installation of water features, CBSC anticipates a cost impact to the regulated community.

- CBSC recognizes that implementation of these provisions will result in the benefit of water savings statewide, but acknowledges a likely fiscal impact to businesses that sell landscaping (which may see a reduction in revenue resulting from fewer turf grass purchases) and the installation of water features. However, an increase in the type of drought resistant plants needed to meet the statewide mandate of landscape efficiency will have a likely positive impact on businesses that grow and sell these kinds of plants. Additionally, there will be an increased demand for landscape architects and landscape designers based on a more demanding compliance process required to ensure the reduction of water used in outdoor landscape irrigation systems.

**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 business, including the ability of California businesses to compete with businesses in other states. The determination shall include the following:

- A. Identification of the types of businesses that would be affected.  
Businesses that manufacture, sell, and/or install landscape products/services (e.g., drought-resistant landscape products/services, turf, etc.) may be affected by this regulation.
- B. A description of the projected reporting, record keeping, and other compliance requirements that would result from the proposed action.  
Unknown
- C. The CBSC has made an initial determination that the adoption of this regulation may have a significant adverse economic impact on businesses, including the ability of California businesses to compete in other states. The CBSC has not considered proposed alternatives that would lessen any adverse impact on business and invites you to submit proposals. Submissions may include the following considerations:
  - The establishment of differing compliance or reporting requirements or timetables which take into account the resources available to businesses.

- Consolidation or simplification of compliance and reporting requirements for businesses.
- The use of performance standards rather than prescriptive standards.
- Exemption or partial exemption from the regulatory requirements for businesses.

**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.

CBSC’s initial determination of possible 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 evidence, documents or other evidence to support this action because the purpose of the regulations is to align with the mandatory Model Water Efficient Landscape Ordinance contained within Title 23 of the California Code of Regulations.

**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.

According to the governor’s Executive Order No. B–29–15, the magnitude of the severe drought conditions in California continues to present threats beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat. Therefore, CBSC finds that these regulations are necessary for the public’s health, safety, and welfare because they promote water conservation.

**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:

Representative private individuals and/or businesses may incur costs in reasonable compliance with this proposed action (see “ESTIMATE OF COST OR SAVINGS” section above).

**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))

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 may result in the creation and/or elimination of jobs within the landscape product/service industry.

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

These regulations may result in the creation and/or elimination of existing businesses within California's landscape product/service industry.

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

These regulations may result in the expansion of businesses within California's landscape product/service industry.

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

The implementation of these regulations will likely result in the benefit of water savings statewide, which will help mitigate the severe drought conditions in California which continues to present threats beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat. Therefore, CBSC finds that these regulations are necessary for the public's health, safety, and welfare because they promote water conservation.

**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))

These regulations seek to align with the mandatory Model Water Efficient Landscape Ordinance adopted by the Department of Water Resources in Title 23 of the California Code of Regulations. Therefore, CBSC has determined that no reasonable alternative 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 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:

**Kevin Day, Staff Services Manager I (Specialist)**  
California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No: (916) 263-0355  
Facsimile No: (916) 263-0959  
[kevin.day@dgs.ca.gov](mailto:kevin.day@dgs.ca.gov)

**Back-up:**

**Mia Marvelli, Associate Architect**  
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**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
OFFICE OF THE STATE FIRE MARSHAL  
REGARDING THE 2016 CALIFORNIA  
BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 2**

**2015 TRIENNIAL CODE ADOPTION CYCLE**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of 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 2015 Triennial Code Adoption Cycle.

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

A public hearing has not been scheduled; however, written comments will be accepted from September 11, 2015, until 5:00 p.m. on October 26, 2015. 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).

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)),  
(Government Code Section 11346.8(c))

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 (HSC) Section 18949.2. The purpose of these building standards is to implement, interpret, and make specific the provisions of HSC Section 18928. The Office of the State Fire Marshal is proposing this regulatory action based on HSC 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 (GOV) Section 11152.5.

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**

**HSC 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.

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

**HSC 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.

**HSC 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 that 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.

**HSC 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.

**HSC Section 13132.7** Mandates fire retardant roof coverings in fire hazard severity zones.

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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 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.

**HSC 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.

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

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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 OSFM amendments 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 intended to update and codify a new edition of the California Building Code (California Code of Regulations, Title 24, Part 2) based upon a more current edition of a model code. The current California Building Code in effect is the 2013 California Building Code which is based upon the 2012 International Building Code of the International Code Council. This proposed action:

- Repeal the adoption by reference of the 2012 International Building Code of the International Code Council and incorporate and adopt by reference in its place the 2015 International Building Code of the International Code Council for application and effectiveness in the 2016 California Building Code pursuant to HSC Section 18928. HSC Section 18928 requires any state agency adopting model codes to adopt the most recent edition.
- Repeal certain amendments to the 2012 International Building Code and/or California Building Standards not addressed by the model code that are no longer necessary pursuant with HSC Section 18930(a)(7).
- Adopt new building standards or necessary amendments to the 2015 International Building Code that address inadequacies of the 2015 International Building Code as they pertain to California laws.
- Bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2013 California Building Standards Code.
- Codify non-substantive editorial and formatting amendments from the format based upon the 2012 International Building Code to the format of the 2015 International 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 broad objectives of these proposed regulations is to specifically comply with HSC Section 18928 that requires each proposing state agency to take action on the model code within one year after it's publication.

The intent of this proposed action is to adopt by reference the 2015 International Building Code and amend said document with new and existing 2013 OSFM amendments. 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 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 in the summary of existing laws.

**Evaluation of consistency**

The OSFM has determined that that the proposed regulations are not inconsistent or incompatible with existing state regulations addressing the fire and life safety requirements as presented in this notice.

**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 OSFM has determined that there are no other prescribed statutes or to any specific regulation or class of regulation applicable to the adoption by reference and the amendments relating to the 2015 International Building Code.

**MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS**

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

The OSFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts. 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))

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: N/A

**INITIAL DETERMINATION OF NO  
SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESSES  
(Government Code Section 11346.5(08))**

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 OSFM 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 business 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 OSFM affirms that this rulemaking action complies specifically with the mandates of HSC 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 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 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**  
(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 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**  
(Government Code Section 11346.5(a)(10),  
Government Code Section 11346.3(b)(1))

The OSFM 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 cause the elimination, of jobs within the State of California.
- The creation of new businesses or 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 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 improve 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**

The OSFM 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 OSFM 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 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**  
(Government Code Section 11346.5(a)(14))

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

Mia Marvelli, Associate Architect  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

Andrew Henning, Deputy State Fire Marshal III  
(Specialist)  
Office of the State Fire Marshal, Code Development  
and Analysis Division  
(916) 445-8527  
[andrew.henning@fire.ca.gov](mailto:andrew.henning@fire.ca.gov)  
(916) 445-8459 FAX

Back-up:

Greg Andersen, Division Chief  
Office of the State Fire Marshal, Code Development  
and Analysis Division  
(916) 445-8200  
[Greg.Andersen@fire.ca.gov](mailto:Greg.Andersen@fire.ca.gov)  
(916) 445-8459 FAX

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
OFFICE OF THE STATE FIRE MARSHAL  
REGARDING THE 2016 CALIFORNIA  
EXISTING BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 10  
2015 TRIENNIAL CODE ADOPTION CYCLE**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of 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 10. The OSFM is proposing building standards related to 2015 Triennial Code Adoption Cycle.

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

A public hearing has not been scheduled; however, written comments will be accepted from September 11,

2015, until 5:00 p.m. on October 26, 2015. 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).

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)),  
(Government Code Section 11346.8(c))

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 (HSC) Section 18949.2. The purpose of these building standards is to implement, interpret, and make specific the provisions of HSC Section 18928. The Office of the State Fire Marshal is proposing this regulatory action based on HSC 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 (GOV) Section 11152.5.

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**

**HSC 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.

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

**HSC 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.

**HSC 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 that 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.

**HSC 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.

**HSC Section 13132.7** Mandates fire retardant roof coverings in fire hazard severity zones.

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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 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.

**HSC 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.

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

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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 OSFM amendments 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 existing buildings or structures 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 intended to adopt and codify a new edition of the California Existing Building Code (California Code of Regulations, Title 24, Part 10) based upon a model code. In the 2013 Triennial Code Adoption Cycle Part 10 was not adopted. Previously Existing Building Requirements were contained within Chapter 34 of the 2013 California Building Code. Existing Amendments contained within Chapter 34 of the CBC will be relocated to the new California Existing Building Code. This proposed action:

- Adopt by reference the 2015 International Existing Building Code for application and effectiveness in the 2016 California Existing Building Code.
- Adopt new building standards or necessary amendments to the 2015 International Existing Building Code that address inadequacies of the 2015 International Existing Building Code as they pertain to California laws.
- Bring forward previously existing California building standards or amendments, which represent no change in their effect from 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 broad objectives of these proposed regulations is to specifically comply with HSC Section 18928 that requires each proposing state agency to take action on the model code within one year after its publication.

The intent of this proposed action is to adopt by reference the 2015 International Building Code and amend said document with new and existing 2013 OSFM amendments. The OSFM further proposes to offer new amendments where necessary to ensure that the regulations of the Existing California Building Code, establish and or maintain 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 in the summary of existing laws.

**Evaluation of Consistency**

The OSFM has determined that that the proposed regulations are not inconsistent or incompatible with existing state regulations addressing the fire and life safety requirements as presented in this notice.

**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 OSFM has determined that there are no other prescribed statutes or to any specific regulation or class of regulation applicable to the adoption by reference and the amendments relating to the 2015 International Existing Building Code.

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

The OSFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts. 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))

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: N/A

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/peal 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 OSFM 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 business 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 OSFM affirms that this rulemaking action complies specifically with the mandates of HSC 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 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 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  
(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 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  
(Government Code Section 11346.5(a)(10),  
Government Code Section 11346.3(b)(1))

The OSFM 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 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 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 improve 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**

The OSFM 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 OSFM 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 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**  
(Government Code Section 11346.5(a)(14))

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

Mia Marvelli, Associate Architect  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

Andrew Henning, Deputy State Fire Marshal III  
(Specialist)  
Office of the State Fire Marshal, Code Development  
and Analysis Division  
(916) 445-8527  
[andrew.henning@fire.ca.gov](mailto:andrew.henning@fire.ca.gov)  
(916) 445-8459 FAX

Back-up:

Greg Andersen, Division Chief  
Office of the State Fire Marshal, Code Development  
and Analysis Division  
(916) 445-8200  
[Greg.Andersen@fire.ca.gov](mailto:Greg.Andersen@fire.ca.gov)  
(916) 445-8459 FAX

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
OFFICE OF STATEWIDE HEALTH PLANNING  
AND DEVELOPMENT  
REGARDING THE CALIFORNIA  
ADMINISTRATIVE CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 1  
Administrative Regulations for  
Safety Standards for 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 1. OSHPD is proposing building standards related to the construction of hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers.

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

A public hearing has not been scheduled; however, written comments will be accepted from September 11, until 5:00 p.m. on October 26, 2015. 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).

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 Section 1226, 1275, 129790 & 129850. The OSHPD is proposing this regulatory action based on Health and Safety Code Sections 1226, 1275, 129785, 129790, 129825, & 129850 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 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 Buildings 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 18949.3 mandates that the responsibilities of the Office to adopt building standards, including but not limited to, the responsibilities specified under the Alfred E. Alquist Hospital Facilities Seismic Safety Act (commencing with Section 129765) be transferred to the California Building Standards Commission.

Health and Safety Code Section 129785 authorizes the Office to develop regulations specifying fees to cover the cost of administering the Alfred E. Alquist Hospital Seismic Safety Act.

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 129825 authorizes the Office to develop regulations for testing and approval of hospital inspectors.

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 1, California Building Code contains regulations pertaining to the administrative procedures necessary to implement building standards for hospitals, skilled nursing facilities, licensed clinics, and correctional treatment centers.

**Summary of Effect**

The proposed action is to carry forward existing California administrative regulations related to the enforcement of building standards for the safety of hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers.

The proposal makes minor editorial and technical modifications for clarification; provides consistency within Title 24; provides coordination with Title 22, Licensing and Certification requirements; and adopts new provisions for “Appeals to a Hearing Officer”.

**Comparable Federal Statute or Regulations**

There is no federal statute or regulation related to this proposed action.

**Policy Statement Overview**

OSHPD is responsible for the development of regulations regarding the physical plant for hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers. The proposal provides editorial and minor technical modifications to administrative regulations for clarification and consistency.

**Evaluation of Consistency**

The proposed action is consistent and compatible 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**

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: N/A

INITIAL DETERMINATION OF NO  
SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESSES

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.

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 business in other states.

DECLARATION OF EVIDENCE

OSHPD has not relied on any other facts, evidence, documents, testimony or other evidence to make its final determination of no statewide adverse economic impact. The scope of the proposed action is to carry forward existing California amendments from the 2013 California Administrative Code and to make necessary technical modifications.

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

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 Office of Statewide Health Planning and Development 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 cause 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 proposed regulations are necessary for the continued preservation of the health, safety, and welfare of California residents through updated amendments associated with the design and construction of health facilities that reflect current construction practice and current practice of medicine. The regulations will not affect worker safety, or the state's environment.

ESTIMATED COST OF COMPLIANCE OF  
STANDARDS THAT WOULD IMPACT HOUSING

These regulations will not result in any cost of compliance that would impact housing.

CONSIDERATION OF ALTERNATIVES

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  
or  
Mia Marvelli, Associate Architect  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

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  
(916) 440-8300  
FAX (916) 324-9188  
[regsunit@oshpd.ca.gov](mailto:regsunit@oshpd.ca.gov)

Back-up:

Eric Jacobsen, Senior Architect  
Office of Statewide Health Planning and  
Development  
Facilities Development Division  
400 R Street, Suite 200  
Sacramento, CA 95811  
(916) 440-8300  
FAX (916) 324-9188  
[regsunit@oshpd.ca.gov](mailto:regsunit@oshpd.ca.gov)

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
OFFICE OF STATEWIDE HEALTH PLANNING  
AND DEVELOPMENT  
REGARDING THE CALIFORNIA BUILDING  
CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 2  
HEALTH FACILITIES CONSTRUCTION**

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. OSHPD is proposing building standards related to the construction of hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers.

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

A public hearing has not been scheduled; however, written comments will be accepted from September 11, until 5:00 p.m. on October 26, 2015. 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).

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, 129790 & 129850. OSHPD is proposing this regulatory action based on Health and Safety Code Sections 1226, 1275, 18928, 129790 & 129850 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 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 Buildings 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 18928 authorizes state agencies to adopt the most recent edition of model code, as amended or proposed to amended by the agency, within one year of the publication date of that model code.

Health and Safety Code Section 18949.3 mandates that the responsibilities of the Office to adopt building standards, including but not limited to, the responsibilities specified under the Alfred E. Alquist Hospital Facilities Seismic Safety Act (commencing with Section 129765) be transferred to the California Building Standards Commission.

