



California Regulatory Notice Register

REGISTER 2020, NUMBER 15-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

APRIL 10, 2020

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

CALIFORNIA REGULATORY NOTICE REGISTER is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 328-4880. The Register can also be accessed at <http://www.oal.ca.gov>.

PROPOSED ACTION ON REGULATIONS

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (department) proposes to amend Section 272.02 in Article 4.2, Chapter 1, Division 1, Title 13 of the California Code of Regulations, related to business records maintained by vehicle dealers.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than **May 25, 2020**, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to amend these regulations under the authority granted by Vehicle Code section 1651, in order to implement, interpret, or make specific Vehicle Code sections 320, 1801.1, 4456, 11709, 11712, and 11714.

Vehicle Code section 11700 prohibits a person from acting as a vehicle dealer unless they have first been issued an occupational license through the department. Vehicle Code section 4456 establishes the process by which a dealer is required to notify the department of a vehicle that has been sold. Vehicle Code section 1801.1 allows the department to accept a document to be submitted using electronic media instead of the actual submittal of the original documents.

Section 272.00 of Article 4.2, Chapter 1, Division 1, Title 13 of the California Code of Regulations requires a licensed vehicle dealer to maintain documents related to the purchase, sale, rental or lease of a vehicle for a period of no less than three years. As currently written, Section 272.02 requires those original documents to be maintained at the dealer’s principal place of business or branch location for at least 18 months after the purchase, sale, rental, or lease of a vehicle. Once the 18 month onsite retention period has been met, the dealer may maintain the original business documents at an off-site storage location within California, provided the documents are retrievable within three days when requested by the department. Section 272.02 also authorizes the licensed vehicle dealer to create an electronic copy of the original business documents at any time after the initial 18 month retention period has been met. Documents stored electronically are also required to be retrievable within three days, when requested by the department. (Note: When referencing ‘original’ business documents, it is generally understood between the department and its licensed vehicle dealers that an ‘original’ document is that which contains the ‘wet’ signature of the parties involved in the purchase, sale, rental or lease of a vehicle.)

The department is proposing to amend Section 272.02 to reduce the onsite storage of original business documents from 18 months to 90 days. This action will benefit licensed dealers in California by relieving them from the economic burden of storing paper records while also recognizing electronic storage options.

CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS

The department conducted a review of other regulations and has determined there are no other regulations related to the document retention requirements for licensed vehicle dealers. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

COMPARABLE FEDERAL STATUTES OR
STATE REGULATIONS

This action amends record retention rules for licensed vehicle dealers in California. While there are other state and federal rules related to documentation required when a person purchases, sells, rents or leases a vehicle, this action has no impact on those rules. Therefore, the department has determined that there are no comparable federal statutes or state regulations.

DOCUMENTS INCORPORATED
BY REFERENCE

There are no documents incorporated by reference.

ECONOMIC AND FISCAL IMPACT
DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- *Cost or Savings to Any State Agency:* None.
- *Other Non-Discretionary Cost or Savings to Local Agencies:* None.
- *Costs or Savings in Federal Funding to the State:* None.
- *Effects on Housing Costs:* None.
- *Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code section 17500 et seq.:* None.
- *Cost Impact on Representative Private Persons or Businesses:* This action does not impose any costs on representative private persons or businesses. This action only amends record retention requirements and is not intended to have any cost impact on private persons or businesses.
- *Small Business Impact:* This proposed action may have a positive impact on small businesses by allowing them to transfer vehicle transaction records to an offsite location or transfer records to an electronic version 90 days after the transaction rather than 18 months.
- *Local Agency/School District Mandate:* The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- *Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:* This regulation will not

have an adverse economic impact on businesses. This proposed regulation is likely to have a positive economic impact on licensed vehicle dealers in California by potentially reducing the costs associated with storing paper documents and reducing document reproduction costs.

RESULTS OF THE
ECONOMIC IMPACT STATEMENT

The department has made the following determinations when assessing the economic impact associated with this proposed regulation:

The department has determined that this action will not impact 1) the creation or elimination of jobs within the State of California, 2) the creation or elimination of existing businesses within the State of California, or 3) the expansion of businesses currently doing business within the State of California, or 4) worker safety or the state's environment.

This action will likely benefit California's vehicle dealer industry by allowing vehicle dealers greater control over their record retention practices by reducing the length of time a dealer is required to retain vehicle purchase documentation at their principal place of business or branch location.

PUBLIC DISCUSSIONS OF
PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

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

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Randi Calkins, Regulations Analyst
 Department of Motor Vehicles
 Legal Affairs Division
 PO Box 932382, MS C-244
 Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 657-8898
 Facsimile: (916) 657-6243
 E-Mail: LADRegulations@dmv.ca.gov

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

Shelly Johnson Marker, Chief of Staff
 Department of Motor Vehicles
 Telephone: (916) 657-6469

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikeout to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, and Express Terms) may be accessed at <http://www.dmv.ca.gov/portal/dmv/detail/about/lad/regactions>.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person

identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

“LICENSED TIMBER OPERATOR (LTO) EDUCATION AND LIMITED LICENSED TIMBER OPERATOR (LTO)”

Title 14 of the California Code of Regulations (14 CCR), Division 1.5, Chapter 4, Subchapter 7, Article 1

NATURE OF PROCEEDING

Notice is hereby given that the California State Board of Forestry and Fire Protection (Board) is proposing to take the action described in the Informative Digest.

PUBLIC HEARING

The Board will hold a public hearing on June 10, 2020, at its regularly scheduled meeting commencing at 9:00 a.m., at the Natural Resources Building Auditorium, 1416 9th Street, Sacramento, CA. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. Additionally, pursuant to **Government Code (GOV) § 11125.1(b)**, writings that are public records pursuant to **GOV § 11125.1(a)** and that are distributed to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends on at the conclusion of the public hearing on June 10, 2020.

The Board will consider only written comments received at the Board office by that time and those written

comments received at the public hearing, including written comments submitted in connection with oral testimony at the public hearing. The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Eric Hedge
Regulations Program Manager
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA 95814

Written comments may also be sent to the Board via facsimile at the following phone number: (916) 653-0989.

Written comments may also be delivered via e-mail at the following address: PublicComments@BOF.ca.gov.

AUTHORITY AND REFERENCE

(pursuant to GOV § 11346.5(a)(2) and 1 CCR § 14)

Authority cited: Sections 4551, 4553 and 4572, Public Resources Code. Reference: Sections 4524, 4570, 4571, 4572 and 4577, Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

(pursuant to GOV § 11346.5(a)(3)(A)-(D))

Pursuant to the Z'berg-Nejedly Forest Practice Act of 1973 (FPA, PRC § 4511, *et seq.*), the Board of Forestry and Fire Protection (Board) is authorized to construct and maintain an effective and comprehensive system of forest practice regulations applicable to timber management on state, municipal and private timberlands.

PRC § 4571 requires that any person who engages in timber operations (defined within PRC § 4527) must first obtain a license (PRC § 4524) to do so from the Board, to be issued in accordance with the licensing requirements identified within the FPA (PRC § 4570 *et seq.*).

PRC § 4571 additionally provides for the issuance of a “limited timber operator license” for the commercial cutting or removal of the specific forest products of Christmas trees, treebark, fuelwood, root crown burls, posts, or split products.

PRC § 4572 identifies numerous conditions and requirements for applicants of a timber operator license, including experience and insurance requirements. PRC § 4572 additionally includes an exemption from those insurance policy and experiential requirements (for first time applicants) for an applicant who owns the land upon which the timber operations are to be conducted pursuant to the license (PRC §§ 4572(b)(2)(B) and (c)(2)), and for those applicants for a limited timber operator license pursuant to PRC § 4571 (PRC § 4572(d)).

These various elements of the statutory timber operator licensing scheme result in three distinct license “types”: those who have no restrictions or limitations, those who have been issued a “limited” license and are only permitted to cut or remove certain specified forest products (PRC § 4571(b)), and those whose operations are restricted to lands which they own (PRC §§ 4572r(c)(2)).

The **problem** is that the regulatory implementation of these license “types” lacks clarity and consistency, particularly with regard to the “limited” and “restricted” licenses. The manner in which licenses may be obtained, issued, or basic conditional restrictions of these licenses is not clear or consistent within the regulations.

Additionally, the harvesting of the types of forest products permitted by a limited license are generally relatively minor operations which do not generally require extensive construction activities and are unlikely to cause any significant harm or damage, which is reflected in the exemptions from the experience requirements and insurance obligations of PRC § 4572 which are provided by PRC § 4572(d) for those applicants to a limited timber operator license. However, nothing currently prohibits those timber operators who possess a limited license from conducting more significant earth-moving activities which have the potential to cause significant damage or incur substantial liability for which commercial general liability insurance would be necessary. Such activities include the construction or reconstruction of logging roads and logging or tractor watercourse crossings, the abandonment or deactivation of logging roads or landings, and timberland conversion activities. These activities should be limited to those licensed timber operators who either possess the requisite general liability insurance described within PRC § 4572(c)(1)(A), or those licensed timber operators who are operating on their own property (restricted timber operator licensees).

Furthermore, PRC § 4572(b)(1) requires that all first-time license applicants must furnish to the Board proof of completion of certain education programs approved by the Board, but 14 CCR § 1024(k) provides that an applicant for a limited timber operator license may submit a questionnaire in place of an approved timber operator education program, which is inconsistent with the requirements of PRC § 4572(b)(1).

The **purpose** of the proposed action is to: 1) improve the clarity and consistency of the existing regulations surrounding timber operator licenses; 2) limit the activities permitted under a limited timber operator license to avoid excessive risk, given the lack of insurance obligations; 3) more clearly implement those conditional requirements within PRC § 4572; and 4) make the educational requirement of applicants consistent across all types of timber operator licenses.

The **effect** of the proposed action is a regulatory scheme which provides three distinct license types as provided within Article 6 of the FPA, and improved clarity surrounding each of those license types, including those which were pre-existing. Additionally, the proposed action will standardize educational requirements for all license type applicants.

The **benefit** of the proposed action is an improved licensing process for all applicants which clearly identifies the means by which licenses may be issued and the basic conditional restrictions on those licenses. The regulations will benefit the environment through the implementation of required educational component for types of licenses which will promote increased awareness of the Forest Practice Rules and the provisions contained within, which are intended to protect and enhance the environment.

There is no comparable Federal regulation or statute.

Board staff conducted an evaluation on whether or not the proposed action is inconsistent or incompatible with existing State regulations pursuant to **GOV § 11346.5(a)(3)(D)**. State regulations related to the proposed action were, in fact, relied upon in the development of the proposed action to ensure the consistency and compatibility of the proposed action with existing State regulations. Otherwise, Board staff evaluated the balance of existing State regulations related to the licensing of timber operators within State regulations that met the same purpose as the proposed action. Based on this evaluation and effort, the Board has determined that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The proposed regulation is entirely consistent and compatible with existing Board rules.

Statute to which the proposed action was compared: 4570, 4571, 4572, 4573, 4574, 4575, 4576, 4576.1, 4577 and 4578, Public Resources Code.

MANDATED BY FEDERAL
LAW OR REGULATIONS

The proposed action is not mandated by Federal law or regulations.

The proposed action neither conflicts with, nor duplicates, Federal regulations.

There are no comparable Federal regulations related to management plans for the non-industrial harvesting of timber. No existing Federal regulations meeting the same purpose as the proposed action were identified.

OTHER STATUTORY REQUIREMENTS
(pursuant to GOV § 11346.5(a)(4))

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

LOCAL MANDATE
(pursuant to GOV § 11346.5(a)(5))

The proposed action does not impose a mandate on local agencies or school districts.

FISCAL IMPACT
(pursuant to GOV § 11346.5(a)(6))

There is no 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 the Government Code.

A local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by the act, within the meaning of Section 17556 of the Government Code.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

The proposed action will not result in costs or savings in Federal funding to the State.

The proposed action will not result in costs to any State agency. The proposed action represents a continuation of existing forest practice regulations related to the licensing of persons to conduct timber operations and will result in any direct or indirect costs or savings to any state agency.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

HOUSING COSTS
(pursuant to GOV § 11346.5(a)(12))

The proposed action will not significantly affect housing costs.

**SIGNIFICANT STATEWIDE
ADVERSE ECONOMIC IMPACT
DIRECTLY AFFECTING BUSINESS,
INCLUDING ABILITY TO COMPETE**
(pursuant to GOV §§ 11346.3(a),
11346.5(a)(7) and 11346.5(a)(8))

The proposed action 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 proposed action will result in a minor increase in the cost of licensing for the completion of a timber operator education program for those first-time applicants for a limited timber operator license. Businesses and Individuals will be subject to this cost. However, businesses are not expected to expand or contract as a result of these amendments. Although the proposed action will likely increase the cost of obtaining a limited license, it is not expected that the proposed action will be so economically expensive that it will result in contraction of businesses or so time consuming that it will result in an expansion of businesses.

**FACTS, EVIDENCE, DOCUMENTS,
TESTIMONY, OR OTHER EVIDENCE
RELIED UPON TO SUPPORT INITIAL
DETERMINATION IN THE NOTICE THAT THE
PROPOSED ACTION WILL NOT HAVE A
SIGNIFICANT ADVERSE ECONOMIC
IMPACT ON BUSINESS**
(pursuant to GOV § 11346.2(b)(5) and
GOV § 11346.5(a)(8))

Contemplation by the Board of the economic impact of the provisions of the proposed action through the lens of the decades of contemplating fire safety in land use and development in California that the Board brings to bear on regulatory development.

**STATEMENTS OF THE RESULTS OF THE
ECONOMIC IMPACT ASSESSMENT (EIA)**

The results of the economic impact assessment are provided below pursuant to **GOV § 11346.5(a)(10)** and prepared pursuant to **GOV § 11346.3(b)(1)(A)–(D)**. The proposed action:

- Will not create jobs within California (GOV § 11346.3(b)(1)(A));
- Will not eliminate jobs within California (GOV § 11346.3(b)(1)(A));
- Will not create new businesses (GOV § 11346.3(b)(1)(B));

- Will not eliminate existing businesses within California (GOV § 11346.3(b)(1)(B));
- Will not affect the expansion or contraction of businesses currently doing business within California (GOV § 11346.3(b)(1)(C));
- Will yield nonmonetary benefits (GOV § 11346.3(b)(1)(D)). For additional information on the benefits of the proposed regulation, please see anticipated benefits found under the Informative Digest/Policy Statement Overview.

**COST IMPACTS ON REPRESENTATIVE
PERSON OR BUSINESS**
(pursuant to GOV § 11346.5(a)(9))

The agency estimates a cost impacts of approximately \$50 that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

BUSINESS REPORT
(pursuant to GOV §§ 11346.5(a)(11) and 11346.3(d))

The proposed action does not impose a business reporting requirement.

SMALL BUSINESS
(defined in GOV § 11342.610)

The proposed business may affect small business. Small business, pursuant to 1 CCR § 4(a):

- (1) Is legally required to comply with the regulation;
- (2) Is not legally required to enforce the regulation;
- (3) Does not derive a benefit from the enforcement of the regulation;
- (4) May incur a detriment from the enforcement of the regulation if they do not comply with the regulation.

ALTERNATIVES INFORMATION

In accordance with **GOV § 11346.5(a)(13)**, the Board must determine that no reasonable alternative it considers, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome 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.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, modified text of

the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: Eric Hedge
Regulations Program Manager
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-8007

The designated backup person in the event Mr. Hedge is not available is Matt Dias, Executive Officer for the Board of Forestry and Fire Protection. Mr. Dias may be contacted at the above address or phone.

AVAILABILITY STATEMENTS
(pursuant to GOV § 11346.5(a)(16), (18))

All of the following are available from the contact person:

1. Express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion.
2. Initial Statement of Reasons, which includes a statement of the specific purpose of each adoption, amendment, or repeal, the problem the Board is addressing, and the rationale for the determination by the Board that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed.
3. The information upon which the proposed action is based (pursuant to **GOV § 11346.5(b)**).
4. Changed or modified text. After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board 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 Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who testified at the hearings, submitted comments during the public comment period, including written and oral comments received at the public hearing, or requested notification of the availability of such changes from the Board of Forestry and Fire Protection. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

FINAL STATEMENT OF REASONS

When the Final Statement of Reasons (FSOR) has been prepared, the FSOR will be available from the contact person on request.

INTERNET ACCESS

All of the material referenced in the Availability Statements is also available on the Board website at: <https://bof.fire.ca.gov/regulations/proposed-rule-packages/>

**TITLE 19. OFFICE OF THE STATE
FIRE MARSHAL**

DEPARTMENT OF FORESTRY &
FIRE PROTECTION

DIVISION 1. STATE FIRE MARSHAL
CHAPTER 13. CALIFORNIA FIRE SERVICE
TRAINING AND EDUCATION PROGRAM
ARTICLE 2. GENERAL PROVISIONS

**FIRE SERVICE TRAINING AND
CERTIFICATION — FEE
INCREASE ADJUSTMENT**

NOTICE IS HEREBY GIVEN pursuant to Government Code, §11346.6, that the California Department of Forestry and Fire Protection — Office of the State Fire Marshal (“OSFM”) or (“SFM”) proposes to take the regulatory action described below in the Informative Digest implementing Title 19, Division 1, Chapter 13, Article 2 of the California Code of Regulations (CCR), related to adoption of a new fee structure related to certification and training standards for California fire service personnel, after considering public comments, objections, or recommendations regarding the proposed action.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action. Written comments will be accepted for at least 45 days **beginning April 10, 2020 and ending May 25, 2020**. The written comment period **closes at 12:00 a.m. (Pacific Time) on May 26, 2020**. All written comments received by that date and time will be considered and responded to as part of the compilation of the rulemaking file.

