

## TITLE 19, DIVISION 1, CHAPTER 1.5

### EXPRESS TERMS

Changes are illustrated by ~~strikeout~~ for deletions to language originally proposed.

#### § 200. Purpose.

(a) Construction material, assemblies of material, equipment, methods of construction, methods for the installation of equipment, fire alarm systems and devices, and automatic sprinkler systems and devices listed by the State Fire Marshal in accordance with the provisions of this article shall be construed as conforming to the applicable provisions of these regulations without submission of further evidence thereof, and shall be assumed to possess the fire and panic safety specified when constructed and installed in accordance with the conditions of their listing.

~~(b) Portable gasoline containers listed by the State Fire Marshal in accordance with the provisions of this article shall be construed as conforming to the applicable provisions of these regulations without submission of further evidence thereof, and shall be assumed to meet the child-resistant construction and design standards specified when constructed and designed in accordance with the conditions of their listing.~~

Note: Authority cited: Sections ~~13139~~ and 13144.4, Health and Safety Code.  
Reference: Sections ~~13139~~ and 13144.1, Health and Safety Code.

#### § 204. Definitions.

For the purposes of approval and listing the following definitions shall apply.

(a) Control Unit, Fire Alarm. A fire alarm control unit is a unit assembly of electrical parts having provisions for the connection of power-supply circuits routed through the control unit equipment by a prescribed scheme of circuitry; signal initiating circuits extended to separate devices by which the operating parts of the control unit are actuated for signals; and to incorporate or separate devices by which the signals are transmitted or indicated to form a coordinated combination system for definite signaling service.

For the purposes of approval and listing, a single station self-contained smoke detector shall be considered as a fire alarm control unit.

(b) Device, Fire Alarm. A fire alarm device means any device which constitutes a component part of a fire alarm system as defined in this section. [See Section 208(c)].

(c) Fire Alarm Systems.

(1) A fire alarm system means a control unit and a combination of electrically interconnected devices designed and intended to cause an alarm or warning of fire in a building or structure by either manual or automatic activation, or by both, and includes such systems installed throughout any building or portion thereof. Fire alarm systems may include but shall not necessarily be limited to the following component parts.

- (A) Audio signal devices.
- (B) Visual signal devices.
- (C) Trouble signal devices.
- (D) Annunciators.
- (E) Smoke detectors.
- (F) Heat detectors.
- (G) Visual detectors.
- (H) Manual initiating devices.
- (I) Wiring (conductors and cable).

Exception: For the purposes of compliance with Section 13114, Health and Safety Code, wiring for fire alarm systems need not mandatorily be approved and listed. Wiring shall conform to the provisions required under Section 3.01.

(2) For the purposes of approval and listing, fire alarm systems or devices shall not be construed to include any connected fire alarm or nonfire alarm equipment which is not essential to the function of the fire alarm system provided the fire alarm control unit or device complies with Section 208(c). Examples of such equipment includes:

- (A) Municipal fire alarm systems.
- (B) Central stations of central station systems.
- (C) Auxiliary or accessory equipment, included but not necessarily limited to burglar alarm, recording, or other nonfire related sound reproducing equipment.
- (D) Telephones.
- (E) Retransmitting equipment commonly referred to as "dialers."
- (F) Auxiliary fire alarm boxes of auxiliary fire alarm systems.
- (G) Nonfire related equipment of computers used in fire alarm systems.
- (H) Remote station receiving equipment of remote station systems whether such equipment is located on or off the protected premises.

(3) For purposes of approval and listing, fire alarm control units or devices which do not conform to Section 208(c) shall be prohibited or may be listed as approved without the interconnection of any unapproved equipment.

~~(d) Fuel. See Title 13, CCR, Division 3, Chapter 9, Article 6.~~

~~(e) Kerosene. See Title 13, CCR, Division 3, Chapter 9, Article 6.~~

~~(f) Portable Gasoline Containers. "Portable gasoline container" means any container or vessel with a nominal capacity of 10 gallons or less that is intended for reuse and is designed, used, sold, advertised, or offered for sale primarily for receiving, transporting, storing, or dispensing gasoline.~~

~~"Portable gasoline container" does not include either of the following:~~

~~(1) A container or vessel permanently embossed or permanently labeled as described in Section 172.407(a) of Title 49 of the Code of Federal Regulations, as it existed on September 15, 2005, indicating containers or vessels that are solely intended for use with nonfuel or nonkerosene products.~~