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, California Building Code contains building standards pertaining to the design and construction of hospitals, skilled nursing facilities, licensed clinics, and correctional treatment centers. These regulations include service space requirements and administrative requirements.

##### Summary of Effect

The proposed action is to adopt the 2015 International Building Code for incorporation, by reference, into the 2016 California Building Code and to carry forward existing California amendments related to the construction of hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers.

Additionally, the proposal makes minor editorial and technical modifications for clarification; provides consistency within Title 24; provides coordination with Title 22, Licensing and Certification requirements; and provides modified and reorganized regulations that are consistent with the national standards of 2014 FGI

*Guidelines for Design and Construction of Health Care Facilities.*

**Comparable Federal Statute or Regulations**

There is no federal statute or regulation related to this proposed action.

**Policy Statement Overview**

OSHPD is responsible for the development of regulations regarding the physical plant for hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers. The intent of this proposal is to adopt the most recent model code requirements for health facility construction, pursuant to Health and Safety Code Section 18928 and propose amendments that will provide editorial and minor technical modifications for clarification and consistency with the code.

**Evaluation of consistency**

The proposed action is consistent and compatible 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**

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: N/A

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

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 business in other states.

**DECLARATION OF EVIDENCE**

OSHPD has not relied on any other facts, evidence, documents, testimony or other evidence to make its final determination of no statewide adverse economic impact. The scope of the proposed action is to adopt the most recent model code pursuant to statutory requirements and to carry forward existing California amendments from the 2013 California Building Code and to make necessary technical modifications.

**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**

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 Office of Statewide Health Planning and Development 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 cause 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 proposed regulations are necessary for the continued preservation of the health, safety, and welfare of California residents through updated amendments associated with the design and construction of health facilities that reflect current construction practice and current practice of medicine. The regulations will not affect worker safety, or the state's environment.

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

These regulations will not result in any cost of compliance that would impact housing.

#### CONSIDERATION OF ALTERNATIVES

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 the Office of Statewide Health Planning and Development 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  
or  
Mia Marvelli, Associate Architect  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

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  
(916) 440-8300  
FAX (916) 324-9188  
[regsunit@oshpd.ca.gov](mailto:regsunit@oshpd.ca.gov)

Back-up:

Eric Jacobsen, Senior Architect  
Office of Statewide Health Planning and Development  
Facilities Development Division  
400 R Street, Suite 200  
Sacramento, CA 95811  
(916) 440-8300  
FAX (916) 324-9188  
[regsunit@oshpd.ca.gov](mailto:regsunit@oshpd.ca.gov)

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

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

(Government Code Section 11346.5(a)(18)),  
(Government Code Section 11346.8(c))

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE**

**OFFICE OF THE STATE FIRE MARSHAL  
REGARDING THE 2015 EDITION OF THE  
INTERNATIONAL RESIDENTIAL CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 2.5**

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.

**2015 TRIENNIAL CODE ADOPTION CYCLE**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of 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 2015 Triennial Code Adoption Cycle.

**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 (HSC) Section 18949.2. The purpose of these building standards is to implement, interpret, and make specific the provisions of HSC Section 18928. The Office of the State Fire Marshal is proposing this regulatory action based on HSC 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 (GOV) Section 11152.5.

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

A public hearing has not been scheduled; however, written comments will be accepted from September 11, 2015, until 5:00 p.m. on October 26, 2015. Please address your comments to:

**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:

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).

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.

**Summary of Existing Laws**

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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 that 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.

**HSC 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.

**HSC Section 13132.7** Mandates fire retardant roof coverings in fire hazard severity zones.

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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.

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

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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 2.5, 2013 California Residential Code with OSFM amendments 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 intended to update and codify a new edition of the California Residential Code (California Code of Regulations, Title 24, Part 2.5) based upon a more current edition of a model code. The current California Residential Code in effect is the 2013 California Residential Code which is based upon the 2012 International Residential Code of the International Code Council. This proposed action:

- Repeal the adoption by reference of the 2012 International Residential Code of the International Code Council and incorporate and adopt by reference in its place the 2015 International Residential Code of the International Code Council for application and effectiveness in the 2016 California Residential Code pursuant to Health and Safety Code 18928. Health and Safety Code 18928 requires any state agency adopting model codes to adopt the most recent edition.
- Repeal certain amendments to the 2012 International Residential Code and/or California Building Standards not addressed by the model code that are no longer necessary pursuant with Health and Safety Code 18930(a)(7).
- Adopt new building standards or necessary amendments to the 2015 International Residential Code that address inadequacies of the 2015 International Residential Code as they pertain to California laws.
- Bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2013 California Building Standards Code.
- Codify non-substantive editorial and formatting amendments from the format based upon the 2012 International Residential Code to the format of the 2015 International 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 broad objectives of these proposed regulations is to specifically comply with HSC Section 18928 that requires each proposing state agency to take action on the model code within one year after its publication.

The intent of this proposed action is to adopt by reference the 2015 International Residential Code and amend said document with new and existing 2013 OSFM amendments. The OSFM further proposes to offer new amendments where necessary to ensure that the regulations of the California Residential Code, establish and/or maintain 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 in the summary of existing laws.

**Evaluation of Consistency**

The OSFM has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations addressing the fire and life safety requirements as presented in this notice.

**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 OSFM has determined that there are no other prescribed statutes or to any specific regulation or class of regulation applicable to the adoption by reference and the amendments relating to the 2012 International Residential Code.

**MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS**

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

The OSFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts. 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))

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or sav-

ings 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: N/A

**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/peal 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 OSFM has made an initial determination that the adoption/amendment/peal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business 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 OSFM affirms that this rulemaking action complies specifically with the mandates of HSC 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 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 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**  
(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 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**  
(Government Code Section 11346.5(a)(10),  
Government Code Section 11346.3(b)(1))

The Office of the State Fire Marshal 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 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 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 improve 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**

The OSFM 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 OSFM 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 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**  
(Government Code Section 11346.5(a)(14))

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

Mia Marvelli, Associate Architect  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

Andrew Henning, Deputy State Fire Marshal III  
(Specialist)  
Office of the State Fire Marshal, Code Development and Analysis Division  
(916) 445-8527  
[andrew.henning@fire.ca.gov](mailto:andrew.henning@fire.ca.gov)  
(916) 445-8459 FAX

Back-up:

Greg Andersen, Division Chief  
Office of the State Fire Marshal, Code Development and Analysis Division  
(916) 445-8200  
[Greg.Andersen@fire.ca.gov](mailto:Greg.Andersen@fire.ca.gov)  
(916) 445-8459 FAX

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
OFFICE OF THE STATE FIRE MARSHAL  
REGARDING THE 2016 CALIFORNIA FIRE  
CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 9**

**2015 TRIENNIAL CODE ADOPTION CYCLE**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of 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 2015 Triennial Code Adoption Cycle.

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

A public hearing has not been scheduled; however, written comments will be accepted from September 11, 2015, until 5:00 p.m. on October 26, 2015. 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).

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)),  
(Government Code Section 11346.8(c))

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 (HSC) Section 18949.2. The purpose of these building standards is to implement, interpret, and make specific the provisions of HSC Section 18928. The Office of the State Fire Marshal is proposing this regulatory action based on HSC 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 (GOV) Section 11152.5.

**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**

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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 that 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.

**HSC 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.

**HSC Section 13132.7** Mandates fire retardant roof coverings in fire hazard severity zones.

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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.

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

**HSC 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.

**HSC 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.

**HSC 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.

**HSC 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 OSFM amendments 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 HSC references shown above.

**Summary of Effect**

The general purpose of this proposed action is principally intended to update and codify a new edition of the California Fire Code (California Code of Regulations, Title 24, Part 9) based upon a more current edition of a model code. The current California Fire Code in effect is the 2013 California Fire Code which is based upon the 2012 International Fire Code of the International Code Council. This proposed action:

- Repeal the adoption by reference of the 2012 International Fire Code of the International Code Council and incorporate and adopt by reference in its place the 2015 International Fire Code of the International Code Council for application and effectiveness in the 2016 California Fire Code pursuant to HSC 18928. HSC 18928 requires any state agency adopting model codes to adopt the most recent edition.
- Repeal certain amendments to the 2012 International Fire Code and/or California Building Standards not addressed by the model code that are no longer necessary pursuant with HSC 18930(a)(7).
- Adopt new building standards or necessary amendments to the 2015 International Fire Code that address inadequacies of the 2015 International Fire Code as they pertain to California laws.
- Bring forward previously existing California building standards or amendments, which represent no change in their effect from the 2013 California Building Standards Code.
- Codify non-substantive editorial and formatting amendments from the format based upon the 2012 International Fire Code to the format of the 2015 International 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 broad objectives of these proposed regulations is to specifically comply with HSC Section 18928 that requires each proposing state agency to take action on the model code within one year after its publication.

The intent of this proposed action is to adopt by reference the 2015 International Fire Code and amend said document with new and existing 2013 OSFM amendments. The OSFM further proposes to offer new amendments where necessary to ensure that the regulations of the California Fire Code, establish and or maintain 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 in the summary of existing laws.

**Evaluation of consistency**

The OSFM has determined that that the proposed regulations are not inconsistent or incompatible with existing state regulations addressing the fire and life safety requirements as presented in this notice.

**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 OSFM has determined that there are no other prescribed statutes or to any specific regulation or class of regulation applicable to the adoption by reference and the amendments relating to the 2012 International Fire Code.

**MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS**

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

The OSFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts. 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))

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or sav-

ings 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: N/A

**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/peal 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 OSFM has made an initial determination that the adoption/amendment/peal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business 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 OSFM affirms that this rulemaking action complies specifically with the mandates of HSC 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 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 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**  
(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 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**  
(Government Code Section 11346.5(a)(10), Government Code Section 11346.3(b)(1))

The Office of the State Fire Marshal 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 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 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 improve 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

The OSFM 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 OSFM 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 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 (Government Code Section 11346.5(a)(14))

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

Mia Marvelli, Associate Architect  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

Andrew Henning, Deputy State Fire Marshal III  
(Specialist)  
Office of the State Fire Marshal, Code Development and Analysis Division  
(916) 445-8527  
[andrew.henning@fire.ca.gov](mailto:andrew.henning@fire.ca.gov)  
(916) 445-8459 FAX

Back-up:

Greg Andersen, Division Chief  
Office of the State Fire Marshal, Code Development and Analysis Division  
(916) 445-8200  
[Greg.Andersen@fire.ca.gov](mailto:Greg.Andersen@fire.ca.gov)  
(916) 445-8459 FAX

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
CALIFORNIA BUILDING STANDARDS  
COMMISSION**

**REGARDING THE CALIFORNIA  
ADMINISTRATIVE CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 1**

**(BSC 01/15)**

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 1. CBSC is proposing administrative regulations related to the 2016 California Administrative Code.

**PUBLIC COMMENT PERIOD**

(Government Code Section 11346.5(a)(15)(17))

A public hearing has not been scheduled; however, written comments will be accepted from September 11, 2015 until 5:00 p.m. on October 26, 2015. 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).

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)),  
(Government Code Section 11346.8(c))

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 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 (HSC) Sections 18909, 18927, 18928, 18929, 18929.1, 18930, 18930.5, 18931, 18931(f), 18931.6, 18931.7, 18934, 18934.5, 19835, 18941.10, 18945, 18946 and 18949.6.

The purpose of these building standards is to implement, interpret, and make specific the provisions of GC Sections 11000, 11346.1, 11346.5, 82019 and 87306; and HSC 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 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.

**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 Parts 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 infrastructure for parking spaces in multifamily dwellings and nonresidential development.

**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**

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**

Update of administrative requirements located in the California Administrative Code, Chapter 1, Articles 1, 2, 4 & 5 for accuracy and clarity. New sections regarding administrative requirements addressing procedures for submittal of green building standards, and clarification of excess fees paid by local municipalities due to miscalculations are also being proposed for inclusion in the California Administrative Code, Part 1, Title 24, California Code of Regulations.

**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))

CBSC does not have authority to impose building standards or regulations on schools districts. The proposed regulatory actions are administrative in nature and would not enact 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 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: Any additional expenditure resulting from this proposed action will be minimal and will be absorbed within the existing budget and resources.

**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 business, 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/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 business 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.

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))

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.

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))

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:

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))

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.

CBSC has determined that this proposal would not have a significant effect on housing costs.

**CONSIDERATION OF ALTERNATIVES**

(Government Code Section 11346.5(a)(13))

CBSC has 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 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, <http://www.bsc.ca.gov/>.

Government Code Section 11346.5(a)(21) states that the 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 Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

Cynthia Biedermann, Analyst  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959  
[Cynthia.Biedermann@dgs.ca.gov](mailto:Cynthia.Biedermann@dgs.ca.gov)

Designated Back-Up Contact Person  
Mia Marvelli, Associate Architect  
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**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
CALIFORNIA BUILDING STANDARDS  
COMMISSION**

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

**(BSC 05/15)**

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 2016 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 September 11, 2015, until 5:00 p.m. on October 26, 2015. 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  
 (Government Code Section 11346.5(a)(3))

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

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)),  
 (Government Code Section 11346.8(c))

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 (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, 18932, 18934.5, 18938 and 18940.5.

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**

**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 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.

**H & SC §18932. Contents and format of code**

Sets forth that the code shall indicate the agency having responsibility vested by law for the administration of each building standard and the occupancy or occupancies affected by each building standard. The code shall include an index and reference guide. Authorizes CBSC to establish the format for the code to conform it as nearly as it deems practicable with the model code.

**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 uni-

versity 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 Parts 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 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 2015 International Building Code (IBC), with California amendments, effective on January 1, 2017.

The purpose of the California Building Code is to establish 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 is mandated to adopt the most current editions of the model codes. This proposed action by CBSC will make effective the 2015 IBC for occupancies pursuant to H & SC §18934.5, 180 days after publication of the next triennial edition of the California Building Code. This proposed action will also:

- Repeal the 2012 IBC and adopt the 2015 IBC;
- Relocate from the 2013 CBC, and proposed administrative and scoping provisions for occupancies under the authority of state agencies in California;

- Relocate from the 2013 CBC provisions for campus lighting and private swimming pools which are not addressed by the IBC;
- Correlate references to model codes that California does not adopt with those that California proposes for adoption.
- Include references to the California Green Building Standards Code, Part 11, Title 24 in accordance with H & SC 18940.5.
- Repeal Existing Structures regulations from Chapter 34 and relocate them to the California Existing Building Code.

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 adoption of the 2015 IBC makes applicable to state-owned building projects and projects permitted by local agencies the most current edition of the IBC by reference through CCR, Title 24, Part 2. It defines administrative regulations for state agencies, and makes available by adoption by local jurisdictions the administrative provisions. It carries forward CBSC campus lighting and private swimming pool provisions which are not addressed in the IBC. It correlates model code references within the 2015 IBC, which will eliminate conflict and provide internal consistency among model codes adopted by reference in CCR Title 24.