Submit comments to contact via:

- Email: diane.arend@fire.ca.gov (**include in the subject line of the email “State Fire Training Fee Increase, Comments”**); or

- US Mail:
**CAL FIRE/Office of the State Fire Marshal
PO Box 944246
Sacramento, CA 94244–2460
Attn: Diane Arend, Code Development & Analysis**
- Hand deliver to:
**CAL FIRE/Office of the State Fire Marshal
2251 Harvard Street, 4th Floor
Sacramento, CA 95815
Attn: Diane Arend, Code Development & Analysis
8:00 a.m. to 5:00 p.m.**

PUBLIC HEARING

The SFM has not scheduled a public hearing on this proposed action. However, the SFM will hold a public hearing to accept comments if a written request is received from any interested party or their authorized representative no later than 15 days before the close of the 45–day written comment period, pursuant to Government Code Section 11346.8. Submit requests to the contact person indicated below.

AUTHORITY AND REFERENCE

The State Fire Marshal is proposing this regulatory action pursuant to Health and Safety Code Section 13155 with reference to 13159(d), Health and Safety Code to verify that minimum curriculum requirements are being met pertaining to, facilities, and faculty standards for schools, seminars, or workshops operated by, or for the state, for the specific purpose of training fire service personnel. The proposed regulations implement, interpret, and make specific sections 13155 through and 13159.10 of the Health and Safety Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The broad objective of this proposed rulemaking action is to better define the regulatory requirements of the SFM Fire Service Training and Education Program and the enforcement and maintenance of those requirements for students, instructors and academies.

Specifically, this action proposes fee increase adjustments for the SFM Fire Service Training and Education Program for services provided for fire fighter training and certification. This rulemaking action proposes the amendment of Sections 1990.00, 1990.01, 1990.02, 1990.04, 1990.05, 1990.06, 1990.07, 1990.08, 1990.10, 1990.11, and 1990.12 in Chapter 13, Article 2 of Title 19, CCR.

The regulations proposed in this rulemaking action implement, interpret, clarify, and make specific Health and Safety Code §13157 by making the following changes:

- Provides editorial updates, changes without regulatory effect, identified in Title 19 California Code of Regulations.
- Updates the SFM fees for services provided. This includes revised certification exam fees information, and update to the list of fees for course registration and delivery, course certifications and renewal, exams, duplicate certification and certification reviews in Section 1990.12. Removes obsolete or retired course fees and certifications; adds replacements and adjustments. Adds new fees for services if did not have fees in the past.

Summary of Existing Laws

Health and Safety Code Section 13157 authorizes the California Fire Service Training and Education Program to be established in the Office of the State Fire Marshal and to:

- (a) Promulgate and adopt rules and regulations necessary for implementation of the program.
- (b) Establish the courses of study and curriculum to be used in the program.
- (c) Establish prerequisites for the admission of personnel who attend courses offered in the program.
- (d) Establish and collect admission fees and other fees that may be necessary to be charged for seminars, conferences, and specialized training given, which shall not be deducted from state appropriations for the purposes of this program.
- (e) Collect such fees as may be established pursuant to Health and Safety Code Section 13159.8

Summary of Existing Regulations

Existing regulations regarding the proposed changes establish the requirements in California Code of Regulations, Title 19, Division 1, Chapter 13 for the California Fire Service Training and Education Program.

The State Fire Marshal is proposing to amend CCR, Title 19, Chapter 13, Section 1990.12.

The SFM consulted with the Statewide Training and Education Advisory Committee (STEAC) along with the State Board of Fire Services (SBFS) for recommendations and analysis of the proposed amendments and they concur with this proposal. STEAC and SBFS reviewed and approved the State Fire Training Fee Report (September 2019). STEAC approved the proposed fee adjustments and the report at the meeting on July 12, 2019. SBFS approved the proposed fee adjustments at the meeting on September 12, 2019.

The July 12, 2019 STEAC Meeting Minutes are available online at <https://osfm.fire.ca.gov/media/9771/steac-draft-july-2019-minutes.pdf>

The September 12, 2019 SBFS Meeting Minutes are available online at <https://osfm.fire.ca.gov/media/10697/draft-minutes-09-12-2019.pdf>

Summary of Effect

The proposed regulations will require an applicant to appeal to the Assistant State Fire Marshal for alternative application to the methods and procedures when a written petition has been denied; and establish and collect admission fees and other fees that may be necessary to be charged for seminars, conferences, and specialized training given. These changes have no negligible effect on the training system.

Comparable Federal Statute or Regulations

There are no comparable federal regulations or statutes.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

The Office of the State Fire Marshal (OSFM) determined this proposed regulation is not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the OSFM has concluded that this is the only regulation that concerns firefighter training and education for the purposes cited in the Health and Safety Code Section 13157.

Objective and Anticipated Benefits

The broad objective of the proposed action is to accurately define the certification, diploma, business processes, and course fees associated with the current State Fire Training curriculum. The specific benefit anticipated from the regulation is the addition of current accurate course fees. These fees are necessary to ensure adequate SFT staffing, to expand national accreditation, maintain existing curriculum, and to develop new curriculum.

The SFM developed the regulations in cooperation and with the knowledge and approval of STEAC and SBFS and has sought out their recommendations and analysis of the proposed amendments. The advisory committees concurred with the proposal.

For additional benefits, see benefits analysis under the Results of the Economic Impact Analysis/Assessment.

**DOCUMENTS INCORPORATED
BY REFERENCE**

The following forms are incorporated by reference in the text of the proposed regulations in Section 1990.00(a):

1. Fee Schedule (July 2020)
 2. Instructor Registration Application (July 2020)
 3. Request for Course Scheduling (July 2020)
 4. Certification Examination (2019) Request (July 2020)
 5. Fire Fighter I (2019) Certification Upgrade Application (July 2020)
 6. Fire Fighter I (2019) Certification Reciprocity Application (July 2020)
- The following CTS Guides based on National Fire Protection Association (NFPA) Standards are incorporated by reference and added to the text of the proposed regulations in Section 1990.01:
7. Fire Fighter 1 (2019)
 8. Fire Fighter 2 (2019)
 9. Fire Inspector 1 (2014)
 10. Fire Inspector 2 (2014)

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

There are no other matters prescribed by statute applicable to the Office of the State Fire Marshal, or to any specific regulation or class of regulations. There are no other matters to identify.

**DISCLOSURES REGARDING THE
PROPOSED ACTION**

The State Fire Marshal has made the following initial determinations:

1. Mandate on local agencies and school districts: **None.**
2. Cost or savings to any other State agency: **None.**
3. Cost to any local agency or school district which must be reimbursed in accordance with Government Code, Sections 17500–17630: **None.**
4. Other non-discretionary cost or savings imposed upon local agencies: **None.**
5. Cost or savings in federal funding to the State: **None.**
6. Significant effect on housing costs: **None.**
7. Significant statewide adverse economic impact directly affecting business and individuals, including the ability of California businesses to compete with businesses in other States: The State Fire Marshal concluded that the adverse economic impact, including the ability of California businesses to compete with businesses in other states, will not be significant.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

There is no cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Participation in the State Fire Training system is voluntary.

SMALL BUSINESS DETERMINATION

The State Fire Marshal has made the initial determination that the amendments to these regulations will have no effect on small businesses and the State Fire Marshal has not identified any alternatives that would lessen any adverse impact, if any, on small businesses. The proposed regulation will not affect small business because the California Fire Service Training and Education Program targets governmental agencies that employ and/or train fire fighters. Some small businesses also provide training resources but these proposed regulations will not affect their operation or their ability to profit.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The SFM concludes that the adoption of these regulations *will not*:

- a) Create or eliminate jobs within California;
- b) Create new businesses or eliminate existing businesses within California; or
- c) Effect the expansion of businesses currently doing business within California

Benefits to Health and Welfare, Worker Safety, and the Environment:

- d) The State Fire Marshal has assessed that this regulatory proposal provides a direct benefit to the environment, protection of public health and safety of Californians by better preparing emergency responders. The regulations also provide for protection of the emergency response workers by establishing the knowledge, skills, and abilities necessary to perform their jobs safely and effectively by providing standardized training throughout the state.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(13), SFM must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the

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

The State Fire Marshal invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

BUSINESS REPORT

This regulatory proposal does not mandate any new reporting or recordkeeping requirements beyond the business practice that has already been established by the SFM.

CONTACT PERSON(S)

Inquiries concerning the proposed regulatory action, or requests for copies of the proposed text of the regulations, the initial statement of reasons, the modified text of the regulations or other information upon which the rulemaking is based may be directed to:

- CAL FIRE/Office of the State Fire Marshal:

General Inquiries:

Diane Arend, Senior Deputy SFM, Regulations Coordinator
(916) 568-2917
diane.arend@fire.ca.gov

Substantive or technical questions:

Caryn Petty, Deputy SFM, State Fire Training
(916) 662-0611
caryn.petty@fire.ca.gov

Chris Fowler, Supervising Deputy SFM, State Fire Training
(916) 508-4120
chris.fowler@fire.ca.gov

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The State Fire Marshal will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office indicated above. As of the date this notice is published in the Notice Register, the SFM's rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons for the proposed action, the economic impact assessment contained in the initial statement of reasons

and documents incorporated by reference or relied upon. Copies may be obtained through the contact person(s) at the address or telephone number listed above.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

After holding a public hearing, if requested, and considering all timely and relevant comments received by the State Fire Marshal, and following the 45-day comment period, the SFM may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text — with changes indicated — shall be made available to the public for at least 15 days before the SFM adopts, amends, or repeals the regulations as revised. The SFM will accept written comments on the modified regulations for 15 days after the date on which they are made available. To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modified regulations. Please send requests for copies of any modified regulations to the contact person.

The State Fire Marshal invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation during the written comment period.

AVAILABILITY OF THE FINAL
STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons (FSOR) may be obtained by making a written request to the contact person at the above address or by accessing the website listed below.

AVAILABILITY OF
DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action (NOPR), the Initial Statement of Reasons (ISOR), the Text of Proposed Regulations (ET) in underline and strikeout, and any other materials or documents incorporated by reference or relied upon may be accessed through the OSFM web address at: <http://osfm.fire.ca.gov/divisions/code-development-and-analysis/title-19-development/>.

**TITLE 24. BUILDING
STANDARDS COMMISSION**

**REGARDING THE 2019
CALIFORNIA PLUMBING CODE
TITLE 24, PART 5
(BSC 03/19)**

Note to agencies: The laws associated with the instructions in this form are found primarily in Government Code Section 11346.5 et sequentes. For clarity during the administrative review process, do not remove the headings or statutory references to applicable sections being completed.

Notice is hereby given that the California Building Standards Commission (BSC) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 5. The BSC is proposing building standards in the 2019 California Plumbing Code.

PUBLIC COMMENT PERIOD

Reference: Government Code Section 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 10, 2020, until 5:00 p.m. on May 26, 2020.**

Please address your comments to:

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

Written comments may also be emailed to 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 conducted by BSC 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

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, BSC 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 BSC adopts, amends, or repeals the regulation(s). BSC 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

Reference: Government Code Section 11346.5(a)(2).

CBSB proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18928, 18928(b), 18928.1, 18930.5, 18934.5, 18940.5, and 18941.8, and Water Code Section 14877.1. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 18928, 18928(b), 18928.1, 18930.5, 18934.5, 18940.5, and 18941.8, and Water Code Section 14877.1.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code Section 18928 authorizes BSC to adopt the most recent edition of the Uniform Plumbing Code.

HSC Section 18928(b) 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.

HSC Section 18928.1 specifies that building standards adopted or approved by the commission shall incorporate the text of the model codes, applicable national specifications, or published standards, in whole or in part, only by reference, with appropriate additions or deletions therefrom.

HSC Section 18930.5 states that if no state agency has the authority or expertise to propose green building standards applicable to a particular occupancy, the commission shall adopt, approve, codify, update, and publish green building standards for those occupancies.

HSC 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.

HSC Section 18940.5 authorizes BSC and other state agencies that propose green building standards for inclusion in Part 11 of Title 24 of the California Code of Regulations to the extent that it is feasible, reference or reprint the green building standards in other relevant portions of Part 2, 2.5, 3, 4, 5, or 6 of Title 24 of the California Code of Regulations.

HSC Section 18941.8 authorizes BSC to adopt building standards for the construction, installation, and alteration of graywater systems for indoor and outdoor uses in nonresidential occupancies.

Water Code Section 14877.1 specifies that the authority of the Department of Water Resources to adopt standards for nonresidential occupancies shall terminate upon the adoption of standards by the California Building Standards Commission pursuant to Section 18941.8 of the Health and Safety Code.

Summary of Existing Regulations

The existing 2019 California Plumbing Code (Part 5, Title 24, California Code of Regulations) incorporates, by adoption by the California Building Standards Commission, the 2018 Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials (IAPMO), with amendments for state buildings and buildings constructed by the University of California and California State Universities. Additional Building Standards Commission (BSC) amendments reference and/or reprint green building standards into the 2019 California Plumbing Code (CPC), as appropriate, pursuant to Health and Safety Code Section 18940.5. Relative to this proposal, BSC maintains existing amendments applicable to specified state buildings, as well as referenced and/or reprinted green building standards, as follows:

- Chapter 4: Flow rates, flush volumes, and plumbing fixture counts
- Chapter 15: Construction, alteration, discharge, use and repair of alternate water source systems for nonpotable applications
- Chapter 16: Installation, construction, alteration, and repair of nonpotable rainwater catchment systems

Summary of Effect

This proposal contains regulations that will affect specified state buildings, state colleges and universities, as well as green building standards reprinted in the California Plumbing Code pursuant to Health and Safety Code Section 18940.5 that will affect nonresidential buildings for which no other state agency has authority. Because this proposal makes only non-substantive, clarifying changes to existing code language there is no

intended change in regulatory effect (see initial Statement of Reasons for detailed rationale and benefits of each code change).

Comparable Federal Statute or Regulations

This proposal does not differ substantially from existing comparable federal regulations or statutes. Elements of this proposal align with the federal WaterSense standards for pre-rinse spray valves in commercial buildings, which is also consistent with Title 20 Appliance Efficiency regulations adopted by the California Energy Commission.

Policy Statement Overview

This proposal makes clarifying code changes that align with appropriate state and federal laws and regulations, including the federal WaterSense standards and the 2018 Uniform Plumbing Code. The benefits of this code change include clarifying code language that will produce sensible and usable state building standards that promote health and safety, consistent with BSC’s mission.

Evaluation of Consistency

This proposal aligns with specified Appliance Efficiency regulations in Title 20 of the California Code of Regulations, and reprints specified green building standards from Part 11 of Title 24 pursuant to Health and Safety Code Section 18940.5. BSC developed this proposal in coordination with the California Energy Commission, Department of Housing and Community Development, Division of the State Architect, and Department of Water Resources to ensure consistency. As such, this proposal is not inconsistent or incompatible with existing state regulation.

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

Reference: Government Code Section 11346.5(a)(4).
BSC 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**

Reference: Government Code Section 11346.5(a)(5).
BSC has determined that the proposed regulatory action would not impose a mandate on school districts. BSC does not have authority to impose building standards or regulations on school districts. While local agencies (e.g. city and county building departments) are

required to enforce the California Plumbing Code, this proposal does not impose new mandates that would require state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. This proposal makes only clarifying changes to existing code language and would have no change in regulatory effect.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

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

Estimate: BSC has determined that this proposed action makes only clarifying changes to existing code language and would have no change in regulatory effect. Any additional expenditure resulting from this proposed action would be minor and absorbable within the existing budget and resources of BSC. This proposal does not impose new mandates on local agencies that would require state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

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

Reference: 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.

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

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).

In making 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.

Regarding the proposal to align California Plumbing Code Section 420.3.1 with corresponding Appliance Efficiency regulations in Title 20 of the California Code of Regulations (pre-rinse spray valves), BSC coordinated with the California Energy Commission, Department of Housing and Community Development, Division of the State Architect, and the Office of Statewide Health Planning and Development to ensure consistency between Titles 20 and 24 and ensure compliance with federal WaterSense standards. Because this proposed code change aligns with existing law and regulation, BSC has determined that this regulation will not have a significant adverse economic impact on business.

Regarding the proposal to amend CPC *Table A* and Section 422.1, CBSC conducted a stakeholder workshop on August 27, 2019, which was attended by representatives from Plumbing and Heating Council of California, Department of Parks and Recreation, Contractors State License Board, Santa Barbara County Building Division, International Association of Plumbing and Mechanical Officials, California Building Industry Association, Department of Housing and Community Development, Division of the State Architect, International Code Council, Plumbing Manufacturers International, Sacramento County Building Division, Sutter Healthcare, and other members of the public. Based on comments and feedback received during this workshop, BSC is proposing this code change in coordination with the Division of the State Architect. Workshop comments were considered, then an emailing was dispatched of modified proposal information on September 25, 2019 to attendees and interested parties, asking for further input. Additionally, economic impact information/opinions were specifically solicited. To date, BSC has not received any responsive comments. Anticipated economic impact on businesses under this proposal is considered insignificant.

Regarding the proposal to amend various sections within Chapters 15 and 16 of the CPC, BSC coordinated with the Department of Housing and Community Development and the Department of Water Resources to co-adopt clarifying code language with no intended change in regulatory effect. Likewise, these proposed code changes will not have a significant adverse economic impact on business.

BSC’s proposal to amend the 2019 CPC was presented to the Green/Plumbing, Electrical, Mechanical, and

Energy (GREEN/PEME) Ad Hoc Code Advisory Committee during its March 4–5, 2020 meeting (see the Initial Statement of Reasons for the committee’s recommendations and BSC’s responses).

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

Reference: Government Code Section 11346.5(a)(11).

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.

Not applicable.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: 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.

BSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. This proposal makes only clarifying changes to existing code language and would have no change in regulatory effect.

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

Reference: Government Code Section 11346.5(a)(10).

