

**INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF THE STATE FIRE MARSHAL (SFM)
REGARDING MODIFICATIONS OF THE
2010 CALIFORNIA REFERENCED STANDARDS CODE
CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 12**

The Administrative Procedure Act requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE

(Government Code Section 11346.2)

The specific purpose of this rulemaking effort by the Office of the State Fire Marshal is to act accordance with Health and Safety Code section 18928, which requires all proposed regulations to specifically comply with this section in regards to the adoption by reference with amendments to a model code within one year after its publication.

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 2010 California Building Standards Codes.

The Office of the State Fire Marshal (SFM) general purpose of this proposed action is principally intended to modify Standards contained in Part 12 the California Referenced Standards Code for the 2010 edition of the California Referenced Standards Code. SFM further proposes to:

- Adopt new SFM standards or necessary modifications to existing SFM standards.
- Repeal certain SFM standards that are no longer necessary.

The SFM is proposing amendments to CRSC Chapter 12-7A to simplify user application of the SFM test standards pertaining to wildfire protection building construction, to clarify the intent of the regulations, and to adopt new standards. These proposed amendments are correlated with the CBC, CFC, and CRC rulemaking effort and are based on recommendations of an ad hoc advisory group established by the SFM. The work of the Wildfire Protection Building Construction "2010 CBC Ch7A" Task Force as well as the purpose and rationale for the rulemaking effort are described in the Initial Statement of Reasons for the 2010 CBC CCR Title 24 Part 2, and are applicable to these CCR Title 24 Part 12 proposed actions.

[1]

**SFM STANDARD 12-7A-1
EXTERIOR WALL SIDING AND SHEATHING**

These amendments have been proposed to assist the user and avoid misapplication of the provisions by providing more specific instructions to the test laboratory for construction of the test fixture and conduct of the tests, and elimination of inconsistencies in the existing testing requirements and correlated CBC provisions.

[2]

**SFM STANDARD 12-7A-2
EXTERIOR WINDOWS**

These amendments have been proposed to assist the user and avoid misapplication of the provisions by clarifying the operating conditions required by the test procedure and elimination of provisions not relevant to the test procedure.

[3]

**SFM STANDARD 12-7A-3
UNDER EAVE**

These amendments have been proposed to assist the user and avoid misapplication of the provisions by clarifying test assembly application and revising burner configuration.

[4]

**SFM STANDARD 12-7A-4
DECKING**

These amendments have been proposed to assist the user and avoid misapplication of the provisions by clarifying testing procedures and revising portions of the existing procedures that have been improved on through ASTM committee work on a similar test standard.

[5]

**SFM STANDARD 12-7A- 4A
DECKING ALTERNATE METHOD A**

These amendments have been proposed to adopt a new test standard by relocating the CBC provisions for deck test "Option 3" (CBC section 704A.4.1.1.3) to this test standard following IBC format of not having performance test procedures and test criteria in the building code. As correlated with CBC sections 703A and 709A these provisions will have no regulatory effect beyond a modification to the weathering requirements for non-wood materials to remove inconsistencies and improve cost effectiveness.

[6]

**SFM STANDARD 12-7A-5
IGNITION-RESISTANT MATERIAL**

These amendments have been proposed to adopt a new test standard by relocating the CBC provisions for ignition resistant materials from CBC Ch7A definitions to the CRSC following IBC format of not having performance test

procedures and test criteria in the building code. As correlated with CBC sections 703A and 704A these provisions will have no regulatory.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

(Government Code Section 11346.2(b)(2))

The SFM did not rely on any technical, theoretical, and empirical study, report, or similar documents in proposing that CBSC adopt said standards as modified by the SFM for the placement of SFM's existing regulatory amendments of the 2010 California Referenced Standards Code.

CONSIDERATION OF REASONABLE ALTERNATIVES

(Government Code Section 11346.2(b)(3)(A))

The SFM has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed adoption of SFM Standards with modification. Therefore, there are no alternatives available to the SFM regarding the proposed adoption of an electrical code.

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

(Government Code Section 11346.2(b)(3)(B))

The SFM has determined that no alternative available that would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed adoption by reference with SFM amendments. Therefore, no alternatives have been identified or that have otherwise been identified and brought to the attention of the SFM that would lessen any adverse impact on small business.

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

(Government Code Section 11346.2(B)(4))

The SFM has made an determination that this proposed action will not have a significant adverse economic impact on business. Health and Safety Code Section 18928 requires the SFM, when proposing the adoption of a model code, national standard, or specification shall reference the most recent edition of the applicable model code, national standard, or specification. Therefore, there are no other facts, evidence, documents, testimony, or other evidence on which the SFM relies to support this rulemaking.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

(Government Code Section 113465.2(b)(5))

The SFM has determined that this proposed rulemaking action does not unnecessary duplicate or conflict with federal regulations contained in the Code of Federal Regulations that address the same issues as this proposed rulemaking.