**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 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: Any 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 business 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 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 sup-

porting 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))

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 determined that no report is required for this regulation.

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;**

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.

The CBSC has determined 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 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 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 Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959

**Back-up:**

Mia Marvelli, Associate Architect  
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)

**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, Associate Architect  
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**

**NOTICE OF PROPOSED ACTION  
 TO  
 BUILDING STANDARDS  
 OF THE  
 CALIFORNIA BUILDING STANDARDS  
 COMMISSION**

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

**(BSC 06/15)**

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 10. The CBSC is proposing building standards related to 2016 California Existing 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 September 11, 2015, until 5:00 p.m. on October 26, 2015. 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).

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)),  
 (Government Code Section 11346.8(c))

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))

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code (H&SC) Sections 16600, 16601, 16603, 16604, 18916, 18928, 18928.1, 18934.5 and 18934.7. The purpose of these building standards is to implement, interpret, and make specific the provisions of H&SC Sections 18916, 18928, 18928.1, 18934.7, 18938 and 18941.6. CBSC is proposing this regulatory action based on H&SC section 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**

**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 § 18916. Model code**

Defines model code, including but not limited to, Appendix Chapter 1 of the Uniform Code for Building Conservation of the International Conference of Building Officials.

**H&SC § 18928. Model code, national standard, or specification; adoption of and reference to the most recent edition; 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.

**H&SC § 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.

**H&SC § 418932. Contents and format of code**

Sets forth that the code shall indicate the agency having responsibility vested by law for the administration of each building standard and the occupancy or occupancies affected by each building standard. The code shall include an index and reference guide. Authorizes CBSC to establish the format for the code to conform it as nearly as it deems practicable with the model code.

**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 § 18934.7. International Existing Building Code of the International Code Council; publication of standards; exception**

Mandates the commission adopt by reference the building standards of Appendix Chapter 1 of the International Existing Building Code for Building Conservation for publication in the California Building Standards Code, except for buildings subject to building standards adopted pursuant to Part 1.5 (commencing with Section 17910).

**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 § 18938. Filing and Codification; publication; effective date; emergency standards; application of section**

Sets forth that the commission shall file building standards with the Secretary of State after approval and publish them only in Title 24. This section also provides that building standards contained in the model codes as referenced in the California Building Standards Code shall apply to all occupancies in the state and shall become effective 180 days after publication in the California Building Standards Code, or Title 24.

**H&SC § 18941.6 Hazardous building ordinances and programs; building standards; local condition; exceptions; study.**

Requires local jurisdiction to follow Appendix Chapter 1 of the IEBC with regular updates thereafter.

**Summary of Existing Regulations**

The current 2013 California Existing Building Code (CEBC) is Part 10 of Title 24. It incorporates Appendix Chapter 1 of the 2012 International Existing Building Code (IEBC) of the International Code Council (ICC) without amendments for existing buildings.

The purpose of the California Existing Building Code is to establish 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 building code, fire code, mechanical code, and plumbing code that are adopted for use in California.

**Summary of Effect**

CBSC is mandated to adopt the most current editions of model code. This proposed action by CBSC will make effective the 2015 IEBC for occupancies pursuant to H & SC §§18934.5 and 18934.7, 180 days after publication of the next triennial edition of the California Existing Building Code. This proposed action will also:

- Repeal the 2012 IEBC and adopt specific portions of the 2015 IEBC;
- Relocate Chapter 34 amendments from the 2013 CBC to the 2016 CEBC.

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 adoption of the 2015 IEBC makes applicable to state-owned building projects and projects permitted by local agencies the most current edition of the IEBC by reference through CCR, Title 24, Part 10. It correlates model code references within the 2015 IEBC, which will eliminate conflict and provide consistency among model codes adopted by reference in CCR Title 24.

The proposed adoption of the 2015 IEBC will provide an up to date reference document for existing Unreinforced Masonry buildings, thereby improving the results of seismic retrofitting programs initiated under the 1986 URM Building Law (SB 547, Chapter 250, Statutes of 1986).

**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 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: Any 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 business 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 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.

In its 2004 report to the Legislature titled “Status of the Unreinforced Masonry Building Law”, SSC 2005–02, the Seismic Safety Commission recommended that state and local governments provide economic incentives to URM building owners to defray costs associated with retrofitting, which may have a positive impact on business.

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 determined that no report is required for this regulation.

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;**

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.

The CBSC has determined this proposal would not have a significant effect on housing costs.

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

CBSC has determined that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CBSC 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 the 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 Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
Facsimile No.: (916) 263-0959

Back-up:

Mia Marvelli, Associate Architect  
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)

**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, Associate Architect  
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**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
DEPARTMENT OF HOUSING AND  
COMMUNITY DEVELOPMENT (HCD)  
REGARDING THE ADOPTION BY  
REFERENCE OF THE  
2015 INTERNATIONAL BUILDING CODE  
(IBC)  
WITH PROPOSED AMENDMENTS INTO THE  
2016 CALIFORNIA BUILDING CODE (CBC)  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 2**

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. The HCD is proposing building standards related to the International Building Code (IBC).

**PUBLIC COMMENT PERIOD**

A public hearing has not been scheduled; however, written comments will be accepted from September 11, 2015, until 5:00 p.m. on October 26, 2015. 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 CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret, and 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, 18670, 18865, 18873.2 and 19990; and Government Code Section 12955.1.

#### INFORMATIVE DIGEST

##### 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 Section 19990 requires HCD to adopt building standards for factory-built housing.

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

##### Summary of Existing Regulations

The 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, effective on January 1, 2014.

##### Summary of Effect

HCD proposes to adopt by reference the 2015 edition of the IBC, with California amendments, into 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’s and state law accessibility requirements, except where the application is for public use only.

(b) Employee Housing Act: relative to the use 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 and structures 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 assemblies 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, the amendments provide clarity and specificity, and give direction for the code user.

##### Comparable Federal Statute or Regulations

None.

Policy Statement Overview

The proposed regulations will adopt, amend or repeal existing building standards and establish new building standards, which will affect residential occupancies and buildings or structures accessory thereto, as provided for by federal and state accessibility requirements; the use of General Design, Structural, and Fire and Life Safety Requirements in housing construction, buildings and structures accessory thereto; and permanent buildings in mobilehome parks and special occupancy parks.

The benefits anticipated from this proposed regulatory action include updating building 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

None.

MANDATE ON LOCAL AGENCIES OR  
SCHOOL DISTRICTS

The 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

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 SIGNIFICANT  
STATEWIDE ADVERSE ECONOMIC IMPACT  
ON BUSINESSES

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 business in other states. (See *Economic Impact of the Proposed California Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

DECLARATION OF EVIDENCE

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(d) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

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

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

(See *Economic Impact of the Proposed California Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

HCD has made an initial determination that this proposal would not have a significant effect on housing costs. The CBSC contact person designated below will make HCD's initial evaluation of the effect of the proposed regulatory action on housing costs available upon request. (See *Economic Impact of the Proposed California Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

CONSIDERATION OF ALTERNATIVES

HCD 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/>; in addition, the rulemaking documents will be posted on HCD's website: [http://www.hcd.ca.gov/codes/shl/2015codeadoptproj\\_part2.html](http://www.hcd.ca.gov/codes/shl/2015codeadoptproj_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.

Government Code Section 11346.5(a)(21) states that the Department of Housing and Community Development 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:

**CBSC Contact:** Mia Marvelli, Associate Architect

**CBSC Back-up:** If the contact person is unavailable, please contact Michael Nearman, Deputy Executive Director, 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

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

Kyle Krause  
 State Housing Law Programs Manager  
 Department of Housing and Community  
 Development  
 Division of Codes and Standards  
 Telephone: (916) 263-4719  
 E-mail: [kyle.krause@hcd.ca.gov](mailto:kyle.krause@hcd.ca.gov)  
 Fax: (916) 327-4712

Back-up:

Shawn Huff  
 Assistant Deputy Director  
 Department of Housing and Community  
 Development  
 Division of Codes and Standards  
 Telephone: (916) 263-3124  
 E-mail: [shawn.huff@hcd.ca.gov](mailto:shawn.huff@hcd.ca.gov)  
 Fax: (916) 327-4712

**TITLE 24. BUILDING STANDARDS  
 COMMISSION**

**NOTICE OF PROPOSED ACTION  
 TO  
 BUILDING STANDARDS  
 OF THE DEPARTMENT OF HOUSING AND  
 COMMUNITY DEVELOPMENT (HCD)  
 REGARDING THE ADOPTION BY  
 REFERENCE OF THE  
 2015 INTERNATIONAL EXISTING BUILDING  
 CODE (IEBC)  
 WITH PROPOSED AMENDMENTS INTO THE  
 2016 CALIFORNIA EXISTING BUILDING  
 CODE (CEBC)  
 CALIFORNIA CODE OF REGULATIONS,  
 TITLE 24, PART 10**

Notice is hereby given that the California Building  
 Standards Commission (CBSC) on behalf of the De-  
 partment of Housing and Community Development  
 (HCD) proposes to adopt, approve, codify, and publish  
 changes to building standards contained in the Califor-  
 nia Code of Regulations (CCR), Title 24, Part 10. The  
 HCD is proposing building standards related to the In-  
 ternational Existing Building Code (IEBC).

**PUBLIC COMMENT PERIOD**

A public hearing has not been scheduled; however,  
 written comments will be accepted from September 11,  
 2015, until 5:00 p.m. on October 26, 2015. Please ad-  
 dress 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 Com-  
 mission to be scheduled at a date near the end of the cur-  
 rent adoption cycle. A meeting notice will be issued an-  
 nouncing 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 CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18949.5. The purpose of these building standards is to implement, interpret, and 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, 18670, 18865, 18873.2 and 19990; and Government Code Section 12955.1.

INFORMATIVE DIGEST

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 Section 19990 requires HCD to adopt building standards for factory-built housing.

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

Summary of Existing Regulations

The California Existing Building Code, Part 10 of Title 24 of the California Code of Regulations (CCR), also known as the California Building Standards Code, adopted by reference the 2012 International Existing Building Code (IEBC) with California amendments, effective on January 1, 2014.

Summary of Effect

HCD proposes to adopt by reference the 2015 edition of the IEBC, with California amendments, into Part 10, 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's and state law accessibility requirements, except where the application is for public use only.

(b) Employee Housing Act: relative to the use 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 and structures 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 assemblies 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, the amendments provide clarity and specificity, and give direction for the code user.

Comparable Federal Statute or Regulations

None.

Policy Statement Overview

The proposed regulations will adopt building standards, which will affect residential occupancies, and buildings or structures accessory thereto under the authority of HCD.

The benefits anticipated from this proposed regulatory action include updating building standards and providing guidelines for upgrading the seismic resistance capacity of different types of existing buildings, including unreinforced masonry buildings, reinforced con-

crete and reinforced masonry wall buildings, and light-frame wood buildings, which will result in the protection of public health and safety, worker safety, the environment and general welfare of California residents. Additional benefits include: provisions that do not increase construction costs unnecessarily; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction. 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

None.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The 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

- 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 SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

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 business in other states. (See *Economic Impact of the Proposed California Existing Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

DECLARATION OF EVIDENCE

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

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(d) is not required.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

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

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

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

(See *Economic Impact of the Proposed California Existing Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

ESTIMATED COST OF COMPLIANCE OF  
STANDARDS THAT WOULD IMPACT HOUSING

HCD has made an initial determination that this proposal would not have a significant effect on housing costs. The CBSC contact person designated below will make HCD's initial evaluation of the effect of the proposed regulatory action on housing costs available upon request. (See *Economic Impact of the Proposed California Existing Building Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

CONSIDERATION OF ALTERNATIVES

HCD 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/>; in addition, the rulemaking documents will be posted on HCD's website: [http://www.hcd.ca.gov/codes/shl/2015codeadoptproj\\_part10.html](http://www.hcd.ca.gov/codes/shl/2015codeadoptproj_part10.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.

Government Code Section 11346.5(a)(21) states that the Department of Housing and Community Development 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:

**CBSC Contact:** Mia Marvelli, Associate Architect

**CBSC Back-up:** If the contact person is unavailable, please contact Michael Nearman, Deputy Executive Director, 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

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

Kyle Krause  
 State Housing Law Programs Manager  
 Department of Housing and Community  
 Development  
 Division of Codes and Standards  
 Telephone: (916) 263-4719  
 E-mail: [kyle.krause@hcd.ca.gov](mailto:kyle.krause@hcd.ca.gov)  
 Fax: (916) 327-4712

Back-up:

Shawn Huff  
 Assistant Deputy Director  
 Department of Housing and Community  
 Development  
 Division of Codes and Standards  
 Telephone: (916) 263-3124  
 E-mail: [shawn.huff@hcd.ca.gov](mailto:shawn.huff@hcd.ca.gov)  
 Fax: (916) 327-4712

**TITLE 24. BUILDING STANDARDS  
 COMMISSION**

**NOTICE OF PROPOSED ACTION  
 TO  
 BUILDING STANDARDS  
 OF THE  
 DEPARTMENT OF HOUSING AND  
 COMMUNITY DEVELOPMENT (HCD)  
 REGARDING THE ADOPTION BY  
 REFERENCE OF THE  
 2015 INTERNATIONAL RESIDENTIAL CODE  
 (IRC)  
 WITH PROPOSED AMENDMENTS INTO THE  
 2016 CALIFORNIA RESIDENTIAL CODE  
 (CRC)  
 CALIFORNIA CODE OF REGULATIONS,  
 TITLE 24, PART 2.5**

Notice is hereby given that the California Building  
 Standards Commission (CBSC) on behalf of the De-  
 partment of Housing and Community Development  
 (HCD) proposes to adopt, approve, codify, and publish  
 changes to building standards contained in the Califor-  
 nia Code of Regulations (CCR), Title 24, Part 2.5. The  
 HCD is proposing building standards related to the In-  
 ternational Residential Code (IRC).

**PUBLIC COMMENT PERIOD**

A public hearing has not been scheduled; however,  
 written comments will be accepted from September 11,  
 2015, until 5:00 p.m. on October 26, 2015. Please ad-  
 dress 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 Com-  
 mission to be scheduled at a date near the end of the cur-  
 rent adoption cycle. A meeting notice will be issued an-  
 nouncing 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 CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret, and 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, 18670, 18865, 18873.2 and 19990; and Government Code Section 12955.1.

INFORMATIVE DIGEST

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 Section 19990 requires HCD to adopt building standards for factory-built housing.

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

Summary of Existing Regulations

The California Residential Code, Part 2.5 of Title 24 of the California Code of Regulations (CCR), also known as the California Building Standards Code, adopted by reference the 2012 International Residential Code (IRC) with California amendments, effective on January 1, 2014.

Summary of Effect

HCD proposes to adopt by reference the 2015 edition of the IRC, with California amendments, into Part 2.5, 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 Act’s and state law accessibility requirements, except where the application is for public use only.