BSC has assessed whether or not and to what extent this proposal will affect the following:

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

Because this proposal makes only non-substantive, clarifying changes to existing code language resulting in no change in regulatory effect, this proposal will not affect the creation or elimination of jobs within the State of California.

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

Because this proposal makes only non-substantive, clarifying changes to existing code language resulting in no change in regulatory effect, this proposal will not affect the creation of new businesses or the elimination of existing businesses within the State of California.

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

Because this proposal makes only non-substantive, clarifying changes to existing code language resulting in no change in regulatory effect, this proposal will not affect the expansion of businesses currently doing business within the State of California.

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

The benefits of this proposal include clarifying code language that will produce sensible and usable state building standards that promote health and safety, consistent with BSC's mission.

Reference: Government Code Section 11346.5(a)(19).

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 CBSC website: www.dgs.ca.gov/BSC

Reference: Government Code Section 11346.5(a)(21).

BSC 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.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

BSC has determined there would be no additional cost to comply with these proposed building standards. BSC does not have authority to impose building standards or regulations applicable to housing.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

Reference: 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: (916) 263-0916

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

BSC has determined that no reasonable alternative considered by BSC or that has otherwise been identified and brought to the attention of BSC 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.

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) 263-0916
Kevin.day@dgs.ca.gov

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All 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 CBSC website: www.dgs.ca.gov/BSC.

Enrique M. Rodriguez, Associate Construction Analyst
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone No.: (916) 263-0916
Enrique.rodriguez@dgs.ca.gov

**TITLE 24. BUILDING
STANDARDS COMMISSION**

**NOTICE OF PROPOSED ACTION FOR
PROPOSED BUILDING STANDARDS OF THE
CALIFORNIA BUILDING STANDARDS
COMMISSION REGARDING THE 2019
INTERVENING CODE CYCLE, CALIFORNIA
CODE OF REGULATIONS, TITLE 24, PART 11
(BSC 04/19)**

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. CBSC is proposing building standards related to the 2019 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11).

PUBLIC COMMENT PERIOD

Reference: Government Code Section
11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 10, 2020, until 5:00 p.m. on May 26, 2020.**

Please address your comments to:

California Building Standards Commission

Attention: Mia Marvelli, Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Written comments may also be emailed to 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 conducted by the CBSC 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**

Reference: Government Code Section
11346.5(a)(18).

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

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

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18928, 18929.1, 18930.5, and 18940.5.

The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 18928, 18930.5, 18931.7(b), 18940.5, and 18941.10.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

H&SC 18928 states that each state agency adopting or proposing adoption of a model code, national standard, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

H&SC 18929.1 states that CBSC shall receive proposed building standards from state agencies for consideration in an 18-month code adoption cycle. The commission shall develop regulations setting forth the procedures for the 18-month adoption cycle.

H&SC 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 18931.7(b) Building Standards Administration Special Revolving Fund; availability of monies (b) Moneys deposited in the fund shall be available, upon appropriation, to the commission, the department, and the Office of the State Fire Marshal for expenditure in carrying out the provisions of this part, and the provisions of Part 1.5 (commencing with Section 17910) that relate to building standards, as defined in Section 18909, with emphasis placed on the development, adoption, publication, and updating of green building

standards, the updating of verification guidelines for Tier 1 or Tier 2 green building standards and educational efforts, including, but not limited to, training for local building officials associated with green building standards.

H&SC 18940.5 As part of the next triennial update of the California Building Standards Code (Title 24 of the California Code of Regulations) adopted after January 1, 2014, agencies that propose green building standards for inclusion in Part 11 of Title 24 of the California Code of Regulations shall, to the extent that it is feasible, reference or reprint the green building standards in other relevant portions of Part 2, 2.5, 3, 4, 5, or 6 of Title 24 of the California Code of Regulations. For purposes of compliance with this section, the republication of the provisions of Part 11 of Title 24 of the California Code of Regulations in other parts of Title 24 of the California Code of Regulations shall not be considered duplication in violation of paragraph (1) of subdivision (a) of Section 18930.

H&SC 18931.10 Installation of future electric vehicle charging infrastructure for parking spaces in multi-family dwellings and nonresidential development; adoption of mandatory standards; consultation with interested parties.

In proposing and adopting mandatory building standards under this section, the Department of Housing and Community Development and the commission shall use Sections A4.106.6, A4.106.6.1, A4.106.6.2, A5.106.5.1, and A5.106.5.3 of the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations) as the starting point for the mandatory building standards and amend those standards as necessary.

And shall actively consult with interested parties, including, but not limited to, investor-owned utilities, municipal utilities, manufacturers, local building officials, commercial building and apartment owners, and the building industry.

Summary of Existing Regulations

The California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations (CCR), also known as the CALGreen Code, is amended for inclusion into the 2019 CALGreen Code supplement effective July 1, 2021.

The CALGreen Code contains the green building standards for various mandatory and voluntary regulations that will be amended as necessary based on the proposed code changes.

Summary of Effect

This proposed action will implement the proposed modifications to the California Green Building Standards Code for buildings within CBSC authority. The

proposed amendments are mostly editorial and non-substantive with no intended change in regulatory effect. However, there are few amendments that are substantive. The substantive changes include Increasing the Electric Vehicle infrastructure percentages for both the mandatory and the voluntary provisions.

Once filed with Secretary of State, the standards will be codified and published by January 1, 2021, and will become effective July 1, 2021.

The Initial Statement of Reasons (ISOR) provides a complete description of the proposed building standards effect.

Comparable Federal Statute or Regulations

There are no federal statutes or regulations that are comparable to the proposed editorial updates to the CALGreen Code.

Policy Statement Overview

The broad objectives of the regulation are to propose changes to the building standards for electric vehicle infrastructure for statewide application. The specific benefits anticipated by the proposed amendment is to realize substantial environmental benefits through reduction in energy use, greenhouse gas emissions, criteria pollutants, and fossil fuel dependency leading to improved public health.

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

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 THE SPECIFIC REGULATION
OR CLASS OF REGULATIONS**

Reference: 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**

Reference: 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. CBSC does not have authority to impose building standards or regulations on school districts.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

- 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: Any additional expenditure resulting from this proposed action would be minor and absorbable within the existing budget and resources of CBSC.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: 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.

CBSC has made an initial determination that the adoption, amendment or repeal of this regulation will increase the cost of new nonresidential construction marginally, which will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).

In making 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.

Regarding the proposal to increase the electric vehicle infrastructure percentages in both the mandatory and voluntary code provisions, CBSC conducted a stakeholder workshop on August 20, 2019, which was attended by state agencies, interested parties and stakeholder representatives such as the California Air Resources Board (CARB), California Energy Commission, Department of Housing and Community Development, California Department of Public Health, California Building Industry association, Electric Vehicle Charging Association, Tesla, Southern California Edison, Underwriters Laboratory, Energy Solutions, various local enforcing agencies, and private consultants.

Based on testimony presented at the workshop and comments received from various stakeholders, CBSC proposes to increase the percentages as suggested at the workshop.

CBSC has made an initial determination that this regulatory action would increase costs marginally to California business enterprises representing less than 0.1 percent of the total new construction costs of nonresidential buildings over the 4-year life of the amendments and between 1 and 4 percent of the \$20,000 to \$80,000 initial construction cost per parking space with significant benefits to Californians due to improved air quality and GHG emissions reduction.

This determination is based on comments received at the workshop and the cost benefit analysis provided by the California Air Resources Board "California Air Resources Board, *Electric Vehicle (EV) Charging Infrastructure: Nonresidential Building Standards, CARB Technical and Cost Analysis*, September 30, 2019". BSC has shown in the Economic and Fiscal Impact Statement (399) and the Initial Statement of Reasons (ISOR) that the electric vehicle regulations pose a marginal increase but do not pose a significant, statewide adverse economic impact directly affecting business in California and their ability to compete with businesses in other states.

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

Reference: Government Code Section 11346.5(a)(11).

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 assessed the proposed code changes and has determined that these changes do not require a report.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: 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 aware of initial cost impacts that a representative private person or business could incur in reasonable compliance with the proposed action. However, it is also anticipated that such costs would be recouped in long-range savings expressed in utility and transportation costs, worker productivity, health costs, and goodwill. The Initial Statement of Reasons and the Economic and Fiscal Impact Statement support this statement.

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

Reference: Government Code Section
11346.5(a)(10).

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

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

These regulations may cause some jobs to be created for the installation, maintaining and manufacturing of Electric Vehicle Supply Equipment (EVSE). No jobs are expected to be eliminated within the State of California.

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

These regulations may cause the creation of businesses that expand into the EV market. These regulations will not affect the elimination of jobs within the State of California.

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

These regulations will likely promote the expansion of businesses currently involved with EV manufacturing, installation, maintenance and technology development within the State of California.

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

These regulations will increase the sustainability of Californians natural resources by reducing fuel use, GHG emissions, criteria pollutants, and fossil fuel dependence. Additionally, updating and clarifying the minimum current CALGreen codes will provide increased protection of public health and safety, worker safety and the environment.

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

Reference: Government Code Section
11346.5(a)(12).

CBSC has determined that this proposal would not have a significant effect on housing costs. CBSC does not have authority to impose building standards or regulations affecting housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section
11346.5(a)(13).

CBSC has determined that no reasonable alternative considered by CBSC 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**

Reference: Government Code Sections
11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: www.dgs.ca.gov/BSC.

Reference: Government Code Section
11346.5(a)(19).

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 CBSC website: www.dgs.ca.gov/BSC.

Reference: Government Code Section
11346.5(a)(21).

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

**CBSC CONTACT PERSON FOR PROCEDURAL
AND ADMINISTRATIVE QUESTIONS**

Reference: 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
E-mail: Michael.Nearman@dgs.ca.gov

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

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

Enrique M. Rodriguez, Associate Construction Analyst
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Telephone No.: (916) 263-0845
E-mail: enrique.rodriguez@dgs.ca.gov

Designated Back-Up Contact Person

California Building Standards Commission
Michael L. Nearman, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Telephone No.: (916) 263-0916
E-mail: Michael.Nearman@dgs.ca.gov

**TITLE 24. BUILDING
STANDARDS COMMISSION**

**TO BUILDING STANDARDS OF THE
DIVISION OF THE STATE ARCHITECT
(DSA-SS AND DSA-SS/CC)
REGARDING THE 2019
CALIFORNIA PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 5
(DSA-SS/CC 03/19)**

Note to agencies: The laws associated with the instructions in this form are found primarily in Government Code Section 11346.5 et sequentes. For clarity during the administrative review process, do not remove the headings or statutory references to applicable sections being completed.

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 5. DSA is proposing building standards in the 2019 California Plumbing Code.

PUBLIC COMMENT PERIOD

Reference: Government Code Section
11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 10, 2020**, until **5:00 p.m. on May 26, 2020**.

Please address your comments to:

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

Written comments may also be emailed to 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 conducted by BSC 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

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, DSA 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 DSA adopts, amends, or repeals the regulation(s). DSA 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

Reference: Government Code Section 11346.5(a)(2).

The CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code (HSC) Sections 18930, 18934.5, 18938, 18944 and 18949.1 and Education Code (EDC) Sections 17280–17317, 81130–81147, 81052 and 81053. The purpose of these building standards is to implement, interpret, or make specific the provisions of those same sections.

The Division of the State Architect is proposing this regulatory action based on HSC Section 16022 and EDC Sections 17310, 81142, and 81053.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

EDC Sections 17310 and 81142 authorize DSA to establish building standards for public elementary and secondary schools, and community colleges.

EDC Sections 81052 and 81053 authorize DSA to establish building standards which a community college may elect to use in lieu of those standards promulgated in accordance with EDC Section 81142.

HSC Section 16022 authorizes DSA to establish building standards for state-owned and state-leased essential services buildings.

HSC Section 18930 requires that any building standard proposed or adopted by state agencies be submitted to and approved or adopted by the Building Standards Commission, prior to codification.

HSC Section 18938 requires the filing of standards with the Secretary of State by CBSC only after they have been approved by the commissioners. It requires that the administrative regulations become effective 30 days after filing with the Secretary of State, and that they be published in Title 24.

Summary of Existing Regulations

Existing building standards which prescribe the plumbing system design and construction of public elementary and secondary schools, community colleges and state-owned or state-leased essential services buildings, are promulgated by the Division of the State Architect. These regulations are contained in Title 24, Part 5, California Plumbing Code.

Summary of Effect

The proposed action would update Title 24, Part 5, requiring Pre-rinse spray valves to align with the Appliance Efficiency regulations adopted by the California Energy Commission in Title 20 of the *California Code of Regulations* and with federal regulations. The new requirement adds three product classes of spray valves and a maximum flow rate for each product class.

Comparable Federal Statute or Regulations

This proposal does not differ substantially from existing comparable federal regulations or statutes. Elements of this proposal align with the federal WaterSense standards for pre-rinse spray valves in commercial buildings, which is also consistent with Title 20 Appliance Efficiency regulations adopted by the California Energy Commission.

Policy Statement Overview

This proposal makes clarifying code changes that align with appropriate state and federal laws and regulations, including the federal WaterSense standards and the 2018 Uniform Plumbing Code. The benefits of this code change include clarifying code language that will produce sensible and usable state building standards that promote health and safety, consistent with DSA's mission.

Evaluation of Consistency

This proposal aligns with specified Appliance Efficiency regulations in Title 20 of the California Code of Regulations, and reprints specified green building standards from Part 11 of Title 24 pursuant to Health and Safety Code Section 18940.5. DSA developed this proposal in coordination with the California Energy Commission, Department of Housing and Community Development, Building Standards Commission, and Department of Water Resources to ensure consistency. As such, this proposal is not inconsistent or incompatible with existing state regulations.

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

Reference: Government Code Section 11346.5(a)(4).
DSA 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**

Reference: Government Code Section 11346.5(a)(5).
DSA has determined that the proposed regulatory action **WOULD** impose a mandate on local agencies or school districts. The proposed regulatory action would impose a mandate on school districts; however, does not require reimbursement pursuant to Part 7 (commencing with section 17500) of Division 4, Government Code.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

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

Estimate: DSA has determined that this proposed action makes only clarifying changes to existing code language and would have no change in regulatory effect. Any additional expenditure resulting from this proposed action would be minor and absorbable within the existing budget and resources of DSA. This proposal does not impose new mandates on local agencies that would require state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

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

Reference: 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.

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

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).
In making 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.

Regarding the proposal to align California Plumbing Code Section 420.3.1 with corresponding Appliance Efficiency regulations in Title 20 of the California Code of Regulations (pre-rinse spray valves), DSA coordinated with the California Energy Commission, Department of Housing and Community Development, Building Standards Commission, and the Office of Statewide Health Planning and Development to ensure consistency between Titles 20 and 24 and ensure compliance with federal WaterSense standards. Because this proposed code change aligns with existing law and regulation, DSA has determined that this regulation will not have a significant adverse economic impact on business.

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

Reference: Government Code Section 11346.5(a)(11).

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.

Not applicable.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: 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:

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. This proposal makes only clarifying changes to existing code language and would have no change in regulatory effect.

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

Reference: Government Code Section 11346.5(a)(10).

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

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

Because this proposal makes only non-substantive, clarifying changes to existing code language resulting in no change in regulatory effect, this proposal will not affect the creation or elimination of jobs within the State of California.

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

Because this proposal makes only non-substantive, clarifying changes to existing code language resulting in no change in regulatory effect, this proposal will not affect the creation of new businesses or the elimination of existing businesses within the State of California.

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

Because this proposal makes only non-substantive, clarifying changes to existing code language resulting in no change in regulatory effect, this proposal will not affect the expansion of businesses currently doing business within the State of California.

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

The benefits of this proposal include clarifying code language that will produce sensible and usable state building standards that promote health and safety, consistent with DSA's mission.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

DSA has determined there would be no additional cost to comply with these proposed building standards. DSA does not have authority to impose building standards or regulations applicable to housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

DSA has determined that no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more effective in carrying out the purpose for which 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

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All 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 CBSC website: www.dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

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 CBSC website: www.dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

DSA shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommo-

date 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**

Reference: 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: (916) 263-0916

**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
Department of General Services, Division of the
State Architect
(916) 322-4699
jim.hackett@dgs.ca.gov

Tav Commins, Senior Mechanical Engineer
Department of General Services, Division of the
State Architect
(916) 443-9841
Tav.Commins@dgs.ca.gov

**TITLE 24. BUILDING
STANDARDS COMMISSION**

**DIVISION OF THE STATE ARCHITECT —
STRUCTURAL SAFETY (DSA-SS)
REGARDING THE 2019 CALIFORNIA GREEN
BUILDING STANDARDS CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 11
(DSA-SS/CC 04-19)**

Note to agencies: The laws associated with the instructions in this form are found primarily in Government Code Section 11346.5 et sequentes. For clarity during the administrative review process, do not remove the headings or statutory references to applicable sections being completed.

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 5. DSA is proposing building standards in the 2019 California Plumbing Code.

PUBLIC COMMENT PERIOD

Reference: Government Code Section
11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 10, 2020**, until **5:00 p.m. on May 26, 2020**.

Please address your comments to:

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

Written comments may also be emailed to
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 conducted by the CBSC 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

Reference: Government Code Section 11346.5(a)(18).

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

Reference: Government Code Section 11346.5(a)(2).

The CBSC proposes to adopt these building standards under the authority granted by Government Code Sections 11000 and 11340 et seq. and Health and Safety Code Sections 18909, 18929, 18929.1, 18930, 18930.5, 18931, 18934, 18934.8, 18935, 18937, 18942, 18945, 18946, 18949, 18949.1, 18941.2, 18949.3, 18949.5, and 18949.6.

The State Architect is proposing this regulatory action based on Education Code Section 17310 and 81142, and Health and Safety Code 16022.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Section 16022 of the Health and Safety Code authorizes the State Architect to establish building standards

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

Summary of Existing Regulations

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

Part 4, California Mechanical Code, which prescribe the design and construction requirements for mechanical systems of public elementary and secondary schools, community colleges and state-owned or state-leased essential services buildings.