~~(2) A safety can meeting the requirements of Subpart F (commencing with Section 1926.150) of Part 1926 of Title 29 of the Code of Federal Regulations, as it existed on January 1, 2008. This exception shall not apply to any safety can manufactured after October 31, 2008, unless the can contains a label or silkscreen of the words "NOT CHILDPROOF" in a conspicuous and prominent place against a contrasting background, and the type shall be clear and legible. On safety cans larger than one quart, the font size of the label wording shall be printed in at least 12-point type. On safety cans one quart and smaller, the font size of the label wording shall be printed in at least 8-point type. All labels shall be printed in both English and Spanish.~~

Note: Authority cited: Sections ~~13139~~ and 13144.4, Health and Safety Code.  
Reference: Sections ~~13139~~ and 13144.1, Health and Safety Code.

**§ 206. Application for Evaluation and Listing.**

(a) Original. Any person, firm, corporation, association, or similar organization desiring the listing of any material, or equipment, ~~or portable gasoline container~~ shall submit a completed application for listing to the State Fire Marshal on forms provided. Such form shall be accompanied by the appropriate fees as prescribed in Section 216. Application for reinstatement of a listing which has been expired for one year or more shall be considered as an original application for listing. Applications for listing received after March 31 of each calendar year shall be accompanied by the listing fees plus the renewal fee for the next ensuing fiscal year.

(b) Renewal. Any person, firm, corporation, association, or similar organization desiring the annual renewal of the listing of any material, or equipment, ~~or portable gasoline container~~ shall submit a completed application for renewal of such listing to the State Fire Marshal on forms provided. Such forms shall be accompanied by the appropriate renewal fee as prescribed in Section 216.

Applications for renewal shall be received or mailed to the Office of State Fire Marshal not later than March 31 preceding the renewal period.

(c) Revision. Any person, firm, corporation, association, or similar organization desiring a revision be made to the listing of any material, or equipment, ~~or portable gasoline container~~ shall submit a completed application for revision to the State Fire Marshal on forms provided. Such forms shall be accompanied by the fee as prescribed in Section 216.

Note: Authority cited: Sections ~~13139~~ and 13144.4, Health and Safety Code.  
Reference: Sections ~~13139~~ and 13144. 2, Health and Safety Code.

**§ 207. Effective Date of Listing.**

Materials, and equipment, ~~or portable gasoline containers~~ shall be considered as listed upon approval thereof by the State Fire Marshal as shown in the files at the Office of State Fire Marshal. Listings shall be valid from the date of approval through the next ensuing June 30.

Note: Authority cited: Sections ~~13139~~ and 13144.4, Health and Safety Code.  
Reference: Sections ~~13139~~ and 13144. 3, Health and Safety Code.

**§ 208. Special Provisions.**

(a) Fire Alarm and Automatic Sprinkler Systems and Devices.

(1) Control Units. For purposes of a single listing fire alarm control units may include variations in circuitry, functions, current and voltage ratings.

A single fire alarm control unit which incorporates any combination of functions (such as a local signaling control unit designed for auxiliary connection) shall be

considered for a single listing. Such listing may include units used in conjunction with any of the following actuating methods. Automatic fire alarm, manual fire alarm, sprinkler supervisory, or waterflow alarm.

(2) Devices. Fire alarm and automatic sprinkler devices, for the purpose of a single listing, may have variations in size, dimensions, ratings, current and voltage but shall not include variations in method of operation.

(3) Fire Alarm Prohibitions. When any equipment or systems specified in Section 204(c)(2) is to be connected to any fire alarm control unit or fire alarm device, such control unit or device shall be so designed and arranged that:

(A) The electrical design of the equipment or systems shall not be integral to the internal circuitry of the fire alarm control unit of the system or device, and

(B) Such equipment and systems shall be served by a power supply or circuit independent of the power supply or circuit necessary for the function of the control unit or device, and

(C) Such equipment and systems shall be interconnected to the control unit of the system or device by relays or switching devices which will provide electrical isolation from the system or device to prevent interference or interruption of the normal or intended operation of the fire alarm system or device.

(4) Service. The listee of fire alarm systems and fire alarm devices shall file notice of the establishment of facilities and evidence of capability to provide for the repair of their approved and listed systems and devices.

(5) Restoration. Required Systems. Listees of fire alarm equipment used or intended for use on fire alarm systems required by Subchapter 1 of these regulations shall, at the time of application for approval and listing, include evidence of the capability to restore to operating condition, listed fire alarm systems, within 24 hours of notification.