(b) Employee Housing Act: relative to the use 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 and structures 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 assemblies in accordance with Health and Safety Code Section 19990.

Policy Statement Overview

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

Comparable Federal Statute or Regulations

None.

POLICY STATEMENT OVERVIEW

The proposed regulations will adopt, amend or repeal existing building standards 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 ventila-

tion, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment regarding one- and two-family dwellings and townhouses.

The benefits anticipated from this proposed regulatory action include updating building 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

None.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

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

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 SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

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 business in other states. (See *Economic Impact of the Proposed California Residential Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

DECLARATION OF EVIDENCE

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

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(d) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

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

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

(See *Economic Impact of the Proposed California Residential Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

ESTIMATED COST OF COMPLIANCE OF  
STANDARDS THAT WOULD IMPACT HOUSING

HCD has made an initial determination that this proposal would not have a significant effect on housing costs. The CBSC contact person designated below will make HCD's initial evaluation of the effect of the proposed regulatory action on housing costs available upon request. (See *Economic Impact of the Proposed California Residential Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

CONSIDERATION OF ALTERNATIVES

HCD 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/>; in addition, the rulemaking documents will be posted on HCD's website:  
[http://www.hcd.ca.gov/codes/shl/2015codeadoptproj\\_part2.5.html](http://www.hcd.ca.gov/codes/shl/2015codeadoptproj_part2.5.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.

Government Code Section 11346.5(a)(21) states that the Department of Housing and Community Development 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:

**CBSC Contact:**Mia Marvelli, Associate Architect

**CBSC Back-up:** If the contact person is unavailable, please contact Michael Nearman, Deputy Executive Director, 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

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

Kyle Krause  
State Housing Law Programs Manager  
Department of Housing and Community  
Development  
Division of Codes and Standards  
Telephone: (916) 263-4719  
E-mail: [kyle.krause@hcd.ca.gov](mailto:kyle.krause@hcd.ca.gov)  
Fax: (916) 327-4712

Back-up:

Shawn Huff  
Assistant Deputy Director  
Department of Housing and Community  
Development  
Division of Codes and Standards  
Telephone: (916) 263-3124  
E-mail: [shawn.huff@hcd.ca.gov](mailto:shawn.huff@hcd.ca.gov)  
Fax: (916) 327-4712

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
DIVISION OF THE STATE ARCHITECT —  
STRUCTURAL SAFETY (DSA-SS AND  
DSA-SS/CC)**

**REGARDING THE CALIFORNIA  
ADMINISTRATIVE CODE,  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 1, CHAPTER 4**

**2016 CALIFORNIA ADMINISTRATIVE CODE**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Division of the State Architect (DSA) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 1, Chapter 4. The DSA is proposing building standards related to the administrative regulations for the structural design of public elementary and secondary schools, community colleges, and state-owned or state-leased essential services buildings.

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

A public hearing has not been scheduled; however, written comments will be accepted from September 11, 2015 and conclude at 5:00 p.m. October 26, 2015. 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).

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)),  
(Government Code Section 11346.8(c))

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 Section 18930 and 18949.1. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health & Safety Code Sections 16000-16023, and Education Code Sections 17280-17317 and 81130-81147. The Division of the State Architect is proposing this regulatory action based on Health & Safety Code Section 16022, and Education Code Sections 17310 and 81142.

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 16023 of the Health & Safety Code authorizes the State Architect to establish building standards for state-owned and state-leased essential services buildings.

Sections 17310 and 81142 of the Education Code authorize the State Architect to establish building standards for public elementary and secondary schools, and community colleges.

**Summary of Existing Regulations**

Existing administrative standards which prescribe administrative requirements for building design and

construction of state-owned or state-leased essential services buildings, 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 modify existing provisions to clarify design and rehabilitation of new and existing school buildings and streamline construction-phase procedures for oversight of school and essential services buildings to facilitate project certification. The proposed action would also make editorial changes to clarify existing provisions within Title 24, Part 1.

**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 maintain administrative regulations in conformance with current state law and other Parts of Title 24.

**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(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 has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts. The proposed regulations include an increase in project filing fee within the statutory authority adopted in California Education Code Sections 17300 and 81133. The fee increase does not mandate a new program or a higher level of service as defined in the California Constitution, Article XIII B and regulated in the California Government Code, Part 7 commencing with Section 17500 of Division 4.

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 sav-

ings 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: DSA estimates an annual increase in filing fees to public school districts and community colleges of \$2,700,000 based on the average fees received over the past four years. See attachment.

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

The DSA 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 business in other states.

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

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)).

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))

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**  
(Government Code Section 11346.5(a)(12))

The Division of the State Architect has determined that this proposed action has no effect on housing.

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

The DSA has 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 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)(9))

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 the Division of the State Architect 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:

Mia Marvelli, Associate Architect  
Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

James P. Hackett, Principal Structural Engineer  
Division of the State Architect  
Ph. 916-322-4699  
jim.hackett@dgs.ca.gov  
Fax. 916-445-3521

Ronald W. LaPlante, Supervising Structural  
Engineer  
Division of the State Architect  
Ph. 858-674-5461  
[ron.laplante@dgs.ca.gov](mailto:ron.laplante@dgs.ca.gov)  
Fax. 858-674-5471

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
DIVISION OF THE STATE ARCHITECT —  
STRUCTURAL SAFETY (DSA-SS AND  
DSA-SS/CC)**

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

**2016 CALIFORNIA BUILDING CODE**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Division of the State Architect (DSA) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. The DSA is proposing building standards related to the structural design of public elementary and secondary schools, community colleges, and state-owned or state-leased essential services buildings.

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

A public hearing has not been scheduled; however, written comments will be accepted from September 11, 2015 and conclude at 5:00 p.m. October 26, 2015. 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).

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)),  
(Government Code Section 11346.8(c))

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 Section 18930 and 18949.1. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health & Safety Code Sections 16000-16023, and Education Code Sections 17280-17317, 81130-81147 and 81052-81053. The Division of the State Architect is proposing this regulatory action based on Health & Safety Code Section 16022, and Education Code Sections 17310, 81142, and 81053.

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 16023 of the Health & Safety Code authorizes the State Architect to establish building standards for state-owned and state-leased essential services buildings.

Sections 17310 and 81142 of the Education Code authorize the State Architect to establish building standards for public elementary and secondary schools, and community colleges.

Sections 81052 and 81053 of authorize the State Architect to establish building standards which a community college may elect to use in lieu of those standards promulgated in accordance with Education Code Sec. 81142.

**Summary of Existing Regulations**

Existing building standards which prescribe the requirements for building design and construction of state-owned or state-leased essential services buildings, 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 2, and are based on provisions within the adopted model building code.

**Summary of Effect**

The proposed action would update Title 24, Part 2, by adopting the most recent edition of the selected model building code (*International Building Code*, 2015 edition). The proposed action will also:

- Integrate currently adopted structural safety amendments into the updated Title 24, Part 2.
- Repeal currently adopted amendments deemed to be sufficiently addressed by the adopted model building code.
- Make editorial changes to currently adopted amendments to improve clarity or intent.

**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 maintain building regulations in conformance with current state law by adopting the most current edition of the model building code and nationally-recognized structural design standards.

**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(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 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 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  
(Government Code Section 11346.5(a)(8))**

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 business in other states.

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

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)).**

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))**

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  
(Government Code Section 11346.5(a)(12))

The Division of the State Architect has determined that this proposed action has no effect on housing.

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

The DSA has 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 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 the Division of the State Architect 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:

Mia Marvelli, Associate Architect  
Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

James P. Hackett, Principal Structural Engineer  
Division of the State Architect  
Ph. 916-322-4699  
jim.hackett@dgs.ca.gov  
Fax. 916-445-3521

Ronald W. LaPlante, Supervising Structural  
Engineer  
Division of the State Architect  
Ph. 858-674-5461  
ron.laplante@dgs.ca.gov  
Fax. 858-674-5471

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
DIVISION OF THE STATE ARCHITECT —  
STRUCTURAL SAFETY (DSA-SS AND  
DSA-SS/CC)**

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

**2016 CALIFORNIA EXISTING BUILDING  
CODE**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Division

of the State Architect (DSA) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 10. The DSA is proposing building standards related to the structural design of public elementary and secondary schools, community colleges, and state-owned or state-leased essential services buildings.

**PUBLIC COMMENT PERIOD**

(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from September 11, 2015 and conclude at 5:00 p.m. October 26, 2015. 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).

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)),  
(Government Code Section 11346.8(c))

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 building standards is to implement, interpret, and make specific the provisions of Health & Safety Code Sections 16000-16022, and Education Code Sections 17280-17317, 81130-81147 and 81052-81053. The Division of the State Architect is proposing this regulatory action based on Health & Safety Code Section 16022, and Education Code Sections 17310, 81142, and 81053.

**INFORMATIVE DIGEST**

(Government Code Section 11346.5(8)(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 & Safety Code authorizes the State Architect to establish building standards for state-owned and state-leased essential services buildings.

Sections 17310 and 81142 of the Education Code authorize the State Architect to establish building standards for public elementary and secondary schools, and community colleges.

Sections 81052 and 81053 of authorize the State Architect to establish building standards which a community college may elect to use in lieu of those standards promulgated in accordance with Education Code Sec. 81142.

**Summary of Existing Regulations**

Existing building standards which prescribe the design and construction requirements for the repair, alternation, addition, and change of occupancy to existing state-owned or state-leased essential services buildings, public elementary and secondary schools, and community colleges are promulgated by the Division of the State Architect. These regulations were contained in Title 24, Part 2, California Building Code, and are now being migrated to Title 24, Part 10, California Existing Building Code, to coincide with the relocation of such provisions that have occurred in the adopted model building code.

**Summary of Effect**

The proposed action would adopt Title 24, Part 10, by adopting the most recent edition of the selected model

building code (*International Existing Building Code*, 2015 edition). The proposed action will also:

- Relocate currently adopted structural safety amendments for existing buildings from Title 24, Part 2, into the adopted Title 24, Part 10.
- Repeal currently adopted amendments deemed to be sufficiently addressed by the adopted model building code.
- Make editorial changes to currently adopted amendments to improve clarity or intent.

**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 maintain building regulations in conformance with current state law by adopting the most current edition of the model building code and nationally-recognized structural design standards.

**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(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 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 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**  
(Government Code Section 11346.5(a)(8))

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 business in other states.

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

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)).

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))

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**  
(Government Code Section 11346.5(a)(12))

The Division of the State Architect has determined that this proposed action has no effect on housing.

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

The DSA has 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 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 the Division of the State Architect 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:

Mia Miarvelli, Associate Architect  
Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

James P. Hackett, Principal Structural Engineer  
Division of the State Architect  
Ph. 916-322-4699  
jim.hackett@dgs.ca.gov  
Fax. 916-445-3521

Ronald W. LaPlante, Supervising Structural Engineer  
Division of the State Architect  
Ph. 858-674-5461  
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**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
DEPARTMENT OF HOUSING AND  
COMMUNITY DEVELOPMENT  
REGARDING THE 2013 CALIFORNIA GREEN  
BUILDING STANDARDS CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 11**

(HCD)

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 11. 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 **September 11, 2015, until 5:00 p.m. on October 26, 2015**. 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 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))  
(Government Code Section 11346.8(c))

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 comment 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 18949.5. 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. The Department Housing and Community Development is proposing this regulatory action based on Health and Safety Code Sections 17921, 17922 and 19990.

**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 requires 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 gen-

eral 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 Section 19990 requires HCD to adopt building standards for factory–built housing.

**Summary of Existing Regulations**

The 2013 California Green Building Standards Code, Title 24, Part 11, 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 adopt the 2013 edition of the California Green Building Standards Code (CALGreen) into Title 24, Part 11 of the California Code of Regulations for the following programs:

- a) State Housing Law: relative to residential occupancies, buildings or structures accessory thereto.
- 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 components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

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

A discussion of the effect of the regulations may be found in the Initial Statement of Reasons.

**Comparable Federal Statute or Regulations**

None.

**Policy Statement Overview**

The purpose of the adoption of the California Green Building Standards Code 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 effi-

ciency; water efficiency and conservation; material conservation and resource efficiency; and environmental air quality.

The proposed regulations will adopt building standards that will affect the following: residential occupancies and buildings or structures accessory thereto, as provided for by federal and state accessibility requirements; and the use of General Design, Structural, and Fire and Life Safety Requirements in housing construction, buildings and structures accessory thereto.

**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 by the California Building Standards Commission (CBSC). At the direction of the Governor, HCD collaborated with the CBSC and other state agencies to develop green building standards. 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 business in other states. (See *Economic Impact of the Proposed California Green Building Standards Code Regulations on Private Persons and Businesses in the State of California* 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 Section 11346.5(a)(10))

HCD 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 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 businesses 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 green building standards, which will provide increased protection of public health and safety, worker safety and the environment.**

(See *Economic Impact of the Proposed California Green Building Standards Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

ESTIMATED COST OF COMPLIANCE OF  
 STANDARDS THAT WOULD IMPACT HOUSING  
 (Government Code Section 11346.5(a)(12))

HCD has made an initial determination that this proposal would not have a significant effect on housing costs. The CBSC contact person designated below will make HCD's initial evaluation of the effect of the proposed regulatory action on housing costs available upon request. (See *Economic Impact of the Proposed California Green Building Standards Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

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

HCD must determine that no reasonable alternative considered by the state agency or otherwise identified

and brought to the attention of HCD, 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 the initial statement of reasons can be accessed from the California Building Standards Commission website:

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

and also will be posted on HCD's website at:  
[http://www.hcd.ca.gov/codes/state-housing-law/  
2015codeadoptproj.html](http://www.hcd.ca.gov/codes/state-housing-law/2015codeadoptproj.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.

Government Code Section 11346.5(a)(21) states that 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:** Pamela Meda

**CBSC**

**Back-up:** If the contact person is unavailable, please contact Michael Nearman at the phone number (916) 263-5888 or fax number provided below.

**CBSC**

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

**CBSC**

**Telephone:** (916) 274-5872

**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  
BUILDING STANDARDS**

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

Kyle Krause, State Housing Law Program Manager  
HCD, Division of Codes and Standards  
Telephone: (916) 445-4719  
Fax: (916) 327-4713  
E-mail: [kyle.krause@hcd.ca.gov](mailto:kyle.krause@hcd.ca.gov)

Back-up:

Shawn Huff, Assistant Deputy Director  
HCD, Division of Codes and Standards  
Telephone: (916) 263-3124  
Fax: (916) 327-4713  
E-mail: [shuff@hcd.ca.gov](mailto:shuff@hcd.ca.gov)

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
DIVISION OF THE STATE ARCHITECT —  
STRUCTURAL SAFETY (DSA-SS AND  
DSA-SS/CC)**

**REGARDING THE CALIFORNIA  
REFERENCED STANDARDS CODE,  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 12**

**2016 CALIFORNIA REFERENCED  
STANDARDS CODE**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Division of the State Architect (DSA) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 12. The DSA is proposing building standards related to the administrative regulations for the structural design of public elementary and secondary schools, community colleges, and state-owned or state-leased essential services buildings.