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

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

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

Other relevant CCR titles:

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

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

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

Summary of Effect

This proposed action will implement the proposed modifications to the California Green Building Standards Code for buildings within DSA authority. The proposed amendments are mostly editorial and non-substantive with no intended change in regulatory effect. However, there are few amendments that are substantive. The substantive changes include; Increasing

the Electric Vehicle infrastructure percentages for mandatory provisions.

Once filed with Secretary of State, the standards will be codified and published by January 1, 2020, and will become effective July 1, 2021.

The Initial Statement of Reasons (ISOR) provides a complete description of the proposed building standards effect.

Comparable Federal Statute or Regulations

There are no federal statutes or regulations that are comparable to the proposed editorial updates to the CALGreen Code.

Policy Statement Overview

The broad objective of the proposed action is to maintain green building standards in conformance with current state law, by updating the 2019 California Green Building Standards Code (CALGreen Code).

Evaluation of Consistency

There are no inconsistent or incomopatible regulations proposed.

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

Reference: 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

Reference: Government Code Section 11346.5(a)(5).

DSA-SS has determined that the proposed regulatory action WOULD impose a mandate on local agencies or school districts. The proposed regulatory action would impose a mandate on school districts; however, does not require reimbursement pursuant to Part 7 (commencing with section 17500) of Division 4, Government Code.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

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: **Yes**

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

Estimate: Any additional expenditure resulting from this proposed action would be minor. Funding from programs operated by the Office of Public School Construction would cover approximately half the costs for K-12 schools, and similar programs exist for community colleges.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: 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.

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 businesses in other states.

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).

DSA-SS/CC has made an initial determination of no significant, statewide adverse economic impact directly affecting business in California and their ability to compete with businesses in other states. This determination is based on comments received at the workshop and the cost benefit analysis provided by the California Air Resources Board “California Air Resources Board, *Electric Vehicle (EV) Charging Infrastructure: Nonresidential Building Standards, CARB Technical and Cost Analysis*, September 30, 2019”. DSA has shown in the Economic and Fiscal Impact Statement (399) documents and the Initial Statement of Reasons (ISOR) which are part of this rulemaking, that the electric vehicle regulations do not pose a significant adverse economic impact on businesses.

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

Reference: Government Code Section 11346.5(a)(11).

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.

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

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: 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:

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

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

Reference: Government Code Section 11346.5(a)(10).

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

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

These regulations will not affect the creation or cause the elimination of jobs within the State of California.

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

These regulations will not affect the creation or the elimination of existing business within the State of California.

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

These regulations are likely to promote the expansion of businesses currently involved in EV manufacturing installation and maintenance and technology development within the State of California.

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

The proposed editorial amendments to the regulations will have a positive benefit to California residents as they will add clarity to the design and implementation of sustainable codes. These EV regulations will also have a positive benefit the state’s environment by reducing greenhouse gas emissions.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

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

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

DSA-SS has determined that no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more effective in carrying out the purpose for which 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

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

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

Reference: Government Code Section 11346.5(a)(19).

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 CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

DSA-SS shall provide, upon request, a description of proposed changes included in the proposed action, in

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

**CBSC CONTACT PERSON FOR PROCEDURAL
AND ADMINISTRATIVE QUESTIONS**

Reference: 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: (916) 263-0916
E-mail: 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:

Department of General Services
Division of the State Architect
1102 Q Street, Suite 5100
Sacramento, CA 95811
Paul Johnson, Senior Electrical Engineer
(916) 443-9841
Paul.Johnson@dgs.ca.gov

Designated Back-Up Contact Person

Department of General Services
Division of the State Architect
1102 Q Street, Suite 5100
Sacramento, CA 95811
Tav Commins, Senior Mechanical Engineer
(916) 443-9841
Tav.Commins@dgs.ca.gov

**TITLE 24. BUILDING
STANDARDS COMMISSION**

**DEPARTMENT OF WATER RESOURCES
REGARDING THE 2019
CALIFORNIA PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 5
(DWR 01/19)**

Note to agencies: The laws associated with the instructions in this form are found primarily in Government Code Section 11346.5 et sequentes. For clarity during the administrative review process, do not remove the headings or statutory references to applicable sections being completed.

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Water Resources (DWR) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 5. The DWR is proposing building standards related to plumbing design standards for potable and recycled water systems that are within or a part of a building.

PUBLIC COMMENT PERIOD

Reference: Government Code Section
11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 10, 2020, until 5:00 p.m. on May 26, 2020.**

Please address your comments to:

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

Written comments may also be emailed to 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 conducted by CBSC 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

Reference: Government Code Section 11346.5(a)(18).

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

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

AUTHORITY AND REFERENCE

The DWR proposes to adopt these building standards under the authority granted by Water Code Section 13557. The purpose of these building standards is to implement, interpret, or make specific the provisions of Water Code Sections 13550, 13551, 13552.2, 13552.6, 13552.8, 13553, 13554, 13555.2 and 13555.3.

The DWR is proposing this regulatory action based on Water Code Section 13557.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Assembly Bill 371 (2006) (codified in Water Code, Section 13557) authorized DWR to adopt and submit to the CBSC regulations to establish a state version of a plumbing code to provide design standards to safely plumb buildings with both potable and recycled water systems. Such regulations were first adopted by DWR in 2009. The regulations were last adopted by DWR in the 2019 Triennial Code Adoption Cycle and are codified in Chapter 15 of the 2019 California Plumbing Code (CPC). Water Code Section 13557(b) also authorizes DWR to update these standards as necessary. To accomplish this, DWR must consider other state laws that regulate the various uses and applications of recycled water and regulations stemming from these laws adopted by other state agencies.

Assembly Bill 2282 (2014) (codified in Health and Safety Code Sections 17921.5 and 18940.6) directed CBSC and the Department of Housing and Community Development (HCD) to adopt regulations regarding the

plumbing of newly constructed commercial buildings, public buildings, and single family and multifamily residential buildings for recycled water. Specifically, CBSC and HCD are required to establish provisions for the mandatory installation of recycled water supply systems and the standards for installation in the California Green Building Standards Code and the CPC. These standards for installation of recycled water supply systems overlap to some extent the existing standards adopted by DWR in the CPC. The regulations to mandate installation in newly constructed buildings however, do not overlap DWR authority.

Water Code Sections 13550, 13551, 13552.2, 13552.6, 13552.8, 13553, 13554, 13555.2 and 13555.3 declare that the use of potable water for certain indoor uses in certain structures and in outdoor landscape irrigation is an “unreasonable” use of water if recycled water is available. A general condition of availability is that the use of recycled water from the proposed source will not be detrimental to public health. Section 13553(d)(1)(B) states “That any plumbing modifications in the condominium unit or any physical alteration of the structure will be done in compliance with state and local plumbing codes.” Water Code Section 10951 authorizes use of recycled water for car washes.

Water Code Section 13521 authorizes the State Water Resources Control Board (SWRCB) to establish uniform statewide recycling criteria for each varying type of use of recycled water where the use involves the protection of public health. These criteria are contained in Title 22 of the CCR and contain requirements related to plumbing installation and periodic inspection and testing for indoor and outdoor uses.

The agencies that treat and distribute recycled water to users are regulated by permits issued by the SWRCB or one of nine Regional Water Quality Control Boards as authorized by Water Code Sections 13523 and 13523.1. The CPC must take into consideration this permitting authority.

Health and Safety Code Section 116375 authorizes the SWRCB to adopt requirements for the control of cross-connections between potable and nonpotable water. Section 116800 authorizes local regulation of water users to control cross-connections. Section 116815 designates the use of the color purple for recycled water pipes. Health and Safety Code Sections 8117 and 8118 authorize hose bibs for recycled water in cemeteries. These laws and the regulations stemming from these laws found in the CCR, Titles 17 and 22, must be taken into consideration in the Plumbing Code.

Pursuant to AB 1671 (Chapter 533, Statutes of 2017) the SWRCB on or before January 1, 2020, shall adopt standards for backflow prevention and cross-connection control and may do this through the adoption of a policy handbook. Pursuant to AB 1180 (Chapter 455,

Statutes of 2019), the policy handbook shall include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service.

Summary of Existing Regulations

Regulations adopted by DWR governing recycled water are found in Chapters 1, 2, 6 and 15 of the CPC. One other section relating specifically to recycled water is found in Chapter 16 of the Plumbing Code. At the time DWR last amended its regulations in the 2019 Triennial Code Adoption Cycle, the main provisions for recycled water were in Chapter 15, Section 1505.0. The CPC is now being amended based on the 2019 California Plumbing Code.

Regulations specifying authorized uses of recycled water, use practices, and inspections and cross-connection testing of recycled water systems are found in Title 22, California Code of Regulations, Division 4, Chapter 3, Section 60301.050 et seq. Regulations related to cross-connection control and backflow prevention are found in Title 17, Division 1, Chapter 5, Group 4, Articles 1 and 2, Section 7583 et seq.

Should SWRCB develop language in a policy handbook pursuant to AB 1180, this may necessitate a corresponding code change to the recycled water building standards developed by the DWR in Chapter 15 of the California Plumbing Code (CPC). As such, DWR may include an addendum to its CPC initial express terms and initial statement of reasons reflecting this pending code change prior to the 45-day public comment period. DWR’s initial express terms has placeholder language to facilitate an addendum if the SWRCB has adopted requirements in its policy handbook before review by CBSC’s Code Advisory Committee.

Summary of Effect

The main effect of the proposed amendments by DWR would be to make clarifying editorial changes without regulatory effect to existing requirements in Chapter 15, Sections 1503.0, 1505.0, and 1506.0. The adoption of clear and effective regulations facilitates the expanded use of recycled water and its public acceptance. The effect of a new exception to Section 1505.4 would be to incorporate new requirements adopted by the SWRCB into the CPC to allow a backup potable water supply for recycled water systems while protecting the potable water supply. The use of recycled water may offset the cost of more expensive or less environmentally acceptable water supplies to meet the growing water needs of the state. Recycled water is also a more resilient source of water during water shortages and drought.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations.

Policy Statement Overview

The primary benefit of the proposed amendments is improved clarity of existing design standards that facilitate of the safe use of recycled water. A secondary benefit is that by making clarifying editorial changes to the plumbing code language with regard to recycled water, the regulations are clear, understandable, and implementable and thereby facilitate the expanded use of recycled water. Having consistent design standards which are easy to follow can improve the public acceptance of the use of recycled water. The benefit of incorporating new requirements adopted by the SWRCB into the CPC to allow a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service is to ensure that users of the CPC are aware of these requirements to protect public potable water supplies. The use of recycled water may offset the cost of more expensive or less environmentally acceptable water supplies to meet the growing water needs of the state. Recycled water is also a more resilient source of water during water shortages and drought.

Evaluation of Consistency

The DWR has determined that the proposed amendments 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**

Reference: Government Code Section 11346.5(a)(4).
None.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

Reference: Government Code Section 11346.5(a)(5).
DWR has determined that the proposed regulatory action **WOULD NOT** impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

- 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: \$0

Not Applicable

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: 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:

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

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: 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.

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

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

Reference: Government Code Section 11346.5(a)(10).

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

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

The proposed amendments will not create or eliminate jobs.

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

The proposed amendments will not create or eliminate businesses.

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

The proposed amendments will not affect the expansion of businesses currently doing business within the State of California. The CPC as currently in effect and as changed by the proposed amendments facilitates the use of recycled water, and thereby could allow business to expand in areas that are constrained by water availability.

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

The proposed amendments will update and improve the clarity of CPC standards for the safe use of recycled water in buildings and surrounding landscape with both potable and recycled water.

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).
 In making 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 proposed amendments of the CPC primarily make clarifying editorial changes to existing standards on how to design, construct, maintain, and test a dual plumbed building in Chapter 15. Additionally, there is placeholder language to incorporate provisions under development at the SWRCB for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service

The proposed amendments by DWR do not require any business or individual to install recycled water systems in a building. The authority for DWR's proposed amendments is in California Water Code Section 13557.

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

Reference: Government Code Section 11346.5(a)(11).

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.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

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

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

DWR has determined that no reasonable alternative considered by DWR or that has otherwise been identified and brought to the attention of DWR 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

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

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

Reference: Government Code Section 11346.5(a)(19).

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 CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

DWR 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

Reference: 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: (916) 263-0916

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:

Primary Contact:

Nancy King, Engineer, Water Resources
Division of Regional Assistance
California Department of Water Resources
(916) 651-7200
Nancy.King@water.ca.gov

Back-up Contact:

Fethi BenJemaa, PhD, Program Manager II
Division of Regional Assistance
California Department of Water Resources
(916) 651-7025
Fethi.Jemaa@water.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION

BUILDING STANDARDS OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REGARDING THE 2019 CALIFORNIA ELECTRICAL CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3 (HCD 04/19)

Note to agencies: The laws associated with the instructions in this form are found primarily in Government Code Section 11346.5 et sequentes. For clarity during the administrative review process, do not remove the headings or statutory references to applicable sections being completed.

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 3. The HCD is proposing building standards related to 2019 California Electrical Code.

PUBLIC COMMENT PERIOD

Reference: Government Code Section 11346.5(a)(15).

Written comments will be accepted by CBSC regarding the proposed changes from **April 10, 2020** until **5 p.m. on May 26, 2020**.

Please address your comments to:

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

Written comments may also be emailed to CBSC@dgs.ca.gov. The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a CBSC public meeting. CBSC will schedule the meeting 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

Reference: Government Code Section 11346.5(a)(18).

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

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

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code (HSC) section 18949.5. The purpose of these building standards is to implement, interpret, or make specific the provisions of HSC sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code sections 1101.4 and 1101.5; and Government Code sections 12955.1, 12955.1.1, and 65852.2.

HCD is proposing this regulatory action based on HSC sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5, 18938.3, 18944.11, and 19990; and Government Code section 12955.1.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

HSC 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.”

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

HSC section 17958.12 requires HCD to adopt regulations to recognize retroactive permits.

HSC section 17980.12 provides for delays in correction of building violations to Accessory Dwelling Units (ADU).

HSC sections 18300 and 18865 require HCD to adopt building standards for mobilehome parks and special occupancy parks.

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

Summary of Existing Regulations

The 2019 California Building Standards Code, title 24, California Electrical Code (CEC), part 3, adopted by reference the 2017 National Electrical Code with California amendments, became effective on January 1, 2020.

Existing CEC regulations specifically related to the proposed changes:

- Require permits to be based on building standards approved by the CBSC and in effect at the time of permit application.
- Require building permits to be obtained prior to the construction or alteration of buildings.
- Address local authority to enforce and provide a reference to the State Housing Law related to several actions available for enforcing unsafe buildings and structures.
- Includes a definition to clarify the term as used within the text of the CEC.

Summary of Effect

Summary of effect of the proposed specific changes on existing CEC regulations:

- Addition of text providing a reference to the use of retroactive permits for approval of existing unpermitted residential structures and recognition of the application of prior codes, based on the determination of the local enforcing agency, will recognize the use of retroactive permits based on prior codes. This may increase the number of legally permitted existing buildings that were constructed without construction permits issued by the local enforcement agency.
- Addition of text providing a reference to special enforcement procedures related to delayed correction of building violations will allow occupancy of accessory dwelling units (ADU) that need correction, but do not endanger health and safety. The text also acts as a reference to the statutory section authorizing the delay in correction.
- A definition is proposed for “accessory dwelling unit” to clarify the meaning of the term as used in new proposed text.
- HCD has determined that the proposed amendment has no fiscal impact pursuant to CCR, title 1, section 100, “Changes Without Regulatory Effect.” The proposals do not mandate the issuance of retroactive permits, approval of delayed building corrections, or require any additional compliance beyond the statute.

These changes will affect the following programs:

- State Housing Law: relative to residential occupancies, buildings or structures accessory thereto and as provided for through the Federal Fair Housing Amendment Act and state law accessibility requirements, except where the application is for public use only.
- Employee Housing: relative to the use of any buildings or structures used for employee housing in accordance with HSC section 17040.
- 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 HSC sections 18300 and 18865.
- Factory-Built Housing: relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with HSC section 19990.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations.

Policy Statement Overview

The proposed regulations will amend existing building standards and provide a reference to a new statutory section addressing ADU enforcement, violations, and corrections.

The benefits anticipated from this proposed regulatory action include more opportunities for housing by increasing awareness of the statutory provisions for retroactive permits and delays in building corrections.

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

Reference: Government Code Section 11346.5(a)(4).
None.

MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS

Reference: 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.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

- A. Cost or Savings to any state agency: **No additional costs or savings beyond those imposed by existing law.**
- 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: **No additional costs or savings beyond those imposed by existing law.**
- E. Cost or savings in federal funding to the state: **None.**

Estimate: There is no additional cost of compliance for the proposed regulations. See discussions in Initial

Statement of Reasons for individual sections for benefits and assumptions.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: 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.

HCD has made an initial determination that the amendment of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states. HCD's proposed regulations provide references to new statutory provisions, but do not require compliance beyond the statutory mandates.

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).
In making 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 proposed regulations recognize the consideration and possible issuance of retroactive permits by local agencies and possible delay in correction of ADU building violations. Neither would have an adverse impact on businesses. Statutory provisions related to the proposed regulations will have been in effect by the time the regulations become effective. In addition, the provisions related to retroactive permits address existing practices at the local agency level.

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

Reference: Government Code Section 11346.5(a)(11).

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.

No reporting requirements are proposed.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: 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:

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 since HCD's regulations are not mandates and do not require compliance beyond the statutory requirement.

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

Reference: Government Code Section 11346.5(a)(10).

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

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

These regulations will not affect the creation or the elimination of jobs within the State of California.