(6) Continuity. Service and restoration facilities shall be maintained for the duration of listing and the listee shall file notice of the establishment of new facilities or discontinuance of any previously established facilities, within 30 days of the establishment or discontinuance of service facility.

Organizations designated by a listee as a service or restoration facility shall file with the notice, certification of service or restoration capability, geographical limitations, and evidence of service equipment, qualified service personnel and the necessary stock of parts and devices.

Service and restoration organizations who engage in the sale, distribution or installation of fire alarm systems or devices requiring a State Contractor's License shall file such evidence with their notice.

(7) Prohibition of Sale. The marketing, distribution, offering for sale, or selling of any fire alarm system or fire alarm device in this State is prohibited unless such system or device has been approved and listed by the State Fire Marshal. Conditions of approval and listing by the State Fire Marshal shall be furnished at the time of purchase.

(8) Fire Alarm System and Fire Alarm Device Listings. The State Fire Marshal shall issue the listing upon receipt of:

1. An application conforming to the provisions of Section 206(a) and
2. A certification letter from a State Fire Marshal accredited laboratory.

~~(b) Portable Gasoline Containers.~~

~~(1) Portable gasoline containers shall be approved and listed by the State Fire Marshal pursuant to Health and Safety Code Section 13139(a). On or before January 1, 2008, the State Fire Marshal shall approve and list portable gasoline containers that are designed and constructed according to one of the following child-resistant standards:~~

~~—(A) Construction and design standards which are substantially the same as the American Society for Testing and Materials (ASTM) F2517-05 statement, issued by ASTM International, or any successor standard issued by ASTM International.~~

~~—(B) Construction and design standards approved by a national testing laboratory recognized by the State Fire Marshal.~~

~~(2) Prohibition of Sale. On or after April 1, 2008, the marketing, distribution, offering for sale, or selling of portable gasoline containers in this State is prohibited unless the containers were manufactured prior to April 1, 2008, or are approved and listed by the State Fire Marshal.~~

~~Exception: Retailers are permitted to sell existing supplies of portable gasoline containers that have not been approved and listed by the State Fire Marshal.~~

~~(c) Wood Roof Covering Materials. Wood roof covering materials shall be approved and listed by the State Fire Marshal pursuant to Health and Safety Code Section 13132.7(j). No wood roof covering materials shall be sold or applied in this state unless both of the following conditions are met:~~

~~(1) The materials have been approved and listed by the State Fire Marshal as complying with the requirements of this section.~~

~~(2) The materials have passed at least five years of the 10-year natural weathering test. The 10-year natural weathering test required by this subdivision shall be conducted in accordance with standard 15-2 of the 1994 edition of the Uniform Building Code at a testing facility recognized by the State Fire Marshal.~~

Note: Authority cited: Sections 13114, 13132.7, ~~43139~~, and 13144.4, Health and Safety Code. Reference: Sections 13132.7, ~~43139~~, 13144, 13144.1 and 13144.2, Health and Safety Code.

**§ 209. Required Submissions for Listing.**

(a) Sample Specimens. In addition to the application and fee required by Section 206, the State Fire Marshal may require that sample specimens, taken from regular production, be submitted for evaluation. The State Fire Marshal may require the assembly or erection of a sample specimen for evaluation purposes.

The applicant shall assume all responsibility relating to the assembly or erection of such specimen, including but not limited to the cost, liability and removal thereof. The applicant shall arrange for the removal of any specimen submitted to the State Fire Marshal or which has been assembled or erected pursuant to this section, within 60 days of notification by the State Fire Marshal. The State Fire Marshal may dispose of any specimen submitted following the 60 day notification.

(b) Test Reports and Technical Data. Every application for evaluation and listing of a material, or equipment, ~~or portable gasoline container~~ which is required by these regulations to be tested, shall be accompanied by a manufacturer's test report issued by an approved testing organization. Technical data shall be submitted with any application when required by the State Fire Marshal. Each application for an evaluation and listing of a fire-resistive design,

and when required by the State Fire Marshal for any other material, or equipment, ~~or portable gasoline container,~~ shall be accompanied by black-line drawings suitable for reproduction.

Exception: For fire alarm systems and fire alarm devices only, test reports need not be provided at the time of application provided the provisions of Section 208(a)( 8) are met. The test report shall be submitted for evaluation within 60 days from the time of listing.