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

A public hearing has not been scheduled; however, written comments will be accepted from September 11, 2015 and conclude at 5:00 p.m. October 26, 2015. 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).

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 cur-

rent 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)),  
(Government Code Section 11346.8(c))

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 (H&SC) Section 18930 and 18949.1. The purpose of these building standards is to implement, interpret, and make specific the provisions of H&SC Sections 19180 through 19183 and 19200 through 19204. The Division of the State Architect is proposing this regulatory action based on H&SC Section 19182.

**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 19182 of the H&SC requires and authorizes the State Architect to establish building standards governing seismic gas shutoff devices for installation in buildings. Section 19181 of the H&SC establishes that the governing body of any city, county, or city and county may enact an ordinance requiring the installation of earthquake sensitive gas shutoff devices in buildings open to the public. Any ordinance adopted pursuant to this section shall conform to standards adopted by the State Architect pursuant to Section 19182.

**Summary of Existing Regulations**

Chapters 12–12, 12–16–1 and 12–16–2 of the 2013 California Reference Standards Code provide references to industry standards for gas shutoff devices. These reference standards have been updated by industry.

**Summary of Effect**

The proposed action would modify existing provisions to update the previous standards to the current industry standards.

**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 maintain regulations in conformance with H&SC Section 18941, which requires consistency with state and nationally recognized standards for building construction in view of the use and occupancy of each structure to preserve and protect the public health and safety.

**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(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 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 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

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

The DSA 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 business in other states.

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

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)).

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))

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 and maintain the health and welfare of California residents, worker safety, and the state's environment.

ESTIMATED COST OF COMPLIANCE OF  
STANDARDS THAT WOULD IMPACT HOUSING  
(Government Code Section 11346.5(a)(12))

The Division of the State Architect has determined that this proposed action has no effect on cost of housing.

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

The DSA has 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 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 the Division of the State Architect 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:

Mia Marvelli, Associate Architect  
Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

James P. Hackett, Principal Structural Engineer  
Division of the State Architect  
Ph. 916-322-4699  
jim.hackett@dgs.ca.gov  
Fax. 916-445-3521

Ronald W. LaPlante, Supervising Structural  
Engineer  
Division of the State Architect  
Ph. 858-674-5461  
ron.laplante@dgs.ca.gov  
Fax. 858-674-5471

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
OFFICE OF STATEWIDE HEALTH PLANNING  
AND DEVELOPMENT**

**REGARDING THE CALIFORNIA GREEN  
BUILDING STANDARDS CODE  
CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PART 11**

**Outdoor Irrigation**

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 11. The OSHPD is proposing building standards related to outdoor irrigation.

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

A public hearing has not been scheduled; however, written comments will be accepted from **September 11, 2015**, until 5:00 p.m. on **October 26, 2015**. 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, 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**

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code 18930.5, 18934.5 and 18938(b), and Section 30, Governor's Executive Order No. B-29-15 (April 1, 2015). The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code 18930.5, 18934.5, 18937 and 18938, and Section 30, Governor's Executive Order No. B-29-15 (April 1, 2015). OSHPD is proposing this regulatory action based on Section 30, Governor's Executive Order No. B-29-15 (April 1, 2015) and Health and Safety Code 1275 and 129790.

**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 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, to adopt, approve, codify, update, and publish green building standards for those occupancies.

**Health and Safety Code Section 18934.5** sets forth that where no state agency has the authority to adopt building standards applicable to state buildings, the commissioners shall adopt, approve, codify, and publish building standards providing the minimum standards for the design and construction of state buildings.

**Health and Safety Code Section 18937** provides that the commissioners shall act on emergency standards within 30 days, and they must act on the merit of the emergency finding as well as on the proposed standards.

**Health and Safety Code Section 18938** requires the filing of emergency standards with the Secretary of State by CBSC only after they have been approved by the commissioners. It requires that the standards become effective when filed Secretary of State or at a later date specified in the standards, and that they be published in Title 24.

**Health and Safety Code Section 1275** authorizes OSHPD to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing facilities and intermediate care facilities.

**Health and Safety Code Section 129790** authorizes the OSHPD to propose building standards for correctional treatment centers in cooperation with the Department of Corrections, Board of Corrections and Department of Youth Authority.

**Summary of Existing Regulations**

The California Green Building Standards Code (Part 11, Title 24, California Code of Regulations, also known as “CALGreen”) contains mandatory and voluntary green building standards for residential and non-residential buildings, and health facilities. Specified sections of CALGreen (both mandatory and voluntary) reference the Model Water Efficiency Landscape Ordinance (MWELo) adopted by the Department of Water Resources in Title 23, California Code of Regulations with regard to outdoor water use.

**Summary of Effect**

OSHPD’s authority is limited to promulgation and enforcement of building standards for the physical plant of hospitals and skilled nursing facilities, not the building grounds or landscaping. The proposed action provides clarification that the nonresidential mandatory requirements promulgated by the CBSC for reduction of potable water use for exterior landscape irrigation does apply to OSHPD health facilities. The local jurisdiction retains authority for enforcement of these irrigation standards. Local approval must be obtained and sub-

mitted to OSHPD prior to OSHPD plan approval or building permitting.

**Comparable Federal Statute or Regulations**

There currently are no federal laws or regulations for the mandatory reduction of outdoor water use.

**Policy Statement Overview**

CBSC is responsible for the development of green building standards for nonresidential occupancies for which no other state agency has authority or expertise. OSHPD promulgates building standards regarding the design and construction of licensed health facilities.

**Evaluation of consistency**

The proposed action is not incompatible or inconsistent with existing regulations.

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

The Department of Water Resources develops and maintains the Model Water Efficiency Landscape Ordinance (MWELo) contained within Chapter 2.7 of Division 2 of Title 23 of the California Code of Regulations. Government Code Section 65595 requires local agencies to either adopt the MWELo or a local water efficiency landscape ordinance that is at least as effective as the MWELo. OSHPD’s proposed regulations refer to regulations promulgated by the CBSC that reference elements of the MWELo with regard to reductions in outdoor potable water use for landscape irrigation.

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: **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: OSHPD has prepared an Economic and Fiscal Impact Statement (Form 399) concerning the

proposed action that reflects no fiscal impact regarding A through E above.

**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 business in other states.

**DECLARATION OF EVIDENCE**

The OSHPD has not relied on any other facts, evidence, documents, testimony or other evidence to make its final determination of no statewide adverse economic impact.

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

The 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.**  
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 cause 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 proposed action is in response to the Governor's Executive Order No. B-29-15 proclaiming a State of Emergency due to the severe drought conditions throughout California.

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 the facilities. The proposed regulation clarifies that the local authority, not OSHPD, has jurisdiction for the enforcement of exterior landscape requirements.

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

The proposed regulation pertains to health facilities' outdoor irrigation and will not result in 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**

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:

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  
(916) 440-8300  
FAX (916) 324-9188  
[regsunit@oshpd.ca.gov](mailto:regsunit@oshpd.ca.gov)

**TITLE 24. BUILDING STANDARDS  
COMMISSION**

**NOTICE OF PROPOSED ACTION  
TO  
BUILDING STANDARDS  
OF THE  
OFFICE OF STATEWIDE HEALTH PLANNING  
AND DEVELOPMENT**

**REGARDING THE CALIFORNIA  
ADMINISTRATIVE CODE  
AND  
CALIFORNIA BUILDING CODE**

**CALIFORNIA CODE OF REGULATIONS,  
TITLE 24, PARTS 1 & 2**

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, Parts 1 & 2. The OSHPD is proposing building standards related to the adoption of the 2016 California Administrative Code and the adoption of the 2015 International Building Code for incorporation into the 2016 California Building Code.

**PUBLIC COMMENT PERIOD**

A public hearing has not been scheduled; however, written comments will be accepted from September 11, 2015 until 5:00 p.m. on October 26, 2015. 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.

**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 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 1226, 1275, 18928, 18929, 129790 and 129850 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 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 18928 authorizes state agencies to adopt the most recent edition of model code, as amended or proposed to be amended by the agency, within one year of the publication date of that model code.

Health and Safety Code Section 18929 mandates that building standards or administrative regulations that directly apply to the implementation or enforcement of building standards must be submitted by the adopting agency to the California Building Standards Commission for the Commission's approval and must be adopted pursuant to Health and Safety Code Section

18930 and the Government Code (commencing with Section 11346).

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

OSHPD currently enforces the California Code of Regulations, Title 24, Part 1, 2013 California Administrative Code (CAC) and 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 2013 CBC.

##### Summary of Effect

The purpose of this proposed action is to: 1) make technical amendments to Title 24, Part 1 by introducing a new structural performance category SPC-4D for general acute care hospital buildings, and 2) adopt the 2015 International Building Code (IBC), by amendments, into the Title 24, Part 2, 2016 CBC, carry forward existing California amendments related to the structural design of health facilities and propose new amendments. The proposed amendments will:

##### Part 1

Make technical amendments by introducing a new structural performance category SPC-4D for general acute care hospital buildings and minor editorial changes for consistency with 2016 Title 24, Part 2, CBC.

##### Part 2, Volume 1

Add definitions in Chapter 2, for consistency with new format of IBC 2015, and carry forward existing amendments in Chapter 1, 14, and 15.

Part 2, Volume 2

Technical amendments to the requirements in various sections of Chapters 16, 16A, 17, 17A, 18, 18A, 19, 19A, 20, 21A, 22A, 23, 24, 25, 34A, 35, Appendix J, and Appendix L; will repeal redundant, outdated or conflicting requirements, provide clarity and provide consistency within the code.

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 administrative regulations, as necessary, and to adopt the most recent model code requirements for health facility construction, pursuant to Health and Safety Code Section 18928. The OSHPD is responsible for the development of regulations 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 regulation is consistent and compatible 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 these regulations, as proposed, will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business 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 technical amendments to the administrative regulations and to adopt the most recent model code pursuant to statutory requirements and to carry forward existing California amendments from the 2013 California Building Code.

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

A report pursuant to Government Code §11346.3(d) is not required by these proposed regulations.

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.**  
There will be no positive or adverse impact.
- **The creation of new businesses or the elimination of existing businesses within the State of California.**  
There will be no positive or adverse impact.
- **The expansion of businesses currently doing business with the State of California.**  
There will be no significant positive or adverse impact. However, new regulation will encourage some hospitals to upgrade their existing building, thereby creating business opportunities for construction industry.

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

There will be no significant positive or adverse impact. New code will promote safer building design and encourage upgrade of general acute care hospital buildings, so that they will remain safe and functional following major earthquake as required by statute.

#### INITIAL DETERMINATION OF SIGNIFICANT EFFECT ON HOUSING COSTS

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

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

Proposal does not impact housing cost, since regulations does not cover housing. Housing is outside OSHPD jurisdiction.

#### CONSIDERATION OF ALTERNATIVES

The OSHPD has 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 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

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

Michael Nearman, Deputy Executive Director  
or  
Mia Marvelli, Associate Architect  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
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:

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)  
(916) 440-8300  
FAX (916) 324-9188

Back-up:

Mohammad Karim, Supervising Structural Engineer  
Office of Statewide Health Planning and Development  
Facilities Development Division  
400 R Street, Suite 200  
Sacramento, CA 95811  
(916) 440-9188  
FAX (916) 324-9188  
[regsunit@oshpd.ca.gov](mailto:regsunit@oshpd.ca.gov)

**TITLE 24. BUILDING STANDARDS COMMISSION**

**NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE STATE HISTORICAL BUILDING SAFETY BOARD (SHBSB)**

**REGARDING PROPOSED CHANGES TO THE CALIFORNIA HISTORICAL BUILDING CODE (CHBC) CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 8**

**2016 CALIFORNIA HISTORICAL BUILDING CODE TRIENNIAL CODE CYCLE**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the State Historical Building Safety Board (SHBSB) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 8.

**PUBLIC COMMENT PERIOD**

A public hearing has not been scheduled; however, written comments will be accepted from September 11, 2015, until 5:00 on October 26, 2015. 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).

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 18928.

The SHBSB is proposing this regulatory action based on Health and Safety Code Sections 18958 and 18959.5. The purpose of these building standards is to implement, interpret and make specific the provisions of Health and Safety Code Section 18950 through 18961.

**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 Sections 18950 through 18961 authorize the SHBSB to develop alternative regulations and standards for the rehabilitation, preservation, restoration (including related reconstruction), or

relocation of qualified historical buildings or structures. These alternative standards and regulations are intended to facilitate the rehabilitation, restoration, or change of occupancy so as to preserve their original or restored architectural elements and features, to encourage energy conservation and cost-effective approach to preservation, and to provide for the safety of the building occupants.

The SHBSB is composed of qualified experts in their respective fields who represent various state and local public agencies, design professionals, and building and preservation oriented organizations. The SHBSB acts as a consultant to the State Architect and to other applicable state agencies for purposes of the California Historical Building Code. The SHBSB also acts as a review body to state and local agencies with respect to interpretations of the California Historical Building Code, as well as, on matters of administration and enforcement of the California Historical Building Code.

All state agencies that enforce and administer approvals, variances, or appeals procedures or decisions affecting the preservation or safety of the historical aspects of qualified historical buildings or structures shall use the alternative provisions of the California Historical Building Code. These state agencies must consult with the SHBSB to obtain its review prior to undertaking action or making decisions on variances or appeals that affect qualified historical buildings or structures.

**Summary of Existing Regulations**

Existing regulations promulgated by the SHBSB are contained in the California Historical Building Code (Title 24, Part 8). These regulations provide means for the preservation of the historical value of qualified historical buildings or structures and, concurrently, to provide reasonable safety from fire, seismic forces or other hazards for occupants of these buildings or structures, and provide reasonable availability to and usability by, persons with disabilities. These regulations require enforcing agencies to accept reasonably equivalent alternatives to the regular code when dealing with qualified historical buildings or structures. A qualified historical building or structure is any structure or property, collection of structures, and their related sites deemed of importance to the history, architecture, or culture of an area by an appropriate local or state governmental jurisdiction.

**Summary of Effect**

The proposed action would update the California Code of Regulations, Title 24, Part 8, California Historical Building Code by:

- Adopting existing California provisions carried forward from the 2013 California Historical Building Code (CHBC) and incorporated into the 2016 CHBC.
- Amending existing California provisions from the 2013 CHBC and incorporating into the 2016 CHBC.

**Comparable Federal Statute or Regulations**

There are no comparable federal statutes or alternative building regulations applicable to qualified historical buildings or structures.

**Policy Statement Overview**

The California Historical Building Code contains alternative regulations and standards for the rehabilitation, preservation, restoration (including related reconstruction), or relocation of qualified historical buildings or structures. These alternative standards and regulations are intended to facilitate the rehabilitation, restoration, or change of occupancy so as to preserve their original or restored architectural elements and features, to encourage energy conservation and cost-effective approach to preservation, and to provide for the safety of the building occupants.