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

These regulations will not affect the creation or the elimination of new or existing businesses within the State of California.

C. 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.

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

These regulations may allow occupancy of previously unpermitted structures or structures needing repair while ensuring protection of public health and safety, worker safety and the environment.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

No increased cost of compliance (from the existing statutory requirements) for the proposed California amendments.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

HCD has determined that no reasonable alternative considered by HCD or that has otherwise been identified and brought to the attention of HCD would be more effective in carrying out the purpose for which the action is proposed 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

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

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

Reference: Government Code Section 11346.5(a)(19).

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 CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

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

Reference: 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: (916) 263-0916

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:

Primary Contact:

Emily Withers, Codes and Standards
Administrator II
Department of Housing and Community
Development
P.O. Box 278180
Telephone: (916) 263-2998
E-mail: Emily.Withers@hcd.ca.gov

Back-up Contact:

Brianna Bolden-Hardge, Associate Governmental
Program Analyst
Department of Housing and Community
Development
P.O. Box 278180
Telephone: (916) 263-8338
E-mail: Brianna.Bolden-Hardge@hcd.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION

THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REGARDING THE 2019 CALIFORNIA MECHANICAL CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4 (HCD 05/19)

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 4. HCD is proposing building standards related to the 2019 California Mechanical Code.

PUBLIC COMMENT PERIOD

Reference: Government Code Section 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 10, 2020**, until 5:00 p.m. on **May 26, 2020**.

Please address your comments to:

California Building Standards Commission

Attention: Mia Marvelli, Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Written comments may also be emailed to 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 conducted by the CBSC 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**

Reference: Government Code Section 11346.5(a)(18).

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

Reference: Government Code Section 11346.5(a)(2).

The CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code (HSC) section 18949.5. The purpose of these building standards is to implement, interpret, or make specific the provisions of HSC sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code sections 1101.4 and 1101.5; and Government Code sections 12955.1 and 12955.1.1.

HCD is proposing this regulatory action based on HSC sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5, 18938.3, 18944.11, and 19990; and Government Code section 12955.1.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

HSC 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.”

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

HSC section 17958.12 requires HCD to adopt regulations recognizing retroactive permits.

HSC section 17980.12 requires HCD to adopt regulations to recognize retroactive permits.

HSC sections 18300 and 18865 require HCD to adopt building standards for mobilehome parks and special occupancy parks.

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

Summary of Existing Regulations

The 2019 California Building Standards Code, California Mechanical Code (CMC), title 24, part 4, adopted by reference the 2018 Uniform Mechanical Code (UPC) with California amendments, became effective on January 1, 2020.

Existing CMC regulations specifically related to the proposed changes:

- Require permits to be based on building standards approved by the CBSC and in effect at the time of permit application.
- Require building permits to be obtained prior to the construction or alteration of buildings.
- Address local authority to enforce and provide a reference to the State Housing Law related to several actions available for enforcing unsafe buildings and structures.
- Include a definition to clarify the terms as used within the text of the CMC.

Summary of Effect

Summary of effect of the proposed specific changes on existing CMC regulations:

- Addition of text related to the use of retroactive permits for approval of existing unpermitted residential structures, and recognition of the application of prior codes, based on the determination of the local enforcing agency, will recognize the use of retroactive permits based on prior codes. This may increase the number of legally permitted existing buildings that were constructed without construction permits issued by the local enforcement agency.
- Addition of text providing a reference to special enforcement procedures related to delayed correction of building violations will allow occupancy of accessory dwelling units (ADU) that need correction, but do not endanger health and safety. The text also acts as a reference to the statutory section authorizing the delay in correction.
- A definition is proposed for “accessory dwelling unit” to clarify the meaning of the term as used in new proposed text.
- HCD has determined that there is no fiscal impact associated with the proposed regulations pursuant to CCR, title 1, section 100, “Changes Without Regulatory Effect.” The proposals do not mandate the issuance of retroactive permits, approval of delayed building corrections, or require any additional compliance beyond the statute.

These changes will affect the following programs:

- State Housing Law: relative to residential occupancies, buildings or structures accessory thereto, and as provided for through the Federal Fair Housing Amendment Act and state law accessibility requirements, except where the application is for public use only.
- Employee Housing: relative to the use of any buildings or structures used for employee housing in accordance with HSC section 17040.
- 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 HSC sections 18300 and 18865.
- Factory-Built Housing: relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with HSC section 19990.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations.

Policy Statement Overview

The proposed regulations will amend existing building standards and provide a reference to a new statutory

section addressing ADU enforcement, violations, and corrections.

The benefits anticipated from this proposed regulatory action include more opportunities for housing by increasing awareness of the statutory provisions for retroactive permits and delays in building corrections.

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

Reference: Government Code Section 11346.5(a)(4).
None.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: 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.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

- A. Cost or savings to any state agency: **No additional cost or saving beyond those imposed by existing law.**
- 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: **No additional cost or savings beyond those imposed by existing law.**
- E. Cost or savings in federal funding to the state: **None.**

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: 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.

HCD has made an initial determination that the adoption/amendment of these regulations will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states. HCD's proposed regulations provide references to new statutory provisions, but do not require compliance beyond the statutory mandates.

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).

In making 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 proposed regulations recognize the consideration and possible issuance of retroactive permits by local agencies and possible delay in correction of ADU building violations. Neither would have an adverse impact on businesses. Statutory provisions related to the proposed regulations will have been in effect by the time the regulations become effective. In addition, the provisions related to retroactive permits address existing practices at the local agency level.

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

Reference: Government Code Section 11346.5(a)(11).

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.

No reporting requirements are proposed.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: 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, since HCD's regulations are not mandates, and do not require compliance beyond the statutory requirement.

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

Reference: Government Code Section 11346.5(a)(10).

HCD has assessed whether or not and to what extent this proposal will affect the following:

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

The regulations will not affect the creation or the elimination of jobs within the State of California.

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

These regulations will not affect the creation or the elimination of new or existing businesses within the State of California.

C. 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.

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

These regulations may allow occupancy of previously unpermitted structures, or structures needing repair, while ensuring protection of public health and safety, worker safety and the environment.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

There is no increased cost of compliance (from the existing statutory requirements) for the proposed California amendments.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

There were no feasible alternatives available to HCD. The exclusion of statutory requirements may cause conflict within the code and confusion for code users.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

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

Reference: Government Code Section 11346.5(a)(19).

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 CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

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

Reference: 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: (916) 263-5888

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:

Primary Contact:

Emily Withers, Codes and Standards
Administrator II
Department of Housing and Community
Development
P.O. Box 278180
Sacramento, CA 95827-8180
Telephone: (916) 263-2998
Email: Emily.Withers@hcd.ca.gov

Back-up Contact:

Brianna Bolden-Hardge, Associate Governmental
Program Analyst
Department of Housing and Community
Development
P.O. Box 278180
Telephone: (916) 223-8338
Email: Brianna.Bolden-Hardge@hcd.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION

THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REGARDING THE 2019 CALIFORNIA PLUMBING CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5 (HCD 06/19)

Note to agencies: The laws associated with the instructions in this form are found primarily in Government Code Section 11346.5 et sequentes. For clarity during the administrative review process, do not remove the headings or statutory references to applicable sections being completed.

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 5. The HCD is proposing building standards related to the 2019 California Plumbing Code.

PUBLIC COMMENT PERIOD

Reference: Government Code Section 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 10, 2020, until 5:00 p.m. on May 26, 2020.**

Please address your comments to:

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

Written comments may also be emailed to CBSC@dgs.ca.gov. The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a CBSC public meeting. CBSC will schedule the meeting

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

Reference: Government Code Section 11346.5(a)(18).

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

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

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code (HSC) section 18949.5. The purpose of these building standards is to implement, interpret, or make specific the provisions of HSC sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code sections 1101.4 and 1101.5; and Government Code sections 12955.1, 12955.1.1, and 65852.2.

HCD is proposing this regulatory action based on HSC sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5, 18938.3, 18944.11, and 19990; and Government Code section 12955.1.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

HSC 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, con-

struction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing.”

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

HSC section 17922.14 requires HCD to adopt regulations for water submetering.

HSC section 17958.12 requires HCD to adopt regulations to recognize retroactive permits.

HSC section 17980.12 provides for delays in correction of building violations to Accessory Dwelling Units (ADU).

HSC sections 18300 and 18865 require HCD to adopt building standards for mobilehome parks and special occupancy parks.

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

Government Code section 65852.2(f)(2)(A) provides for Accessory Dwelling Units (ADU) meeting specified conditions to share utility connection with the primary dwellings.

Summary of Existing Regulations

The 2019 California Building Standards Code, title 24, California Plumbing Code (CPC), part 5, adopted by reference the 2018 Uniform Plumbing Code (UPC) with California amendments, became effective on January 1, 2020.

Existing CPC regulations specifically related to the proposed changes:

- Require permits to be based on building standards approved by the CBSC and in effect at the time of permit application.
- Require building permits to be obtained prior to the construction or alteration of buildings.
- Address local authority to enforce and provide a reference to the State Housing Law related to several actions available for enforcing unsafe buildings and structures.
- Include definitions to clarify terms as used within the text of the CPC.
- Require drainage systems for buildings to be separate and independent from other buildings.
- Require specific flowrates, spray force, and marking for commercial food service pre-rinse spray valves.
- Provide a reference to an existing statutory requirement in the Civil Code and Water Code for submetering individual dwelling units for rent in multifamily buildings or residential portions of mixed-use residential/commercial buildings.
- Include requirements for cross-connection inspection and testing for alternate water sources,

gray water systems, and on-site treated nonpotable gray water systems.

- Provide a California amendment table identifying minimum treatment and minimum rainwater quality standards for various uses (car washing, fountains, etc.)

Summary of Effect

Summary of effect of the proposed specific changes on existing CPC regulations:

- Addition of text providing reference to the use of retroactive permits for approval of existing unpermitted residential structures and recognition of the application of prior codes, based on the determination of the local enforcing agency, will recognize the use of retroactive permits based on prior codes. This may increase the number of legally permitted existing buildings that were constructed without construction permits issued by the local enforcement agency.
- Addition of text providing a reference to special enforcement procedures related to delayed correction of building violations will allow occupancy of accessory dwelling units that need correction, but do not endanger health and safety. The text also acts as a reference to the statutory section authorizing the delay in correction.
- Definitions are proposed for “accessory dwelling unit,” “meter,” and “submeter” to clarify the meaning of the terms as used in new proposed text.
- Clarifies that accessory dwelling units may not be required to have independent or separate sewer connections.
- Specifies new water flowrates, spray force, and marking requirements for commercial pre-rinse spray valves for consistency with the California Energy Commission’s (CEC) Appliance Efficiency Regulations and federal requirements.
- Includes mandatory building standards, continuing statutory requirements for submeters for rental dwelling units in multiunit and mixed use residential/commercial buildings.
- Includes clarifying changes without change in regulatory effect related to cross-connection inspection and testing for various alternate water sources to apply to initial cross connection tests.
- Repeals an existing California amendment (table) addressing minimum rainwater treatment and quality for specified uses. Proposes adoption of the model Uniform Plumbing Code table with California amendments.

These changes will affect the following programs:

- State Housing Law: relative to residential occupancies, buildings or structures accessory

thereto and as provided for through the Federal Fair Housing Amendment Act and state law accessibility requirements, except where the application is for public use only.

- Employee Housing: relative to the use of any buildings or structures used for employee housing in accordance with HSC section 17040.
- 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 HSC sections 18300 and 18865.
- Factory-Built Housing: relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with HSC section 19990.

Comparable Federal Statute or Regulations

The commercial pre-rinse spray valve specifications are in the 10 Code of Federal Regulations, part 431(O).

Policy Statement Overview

The proposed regulations will amend existing building standards, which will affect submetering in newly constructed multiunit residential structures and for residential dwelling units in mixed-use residential/commercial structures. The proposed regulations also provide a reference to a new statutory section addressing ADU enforcement, violations, and corrections.

The benefits anticipated from this proposed regulatory action include more opportunities for housing by increasing awareness of the statutory provisions for retroactive permits and delays in building corrections and water conservation.

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

Reference: Government Code Section 11346.5(a)(4).
None.

MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS

Reference: 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.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

- A. Cost or savings to any state agency: **No additional costs or savings beyond those imposed by existing law.**
- 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: **No additional costs or savings beyond those imposed by existing law.**
- E. Cost or savings in federal funding to the state: **None.**

Estimate: There is no additional cost of compliance for the proposed regulations. See discussions in Initial Statement of Reasons for individual sections for benefits and assumptions.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: 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.

HCD has made an initial determination that the adoption/amendment/peal of the CPC will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).
In making 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 submetering is currently required by statute (Water Code section 537.1.) These regulations are proposed to continue these standards through requirements in the CPC (building standards.)

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

Reference: Government Code Section 11346.5(a)(11).

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.

No reporting requirements are proposed.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: 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:

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 since HCD's regulations are not mandates and do not require compliance beyond the statutory requirement.

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

Reference: Government Code Section 11346.5(a)(10).

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

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

These regulations will not affect the creation or the elimination of jobs within the State of California.

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

These regulations will not affect the creation or the elimination of new or existing businesses within the State of California.

- C. **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.

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

These regulations may allow occupancy of previously unpermitted structures or structures needing repair while ensuring protection of public

health and safety, worker safety and the environment. These regulations may also increase water conservation.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

There is no increased cost of compliance (from the existing statutory requirements) for the proposed California amendments.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

There were no feasible alternatives available to HCD. The exclusion of statutory requirements may cause conflict within the code and confusion for code users. These provisions are also needed to avoid conflict with CCR title 20 (Appliance Efficiency Regulations) for pre-rinse valves and for consistency with other state agency amendments.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

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

Reference: Government Code Section 11346.5(a)(19).

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 CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

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

Reference: 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: (916) 263-0916

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:

Primary Contact:

Emily Withers, Codes and Standards Administrator II
Department of Housing and Community Development
P.O. Box 278180
Telephone: (916) 263-2998
Email: Emily.Withers@hcd.ca.gov

Back-up Contact:

Brianna Bolden-Hardge, Associate Governmental Program Analyst
Department of Housing and Community Development
P.O. Box 278180
Telephone: (916) 223-8338
Email: Brianna.Bolden-Hardge@hcd.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION

THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REGARDING THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11 (HCD 08/19)

Note to agencies: The laws associated with the instructions in this form are found primarily in Govern-

ment Code Section 11346.5 et seq.. For clarity during the administrative review process, do not remove the headings or statutory references to applicable sections being completed.

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 building standards related to the 2019 California Green Building Standards Code (CALGreen).

PUBLIC COMMENT PERIOD

Reference: Government Code Section 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 10, 2020, until 5:00 p.m. on May 26, 2020.**

Please address your comments to:

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

Written comments may also be emailed to 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 conducted by the CBSC 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

Reference: Government Code Section 11346.5(a)(18).

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

Reference: Government Code Section 11346.5(a)(2).

The CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code (HSC) section 18949.5. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19998; and Government Code sections 12955.1 and 129551.1.

HCD is proposing this regulatory action based on HSC sections 17040, 17921, 17922, 18300, 18670, 18865, 18873.2 and 19990; and Government Code section 12955.1.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

HSC 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.”

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

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

HSC sections 18300 and 18865 require HCD to adopt building standards for mobilehome parks and special occupancy parks.

Summary of Existing Regulations

The 2019 California Code of Regulations (CCR), title 24, California Green Building Standards Code, part 11, also known as the California Building Standards Code, became effective on January 1, 2020.

Existing CALGreen regulations specifically related to the proposed changes:

- Include definitions to clarify terms as used within the text of CALGreen.
- Require specific infrastructure components for future charging of electric vehicles.
- The California Building Standards Code does not regulate the number of parking spaces for

residential developments. The required number of parking spaces are addressed and enforced through local government ordinances. However, Assembly Bill 1100 (Chapter 819, Statutes of 2019) proposed changes to the Vehicle Code to count electric vehicle charging spaces as standard parking spaces.

- Require an operation and maintenance manual in each dwelling unit with specified information.
- Require that carpet systems, carpet cushions, resilient flooring systems and thermal insulation products meet specific standards related to emission of volatile organic chemicals.
- Require water flow rates for specified residential plumbing fixtures, but do not address commercial pre-rinse spray valves. The California Energy Commission’s Appliance Efficiency Regulations (title 20) and the nonresidential portion of CALGreen address commercial pre-rinse valves.
- Require installation of water submeters for non-residential buildings with indoor water use in excess of specified limits (adopted by the California Building Standards Commission).
- Provide for optional adoption of building standards related to light pollution reduction. These standards are also referenced in the 2019 California Energy Code (title 24, part 6) and in the nonresidential portion of the 2019 CALGreen.
- Provide a Residential Occupancies Application Checklist identifying mandatory and voluntary measures in CALGreen.

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

Summary of effect of the proposed specific changes on existing CALGreen regulations:

- Amendments are proposed for “accessory dwelling unit” to reflect new statutory changes and for consistency with other parts of the California Building Standards Code.
- A definition is proposed for “submeter” to clarify the meaning of the term as used in new proposed text.

- Clarifies that a raceway is not required when wiring is installed at the time of construction for electric vehicle charger use. This waives the requirement for installation of a raceway when not needed for future installation of wiring.
- Clarifies that electric vehicle charging spaces are considered parking spaces for purposes of local parking space requirements. This will help projects with limited parking areas meet the required number of electric vehicle charging spaces and parking spaces.
- Adds a “pointer” to the California Plumbing Code and the requirement for water submeters for individual dwelling units in multifamily buildings and in mixed use residential/commercial buildings.
- Requires information related to defensible space for residential fire protection purposes be included in the operation and maintenance manual. This will provide the homeowner with additional information for safeguarding and ensuring durability of the dwelling.
- Updates technical standards related to emission of volatile organic chemicals to the latest version.
- Repeals voluntary (elective) standards related to light pollution reduction since the requirements are already addressed by the 2019 California Energy Code for low-rise, high-rise and hotel/motel buildings.
- Updates the Residential Occupancies Application Checklist to incorporate corresponding changes in the main text of CALGreen.