Note: Authority cited: Sections 13114,~~13139~~ and 13144.4, Health and Safety Code. Reference: Sections 13114,~~13139~~ and 13144.1, Health and Safety Code.

### **§ 211. Publication of Submitted Data.**

The State Fire Marshal reserves the right to publish all or any part of any test report or technical data submitted relating to a listed material, or equipment, ~~or portable gasoline container.~~ Manufacturing processes, ingredients or compounds of materials, or equipment, ~~or portable gasoline container~~ shall not be matters of public record.

Note: Authority cited: Sections ~~13139~~ and 13144.4, Health and Safety Code. Reference: Sections ~~13139~~ and 13144.1, Health and Safety Code.

### **§ 212. Labels.**

(a) Every material, or equipment, ~~or portable gasoline container~~ which is listed by the State Fire Marshal, shall bear a label conforming to the provisions of this section. Labels shall be placed in a conspicuous location and shall be attached or embossed by the manufacturer during production or fabrication.

Exceptions:

(1) Packaged, bundled or bagged materials, or equipment, ~~or portable gasoline container~~ may have such label placed upon the wrapping or boxing material.

(2) Materials, or equipment, ~~or portable gasoline container~~ which bear the label of an approved testing organization, provided such organization conducts factory inspections of the material and workmanship during fabrication and assembly.

(3) Fire-resistive designs as shown in the published listing.

(4) Upon written request, the State Fire Marshal may exempt specified materials, or equipment, ~~or portable gasoline container~~ from the labeling requirement provided such labeling is impractical or impossible. In such cases, however, sufficient evidence shall be furnished indicating the means by which said materials, or equipment, ~~or portable gasoline container~~ may be reasonably identified.

(b) Size. Labels shall be of sufficient size to render all data specified thereon, clear and legible.

(c) Color. Attached labels shall be of contrasting color to the material, or equipment, ~~or portable gasoline container~~ to which it is attached.

(d) Format. Labels shall be produced or obtained by the listees and such label shall be of the following configuration.



(1) Insert in or above the top scroll the item listed. Examples: "Automatic Door" - "Fire Damper."

(2) Insert in the top scroll the name and address of the listee.

(3) In the bottom scroll insert the Listing Number issued by the State Fire Marshal and all other data as may be specified by the State Fire Marshal dependent upon the product and its intended use. Rated assemblies used to protect openings in fire-resistive designs shall indicate the fire-resistive rating thereof and the type of design in which the product is intended to be installed, i.e., "1-HR-CEILING."

(e) Material. Labels may be of any durable material and shall be for label attached to the listed material, or equipment, ~~or portable gasoline container~~ in such a manner that any removal will cause destruction of the label.

(f) Approval. Prior to the use of any label, the listee shall submit to the State Fire Marshal a sample of each label intended to be used with any listed product. Labels shall not be used until written approval therefore has been received from the State Fire Marshal.

(g) Illegal Use. No person shall attach any label conforming to the provisions of this section to any product which is not listed by the State Fire Marshal.

(h) Inspection Service. Every listee using the label described in this section shall provide for the inspection service specified in Section 215.

Note: Authority cited: Sections ~~13139~~ and 13144.4, Health and Safety Code.  
Reference: Sections ~~13139~~ and 13144.1, Health and Safety Code.

#### **§ 214. Testing Equipment.**

(a) General. Testing equipment used or intended to be used to determine the fire-resistive rating or classification of any material, or equipment, ~~or portable gasoline container~~ to be listed by the State Fire Marshal, shall be inspected and evaluated by the State Fire Marshal to determine conformance with the required

conditions for such testing equipment as set forth in the appropriate test standard.

Exception: Testing equipment, or identical replacements thereof, approved prior to July 1, 1971.

(b) Maintenance. All testing equipment shall be maintained in good repair and devoid of any defect which would affect the fire-resistive rating or classification of any material, or equipment, ~~or portable gasoline container~~ to be tested.

(c) Cost of Service. Any testing organization which desires approval for lab certification pursuant to Section 213, shall be liable for the necessary advance arrangements for all costs incurred by one representative of the State Fire Marshal in conducting any service rendered under Section 214(a) above.

Note: Authority cited: Sections ~~13139~~ and 13144.4, Health and Safety Code.  
Reference: Sections ~~13139~~ and 13144.1, Health and Safety Code.