**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**

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

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The SHBSB has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts. The California Historical Building Code contains alternative building regulations that may be used by local agencies or school districts when work is being done at qualified historical buildings or structures.

**ESTIMATE OF COST OR SAVINGS**

- A. Cost or Savings to any state agency: **YES** There may be a cost savings to a state agency utilizing the alternative building regulations in the SHBC.

- 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 SHBSB has made an initial determination that the proposed regulatory action will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

DECLARATION OF EVIDENCE

The alternative regulations of the California Historical Building Code may be applied by private property and business owners when work is being done at qualified historical buildings or structures. Applying the alternative regulations may result in a cost savings.

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

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

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The SHBSB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The alternative regulations of the California Historical Building Code may be applied by private property and business owners when work is being done at qualified historical buildings or structures. Applying the alternative regulations may result in a cost savings.

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

The SHBSB 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 SHBSB 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 SHBSB has determined that the proposed action has no effect.
- The expansion of businesses currently doing business with the State of California.  
The SHBSB 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 SHBSB has determined that the proposal establishes minimum requirements to safeguard the public health, safety and general welfare through access to persons with disabilities.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

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

CONSIDERATION OF ALTERNATIVES

The SHBSB has determined that no reasonable alternative considered by SHBSB or that has otherwise been identified and brought to the attention of SHBSB would be more effective in carrying out the purpose for which the action is proposed. The California Historical Building Code itself is an alternative to the regular code applicable for use in the preservation, restoration, rehabilitation, relocation or reconstruction of buildings or properties designated as qualified historical buildings or properties.

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 the SHBSB 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

**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:

Derek Shaw, Executive Director  
Ph. (916) 324-7178  
[Derek.Shaw@dgs.ca.gov](mailto:Derek.Shaw@dgs.ca.gov)  
State Historical Building Safety Board  
Division of the State Architect — Headquarters  
1102 Q Street, Suite 5100  
Sacramento, CA 95811  
Facsimile No: (916) 445-7658

Back-up:

Dennis J. Corelis, Deputy State Architect  
Ph. (916) 445-4167  
[Dennis.Corelis@dgs.ca.gov](mailto:Dennis.Corelis@dgs.ca.gov)

**GENERAL PUBLIC INTEREST**

**AIR RESOURCES BOARD**

**NOTICE OF PUBLIC HEARING LOCATION CHANGE**

**NOTICE OF PUBLIC HEARING TO CONSIDER TECHNICAL STATUS AND PROPOSED REVISIONS TO ON-BOARD DIAGNOSTIC SYSTEM REQUIREMENTS AND ASSOCIATED ENFORCEMENT PROVISIONS FOR PASSENGER CARS, LIGHT-DUTY TRUCKS, AND MEDIUM-DUTY VEHICLES AND ENGINES**

By notice dated August 4, 2015 and published in the August 7, 2015, California Notice Register, Register 2015, No. 32-Z, the Air Resources Board (ARB or Board) announced it would conduct a public hearing to consider approving for adoption proposed amendments to California's On-Board Diagnostic System Requirements (OBDII) and associated enforcement provisions for passenger cars, light-duty trucks, and medium-duty vehicles and engines. The Board will consider amendments to the OBD II regulations to account for Low Emission Vehicle III applications, to update the monitoring requirements for gasoline and diesel vehicles and engines, and to clarify and improve the regulation where necessary, among other revisions. The hearing was originally scheduled to be heard at the South Coast Air Quality Management District Auditorium, 21865 Copley Drive, Diamond Bar, California.

**PLEASE BE ADVISED** that the location of the hearing **has changed** as follows:

DATE: September 24-25, 2015  
TIME: 9:00 a.m.  
PLACE: **California Environmental Protection Agency  
Air Resources Board  
Byron Sher Auditorium  
1001 I Street  
Sacramento, California 95814**

This item will be considered at a two day meeting of the Board, which will commence at 9:00 a.m., September 24, 2015, and will continue at 8:30 a.m., on September 25, 2015. Please consult the agenda for the meeting,

which will be available at least 10 days before September 24, 2015, to determine the day on which this item will be considered.

**SPECIAL ACCOMMODATION REQUEST**

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language;
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia.
- Documentos disponibles en un formato alterno u otro idioma.
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Re-transmisión de Mensajes de California.

**DEPARTMENT OF HEALTH  
CARE SERVICES**

THE CALIFORNIA DEPARTMENT OF HEALTH  
CARE SERVICES (DHCS) PROPOSES TO  
SUBMIT A STATE PLAN AMENDMENT TO  
AMEND THE ALTERNATIVE BENEFIT PLAN  
(ABP) TO ADD LICENSED MIDWIVES AS  
INDEPENDENT MEDI-CAL PROVIDERS FOR  
NEWLY ELIGIBLE ADULTS

This notice provides information of public interest with respect to Section 440.386 of Title 42 of the Code

of Federal Regulations (CFR), which requires Medicaid states to publish a public notice to solicit public input regarding the amendment to the Medi-Cal ABP. DHCS assures full access to Early and Periodic Screening, Diagnosis, and Treatment services for people under 21 years of age, as described by 42 CFR 440.345. Centers for Medicare and Medicaid Services (CMS) ruled on August 19, 2015 that DHCS did not need to publish a tribal notice for SPA 15-024 since there will not be an impact to Indian Health Programs or its beneficiaries.

**AMENDMENT TO THE ALTERNATIVE  
BENEFIT PLAN**

Effective July 1, 2015, as authorized by Assembly Bill (AB) 1308 (Chapter 665, Statutes of 2013), the State of California intends to add licensed midwives to the ABP as independent Medi-Cal providers who can practice midwifery services without physician supervision and bill Medi-Cal for their services. DHCS will submit State Plan Amendment 15-024 to CMS to add licensed midwives as independent Medi-Cal providers for newly eligible adults 19-64 years of age receiving coverage pursuant to the Medi-Cal ABP.

**PUBLIC REVIEW AND COMMENT**

The California statutes discussed above for licensed midwifery services are available for public review at [www.leginfo.ca.gov](http://www.leginfo.ca.gov). Interested parties may submit written comments to: Laurie Weaver, Assistant Deputy Director, Health Care Benefits and Eligibility; Department of Health Care Services; MS 4601; P.O. Box 997417; Sacramento, CA 95899-7417. All written comments must be received by September 25, 2015.

**PROFESSIONAL FIDUCIARIES BUREAU**

**NOTICE OF CORRECTION**

**Concerning the Notice re: Professional Fiduciaries  
Bureau Client Notification  
Regulation Hearing**  
(OAL File No. Z2015-0814-01)

Originally published August 28, 2015

The above-referenced notice was originally published in the California Regulatory Notice Register on August 28, 2015. The Notice incorrectly stated that the hearing would be held from 10:30-11:30 p.m.

The correct information is the hearing will be held from 10:30-11:30 a.m.

If you have any questions, please contact Angela Bigelow at (916) 574-7341 or [angela.bigelow@dca.ca.gov](mailto:angela.bigelow@dca.ca.gov).

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

**NOTICE OF CORRECTION**

**Concerning the Notice re: Proposition 65 — HIM  
Notice — Possible Delisting of  
“Nitrapyrin”**  
(OAL File No Z2015-0818-07)

Originally published August 28, 2015

The above-referenced notice was originally published in the California Regulatory Notice Register 2015, 35-Z, August 28, 2015. The Notice incorrectly stated that the comment period closed “October 7, 2015.”

The correct comment period closing date is “October 12, 2015.”

If you have any questions, please contact Michelle Robinson at (916) 327-3015 or [michelle.robinson@oehha.ca.gov](mailto:michelle.robinson@oehha.ca.gov).

**DECISION NOT TO PROCEED**

**DEPARTMENT OF JUSTICE**

**Re: Notice of Proposed Rulemaking Concerning  
the Securing of Criminal Offender Record  
Information**

Pursuant to Government Code Section 11347, the California Department of Justice hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register on September 19, 2014, Register 2014, No. 38-Z. The proposed rulemaking concerned the process for the securing of criminal offender record information (OAL Notice Z2014-0908-01).

Any interested person with questions concerning this rulemaking should contact Dolores Haste, DOJA I, or Steven Reed, Staff Services Analyst, at the California Department of Justice, Bureau of Criminal Information and Analysis, 4949 Broadway, Sacramento, CA, 95820.

The Department will also post this Notice of Decision Not to Proceed on its website at <http://oag.ca.gov/meetings/public-participation>.

**DEPARTMENT OF STATE HOSPITALS**

Pursuant to Government Code section 11347(a), the Department of State Hospitals hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register on November 7, 2014, Register 2014, No. 45-Z, regarding Patients’ Rights Complaint and Appeal Procedures, OAL Notice Z2014-1027-01.

Any interested person with questions concerning this rulemaking should contact the DSH Regulations Unit at [DSH\\_SAC\\_Regulations@dsh.ca.gov](mailto:DSH_SAC_Regulations@dsh.ca.gov) or 916-654-2748.

The Department of State Hospitals will also post 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# 2015-0723-03  
CALIFORNIA HORSE RACING BOARD  
Authorized Medication

This rulemaking action by the California Horse Racing Board (CHRB) amends subdivision (c) of section 1844 of title 4 of the California Code of Regulations to lower the amount of Ketoprofen that may be found in an official blood plasma or serum test sample. Additionally, the Board is revising subdivision (f) of section 1844 to add Isoflupredone to the list of drug substances that may be found in an official blood plasma or serum test sample.

Title 4  
AMEND: 1844  
Filed 08/31/2015  
Effective 10/01/2015  
Agency Contact: Philip Laird (916) 263-6025

File# 2015-0722-01  
CALIFORNIA PRISON INDUSTRY AUTHORITY  
Personnel

In this regulatory action, the California Prison Industry Authority (CalPIA) is adopting sections in Title 15 of the California Code of Regulations to establish personnel rules regarding the interactions between CalPIA employees and persons under the jurisdiction of the California Department of Corrections and Rehabilitation (CDCR).

Title 15  
 ADOPT: 8115, 8116, 8116.1, 8117  
 Filed 08/26/2015  
 Effective 10/01/2015  
 Agency Contact: Dawn Eger (916) 358-1612

File# 2015-0722-02  
 CALIFORNIA PRISON INDUSTRY AUTHORITY  
 CALPIA Statement of Incompatible Activities

This action by the California Prison Industry Authority makes changes without regulatory effect by renumbering section 8113 to 8198, in title 15, of the California Code of Regulations.

Title 15  
 AMEND: 8113  
 Filed 09/01/2015  
 Agency Contact: Dawn Eger (916) 358-1612

File# 2015-0715-05  
 COMMISSION ON PEACE OFFICER STANDARDS  
 AND TRAINING  
 Amend Certificates

This rulemaking action amends section 1011 of Title 11 of the California Code of Regulations, along with related Commission on Peace Officer Standards and Training forms, to establish a Dispatcher Supervisory Certificate.

Title 11  
 AMEND: 1011  
 Filed 08/26/2015  
 Effective 10/01/2015  
 Agency Contact: Patti Kaida (916) 227-4847

File# 2015-0831-01  
 DEPARTMENT OF CORRECTIONS AND  
 REHABILITATION  
 Health Care Appeals

This submission establishes a Health Care Pilot Program pursuant to Penal Code section 5058.1. It provides for an Appeals process for health care matters. It is exempt from Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. It is effective upon filing with the Secretary of State and is repealed by operation of law two years after the commencement of the pilot program being implemented, unless the adoption, amendment, or repeal

of the regulation is promulgated by the California Department of Corrections and Rehabilitation pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

Title 15  
 ADOPT: 3999.19  
 Filed 09/01/2015  
 Effective 09/01/2015  
 Agency Contact: Janet Lewis (916) 691-9573

File# 2015-0825-01  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 Asian Citrus Psyllid Interior Quarantine

This emergency action amends the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) quarantine areas in San Luis Obispo County.

Title 3  
 AMEND: 3435  
 Filed 08/27/2015  
 Effective 08/27/2015  
 Agency Contact: Sara Khalid (916) 403-6625

File# 2015-0715-04  
 DEPARTMENT OF HEALTH CARE SERVICES  
 Changes without Regulatory Effect (Including Department Name Change)

This action by the Department of Health Care Services makes changes without regulatory effect in title 9, Division 1 of the California Code of Regulations to reflect the transfer of the administration of community mental health services, including Medi-Cal, from the former Department of Mental Health (now State Hospitals) to the Department of Health Care Services.

Title 9  
 AMEND: 513, 524, 530, 541, 553, 620, 620.1, 1900, 1901, 1904, 1913, 1921  
 Filed 08/26/2015  
 Agency Contact: Lori Manieri (916) 650-6825

File# 2015-0723-06  
 DEPARTMENT OF HEALTH CARE SERVICES  
 Drug Medi-Cal Rates (2012-2013)

This rulemaking by the California Department of Health Care Services (DHCS) makes permanent the amendments to section 51516.1, Title 22, of the California Code of Regulations adopted pursuant to emergency rulemaking OAL File No. 2015-0330-02E. Specifically, this rulemaking action makes permanent the updates to Medi-Cal reimbursement rates for substance abuse (Drug Medi-Cal) services for Fiscal Year 2012-2013 in section 51516.1 of Title 22 of the California Code of Regulations.

Title 22  
AMEND: 51516.1  
Filed 08/26/2015  
Effective 08/26/2015  
Agency Contact: Lori Manieri (916) 650-6825

File# 2015-0820-03  
DEPARTMENT OF JUSTICE  
Firearm Safety Certificates and Safe Handling Demonstrations

This emergency readoption action readopts for a period of 90 days emergency regulations which implement Senate Bill 683 (Chapter 761 of 2013; effective January 1, 2015). More specifically, the emergency regulations establish Department of Justice-Certified Instructor (Instructor) qualifications to administer Firearm Safety Certificate (FSC) testing and to observe safe firearm handling demonstrations by firearms purchasers. The regulations also require instructors to use the Firearms Certification System for the issuance of FSCs and specify FSC test application qualifications and fees and FSC test topics and provisions concerning FSC test administration, FSC issuance, and FSC duplicates and replacements. In addition, the regulations establish rules for safe handling demonstrations generally and regarding categories of firearms. Finally, the regulations specify the training qualifications, course content, and specifications of certificates of completion of entities deemed by the Department of Justice to be similar or equivalent to statutorily listed firearm-safety organizations.