These changes will affect the following programs:

- a) State Housing Law: relative to residential occupancies, buildings or structures accessory thereto.
- b) Employee Housing: relative to the occupancy of any buildings or structures used for employee housing 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: 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 previous code format, state and federal laws and regulations, and address unique California conditions. In addition, the regulations provide clarity and specificity, and give di-

rection 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

These regulations do not conflict with federal regulations. The State of California has preemptive authority to adopt more restrictive mandatory standards for the appliances addressed in these regulations. The pre-rinse spray valve regulations provide consistency with 10 Code of Federal Regulations part 431(O), and the CCR, title 20, (Appliance Efficiency Regulations).

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 efficiency, 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 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

Reference: Government Code Section 11346.5(a)(4).
None.

MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS

Reference: 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.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

- 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.**

INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES

Reference: 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.

HCD has made an initial determination that the adoption/amendment/repeal of this 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.

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).

In making 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 HCD proposed regulations include references to updated technical standards which have no economic impact. Proposed regulations related to electric vehicle (EV) charging spaces may have cost savings due to exemption from installation of a raceway when not needed, and the application of an EV charging space to parking space quotas. The commercial pre-rinse valve requirement is a federal standard which is also adopted in the California Appliance Efficient Regulations and also proposed for adoption in the California Plumbing Code.

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

Reference: Government Code Section 11346.5(a)(11).

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.

No reporting requirements are proposed.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: 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:

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

Reference: Government Code Section 11346.5(a)(10).

HCD has assessed whether or not and to what extent this proposal will affect the following:

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

These regulations will not affect the creation or elimination of jobs within the State of California.

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

These regulations will not affect the creation or the elimination of businesses within the State of California.

C. 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.

D. 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.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: 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.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

HCD has determined that no reasonable alternative considered by HCD, or that has otherwise been identified and brought to the attention of HCD, would be more effective in carrying out the purpose for which the action is proposed 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.

There were no feasible alternatives available to HCD. The exclusion of statutory requirements may cause conflict within the code and confusion for code users.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

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

Reference: Government Code Section 11346.5(a)(19).

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 CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

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

Reference: 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: (916) 263-5888

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:

Primary Contact:

Thomas G. Martin, District Representative II
Department of Housing and Community
Development
P.O. Box 278180
Sacramento, CA 95827-8180
Telephone: (916) 263-3272
Email: Thomas.G.Martin@hcd.ca.gov

Back-up Contact:

Karla DaRosa, Associate Governmental Program
Analyst
Department of Housing and Community
Development
P.O. Box 278180
Sacramento, CA 95827-8180
Telephone: (916) 263-4656
E-mail: Karla.Darosa@hcd.ca.gov

**TITLE 24. BUILDING
STANDARDS COMMISSION**

**THE OFFICE OF STATEWIDE HEALTH
PLANNING AND DEVELOPMENT
REGARDING THE 2019
CALIFORNIA ELECTRICAL CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 3
(OSHPD 04/19)**

Note to agencies: The laws associated with the instructions in this form are found primarily in Government Code Section 11346.5 et sequentes. For clarity during the administrative review process, do not remove the headings or statutory references to applicable sections being completed.

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

PUBLIC COMMENT PERIOD

Reference: Government Code Section
11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 10, 2020**, until **5:00 p.m. on May 26, 2020**.

Please address your comments to:

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

Written comments may also be emailed to
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 conducted by the CBSC 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**

Reference: Government Code Section
11346.5(a)(18).

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

Reference: Government Code Section 11346.5(a)(2).

The CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.3. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code, Sections 1275, 18928, 129790, and 129850.

The Office of Statewide Health Planning and Development (OSHDP) is proposing this regulatory action based on Health and Safety Code, Section 129850.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

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 correctional treatment centers.

Health and Safety Code, Section 18928, requires OSHPD to adopt and reference the most recent edition of a model code. The model code, with amendments or proposed changes, shall be adopted within one year after the publication date. Health and Safety Code, Section 129790, authorizes OSHPD to propose building standards for correctional treatment centers in cooperation with the Board of Corrections, the Department of Corrections, and the Department of Youth Authority. Health and Safety Code, Section 129850, authorizes OSHPD to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act. OSHPD is also authorized and responsible to submit building standards related to the seismic safety of hospital buildings to the California Building Standards Commission.

Summary of Existing Regulations

Title 24, Part 3, 2019 California Electrical Code (CEC) contains regulations pertaining to electrical system requirements for hospitals, skilled nursing and intermediate care facilities, licensed clinics and correctional treatment centers.

Summary of Effect

The proposed action makes editorial and minor technical modifications to electrical building standards. Defining the on-premises fuel supply storage requirements for fuel cell system used for general-acute care hospitals will remove ambiguity from the code. The proposed standards provide clarification and consistency within the code, coordination with the California Building Code, and alignment with national standards.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations related to this proposed action.

Policy Statement Overview

OSHDP 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 provide editorial and minor technical modifications for clarification and consistency within the code, coordinate with the California Building Code, and align the electrical code provisions with nationally recognized standards.

Evaluation of Consistency

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

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

Reference: Government Code Section 11346.5(a)(4).
There are no other matters prescribed by statute that are applicable to OSHPD, specific regulation or class of regulations.

MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).
OSHPD has determined that the proposed regulatory action WOULD NOT impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

- 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: N/A

INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).
If the agency makes an initial determination that the amendment 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 amendment of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).
In making 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.

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 make necessary editorial and minor technical modifications to the existing code that are in alignment with health facility licensing requirements and with national standards.

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

Reference: Government Code Section 11346.5(a)(11).

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.

OSHPD has made an assessment 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

Reference: 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:

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

Reference: Government Code Section 11346.5(a)(10).

OSHPD has assessed whether or not and to what extent this proposal will affect the following:

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

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

B. 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.

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

The proposed regulations will not cause expansion of businesses currently doing business within the State of California.

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

OSHPD promulgates building standards regarding the design and construction of licensed health facilities to ensure the protection of the public’s health and safety in the facilities. The proposed regulations are necessary for the continued preservation of the health, safety, and welfare of California residents through updated amendments. The regulations will not affect worker safety, or the state’s environment.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

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

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

OSHPD has determined that no reasonable alternative considered by OSHPD or that has otherwise been identified and brought to the attention of OSHPD 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

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

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

Reference: Government Code Section 11346.5(a)(19).

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 CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

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

Reference: Government Code Section 11346.5(a)(14).

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

Michael Nearman, Deputy Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263-0916

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:

Richard Tannahill, Health Facilities Review, Acting Supervisor
 Lori Campbell, Building Standards Unit, Alternate Contact
 Office of Statewide Health Planning and Development
 Facilities Development Division
 (916) 440-8300
 FAX (916) 324-9118
regsunit@oshpd.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION

THE OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT REGARDING THE 2019 CALIFORNIA MECHANICAL CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4 (OSHPD 05/19)

Note to agencies: The laws associated with the instructions in this form are found primarily in Government Code Section 11346.5 et sequentes. For clarity during the administrative review process, do not remove the headings or statutory references to applicable sections being completed.

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 4 — California Mechanical Code and the 2019 Uniform Mechanical Code. OSHPD is proposing building standards related to the construction of hospitals, skilled nursing facilities, licensed clinics, and correctional treatment centers.

PUBLIC COMMENT PERIOD

Reference: Government Code Section 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 10, 2020**, until 5:00 p.m. on **May 26, 2020**.

Please address your comments to:

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

Written comments may also be emailed to 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 conducted by the CBSC 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

Reference: Government Code Section 11346.5(a)(18).

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

Reference: Government Code Section 11346.5(a)(2).

The CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.3. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 1275, 18928, 129790 and 129850.

The Office of Statewide Health Planning and Development (OSHPD) is proposing this regulatory action based on Health and Safety Code, Section 129850.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

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 correctional treatment centers.

Health and Safety Code, Section 18928, requires OSHPD to adopt and reference the most recent edition of a model code. The model code, with amendments or proposed changes, shall be adopted within one year after the publication date.

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

Health and Safety Code, Section 129850, authorizes OSHPD to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act. OSHPD is also authorized and responsible to submit building standards related to the seismic safety of hospital buildings to the California Building Standards Commission.

Summary of Existing Regulations

Title 24, Part 4, 2019 California Mechanical Code (CMC), is based on the 2018 Uniform Mechanical Code with California amendments. The CMC contains mechanical system requirements for design and construction of hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers.

Summary of Effect

The proposed action makes editorial and minor technical modifications to various mechanical system requirements for hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers.

Additionally, the proposal makes minor editorial and technical modifications for clarification, repeals outdated unnecessary requirements, and provides consistency within Title 24 and is in alignment with nationally recognized standards.

The proposed action allows for more spaces in medical facilities to be ventilated per ASHRAE 62.1, and makes technical modifications to provide consistency with ASHRAE 170 and USP 800.

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 provide editorial and minor technical modifications for clarification and consistency within the code and alignment with ASHRAE 170.

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

Reference: Government Code Section 11346.5(a)(4). There are no other matters prescribed by statute that are applicable to OSHPD, specific regulation or class of regulations.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5). OSHPD does not have authority to impose building standards or regulations on school districts; the proposed regulatory action will not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

- 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: N/A

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: 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.

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

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).

In making 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.

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 make necessary technical modifications to the existing code that are in alignment with health facility licensing requirements, the California Building Code and with national standards.

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

Reference: Government Code Section 11346.5(a)(11).

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.

OSHPD has made an assessment 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

Reference: 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:

OSHPD has identified a cost impact that representative businesses would incur in reasonable compliance with one requirement in the proposed action. The addition of redundant cooling systems for each technology equipment center as represented in the new Section 320.4.4 of the California Mechanical Code is expected to increase the cost of new hospitals by \$245,000 each.

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

Reference: Government Code Section 11346.5(a)(10).

The Office of Statewide Health Planning and Development has assessed whether or not and to what extent this proposal will affect the following:

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

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

B. 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.

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

The proposed regulations will not cause expansion of businesses currently doing business within the State of California.

D. The benefits of the regulations 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

Reference: Government Code Section 11346.5(a)(12).

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

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

OSHPD has determined that no reasonable alternative considered by OSHPD or that has otherwise been identified and brought to the attention of OSHPD 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 pro-

posed action, or would be more cost-effective to affect private persons and equally effective in implementing the statutory policy or other provisions of law.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**

Reference: Government Code Sections
11346.5(a)(16) and 11346.5(a)(20).

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

Reference: Government Code Section
11346.5(a)(19).

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 CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section
11346.5(a)(21).

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**

Reference: Government Code Section
11346.5(a)(14).

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

Michael Nearman, Deputy Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263-0916

**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:

Richard Tannahill, Health Facilities Review, Acting
Supervisor
Lori Campbell, Building Standards Unit, Alternate
Contact
Office of Statewide Health Planning and
Development
Facilities Development Division
(916) 440-8300
FAX (916) 324-9118
regsunit@oshpd.ca.gov

**TITLE 24. BUILDING
STANDARDS COMMISSION**

**THE OFFICE OF STATEWIDE HEALTH
PLANNING AND DEVELOPMENT
REGARDING THE 2019
CALIFORNIA PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 5
(OSHPD 06/19)**

Note to agencies: The laws associated with the instructions in this form are found primarily in Government Code Section 11346.5 et sequentes. For clarity during the administrative review process, do not remove the headings or statutory references to applicable sections being completed.

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Office of Statewide Health Planning and Development proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 5. The OSHPD is proposing building standards related to the construction of hospitals, skilled nursing facilities, licensed clinics, and correctional treatment centers.

PUBLIC COMMENT PERIOD

Reference: Government Code Section
11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from April 10, 2020, until 5:00 p.m. on May 26, 2020.

Please address your comments to:

California Building Standards Commission

Attention: Mia Marvelli, Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Written comments may also be emailed to 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 conducted by the CBSC 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

Reference: Government Code Section 11346.5(a)(18).

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

Reference: Government Code Section 11346.5(a)(2).

The CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.3. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Section 1275, 18928, 129790 & 129850.

The Office of Statewide Health Planning and Development is proposing this regulatory action based on Health and Safety Code Section 129850.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

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 correctional treatment centers.

Health and Safety Code, Section 18928, requires OSHPD to adopt and reference the most recent edition of a model code. The model code, with amendments or proposed changes, shall be adopted within one year after the publication date.

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

Health and Safety Code, Section 129850, authorizes OSHPD to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act. OSHPD is also authorized and responsible to submit building standards related to the seismic safety of hospital buildings to the California Building Standards Commission.

Summary of Existing Regulations

Title 24, Part 5, 2019 California Plumbing Code (CPC), is based on the 2018 Uniform Plumbing Code with California amendments. The CPC contains plumbing system requirements for design and construction of hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers.

Summary of Effect

The proposed action makes editorial and minor technical modifications to various plumbing system requirements for hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers.

Additionally, the proposal makes minor editorial and technical modifications for clarification, repeals outdated unnecessary requirements, and provides consistency within Title 24.

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 provide editorial and minor technical modifications for clarification and consistency within 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**

Reference: Government Code Section 11346.5(a)(4).
There are no other matters prescribed by statute that are applicable to OSHPD, specific regulation or class of regulations.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

Reference: Government Code Section 11346.5(a)(5).
OSHPD has determined that the proposed regulatory action **WOULD NOT** impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

- 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 within 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: N/A

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

Reference: 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.

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

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).
In making 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.

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 make necessary technical modifications to the existing code that are in alignment with health facility licensing requirements, the California Building Code and with national standards. OSHPD did present for public information at the Hospital Building Safety Board meetings.

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

Reference: Government Code Section 11346.5(a)(11).

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.

OSHPD has made an assessment 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**

Reference: 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:

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

Reference: Government Code Section
11346.5(a)(10).

The Office of Statewide Health Planning and Development has assessed whether or not and to what extent this proposal will affect the following:

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

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

B. 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.

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

The proposed regulations will not cause expansion of businesses currently doing business within the State of California.

D. The benefits of the regulations 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

Reference: Government Code Section
11346.5(a)(12).

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

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section
11346.5(a)(13).

OSHPD has determined that no reasonable alternative considered by OSHPD or that has otherwise been identified and brought to the attention of OSHPD 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

Reference: Government Code Sections
11346.5(a)(16) and 11346.5(a)(20).

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

Reference: Government Code Section
11346.5(a)(19).

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 CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section
11346.5(a)(21).

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

Reference: Government Code Section
11346.5(a)(14).

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

Michael Nearman, Deputy Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263-0916

**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:

Richard Tannahill, Health Facilities Review, Acting Supervisor
Lori Campbell, Building Standards Unit, Alternate Contact
Office of Statewide Health Planning and Development
Facilities Development Division
(916) 440-8300
FAX (916) 324-9118
regsunit@oshpd.ca.gov

**TITLE 24. BUILDING
STANDARDS COMMISSION**

**THE STATE FIRE MARSHAL
REGARDING THE 2019
CALIFORNIA ELECTRICAL CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 3
(SFM 03/19)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the State Fire Marshal (SFM) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 3. The SFM is proposing building standards related to the 2019 intervening rulemaking code cycle.

PUBLIC COMMENT PERIOD

Reference: Government Code Section 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 10, 2020**, until **5 p.m. on May 26, 2020**.

Please address your comments to:

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

Written comments may also be emailed to 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 conducted by the CBSC 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**

Reference: Government Code Section 11346.5(a)(18).

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

The State Fire Marshal has proposed these building standards under the direct statutory authority to adopt, amend and or repeal rules and regulations for fire and life safety regulations.

The State Fire Marshal is proposing this regulatory action pursuant to Health and Safety Code Sections 1250, 1569.72, 1569.78, 1568.02, 1502, 1597.44, 1597.45, 1597.46, 1597.54, 1597.65, 13108, 13108.5, 13113, 13113.5, 13114, 13143, 13132, 13132.7, 13133, 13135, 13143.2, 13143.6, 13146, 13210, 13211, 17921, 18928, 18949.2, and 25500-25545, Government Code Section 51189, and Education Code Section 17074.50. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code section 18928.

The proposed building standards are not within the exclusive jurisdiction of another agency.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code Section 13108(a).

The State Fire Marshal shall prepare and adopt building standards related to the means of egress, the installation of fire alarms and fire extinguishing systems in any state-owned building or in any state-occupied building.

Health and Safety Code Section 13113.

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

Health and Safety Code Section 13113.5.

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

Health and Safety Code Section 13114(a).

The State Fire Marshal shall adopt regulations and standards to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state, and 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.

Health and Safety Code Section 13132.

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

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

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

Health and Safety Code Section 13132.7.

Mandates fire retardant roof coverings in fire hazard severity zones.

Health and Safety Code Section 13133(a).

The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, and residential care facilities for the elderly.

These fire safety standards shall apply uniformly throughout the state.

Health and Safety Code Section 13135.

The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities based on whether the residents or patients of the facilities are non-ambulatory.

Health and Safety Code Section 13143.

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

Health and Safety Code Section 13143.1(a).

The State Fire Marshal shall prepare, adopt, and submit building standards for establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any motion picture or television production facility.

Health and Safety Code Section 13143.6(a).

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

Health and Safety Code Section 13211.

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

Health and Safety Code Section 17921(b).

The State Fire Marshal shall adopt, amend, or repeal and submit building standards for approval pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the State Fire Marshal shall adopt, amend, and repeal other rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses and dwellings, buildings, and structures accessory thereto. These building standards and regulations shall be enforced pursuant to Sections 13145 and 13146; however, this section is not intended

to require an inspection by a local fire agency of each single-family dwelling prior to its occupancy.

