

**CALIFORNIA DEPARTMENT OF
FORESTRY AND FIRE PROTECTION**

OFFICE OF THE STATE FIRE MARSHAL

**BUILDING MATERIALS LISTING
LAW & REGULATIONS**



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California Health and Safety Code

Sections 13114 and 13263

Building Materials Listing

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13112. Every person who violates any provision of this chapter, or any order, rule, or regulation made pursuant to this chapter, is guilty of a misdemeanor punishable by a fine of not less than one hundred dollars (\$100) or more than five hundred dollars (\$500), or by imprisonment for not more than six months, or by both.

A person is guilty of a separate offense each day during which he or she commits, continues, or permits a violation of any provision of, or any order, rule, or regulation made pursuant to, this chapter.

13113.7. (a) Except as otherwise provided in this section, a smoke detector, approved and listed by the State Fire Marshal pursuant to Section 13114, shall be installed, in accordance with the manufacturer's instructions in each dwelling intended for human occupancy within the earliest applicable time period as follows:

(1) For all dwelling units intended for human occupancy, upon the owner's application on or after January 1, 1985, for a permit for alterations, repairs, or additions, exceeding one thousand dollars (\$1,000).

(2) For all other dwelling units intended for human occupancy on or after January 1, 1987.

However, if any local rule, regulation, or ordinance, adopted prior to the compliance dates specified in paragraphs (1) and (2) requires installation in a dwelling unit intended for human occupancy of smoke detectors which receive their power from the electrical system of the building and requires compliance with the local rule, regulation, or ordinance at a date subsequent to the dates specified in this section, the compliance date specified in the rule, regulation, or ordinance shall, but only with respect to the dwelling units specified in this section, take precedence over the dates specified in this section.

The State Fire Marshal may adopt regulations exempting dwellings intended for human occupancy with fire sprinkler systems from the provisions of this section, if he or she determines that a smoke detector is not reasonably necessary for fire safety in the occupancy.

Unless prohibited by local rules, regulations, or ordinances, a battery-operated smoke detector, which otherwise meets the standards adopted pursuant to Section 13114 for smoke detectors, satisfies the requirements of this section.

(b) "Dwelling units intended for human occupancy," as used in this section, includes a duplex, lodging house, apartment complex, hotel, motel, condominium, stock cooperative, time-share project, or dwelling unit of a multiple-unit dwelling complex. For the purpose of this part, "dwelling units intended for human occupancy" does not include manufactured homes as defined in Section 18007, mobilehomes as defined in Section 18008, and commercial coaches as defined in Section 18001.8.

(c) The owner of each dwelling unit subject to this section shall supply and install smoke detectors required by this section in the locations and in the manner set forth in the manufacturer's instructions, as approved by the State Fire Marshal's regulations. In the case of apartment complexes and other

multiple-dwelling complexes, a smoke detector shall be installed in the common stairwells. All fire alarm warning systems supplemental to the smoke detector shall also be listed by the State Fire Marshal.

(d) A high rise structure, as defined in subdivision (b) of Section 13210 and regulated by Chapter 3 (commencing with Section 13210), and which is used for purposes other than as dwelling units intended for human occupancy, is exempt from the requirements of this section.

(e) The owner shall be responsible for testing and maintaining detectors in hotels, motels, lodging houses, and common stairwells of apartment complexes and other multiple dwelling complexes.

An owner or the owner's agent may enter any dwelling unit, efficiency dwelling unit, guest room, and suite owned by the owner for the purpose of installing, repairing, testing, and maintaining single station smoke detectors required by this section. Except in cases of emergency, the owner or owner's agent shall give the tenants of each such unit, room, or suite reasonable notice in writing of the intention to enter and shall enter only during normal business hours. Twenty-four hours shall be presumed to be reasonable notice in absence of evidence to the contrary.

The smoke detector shall be operable at the time that the tenant takes possession. The apartment complex tenant shall be responsible for notifying the manager or owner if the tenant becomes aware of an inoperable smoke detector within his or her unit. The owner or authorized agent shall correct any reported deficiencies in the smoke detector and shall not be in violation of this section for a deficient smoke detector when he or she has not received notice of the deficiency.

(f) A violation of this section is an infraction punishable by a maximum fine of two hundred dollars (\$200) for each offense.

(g) This section shall not affect any rights which the parties may have under any other provision of law because of the presence or absence of a smoke detector.

(h) This section shall not apply to the installation of smoke detectors in single-family dwellings or factory-built housing which is regulated by Section 13113.8, as added by Assembly Bill No. 2285 of the 1983-84 Regular Session.

13114. (a) The State Fire Marshal, with the advice of the State Board of Fire Services, shall adopt regulations and standards as he or she may determine to be necessary to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state.

(b) 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.

(c) (1) The State Fire Marshal shall convene a working group to address the issues specified in paragraph (2), made up of the following representatives to the extent they are willing to participate:

(A) Representatives of at least four manufacturers of fire alarm devices or systems whose products are currently listed pursuant to this section and whose

names are provided to the State Fire Marshal as manufacturer representatives by the National Electrical Manufacturers Association.

(B) A fire protection engineer who is not associated with the State Fire Marshal's Office.

(C) Staff from the State Fire Marshal's Office for consultation purposes, as determined by the State Fire Marshal.

(D) Representatives of four local fire marshals with experience in building plan checking and code compliance.

(E) A representative of a nationally recognized testing laboratory.

(F) The State Fire Marshal or his or her designee.