Title 11  
ADOPT: 4250, 4251, 4252, 4253, 4254, 4255, 4256, 4257, 4258, 4259  
Filed 08/31/2015  
Effective 08/31/2015  
Agency Contact: Jeff Amador (916) 227-4217

File# 2015-0819-01  
DEPARTMENT OF PARKS AND RECREATION  
Conflict-of-Interest Code

This is a Conflict-of-Interest Code that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 14  
AMEND: 4800  
Filed 08/31/2015  
Effective 09/30/2015  
Agency Contact: Jodi Clary (916) 651-8559

File# 2015-0715-02  
DEPARTMENT OF PESTICIDE REGULATION  
Individual License/Certificate Renewal Application

This change without regulatory effect filing by the Department of Pesticide Regulation (DPER) revises Form DPR-PML-141 (Rev. 7/09), Individual License/Certificate Renewal Application, to update DPER's contact information, revise the formatting of the form, and clarify existing application requirements. The proposed changes also include updating the form name and revision date for Form DPR-PML-141 (Rev. 7/09) in section 6502 of title 3 of the California Code of Regulations, which incorporates the form by reference.

Title 3  
AMEND: 6502  
Filed 08/26/2015  
Effective  
Agency Contact:  
Linda Irokawa-Otani (916) 445-3991

File# 2015-0723-02  
DEPARTMENT OF STATE HOSPITALS  
Definition of Mental Disorder

This rulemaking by the Department of State Hospitals amends section 881 in Title 9 of the California Code of Regulations, for the purpose of updating the definition of mental disorder. Currently, mental disorder is defined as a "diagnosed mental disorder listed in the American Psychiatric Association: Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, Text Revision, DSM-IV-TR, 2000." This amendment changes the definition, by removing the fourth edition and updating the definition to the current edition, which is the fifth edition.

Title 9  
AMEND: 881  
Filed 08/31/2015  
Effective 10/01/2015  
Agency Contact: Karen Gillham (916) 651-5578

File# 2015-0730-01  
MEDICAL BOARD OF CALIFORNIA  
Issuance of Citations

The Medical Board of California (Board) proposed to amend sections 1364.10, 1364.12, 1364.13, and 1364.14 of title 16 of the California Code of Regulations to authorize the Executive Director of the Board to issue citations, fines, and orders of abatement.

Title 16  
 AMEND: 1364.10, 1364.12, 1364.13, 1364.14  
 Filed 08/31/2015  
 Effective 08/31/2015  
 Agency Contact: Christine Valine (916) 263-2466

Title 8  
 AMEND: 1710  
 Filed 08/27/2015  
 Effective 08/27/2015  
 Agency Contact: Marley Hart (916) 274-5721

File# 2015-0717-01  
**OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**  
 Water Supply — Access to Drinking Cups — Horcher

Labor Code section 142.3, subdivision (a)(3), states, “No standard or amendment to any standard adopted by the board that is substantially the same as a federal standard shall be subject to Article 5 (commencing with Section 11346) and Article 6 (commencing with Section 11349) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code.” The U.S. Department of Labor, Occupational Safety and Health Administration promulgated regulations addressing General Working Conditions in Shipyard Employment on May 2, 2011, as 29 Code of Federal Regulations, section 1915.88, subdivision (b)(3). Through this rulemaking, the Board is amending section 8397.4, subdivision (b), in Title 8 of the California Code of Regulations so that subdivision (b) is the same as the federal regulation except for editorial and format differences.

Title 8  
 AMEND: 8397.4  
 Filed 08/27/2015  
 Effective 10/01/2015  
 Agency Contact: Marley Hart (916) 274-5721

File# 2015-0717-02  
**OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**  
 Multi-Story Skeletal Steel Construction — Metal Decking Replacement (Horcher)

Labor Code section 142.3, subdivision (a)(3), states, “No standard or amendment to any standard adopted by the board that is substantially the same as the federal standard shall be subject to Article 5 (commencing with Section 11346) and Article 6 (commencing with Section 11349) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code.” The U.S. Department of Labor, Occupational Safety and Health Administration promulgated regulations addressing Safety Standards for Steel Erection on January 18, 2001, as 29 Code of Federal Regulations, section 1926.754, subdivision (e)(5). Through this rulemaking, the Board is amending section 1710, subdivision (1)(5), in Title 8 of the California Code of Regulations so that subdivision (1)(5) is the same as the federal regulation except for format differences.

File# 2015-0717-03  
**OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**  
 Private Fire Brigades—Foot Protection

The California Occupational Safety and Health Standards Board proposed to amend section 3411 of title 8 of the California Code of Regulations regarding foot protection for private fire brigades.

Title 8  
 AMEND: 3411  
 Filed 08/28/2015  
 Effective 10/01/2015  
 Agency Contact: Marley Hart (916) 274-5721

**CCR CHANGES FILED  
 WITH THE SECRETARY OF STATE  
 WITHIN April 1, 2015 TO  
 September 2, 2015**

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 2**
- 08/13/15 AMEND: 1859.163.1
  - 08/06/15 AMEND: 18420.1, 18901.1
  - 07/30/15 REPEAL: 547.80, 547.82, 547.83, 547.84, 547.85, 547.86, 547.87
  - 07/30/15 ADOPT: 599.980, 599.981, 599.982, 599.983, 599.984, 599.985, 599.986  
 AMEND: 599.980 (renumbered to 599.987), 599.981 (renumbered to 599.988), 599.982 (renumbered to 599.989), 599.985 (renumbered to 599.990), 599.986 (renumbered to 599.991), 599.987 (renumbered to 599.992), 599.988 (renumbered to 599.993), 599.990 (renumbered to 599.994), 599.992 (renumbered to 599.995), 599.993 (renumbered to 599.996), 599.994 (renumbered to 599.997), 599.995 (renumbered to 599.998)

07/16/15 AMEND: 548.42, 548.124  
 07/15/15 AMEND: 59640  
 07/15/15 AMEND: 18404.2  
 07/10/15 AMEND: 18700, 18700.1, 18700.3, 18701, 18702, 18702.2, 18702.4, 18747  
 06/22/15 ADOPT: 18700.3, 18707 AMEND: 18704 REPEAL: 18704.1, 18704.2, 18704.3, 18704.4, 18704.5, 18704.6  
 06/22/15 AMEND: 18361.7  
 06/16/15 AMEND: 39000, 39001, 39002  
 06/02/15 AMEND: 10001, 10002, 10005, 10006, 10007, 10008, 10009, 10011, 10012, 10013, 10015, 10021, 10022, 10024, 10025, 10029, 10030, 10031, 10033, 10035, 10037, 10038, 10039, 10041, 10042, 10046, 10047, 10050, 10053, 10054, 10056, 10057, 10061, 10062, 10063, 10065  
 05/27/15 ADOPT: 61100, 61101, 61102, 61103, 61104, 61105, 61106, 61107, 61108, 61109, 61120, 61121, 61122, 61130, 61131, 61132, 61140  
 05/18/15 AMEND: 18703 REPEAL: 18703.2, 18703.4, 18703.5, 18707, 18707.1, 18707.2, 18707.4, 18707.5, 18707.6, 18707.7, 18707.9, 18707.10  
 05/04/15 ADOPT: 1701, 1702 AMEND: 1700  
 04/27/15 AMEND: 18700, 18700.1, 18700.2, 18700.3, 18701, 18701.1, 18702, 18702.1, 18702.2, 18702.3, 18702.4, 18702.5, 18703.3, 18704, 18704.1, 18704.2, 18704.3, 18704.4, 18704.5, 18704.6, 18705, 18705.1, 18705.2, 18705.3, 18705.4, 18705.5, 18706, 18706.1, 18708, 18709  
 04/09/15 AMEND: 57400  
 04/08/15 AMEND: 212  
 04/07/15 ADOPT: 59780  
 04/02/15 AMEND: 18215  
 04/02/15 AMEND: 18530.4, 18530.45

**Title 3**

08/27/15 AMEND: 3435  
 08/26/15 AMEND: 6502  
 08/20/15 AMEND: 3435(b)  
 08/17/15 AMEND: 2100  
 08/14/15 ADOPT: 450, 450.1, 450.2, 450.3, 450.4, 451, 452  
 08/10/15 AMEND: 6148, 6148.5, 6170, 6216  
 08/10/15 AMEND: 3435(b)  
 08/10/15 AMEND: 3435(b)  
 08/06/15 AMEND: 3435(b)  
 08/04/15 AMEND: 3435(b)  
 07/21/15 AMEND: 3439(b)  
 07/08/15 AMEND: 3435(b)

07/01/15 AMEND: 4603(i)  
 06/24/15 AMEND: 3435(b)  
 06/24/15 AMEND: 2751(b)  
 06/22/15 AMEND: 3435(b)  
 06/02/15 AMEND: 3591.11(a)  
 05/28/15 AMEND: 3435(b)  
 05/19/15 ADOPT: 3441  
 05/13/15 AMEND: 3435(b)  
 05/08/15 AMEND: 3435(b)  
 05/06/15 AMEND: 3435(b)  
 05/06/15 AMEND: 6400  
 04/30/15 AMEND: 3435(b)  
 04/30/15 AMEND: 3435  
 04/16/15 AMEND: 6512  
 04/15/15 ADOPT: 6738.1, 6738.2, 6738.3, 6738.4 AMEND: 6000, 6702, 6720, 6724, 6738, 6739, 6764, 6771, 6793, 6795 REPEAL: 6486.7, 6736  
 04/09/15 AMEND: 3435(b)  
 04/08/15 AMEND: 3435(b)  
 04/06/15 AMEND: 3

**Title 4**

08/31/15 AMEND: 1844  
 08/19/15 AMEND: 1433  
 07/31/15 ADOPT: 1866.1 AMEND: 1844  
 07/28/15 AMEND: 10325  
 07/23/15 AMEND: 1632  
 07/22/15 AMEND: 400, 401, 402, 403, 404, 405, 406  
 07/15/15 AMEND: 1588  
 07/02/15 AMEND: 5205, 5230, 5170  
 06/04/15 ADOPT: 1891.1  
 05/19/15 ADOPT: 8130, 8131, 8132, 8133, 8134, 8135, 8136, 8137, 8138  
 05/07/15 AMEND: 10325  
 05/07/15 AMEND: 10315, 10322, 10325, 10327  
 05/04/15 AMEND: 8035(e)-(f)  
 04/27/15 AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.11  
 04/21/15 AMEND: 150  
 04/09/15 AMEND: 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10187  
 04/07/15 AMEND: 87102, 87455, 87465, 87469, 87615, 87616, 87632, 87633  
 04/06/15 ADOPT: 10080, 10081, 10082, 10083, 10084, 10085, 10086, 10087  
 04/06/15 AMEND: 278

**Title 5**

07/30/15 ADOPT: 71105, 71105.5, 71410, 71471, 71775, 71775.5, 74240, 74250, 75140 AMEND: 70000, 71400, 71650, 75150  
 07/20/15 ADOPT: 80054.1 AMEND: 80054  
 05/21/15 AMEND: 19810

05/18/15 AMEND: 19810

**Title 8**

08/28/15 AMEND: 3411

08/27/15 AMEND: 8397.4

08/27/15 AMEND: 1710

08/24/15 AMEND: 9810, 9811, 9812, 9814, 9815, 9881.1, 10139 REPEAL: 9813

08/20/15 AMEND: 14300.2

08/12/15 AMEND: 30, 30.5, 31.1, 100, 104, 105, 106, 109

08/10/15 AMEND: 333, 336

07/30/15 ADOPT: 5184 AMEND: 5185

07/06/15 AMEND: 5530, 5568, 5572, 5574, 5575, 5621, 2540.7, 2540.8

04/30/15 ADOPT: 9980, 9981, 9982, 9983 AMEND: 9990, 9992, 10208.7 REPEAL: 9994

04/30/15 AMEND: 4345, 4351, 4352, 4354

04/30/15 AMEND: 1618.1(e)

04/20/15 ADOPT: 9792.21.1, 9792.25.1 AMEND: 9792.20, 9792.21, 9792.23, 9792.24.1, 9792.24.3, 9792.25, 9792.26

04/06/15 AMEND: 9701, 9702

04/06/15 ADOPT: 17300, 17301, 17302, 17303, 17304, 17305, 17306, 17307, 17308, 17309, 17310

04/03/15 AMEND: 3395

**Title 9**

08/31/15 AMEND: 881

08/26/15 AMEND: 513, 524, 530, 541, 553, 620, 620.1, 1900, 1901, 1904, 1913, 1921

08/24/15 AMEND: 1810.110, 1810.214, 1810.215, 1810.218, 1810.219, 1810.223.5, 1810.224, 1810.230, 1810.236, 1810.237, 1810.239, 1810.246, 1810.252, 1810.355, 1810.380, 1810.425, 1820.110, 1820.115, 1820.200, 1830.115, 1840.100, 1840.210, 1840.302, 1840.312, 1850.210, 1850.213, 1850.505, 1850.515, 1850.520, 1850.530, 1850.535 REPEAL: 1810.214.1

07/16/15 ADOPT: 3200.182, 3200.183, 3200.184, 3510.020, 3580, 3580.010, 3580.020, 3900, 3905, 3910, 3910.010, 3910.015, 3910.020, 3915, 3925, 3930, 3935

06/15/15 AMEND: 4210

06/01/15 ADOPT: 4530, 4530.1, 4530.2, 4530.3, 4530.4, 4530.5, 4530.6, 4530.7, 4530.8, 4530.9, 4530.10, 4530.11, 4530.12

05/27/15 AMEND: 7400

**Title 10**

08/19/15 AMEND: 1422.6.1, 1422.6.3, 1950.122.5.1, 1950.122.5.3

08/11/15 ADOPT: 80.125.10, 80.129, 80.158.10, 80.166.10, 80.4100.10, 80.4105.10, 80.4105.11, 80.4118.10, 80.4118.11, 80.4305, 80.5100, 80.5200.1, 80.5210, 80.5304.1, 80.5305, 95.600 AMEND: 80.1, 80.2, 80.3, 80.4, 80.5, 80.6, 80.7, 80.8, 80.9, 80.100, 80.125, 80.126, 80.150, 80.151, 80.152, 80.153, 80.154, 80.155, 80.156, 80.157, 80.158, 80.159, 80.160, 80.161, 80.162, 80.163, 80.164, 80.165, 80.166, 80.167, 80.168, 80.169, 80.170, 80.172, 80.173, 80.174, 80.175, 80.176, 80.177, 80.3000, 80.3001, 80.3002, 80.4000, 80.4100, 80.4101, 80.4102, 80.4103, 80.4104, 80.4105, 80.4106, 80.4107, 80.4108, 80.4109, 80.4111, 80.4113, 80.4115, 80.4117, 80.4118, 80.4119, 80.4120, 80.4121, 80.4123, 80.4124, 80.4125, 80.4126, 80.4127, 80.4200, 80.4201, 80.4300, 80.4301, 80.4302, 80.4303, 80.4304, 80.4308, 80.4309, 80.4310, 80.4311, 80.4312, 80.4313, 80.5000, 80.5200, 80.5201, 80.5300, 80.5301, 80.5302, 80.5303, 80.5304, 95.5025, 95.5030 REPEAL: 80.127, 80.171, 80.4110, 80.4112, 80.4114, 80.4037, 80.5202, 95.2, 95.3, 95.5010