Health and Safety Code Section 18928(a).

Requires each state agency adopting or proposing adoption of a model code, national standards, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

Health and Safety Code Section 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 SFM currently adopts by reference the California Code of Regulations, Title 24, Part 3, 2019 California Electrical Code with SFM amendments and additional building standards relating to regulations that establish minimum requirements for the prevention of fire and for the protection of life and property against fire and in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

Summary of Effect

The general purpose of this proposed action is principally intended to update the 2019 California Electrical Code (California Code of Regulations, Title 24, Part 3) based upon updated information or recent actions of the SFM. This proposed action:

Repeals certain amendments to the 2017 National Electrical Code and/or California Building Standards not addressed by the model code that are no longer necessary nor justified pursuant to Health and Safety Code section 18930(a)(7).

Adopts and implement additional necessary amendments to the 2019 California Electrical Code that address inadequacies of the 2017 National Electrical Code as they pertain to California laws.

Codifies non-substantive editorial and formatting amendments to the 2019 California Electrical Code.

Comparable Federal Statutes or Regulations

The SFM has determined that there are no comparable federal regulations or statutes addressing the fire and life safety requirements as presented in this notice.

Policy Statement Overview

The specific purpose of this rulemaking effort by the SFM is to act in accordance with Health and Safety Code section 18929.1, which requires all proposed regulations to specifically comply with this section in regards to the annual code adoption cycle.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in the 2017 National Electrical Code and published as the 2019 California Electrical Code.

The SFM further proposes to offer new amendments where necessary to ensure that the regulations of the California Electrical Code establish and/or maintain minimum requirements for the prevention of fire and panic for the protection of life and property against fire and panic in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above in the summary of existing laws.

Evaluation of Consistency

The proposed regulations are consistent with existing state regulations.

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

Reference: Government Code Section 11346.5(a)(4).

The SFM has determined that there are no other prescribed statutes or any specific regulation or class of regulation applicable to the amendments and building standards relating to the 2019 California Electrical Code.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

Reference: Government Code Section 11346.5(a)(5).
SFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: 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.

- 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: 0

**INITIAL DETERMINATION OF
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES**

Reference: Government Code Section 11346.5(a)(7).
The SFM has made an initial determination that the adoption of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

DECLARATION OF EVIDENCE

Reference: Government Code Section 11346.5(a)(8).
The impact to business is described in the Economic and Fiscal Impact Statement.

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

Reference: Government Code Section 11346.5(a)(11).
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 SFM has assessed 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**

Reference: Government Code Section 11346.5(a)(9).

The impact to business is described in the Economic and Fiscal Impact Statement.

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

Reference: Government Code Section 11346.5(a)(10).

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

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

The Tall Wood Building (TWB) proposals will create the opportunity for the increased use of mass timber. The use of mass timber can deliver significant cost savings. The cost of the materials is the same or higher. The time of construction at the site can be reduced by 20% and the on-site skilled labor is reduced. The regulations may create an increase in the demand for specialists, designers, and engineers in mass timber. They may also increase the demand for workers in manufacturing plants of mass timber if they are built in California.

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

The Tall Wood Building proposals will create the opportunity for the increased use of mass timber. The use of mass timber can deliver significant cost savings. The cost of the materials is the same or higher. The time of construction at the site can be reduced by 20% and the on-site skilled labor is reduced. This may increase the mass timber manufacturers, designers, and construction firms in California.

- C. The expansion of businesses currently doing business within the State of California. The Tall Wood Building proposals will create the opportunity for the increased use of mass timber. This may create the increased use of wood products. Inversely, this may create a reduction in the traditional use of concrete and steel in construction.

This is new to the industry and the expanded use of mass timber is unknown and difficult to calculate for the 18-month effective period of analysis. The manufacturing of the product is currently done in other states. According to the Beck Group, as of 2018 there are five certified manufacturers of Cross Laminated Timber (CLT) in North America. This will provide the incentive to produce CLT in California, but it is unlikely to occur within the

18-month time frame. The proposals may create the opportunity for manufacturing to move into the state, but to what extent is unknown.

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

The SFM worked with various stakeholders to propose regulations that provide an acceptable level of fire and life safety. These proposals include safety in electrical wiring in tall wood buildings.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

The SFM did not identify and impact on housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

SFM has determined that no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM 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

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All 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 CBSC website: www.dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

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 CBSC website: www.dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

SFM 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

Reference: 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: (916) 263-0916

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:

Gregory Andersen, Chief of Code Development
CAL FIRE, Office of the State Fire Marshal
(916) 568-2915
Greg.andersen@fire.ca.gov

Crystal Sujeski, Deputy State Fire Marshal III
Specialist
Office of the State Fire Marshal, Code Development and Analysis Division
(916) 568-2916
Crystal.sujeski@fire.ca.gov

GENERAL PUBLIC INTEREST

**BOARD OF FORESTRY AND
FIRE PROTECTION**

NOTICE OF CORRECTION

**“Fuel Hazard Reduction Amendments, 2020”
(Permanent Rulemaking)
Title 14 of the California Code of
Regulations (14 CCR),
Division 1.5, Chapter 4
Subchapters 4, 5, and 6, Article 3;
Subchapter 7, Article 2
Amend: §§ 913, 933, 953, 1052, and 1052.4**

**CORRECTION TO THE LOCATION OF
PUBLIC HEARING**

On March 20, 2020, the Board of Forestry and Fire Protection (Board) published the Notice of Proposed Action regarding “Fuel Hazard Reduction Amendments, 2020”. The Board is hereby correcting the public comment period, and location and date that the public hearing will be held as published within that Notice of Proposed Action.

Within the previously published Notice of Proposed Action, the location of the public hearing was identified as Catamaran Resort Hotel, 3999 Mission Boulevard, San Diego, CA 92109. The hearing has been re-scheduled and re-located. **The revised hearing will be conducted on June 10, 2020, at the Board’s regularly scheduled meeting commencing at 9:00 a.m., at the Natural Resources Building Auditorium, 1416 9th Street, Sacramento, CA.** Due to this change, the written comment period will end at the conclusion of the public hearing on June 10, 2020. All other information contained within the originally published notice remains unchanged.

CONTACT PERSON

Any questions regarding the re-scheduling of the public hearing, requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: Eric Hedge
Regulations Program Manager
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-8007

The designated backup person in the event Mr. Hedge is not available is Matt Dias, Executive Officer for the Board of Forestry and Fire Protection. Mr. Dias may be contacted at the above address or by phone at (916) 653-8007.

**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# 2020-0220-01
CALIFORNIA DEPARTMENT OF TAX AND FEE
ADMINISTRATION
Collection of Use Tax by Retailers

This file and print action updates definitions, presumptions, and requirements for collection of use tax by retailers. This action is exempt from the procedural and substantive requirements of the Administrative Procedure Act, including review by the Office of Administrative Law, pursuant to Stats. 2019, ch. 5, sec. 7, subd. (a).

Title 18
AMEND: 1684, 1827
Filed 03/30/2020
Effective 03/30/2020
Agency Contact: Kim Rios (916) 324-0293

File# 2020-0214-01
CALIFORNIA SCHOOL FINANCE AUTHORITY
Charter School Facility Grant Program

This regulatory action updates existing regulations that set forth criteria and requirements for the administration of a grant program designed to disburse facilities funds to charter schools within the state of California.

Title 4
AMEND: 10170.2, 10170.3, 10170.4, 10170.5,
10170.6, 10170.7, 10170.9
Filed 03/30/2020
Effective 03/30/2020
Agency Contact: Jodie Jones (916) 651-2837

File# 2020-0311-04
CANNABIS CONTROL APPEALS PANEL
Conflict-of-Interest Code

This is a conflict-of-interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 16
AMEND: 6020
Filed 04/01/2020
Effective 05/01/2020
Agency Contact:
Christopher Phillips (916) 653-4090

File# 2020-0221-01
COMMISSION ON TEACHER CREDENTIALING
Fees

The Commission on Teacher Credentialing filed this action to amend a regulation that establishes credential fees.

Title 5
AMEND: 80487
Filed 03/26/2020
Effective 07/01/2020
Agency Contact: Vanessa Ragudo (916) 323-8758

File# 2020-0213-02
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Reforms to Parole Consideration:
Determinately-Sentenced NV Offenders

This certificate of compliance makes permanent the emergency regulations removing the CDCR public safety pre-screening process with respect to Proposition 57 parole considerations for determinatively-sentenced nonviolent inmates, to align the regulations with the judicial opinion of *In re McGhee* (2019) 34 Cal.App.5th 902. The action also amends related provisions. (See OAL Matter No. 2019-0821-04.)

Title 15
AMEND: 2449.3, 2449.4, 2449.5, 2449.6, 2449.7,
3492, 3493
REPEAL: 2449.2
Filed 03/26/2020
Effective 03/26/2020
Agency Contact: Josh Jugum (916) 445-2266

File# 2020-0309-01
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Grievances and Appeals

In this emergency of operational necessity rulemaking by the Department of Corrections and Rehabilitation (the "Department") pursuant to Penal Code section 5058.3, the Department is amending and restructuring the inmate and parolee grievances and appeals process.

Title 15
ADOPT: 3084, 3480, 3481, 3482, 3483, 3484, 3485,
3486, 3487, 3488
AMEND: 3000, 3045, 3077.3, 3078.4, 3134.1,
3136, 3137, 3141, 3173.1, 3179, 3193, 3220.4,
3230, 3282, 3378.4, 3383, 3475 (renumbered to
3465), 3476 (renumbered to 3466), 3477 (renumbered to
3467), 3478 (renumbered to 3468), 3479
(renumbered to 3469), 3480 (renumbered to 3470),
3480.1 (renumbered to 3471), 3481 (renumbered to
3472), 3482 (renumbered to 3473), 3483 (renumbered to
3474), 3484 (renumbered to 3475), 3485
(renumbered to 3476), 3486 (renumbered to 3477),
3491, 3492, 3548, 3563, 3630, 3723
REPEAL: 3084, 3084.1, 3084.2, 3084.3, 3084.4,
3084.5, 3084.6, 3084.7, 3084.8, 3084.9, 3085, 3086,
3369.5
Filed 03/25/2020
Effective 06/01/2020
Agency Contact: Anthony Carter (916) 445-2220

File# 2020-0326-03
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Limited Term Light Duty Assignments/Temporary
Modified Work Assignment

In OAL Matter No. 2020-0210-02EON (the "EON"), the Department of Corrections and Rehabilitation (the "Department") amended regulations pertaining to a Limited Term Light Duty Assignment (an "LTLDA") and adopted regulations pertaining to a Temporary Modified Work Assignment (a "TMWA"). Both an LTLDA and a TMWA permit an employee with documented temporary medical limitation(s) or restric-

tion(s), that affect the employee’s ability to perform one or more of the essential functions and requires the waiver of one or more essential functions of the employee’s current classification and position, to remain working or return to work after an injury or illness. In this emergency rulemaking, the Department is amending and repealing the changes made in the EON to revert the regulations to how they appeared prior to the EON.

Title 15
 AMEND: 3436
 REPEAL: 3436.1
 Filed 03/30/2020
 Effective 04/01/2020
 Agency Contact: Sarah Pollock (916) 445-2308

File# 2020-0224-01
 DEPARTMENT OF EDUCATION
 Licensing Exemption for LEAs Operating CSPP

In this rulemaking action the Department of Education makes permanent the requirements for California State Preschool Programs exempt from the licensing requirements in Title 22 of the California Code of Regulations pursuant to Health and Safety Code section 1596.792(o).

Title 5
 ADOPT: 18140, 18145, 18150, 18155, 18160, 18165
 Filed 03/26/2020
 Effective 03/26/2020
 Agency Contact: Hillary Wirick (916) 319-0860

File# 2020-0318-03
 DEPARTMENT OF JUSTICE
 ID Requirements for Firearms/Ammo Eligibility Checks

In this emergency readopt of OAL Matter No. 2019-1210-03EE, the Department of Justice (“DOJ”) is adopting additional documentation requirements for

eligibility checks on any application or report for which an applicant is required to submit a driver license or identification card, or the number from a driver license or identification card, so that DOJ may determine the applicant’s eligibility to possess a firearm or ammunition under state or federal law.

Title 11
 ADOPT: 4045.1
 AMEND: 4002, 4142, 5478
 Filed 03/25/2020
 Effective 03/31/2020
 Agency Contact: Julia Zuffelato (916) 210-6040

File# 2020-0316-02
 DEPARTMENT OF STATE HOSPITALS
 Conflict-of-Interest Code

This is a conflict-of-interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 9
 AMEND: 400
 Filed 04/01/2020
 Effective 05/01/2020
 Agency Contact: Trini Balcazar (916) 562-2824

File# 2020-0212-03
 OCCUPATIONAL SAFETY AND HEALTH
 STANDARDS BOARD
 Asbestos

This action by the Occupational Safety and Health Standards Board makes changes without regulatory effect by correcting a typographical error in section 1529 pertaining to asbestos.

Title 8
 AMEND: 1529
 Filed 03/26/2020
 Agency Contact: Christina Shupe (916) 274-5721

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN January 1, 2020 TO
 March 31, 2020**

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 02
 01/03/2020 AMEND: 37000
 01/23/2020 AMEND: 1181.1, 1181.2, 1181.3, 1181.4, 1181.8, 1181.9, 1183.1, 1183.2, 1183.3, 1183.4, 1183.6, 1183.7, 1183.8, 1183.9, 1183.10, 1183.11, 1183.12, 1183.13, 1183.15, 1183.16, 1183.17, 1183.18, 1184.1, 1185.1,

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1185.2, 1185.3, 1185.4, 1185.5, 1185.6, 1185.7, 1185.8, 1185.9, 1186.2, 1186.4, 1186.6, 1186.7, 1187.1, 1187.2, 1187.3, 1187.4, 1187.6, 1187.7, 1187.8, 1187.9, 1187.13, 1187.14, 1187.15, 1188.1, 1188.2, 1190.1, 1190.2, 1190.3, 1190.5

01/15/2020 ADOPT: 18702.5 REPEAL: 18702.5

01/21/2020 AMEND: 18702.4

01/16/2020 REPEAL: 18308, 18308.1, 18308.2, 18308.3

02/05/2020 AMEND: 59550

02/27/2020 AMEND: 599.518

02/28/2020 AMEND: 599.500, 599.501, 599.502, 599.503, 599.506, 599.516

03/04/2020 ADOPT: 249.1.1, 249.1.2, 249.1.3, 249.8, 280.1, 425, 426, 427, 428, 429, 430, 432, 434, 435, (Article 19.1) 437, 438, 438.1, 438.2, 438.3, 438.4, 438.5, 438.6, 438.7, 4339, 439.1, 439.2, 439.3, 439.4, 440, 440.1, 440.2, 440.3, 440.4, 441, 441.1, 441.2, 442. AMEND: 151.5, 170, 174, 249, 249.1, 250.2, 548.95. REPEAL: 249.8, 425, 426, 427, 430, 432, 433.1, 434, 435, 438, 439, 440, 441, 442, 443. 444

03/03/2020 ADOPT: 22100.5, 22100.6, 22100.7, 22100.8, 22100.9, 22101.1, 22101.2, 22101.3, 22101.4, 22101.5
AMEND: 22100, 22100.1, 22100.2, 22100.3, 22100.4

02/20/2020 AMEND: 39000, 39001, 39002

03/05/2020 ADOPT: 20110, 20111, 20112, 20113, 20114, 20115, 20116, 20117, 20118, 20119, 20120, 20121, 20122, 20123, 20124, 20125, 20126

02/18/2020 AMEND: 1860, 1860.02, 1860.3, 1860.4, 1860.05, 1860.06, 1860.10, 1860.11, 1860.13, 1860.15, 1860.18, 1860.19

02/26/2020 AMEND: 57400

03/24/2020 AMEND: 59640

Title 03

02/21/2020 AMEND: 3601

03/19/2020 AMEND: 3899

03/17/2020 ADOPT: 4901, 4902

03/24/2020 ADOPT: 4940, 4941, 4942, 4943, 4944, 4945, 4946, 4950, 4950.1

Title 04

01/16/2020 ADOPT: 7000, 7001, 7002, 7003, 7003.1, 7004, 7004.1, 7005, 7006, 7006.1, 7007, 7007.1, 7008, 7008.1, 7009, 7010, 7011, 7012, 7013, 7013.1, 7013.2, 7014, 7015, 7015, 7017

01/22/2020 ADOPT: 12057 AMEND: 12002, 12006, 12012, 12014, 12015, 12017, 12035, 12050, 12052, 12054, 12056, 12058, 12060, 12062, 12064, 1266, 12068

01/23/2020 AMEND: 4001, 4002.9

01/28/2020 AMEND: 1481, 2071, 2072

01/21/2020 AMEND: 10092.1, 10092.2, 10092.3, 10092.4, 10092.5, 10092.6, 10092.7, 10092.8, 10092.9, 10092.10, 10092.11, 10092.12, 10092.13, 10092.14

01/08/2020 ADOPT: 7000, 7001, 7002, 7003, 7003.1, 7004, 7004.1, 7005, 7006, 7006.1, 7007, 7007.1, 7008, 7008.1, 7009, 7010, 7011, 7012, 7013, 7013.1, 7013.2, 7014, 7015, 7016, 7017