### **§ 215. Inspection Agency.**

(a) General. An approved inspection service agency is any person, firm, corporation, or association which periodically and on a continuous basis, conducts inspections of listed materials, or equipment, ~~or portable gasoline container~~ to determine if the production line fabrication and workmanship is in accordance with the conditions of listing. It shall be incumbent upon persons, firms, corporations, or associations desiring approval as an inspection service agency to initiate a request and present to the State Fire Marshal evidence of their qualifications which in the judgment of the State Fire Marshal is sufficient to grant approval.

(b) Qualifications. Qualifications for acceptance as an approved inspection service agency shall include any person, firm, corporation, or association which conforms to all of the following:

(1) Employs personnel who are qualified for testing. Evidence of such qualifications may include persons who are registered engineers in an appropriate discipline.

(2) Approved by the State Fire Marshal.

(c) Discontinued Approvals. Approvals granted to any inspection service agency either prior to or after the effective date of this section may continue in effect unless rescinded by the State Fire Marshal for cause.

(d) Affidavit. The applicant requesting approval shall submit a notarized affidavit to the effect that:

(1) The applicant and the inspection service agency ~~has~~ have no financial interest in any company manufacturing or distributing any portion of the products to be inspected, and

(2) The inspection service agency is not owned, operated or controlled by any company manufacturing or distributing any portion of the products to be inspected.

(e) Frequency of Service. Inspections by an approved inspection agency shall be made of the production of every material, or equipment, ~~or portable gasoline~~

container as stipulated in Section 215(a), not less than 4 times each calendar year. Such inspections shall be on an unannounced basis.  
 Exception: When written approval is granted by the State Fire Marshal, the inspection frequency rate may be amended in specific cases to correspond more appropriately with production schedules.

(f) Reports. Reports shall be made by the approved inspection service agency of every inspection made, the original of which shall be submitted to the listee and a copy thereof submitted to the State Fire Marshal within 30 days of inspection.

(g) Sample Inspection Reports. The applicant shall submit sample copies of typical inspection reports to demonstrate their completeness and ability to reflect compliance with requirements of the test standard.

(h) Change of Status. Approved inspection service agencies shall notify the State Fire Marshal at the Sacramento address of any of the following occurrences within 30 days of such events. Notification shall be in writing.

- (1) Any change in name or address.
- (2) Any change in inspection forms or procedures.
- (3) Changes in principal officers or in supervisory and responsible personnel.

Note: Authority cited: Sections ~~13139~~ and 13144.4, Health and Safety Code.  
 Reference: Sections ~~13139~~ and 13144.1, Health and Safety Code.

**§ 216. Fees.**

- (a) Original Submittals:
  - (1) Application Fee..... \$170.00
  - (2) Listing Fee..... \$150.00
- (b) Renewal Application:
  - (1) Listing Fee..... \$150.00
- (c) Revision Fee:
  - (1) With Evaluation..... \$200.00
  - (2) Without Evaluation..... \$25.00

The fee for listing fire alarm system or device shall be:

- (d) Original Submittals:
  - (1) Application Fee..... \$170.00
  - (2) Listing Fee..... \$150.00
- (e) Renewal Applications
  - (1) Listing Fee..... \$150.00
- (f) Revision Fee:
  - (1) With Evaluation..... \$200.00
  - (2) Without Evaluation..... \$25.00

(g) Disposition of Fees. Application and listing fees shall be submitted simultaneously with each original application for listing. If the material, or equipment, ~~or portable gasoline container~~ is not found to be in conformance with the provisions of these regulations, the listing fee shall be returned to the applicant. The application fee shall be retained by the State Fire Marshal to offset

the costs incurred through evaluation of the material, or equipment, ~~or portable gasoline container~~.

(h) Listing and Period. Listing fees shall be for the term of a fiscal year between July 1 and June 30, or for any portion thereof.

Note: Authority cited: Sections ~~13139~~, 13144.2 and 13144.4, Health and Safety Code. Reference: Sections ~~13139~~, 13144.2 and 13144.3, Health and Safety Code.

**§ 217. Violations.**

No person, firm, corporation, or association shall knowingly or intentionally represent any material, or equipment, ~~or portable gasoline container~~ as being approved and listed by the State Fire Marshal when such material, or equipment, ~~or portable gasoline container~~ is not so approved and listed. Such misrepresentation shall constitute a violation within the meaning of Section 13112, Health and Safety Code.

Note: Authority cited: Sections ~~13139~~ and 13144.4, Health and Safety Code. Reference: Sections ~~13139~~ and 13144.1, Health and Safety Code.