07/29/15 AMEND: 5350, 5353, 5354, 5354.1, 5356, 5357.1, 5357.2, 5358.6, 5358.7, 5358.10 REPEAL: 5358.1

07/29/15 AMEND: 5350, 5357.1

07/27/15 ADOPT: 2240.15, 2240.16, 2240.6, 2240.7 AMEND: 2240, 2240.1, 2240.4, 2240.5

07/06/15 ADOPT: 6850, 6852, 6854, 6856, 6858, 6860, 6862, 6864, 6866, 6868

06/29/15 ADOPT: 2194.18, 2194.19, 2194.20, 2194.21, 2194.22, 2194.23, 2194.24, 2194.25, 2194.26

06/15/15 ADOPT: 6432

05/26/15 ADOPT: 2563

05/11/15 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, 6622

**CALIFORNIA REGULATORY NOTICE REGISTER 2015, VOLUME NO. 37-Z**

04/27/15 REPEAL: 3530  
04/27/15 ADOPT: 6900, 6901, 6902, 6903, 6904,  
6905, 6906, 6907, 6908  
04/13/15 ADOPT: 5508, 5509, 5510, 5511, 5512,  
5513, 5514, 5515, 5516

**Title 11**

08/31/15 ADOPT: 4250, 4251, 4252, 4253, 4254,  
4255, 4256, 4257, 4258, 4259  
08/26/15 AMEND: 1011  
08/17/15 AMEND: 1009  
06/24/15 AMEND: 1005, 1007, 1008  
06/02/15 AMEND: 999.5  
05/13/15 AMEND: 51.14  
05/13/15 AMEND: 51.17  
05/13/15 AMEND: 51.22

**Title 13**

08/12/15 AMEND: 268.12, 285.06, 330.08  
07/29/15 AMEND: 125.00, 125.02, 125.12,  
125.16, 125.18, 125.20, 126.00, 127.00,  
127.08 REPEAL: 126.02  
06/19/15 ADOPT: 16.00, 16.02, 16.04, 16.06,  
16.08, 16.10, 16.12, 16.14  
05/29/15 ADOPT: 1153 AMEND: 1150.1, 1150.2,  
1151.1, 1151.2, 1151.3, 1151.4, 1151.5,  
1151.5.1, 1151.6, 1151.7, 1151.8,  
1151.8.1, 1151.8.2, 1151.8.3, 1151.8.4,  
1151.9, 1151.9.1, 1151.10, 1151.10.1,  
1152.1, 1152.2, 1152.2.1, 1152.3,  
1152.3.1, 1152.4, 1152.4.1, 1152.4.2,  
1152.5, 1152.6, 1152.6.1, 1152.7,  
1152.7.1 REPEAL: 1152.8  
04/09/15 AMEND: 2620, 2621, 2622, 2623, 2624,  
2625, 2626, 2627, 2628, 2629

**Title 14**

08/31/15 AMEND: 4800  
08/21/15 AMEND: 18660.5, 18660.6, 18660.21,  
18660.22, 18660.23, 18660.24  
08/04/15 AMEND: 13055  
07/31/15 ADOPT: 662  
07/29/15 AMEND: 27.65, 28.38  
07/23/15 AMEND: 816.03  
07/21/15 ADOPT: 18959, 18960, 18961, 18962,  
18963, 18964, 18965, 18966, 18967,  
18968, 18969, 18970, 18971  
07/13/15 AMEND: 1038, 1052.1  
07/10/15 ADOPT: 748.5  
07/02/15 ADOPT: 8.01  
07/01/15 AMEND: 7.50  
06/26/15 ADOPT: 250.1 AMEND: 311, 353, 464,  
465, 475, 485 REPEAL: 355  
06/24/15 AMEND: 165  
06/22/15 ADOPT: 364.1 AMEND: 360, 361, 362,  
363, 364, 702, 708.5, 708.11, 713  
06/22/15 AMEND: 1665.7

06/22/15 AMEND: 895.1, 1038, 1038.2  
06/04/15 AMEND: 7.50  
05/28/15 AMEND: 3550.14  
05/21/15 AMEND: 708.3, 708.10, 708.11  
05/01/15 AMEND: 27.80  
04/28/15 AMEND: 28.20, 28.95  
04/27/15 AMEND: 1273.01, 1273.02, 1273.05,  
1273.06, 1273.07, 1273.08, 1273.10,  
1273.11, 1274.01, 1274.09, 1275.00,  
1275.01, 1275.10, 1275.15, 1276.00,  
1276.03  
04/24/15 AMEND: 7.50  
04/20/15 ADOPT: 1760.1, 1779.1  
04/06/15 AMEND: 15411  
04/01/15 AMEND: Heading of Division 7  
04/01/15 AMEND: 1.73, 27.75, 27.80

**Title 15**

09/01/15 AMEND: 8113  
09/01/15 ADOPT: 3999.19  
08/26/15 ADOPT: 8115, 8116, 8116.1, 8117  
08/06/15 ADOPT: 8005 AMEND: 8004, 8004.2,  
8004.3  
07/31/15 AMEND: 3043, 3044  
07/27/15 ADOPT: 3410.2 AMEND: 3000, 3173.2,  
3287, 3410.1  
07/15/15 ADOPT: 1830.1, 1840.1, 1847.1, 1848.5,  
1849.1, 1850.1 AMEND: 1800, 1806,  
1812, 1814, 1830, 1831, 1840, 1847,  
1848, 1849, 1850, 1851, 1852, 1853,  
1854, 1856, 1860, 1866, 1867, 1868,  
1870, 1872, 1876, 1878, 1888, 1890,  
1892 REPEAL: 1857  
06/18/15 ADOPT: 1712.3, 1714.3, 1730.3, 1740.3  
AMEND: 1700, 1706, 1712.2, 1714.2,  
1730.2, 1731, 1740.2, 1747, 1747.1,  
1748, 1748.5, 1749, 1749.1, 1750,  
1750.1, 1751, 1752, 1753, 1754, 1756,  
1760, 1766, 1767, 1768, 1770, 1772,  
1776, 1778, 1788, 1790, 1792  
06/17/15 AMEND: 3000, 3268, 3268.1, 3268.2  
06/02/15 AMEND: 3124  
06/01/15 ADOPT: 3335.5, 3341.1, 3341.2, 3341.3,  
3341.4, 3341.5, 3341.6, 3341.7, 3341.8,  
3341.9 AMEND: 3000, 3044, 3269,  
3269.1, 3335, 3336, 3337, 3338, 3339,  
3340, 3341, 3341.5, 3342, 3343, 3344  
05/29/15 ADOPT: 8113  
05/26/15 ADOPT: 8100, 8102, 8104, 8105, 8106,  
8107, 8108, 8110, 8111, 8112, 8114,  
8118, 8119, 8119.1, 8120 AMEND: 8000  
05/26/15 AMEND: 2275  
05/26/15 AMEND: 233  
04/30/15 AMEND: 3006, 3134.1, 3135  
04/27/15 ADOPT: 3999.18

04/22/15 AMEND: 3001, 3042, 3043, 3084.7,  
3379,3768.2  
04/16/15 ADOPT: 3410.1 AMEND: 3173.2

**Title 16**

08/31/15 AMEND: 1364.10, 1364.12, 1364.13,  
1364.14  
08/24/15 AMEND: 12, 12.5, 37  
08/20/15 AMEND: 3305  
08/20/15 AMEND: 1417  
08/19/15 ADOPT: 2744, 2744.1  
08/18/15 ADOPT: 309, 309.1, 309.2, 309.3, 309.4  
08/06/15 AMEND: 109  
08/03/15 AMEND: 19  
07/27/15 AMEND: 2517.5, 2575.5  
07/23/15 AMEND: 98  
06/29/15 AMEND: 961  
06/25/15 AMEND: 1313.01, 1313.02, 1313.03,  
1313.04, 1313.05, 1313.06  
06/23/15 AMEND: 1888  
06/10/15 AMEND: 1388, 1388.6, 1389, 1392  
06/02/15 ADOPT: 1399.469.1, 1399.469.2  
AMEND: 1399.405, 1399.419  
04/10/15 ADOPT: 1746.3  
04/09/15 ADOPT: 1399.326, 1399.329, 1399.343,  
1399.344, 1399.345, 1399.346 AMEND:  
1399.301, 1399.350, 1399.351,  
1399.352, 1399.395  
04/09/15 AMEND: 4161  
04/08/15 AMEND: 3306, 3310, 3340.10, 3351.1  
04/01/15 ADOPT: 914.1, 914.2 AMEND: 918,  
921, 921.1, 921.2

**Title 17**

06/15/15 30104, 30110, 30118, 30126, 30145,  
30145.1, 30146, 30131, 30336.8, 30408,  
30409, 30456.8, 30535  
06/05/15 AMEND: 100500

**Title 17, 22**

06/15/15 AMEND: 30104, 30110, 30118, 30126,  
30145, 30145.1, 30146, 30231, 30336.8,  
30408, 30409, 30456.8, 30535  
06/02/15 ADOPT: 60002 AMEND: 7583, 7601,  
7604, 7626, 7629, 60313, 64212, 64213,  
64214, 64251, 64252, 64254, 64257,  
64260, 64400.34, 64400.50, 64402,  
64412, 64414, 64415, 64416, 64421,  
64422, 64423, 64423.1, 64424, 64425,  
64426, 64426.1, 64426.5, 64427, 64432,  
64432.1, 64432.2, 64432.3, 64432.8,  
64433, 64433.2, 64433.3, 64433.7,  
64433.8, 64434, 64442, 64443, 64445,  
64445.1, 64445.2, 64447, 64448, 64449,  
64449.2, 64449.4, 64449.5, 64463,  
64463.1, 64463.4, 64463.7, 64465,  
64469, 64470, 64481, 64482, 64483,

64533, 64533.5, 64534, 64534.2,  
64534.8, 64535.2, 64535.4, 64536,  
64536.2, 64536.6, 64537, 64537.2,  
64537.4, 64551.100, 64554, 64556,  
64558, 64560, 64572, 64582, 64583,  
64585, 64593, 64600, 64604, 64650,  
64651.10, 64651.32, 64651.91, 64652.5,  
64653, 64653.5, 64656, 64656.5, 64658,  
64659, 64660, 64661, 64662, 64663,  
64664, 64664.2, 64665, 64666 REPEAL:  
60400, 60401, 60402, 60403, 60404,  
60405, 60406, 60407, 60410, 60415,  
60425, 60435, 60440, 60445, 60450,  
60455, 60460, 60465, 60470, 60475,  
64197

**Title 18**

07/27/15 ADOPT: 474  
06/25/15 AMEND: 1591  
06/25/15 AMEND: 308.6  
05/13/15 AMEND: 1685.5  
05/06/15 AMEND: 1598.1  
05/06/15 AMEND: 1533.2  
04/30/15 AMEND: 1621

**Title 20**

08/20/15 AMEND: 1602, 1604, 1605.1, 1605.3,  
1606  
08/19/15 AMEND: 1602, 1604, 1605.1, 1605.3,  
1606  
06/25/15 AMEND: 3.3  
06/09/15 AMEND: 1682  
05/29/15 ADOPT: 1609  
05/21/15 AMEND: 3103  
05/15/15 AMEND: 1601, 1602, 1604, 1605.1,  
1605.2, 1605.3, 1606

**Title 22**

08/26/15 AMEND: 51516.1  
08/17/15 AMEND: 97174  
08/17/15 ADOPT: 51000.9.5, 51000.15.5,  
51000.24.3, 51000.24.4, 51000.24.4.1,  
51000.24.5, 51000.24.8, 51000.70,  
51000.75 AMEND:  
51000, 51000.7, 51000.20, 51000.30,  
51000.31, 51000.35, 51000.40,  
51000.45, 51000.60, 51051, 51341.1  
07/23/15 AMEND: 97177.15, 97244  
07/16/15 AMEND: 60301.400, 60301.800, 60310,  
64431, 64432, 64482  
07/14/15 AMEND: 51341.1  
06/24/15 ADOPT: 50188  
06/10/15 AMEND: 72443, 72449, 72467  
06/03/15 AMEND: 66262.12(b)  
06/01/15 AMEND: 101169(d)(18), 101225(f),  
101425(d)(2)  
05/27/15 AMEND: 72516, 73518

**CALIFORNIA REGULATORY NOTICE REGISTER 2015, VOLUME NO. 37-Z**

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05/20/15 AMEND: 52000  
05/12/15 ADOPT: 51193.1, 51193.3 AMEND:  
51051, 51113, 51311, 51511.6, 51531  
04/30/15 AMEND: 97232  
04/07/15 AMEND: 51516.1

**Title 23**

07/06/15 ADOPT: 876  
06/23/15 ADOPT: 35270 AMEND: 35037, 35181,  
35183, 35184, 35269, 35271, 35273  
06/19/15 ADOPT: 3949.11  
06/19/15 ADOPT: 7125.1 AMEND: 7113, 7116,  
7118, 7119, 7125, 7127  
05/19/15 AMEND: 2919  
05/19/15 ADOPT: 3949.10  
05/18/15 ADOPT: 863, 864, 865, 866  
05/15/15 AMEND: 2916  
05/04/15 AMEND: 3939.21  
05/04/15 AMEND: 3939.18, 3939.20  
04/22/15 ADOPT: 600, 600.1, 600.2, 600.3, 600.4,  
601, 602, 603, 603.5, 604, 605, 606,  
607.1, 607.2, 607.3, 608.1, 608.2, 608.3,  
610.1, 610.2, 610.3, 610.4, 610.5, 610.6,  
610.7, 610.8, 610.9, 610.10, 610.11,  
612.1, 612.2, 612.3, 612.4, 612.5, 612.6,  
612.61, 612.62, 612.63, 612.64, 612.65,  
612.66, 612.67, 615.1, 615.2, 615.3, 618,  
620, 625.1, 625.2, 625.3, 625.4, 625.5,  
625.6, 625.7, 635.0

**Title 25**

05/26/15 ADOPT: 6932 REPEAL: 6932

**Title 27**

07/06/15 ADOPT: 25904

**Title MPP**

07/20/15 ADOPT: 42-708, 42-709 AMEND:  
42-302, 42-701, 42-711, 42-712,  
42-714, 42-716, 42-720, 42-721,  
42-722, 42-802, 42-1009, 42-1010,  
44-111

06/29/15 ADOPT: 42-749 AMEND: 41-440,  
42-711, 42-716, 44-207

06/17/15 ADOPT: 40-039 AMEND: 22-071,  
22-072, 22-305, 40-103, 40-105,  
40-107, 40-119, 40-125, 40-128,  
40-173, 40-181, 40-188, 40-190,  
41-405, 42-209, 42-213, 42-221,  
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, 44-315, 44-316,  
44-318, 44-325, 44-327, 44-340,  
44-350, 44-352, 48-001, 80-301,  
80-310, 82-612, 82-812, 82-820,  
82-824, 82-832, 89-110, 89-201

05/12/15 AMEND: 31-502

05/06/15 AMEND: 31-502