01/30/2020 ADOPT: 10093.1, 10093.2, 10093.3, 10093.4, 10093.5, 10093.6, 10093.7, 10093.8, 10093.9, 10093.10, 10093.11

02/27/2020 AMEND: 2049

03/10/2020 ADOPT: 1846.6

02/19/2020 AMEND: 5000, 5035, 5180

02/20/2020 ADOPT: 1435

03/30/2020 AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.9

03/19/2020 AMEND: 8130, 8131, 8134, 8138

03/16/2020 ADOPT: 1868
 02/26/2020 AMEND: 1843.5, 1844

Title 05

01/07/2020 AMEND: 41500, 41503, 41504, 41505
 01/27/2020 ADOPT: 11518.37, 11518.77 AMEND: 11518, 11518.5, 11518.15, 11518.20, 11518.25, 11518.30, 11518.35, 11518.40, 11518.45, 11518.50, 11518.75
 01/17/2020 ADOPT: 11518.37, 11518.77 AMEND: 11518, 11518.5, 11518.15, 11518.20, 11518.25, 11518.30, 11518.35, 11518.40, 11518.45, 11518.50, 11518.75
 03/05/2020 ADOPT: 27800, 27801 AMEND: 27000, 27001, 27002, 27702, 27703
 02/20/2020 AMEND: 58146
 02/20/2020 AMEND: 55050
 03/26/2020 AMEND: 80487
 03/26/2020 ADOPT: 18140, 18145, 18150, 18155, 18160, 18165
 03/12/2020 AMEND: 19810
 03/11/2020 AMEND: 56220
 03/11/2020 AMEND: 55150, 55151, 55154, 55155, 58160
 03/17/2020 ADOPT: 52020

Title 08

01/09/2020 AMEND: 8615(g)
 01/28/2020 AMEND: 342
 01/06/2020 AMEND: 336
 02/10/2020 AMEND: 330
 01/16/2020 ADOPT: 5141.1
 03/03/2020 AMEND: 3203
 03/03/2020 AMEND: 1504, 1526, 3361, 3364, 3437, 3457, 5192
 03/10/2020 AMEND: 3395
 03/19/2020 AMEND: 9789.39
 03/23/2020 ADOPT: 16410, 16411, 16412, 16413, 16414, 16415, 16416, 16417, 16418
 03/26/2020 AMEND: 1529

Title 09

01/14/2020 ADOPT: 4750, 4751

Title 09, 15

02/13/2020 AMEND: 4002 [renumbered to 30000], 4003 [renumbered to 30001], 4004 [renumbered to 30003], 4600 [renumbered to 30003], 4611 [renumbered to 30025], 4618 [renumbered to 30026], 4724 [renumbered to 30130], 4725 [renumbered to 30132], 4705 [renumbered to 30140], 4760 [renumbered to 30150], 4762 [renumbered to 30151], 4766 [renumbered to 30160], 4767 [renumbered to 30170], 4199 [renumbered to 30185], 4699 [renumbered to 30201], 4701 [renumbered to 30207], 4139 [renumbered to 30224], 4121 [renumbered to 30230], 4122 [renumbered to 30232], 4124 [renumbered to 30234], 4125 [renumbered to 30235], 4750 [renumbered to 30260], 4750.1 [renumbered to 30261], 4751 [renumbered to 30262], 4696 [renumbered to 30275], 4720 [renumbered to 30300], 4720.1 [renumbered to 30302], 4721 [renumbered to 30304], 4723 [renumbered to 30305], 4694 [renumbered to 30400], 4692 [renumbered to 30410], 4695 [renumbered to 30421], 4130 [renumbered to 30422], 4131 [renumbered to 30445], 4132 [renumbered to 30450], 4690 [renumbered to 30455], 4691 [renumbered to 30457], 4134 [renumbered to 30458], 4135 [renumbered to 30459], 4137 [renumbered to 30460], 4138 [renumbered to 30461], 4703 [renumbered to 30462], 4698 [renumbered to 30488], 4085 [renumbered to 30500], 4086 [renumbered to 30501], 4087 [renumbered to 30502], 4088 [renumbered to 30503], 4089 [renumbered to 30504], 4090 [renumbered to 30505], 4091 [renumbered to 30506], 4092 [renumbered to 30507], 4093 [renumbered to 30508], 4095 [renumbered to 30509], 4096 [renumbered to 30510], 4098 [renumbered to 30511], 4102 [renumbered to 30512], 4103 [renum-

bered to 30513], 4104 [renumbered to 30514], 4105 [renumbered to 30515], 4106 [renumbered to 30516], 4670 [renumbered to 30525], 4671 [renumbered to 30526], 4672 [renumbered to 30527], 4673 [renumbered to 30528], 4675 [renumbered to 30529], 4621.1 [renumbered to 30535], 4621.2 [renumbered to 30536], 4617 [renumbered to 30540], 4622 [renumbered to 30541], 4621 [renumbered to 30542], 4730 [renumbered to 30600], 4732 [renumbered to 30601], 4733 [renumbered to 30602], 4734 [renumbered to 30603], 4735 [renumbered to 30604], 4736 [renumbered to 30605], 4737 [renumbered to 30606], 4739 [renumbered to 30607], 4740 [renumbered to 30608], 4742 [renumbered to 30656], 4743 [renumbered to 30657], 4745 [renumbered to 30658], 4746 [renumbered to 30661], 4746.5 [renumbered to 30663], 4747 [renumbered to 30664], 4744 [renumbered to 30690], 4630 [renumbered to 30700], 4632 [renumbered to 30701], 4634 [renumbered to 30702], 4635 [renumbered to 30703], 4636 [renumbered to 30704], 4641 [renumbered to 30705], 4642 [renumbered to 30706], 4643 [renumbered to 30707], 4644 [renumbered to 30708], 4645 [renumbered to 30709], 4646 [renumbered to 30710], 4647 [renumbered to 30711], 4648 [renumbered to 30712], 4649 [renumbered to 30713], 4650 [renumbered to 30714], 4652 [renumbered to 30715], 4653 [renumbered to 30716], 4704 [renumbered to 30913], 4141 [renumbered to 30914], 4637 [renumbered to 30915], 4639 [renumbered to 30916], 4002.5 [renumbered to 30935], 4603 [renumbered to 30936], 4710 [renumbered to 30945], 4711 [renumbered to 30946], 4712 [renumbered to 30947], 4140 [renumbered to 30948], 4713 [renumbered to 30955], 4714 [renumbered to 30956], 4697 [renumbered to 30958], 4133 [renumbered to 30965], 4680 [renumbered to 30975], 4681 [renumbered to 30976], 4684 [renumbered to 30977], 4685 [renumbered to 30978], 4034.0 [renumbered to 30985], 4034.1 [renumbered to 30986], 4034.2 [renumbered to 30987], 4034.3 [renumbered to 30988], 4034.4 [renumbered to 30989], 4700 [renumbered to 31100], 4253 [renumbered to 31150], 4146 [renumbered to 31200], 4148 [renumbered to 31201], 4149.8 [renumbered to 31205], 4151 [renumbered to 31210], 4151.5 [renumbered to 31211], 4152 [renumbered to 31212], 4152.5 [renumbered to 31213], 4152.6 [renumbered to 31214], 4153.5 [renumbered to 31215], 4155.5 [renumbered to 31220], 4156 [renumbered to 31221], 4156.5 [renumbered to 31222], 4156.6 [renumbered to 31223], 4157 [renumbered to 31224], 4159 [renumbered to 31230], 4160 [renumbered to 31231], 4160.5 [renumbered to 31232], 4161 [renumbered to 31233], 4161.3 [renumbered to 31234], 4162 [renumbered to 31235], 4162.5 [renumbered to 31236], 4166 [renumbered to 31300], 4168 [renumbered to 31305], 4168.5 [renumbered to 31306], 4168.7 [renumbered to 31307], 4169 [renumbered to 31308], 4169.5 [renumbered to 31309], 4169.9 [renumbered to 31310], 4170.5 [renumbered to 31320], 4171 [renumbered to 31321], 4171.5 [renumbered to 31322], 4173 [renumbered to 31323], 4174 [renumbered to 31324], 4174.5 [renumbered to 31325], 4174.6 [renumbered to 31326], 4197 [renumbered to 31340], 4197.1 [renumbered to 31341], 4197.2 [renumbered to 31342], 4197.3 [renumbered to 31343], 4197.4 [renumbered to 31344], 4198 [renumbered to 31345], 4190 [renumbered to 31375], 4191 [renumbered to 31376], 4143.1 [renumbered to 31400], 4143.2 [renumbered to 31401], 4143.3 [renumbered to 31402], 4143.4 [renumbered to 31420], 4143.5 [renumbered to 31421], 4143.6 [renumbered to 31422], 4175.5 [renumbered to 31500], 4178 [renumbered to 31505], 4178.5 [renumbered to 31506], 4179 [renumbered to 31507], 4179.5 [renumbered to 31508], 4180 [renumbered to 31509], 4180.5 [renumbered to 31510], 4181 [renumbered to 31511], 4182 [renumbered to 31512], 4184 [renumbered to 31520], 4184.5 [renumbered to 31521], 4185 [renumbered to 31522], 4185.5 [renumbered to 31523], 4186 [renumbered to 31524], 4186.5 [renumbered to 31525], 4187 [renumbered to 31526], 4188.5 [renumbered to 31535], 4036 [renumbered to 31605], 4037 [renumbered to 31606], 4039 [renumbered to 31607], 4043 [renumbered to 31608], 4045 [renumbered to 31609], 4046 [renumbered to 31610], 4047 [renumbered to 31611]

03/02/2020 AMEND: 4900 [renumbered to 30800], 4950 [renumbered to 30805], 4950.5 [renumbered to 30806], 4951 [renumbered to 30807], 4952 [renumbered to 30808], 4953 [renumbered to 30809], 4954 [renumbered to 30810], 4955 [renumbered to 30811], 4656 [renumbered to 30812], 4957 [renumbered to 30813], 4945 [renumbered to 30815], 4945.5 [renumbered to 30816], 4961 [renumbered to 30825], 4963 [renumbered to 30826], 4935 [renumbered to 30835], 4936 [renumbered to 30836], 4937 [renumbered to 30837], 4938 [renumbered to 30838], 4939 [renumbered to 30839], 4940 [renumbered to 30840], 4941 [renumbered to 30845], 4944 [renumbered to 30846], 4925 [renumbered to 30847], 4926 [renumbered to 30848], 4927 [renumbered to 30849], 4928 [renumbered to 30850], 4929 [renumbered to 30851], 4966 [renumbered to 30865], 4967 [renumbered to 30866], 4968 [renumbered to 30867], 4969 [renumbered to 30868], 4986 [renumbered to 30885], 4989 [renumbered to 30887], 4990 [renumbered to 30888], 4995 [renumbered to 30893], 4996 [renumbered to 30894], 4997 [renumbered to 30897]

Title 10

01/15/2020 AMEND: 2690, 2690.1

02/25/2020 AMEND: 2498.5

02/12/2020 AMEND: 2498.6

02/05/2020 AMEND: 6400
03/12/2020 ADOPT: 6900, 6901, 6902, 6903, 6904, 6905, 6906, 6907, 6908
02/19/2020 AMEND: 3525, 3541 REPEAL: 3542

Title 11

01/15/2020 AMEND: 1052
01/28/2020 AMEND: 5505, 5507, 5509, 5510, 5511, 5513, 5514, 5516, 5517, 5518, 5521
02/14/2020 AMEND: 1005, 1007, 1008
02/12/2020 AMEND: 1055
02/11/2020 AMEND: 1005
02/12/2020 AMEND: 1052
02/28/2020 AMEND: 1055
03/13/2020 ADOPT: 119.1
03/25/2020 ADOPT: 4045.1 AMEND: 4002, 4142, 5478

Title 13

01/02/2020 AMEND: 2621
01/15/2020 AMEND: 1157.14
02/26/2020 AMEND: 550, 551, 551.8, 551.14, 551.15, 551.16, 551.17, 551.25, 553.30, 553.40, 553.75, 554, 555, 555.1, 557, 561, 562, 564, 584, 591, 592, 593.3, 595, 597 REPEAL: 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577
02/27/2020 AMEND: 1239

Title 13, 17

01/21/2020 AMEND: 1956.8, 95663

Title 14

01/07/2020 AMEND: 1091.9, 1091.15
01/13/2020 AMEND: 1153
02/19/2020 ADOPT: 1280.00, 1280.02 AMEND: 1280 [renumbered to 1280.01]
02/20/2020 ADOPT: 12669.00, 1266.01, 1266.02
02/20/2020 AMEND: 132.7
02/27/2020 AMEND: 473
02/27/2020 ADOPT: 28.62, 55.00, 55.01, 55.02 AMEND: 27.60, 28.60, 163, 163.1, 163.5, 164, 705
03/04/2020 AMEND: 11900
01/30/2020 AMEND: 913, 933, 953, 1052, 1052.4
02/28/2020 AMEND: 1600, 1601, 1602, 1610, 1612, 1612.1, 1612.2, 1613, 1614, 1620, 1650, 1651
02/26/2020 AMEND: 1605
03/24/2020 ADOPT: 90, 704
03/17/2020 AMEND: 29.06
03/19/2020 AMEND: 7.50
03/19/2020 AMEND: 670.5
03/24/2020 ADOPT: 18660.5, 18660.10, 18660.21, 18660.34

Title 15

02/05/2020 ADOPT: 3270.2 AMEND: 3084.7, 3288, 3314, 3315
01/29/2020 ADOPT: 3999.27
03/02/2020 ADOPT: 3436.1 AMEND: 3436

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03/26/2020 AMEND: 2449.3, 2449.4, 2449.5, 2449.6, 2449.7, 3492, 3493 REPEAL: 2449.2

03/09/2020 ADOPT: 3999.100, 3999.101, 3999.108, 3999.109, 3999.110, 3999.111, 3999.112, 3999.113, 3999.114, 3999.115, 3999.116, 3999.125, 3999.126, 3999.127, 3999.130, 3999.131, 3999.133, 3999.134, 3999.135, 3999.136, 3999.137, 3999.138, 3999.139, 3999.140, 3999.141, 3999.142, 3999.143, 3999.144, 3999.145, 3999.146, 3999.147, 3999.201, 3999.205, 3999.215, 3999.216, 3999.217, 3999.218, 3999.219, 3999.240, 3999.241, 3999.300, 3999.301, 3999.302, 3999.303, 3999.304, 3999.305, 3999.306, 3999.307, 3999.308, 3999.309, 3999.310, 3999.315, 3999.325, 3999.326, 3999.368, 3999.375, 3999.380, 3999.381, 3999.382, 3999.383, 3999.384, 3999.385, 3999.390, 3999.391, 3999.392, 3999.393, 3999.394, 3999.396, 3999.400, 3999.401, 3999.410, 3999.411, 3999.415, 3999.418, 3999.419, 3999.427, 3999.428, 3999.430, 3999.431 AMEND: 3999.98, 3999.99, 3999.320 REPEAL: 3352, 3352.1, 3355, 3355.2

03/25/2020 ADOPT: 3084, 3480, 3481, 3482, 3483, 3484, 3485, 3486, 3487, 3488 AMEND: 3000, 3045, 3077.3, 3078.4, 3134.1, 3136, 3137, 3141, 3173.1, 3179, 3193, 3220.4, 3230, 3282, 3378.4, 3383, 3475 (renumbered to 3465), 3476 (renumbered to 3466), 3477 (renumbered to 3467), 3478 (renumbered to 3468), 3479 (renumbered to 3469), 3480 (renumbered to 3470), 3480.1 (renumbered to 3471), 3481 (renumbered to 3472), 3482 (renumbered to 3473), 3483 (renumbered to 3474), 3484 (renumbered to 3475), 3485 (renumbered to 3476), 3486 (renumbered to 3477), 3491, 3492, 3548, 3563, 3630, 3723 REPEAL: 3084, 3084.1, 3084.2, 3084.3, 3084.4, 3084.5, 3084.6, 3084.7, 3084.8, 3084.9, 3085, 3086, 3369.5

03/30/2020 AMEND: 3436 REPEAL: 3436.1

Title 16

01/27/2020 AMEND: 1746.3

01/23/2020 AMEND: 15.1, 16, 19, 20

01/27/2020 AMEND: 2070, 2071

03/09/2020 ADOPT: 1805.08 AMEND: 1806, 1816.1 REPEAL: 1816.3

02/04/2020 AMEND: 1997

02/13/2020 AMEND: 5039, 5311, 5415

Title 17

01/03/2020 ADOPT: 95376 AMEND: 95371, 95372, 95373, 95374, 95375, 95376 (renumbered to 95377), 95377 (renumbered to 95378)

01/30/2020 ADOPT: 95690.1, 95690.2, 95690.3, 95690.4, 95690.5, 95690.6, 95690.7, 95690.8

Title 18

01/29/2020 AMEND: 140

01/29/2020 AMEND: 464 [renumbered as section 149]

03/30/2020 AMEND: 1684, 1827

Title 19, 13

01/09/2020 AMEND: 1980.05, 1980.06, 1980.07, 1990.09, 1990.12

Title 22

01/24/2020 ADOPT: 100141.1, 100143.1, 100144.1 AMEND: 100137, 100140, 100141, 100144, 100146, 100148, 100149, 100150, 100153, 100154, 100155, 100156, 100157, 100158, 100159, 100160, 100162, 100163, 100164, 100165, 100167, 100170, 100171, 100172 REPEAL: 100161

01/14/2020 AMEND: 20100

02/19/2020 AMEND: 73103, 73449, 74023, 74653, 74713, 76149, 78097, 78339

02/26/2020 AMEND: 97019, 97041

03/10/2020 AMEND: 100075

Title 22, MPP

01/22/2020 ADOPT: 110487, 119905 REPEAL: 12-501, 12-505, 12-510, 12-515, 12-520

Title 23

01/15/2020 ADOPT: 3949.16

03/03/2020 ADOPT: 3959.9

03/05/2020 AMEND: 3989.7

Title 26

03/16/2020 REPEAL: 14-1422, 14-1569, 14-1569.1, 14-1569.2, 14-1569.3, 14-1569.5, 14-1569.6

Title 27

02/04/2020 AMEND: 27001

Title MPP

01/08/2020 AMEND: 44-207, 44-315, 89-110

02/04/2020 AMEND: 40-129, 40-131

03/04/2020 AMEND: 33-130