

**45-DAY TEXT OF REGULATIONS FOR  
ADOPTION OF AMENDMENTS OF  
THE OFFICE OF THE STATE FIRE MARSHAL  
REGARDING**

**California Code of Regulations  
TITLE 19. PUBLIC SAFETY  
Division 1. State Fire Marshal  
Chapter 1. General Fire and Panic Safety**

**Plans and Specifications.**

**TEXT OF REGULATIONS**

Changes are illustrated by underline for “additions” to language originally proposed and ~~strikeout~~ for “deletions” to language originally proposed.

**Article 3. General Provisions**

**§ 3.28. Plans and Specifications.**

(a) General. When plans and specifications are reviewed and approved by the State Fire Marshal such plans and specifications shall bear the stamp of approval of the State Fire Marshal and shall be available at the site of construction for review by the enforcing agency.

(b) State Owned and State Occupied. Complete plans and specifications shall be submitted to the CAL FIRE – Office of the State Fire Marshal for review and approval in accordance with the provisions of California Code of Regulations Title 24, Part 2 Section 1.11 & California Health and Safety Code Section 13108(c) for the construction, alteration, remodel or repair to any building or portion thereof owned, occupied, leased or rented by the state.

(c) For state agencies, local agencies, or private entities, CAL FIRE – Office of the State Fire Marshal, shall charge an amount sufficient to recover the costs incurred for the fire and life safety building code inspections and those related fire and life safety activities including plan review, construction consulting, fire watch and investigations pursuant to California Health and Safety Code Section 13138  
(a).

(bd) Public Schools. Plans and specifications for the construction, alteration or addition to any building owned, leased or rented by any public-school district shall be submitted to the Office of the State Architect ~~State Fire Marshal~~ for

review and approval.

**EXCEPTIONS:**

(1) Plans and specifications submitted to the Office of the State Architect and which are reviewed by the State Fire Marshal.

(2) Upon the annual submission of a written request by the chief of any city, county or city and county fire department or fire protection district to the State Fire Marshal, approvals required by this subsection shall be obtained from the appropriate chief or his authorized representative. In such instances plans and specifications may be submitted to the State Fire Marshal for relay to the appropriate local authority or may be submitted directly to such local authority.

(ee) Movable Walls and Partitions. Plans or diagrams shall be submitted to the enforcing agency for approval before the installation of, or rearrangement of, any movable wall or partition in any occupancy. Approval shall be granted only if there is no increase in the fire hazard as defined in Section 3.14.

(ef) New Construction High-Rise Buildings.

(1) Complete plans or specifications, or both, shall be prepared covering all work required to comply with new construction high-rise buildings. Such plans and specifications shall be submitted to the enforcing agency having jurisdiction.

(2) All plans and specifications shall be prepared under the responsible charge of an architect or a civil or structural engineer authorized by law to develop construction plans and specifications, or by both such architect and engineer. Plans and specifications shall be prepared by an engineer duly qualified in that branch of engineering necessary to perform such services. Administration of the work of construction shall be under the charge of the responsible architect or engineer except that where plans and specifications involve alterations or repairs, such work of construction may be administered by an engineer duly qualified to perform such services and holding a valid certificate under Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code for performance of services in that branch of engineering in which said plans, specifications and estimates and work of construction are applicable.

This section shall not be construed as preventing the design of fire extinguishing systems by persons holding a C-16 license issued pursuant to Division 3, Chapter 9, Business and Professions Code. In such instances, however, the responsibility charge of this section shall prevail.

(eg) Existing High-Rise Buildings.

(1) Complete plans or specifications, or both, shall be prepared covering all work required by Sections 3414, California Code of Regulations, Title 24, Part 2 for existing high-rise buildings. Such plans or specifications shall be submitted to the

enforcing agency having jurisdiction.

(2) When new construction is required to conform with the provisions of these regulations, complete plans or specifications, or both shall be prepared in accordance with the provisions of this subsection. As used in this section “new construction” is not intended to include repairs, replacements or minor alterations which do not disrupt or appreciably add to or affect the structural aspects of the building.”

NOTE: Authority cited: Sections 13108, 13138, 13143, 13143.6, 13146.5, 13211, 17921, and 18897.3, Health and Safety Code; and Section, 14963 Government Code. Reference: Section 13100-13146.5, 13210-13216, 17921 and 18897-18897.7, Health and Safety Code; and Section, 14963 Government Code.