(2) (A) Giving due consideration to public safety issues, the working group shall develop a process for listing of fire alarms and safety devices by the State Fire Marshal. Listing shall be approved upon receipt of certification of the fire alarm by a State Fire Marshal approved nationally recognized testing laboratory. All appropriate fees associated with the building materials listing application must be received by the Office of the California State Fire Marshal prior to approval.

(B) Implementation of the process developed pursuant to subparagraph (A) of paragraph (2) of subdivision (c) shall be through administrative action or legislative action in the regular session commencing December 4, 2006 and shall go into effect no later than January 1, 2008.

(3) (A) The State Fire Marshal shall appoint the members of the working group no later than October 1, 2006, and shall convene the first meeting of the working group no later than November 1, 2006.

(B) The State Fire Marshal shall approve the revised process no later than March 30, 2007.

(C) Nothing in this section shall preclude the State Fire Marshal and members of the fire alarm safety devices from convening in an adhoc working group in advance of the effective date of this statute.

13114.1. To the extent that resources are available, the State Fire Marshal shall prepare and distribute for use by local agencies, community groups, and private firms, public education materials about the dangers of illegal burglar bars. These public education materials shall use multiple media, including Braille, 18-point type, cassette tape, and computer disk for those who are print impaired, and multiple languages, as the State Fire Marshal determines appropriate.

13114.2. (a) On or before January 1, 2000, the State Fire Marshal shall adopt regulations and standards to control the quality and installation of burglar bars and safety release mechanisms for emergency escape/rescue windows or doors installed, marketed, distributed, offered for sale, or sold in this state.

(b) On and after July 1, 2000, no person shall install, market, distribute, offer for sale, or sell burglar bars and safety release mechanisms for emergency escape/rescue windows or doors in this state unless the burglar bars and safety release mechanisms have been approved by a testing laboratory recognized by the State Fire Marshal.

(c) As used in this section:

(1) "Burglar bars" means security bars located on the inside or outside of a door or window of a residential dwelling.

(2) "Residential dwelling" means a house, apartment, motel, hotel, or other type of residential dwelling subject to the State Housing Law (Part 1.5 (commencing with Section 17910) of Division 13) and a manufactured home, mobilehome, and multiunit manufactured housing as defined in the Mobilehomes-Manufactured Housing Act of 1980 (Part 2 (commencing with Section 18000) of Division 13).

(3) "Emergency escape/rescue windows or doors" means the exits required by Section 1-310.4 of the 1998 edition of the California Building Standards Code, or its successor.

13114.3. (a) Notwithstanding any other provision of law, on and after January 1, 1999, no burglar bars shall be installed or maintained on any residential dwelling that is owned or leased by a public agency, unless the burglar bars meet current state and local requirements, as applicable, for burglar bars and safety release mechanisms.

(b) As used in this section:

(1) "Burglar bars" means security bars located on the inside or outside of a door or window of a residential dwelling.

(2) "Public agency" means any of the following:

(A) A state agency, department, board, or commission.

(B) The University of California.

(C) A local agency, including, but not limited to, a city, including a charter city, county, city and county, community redevelopment agency, housing authority, special district, or any other political subdivision of the state.

(3) "Residential dwelling" means a house, apartment, motel, hotel, or other type of residential dwelling subject to the State Housing Law (Part 1.5 (commencing with Section 17910) of Division 13) and a manufactured home, mobilehome, and multiunit manufactured housing as defined in the Mobilehomes-Manufactured Housing Act of 1980 (Part 2 (commencing with Section 18000) of Division 13).

13114.5. The governing body of any city or county may enact ordinances or laws imposing restrictions greater than those imposed by Sections 13113 and 13114.

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.

13144.1. (a) Except as provided in Sections 18930 and 18933, the State Fire Marshal shall biennially prepare and publish listings of construction materials and equipment and methods of construction and of installation of equipment, together with the name of any person, firm, corporation, association, or similar organization designated as the manufacturer, representative, or supplier, which are in conformity with building standards relating to fire and panic safety adopted and published in the State Building Standards Code and other fire and panic safety requirements adopted by the State Fire Marshal and published in Title 19 of the California Administrative Code. The State Fire Marshal shall in alternate years prepare and publish revisions to the listings.

Copies of the listings or revisions shall be distributed by the State Fire Marshal at the costs incurred by him or her for the printing and distribution of the listings or revisions to persons who have submitted written requests for the approved listings or revisions.

The purpose of this section is to provide enforcement authorities, architects, engineers, contractors, local building officials, and any other interested persons, with a reliable and readily available source of information of construction materials, equipment, methods of construction, and installation of equipment which meet the minimum requirements established or enforced by the State Fire Marshal, pursuant to Sections 13108 and 13143. No person, firm, corporation, association, or similar organization shall be denied listing if the material to be listed is approved by a testing organization using testing procedures approved by the State Fire Marshal.

It shall not be construed that because a material, assemblies of materials, method of construction and installation of equipment have not been listed, as provided by this section, the material, assemblies of materials, method of construction and installation of equipment does not conform to the fire and panic safety requirements as published in the State Building Standards Code or in Title 19 of the California Administrative Code.

(b) The State Fire Marshal may evaluate, test, approve, disapprove, and list any other fire safety product not covered in subdivision (a).

13144.2. Any person, firm, corporation, association, or similar organization desiring listing pursuant to Section 13144.1 shall, prior to placement on any list or revision thereto, make an original or annual renewal application to the State Fire Marshal on forms provided by the State Fire Marshal. Original applications shall be accompanied by both an application fee and a listing fee. Renewal applications shall be accompanied by a listing fee. An application for revision shall be accompanied by a revision fee.

Failure to submit an annual renewal application and listing fee shall automatically cause removal of the material, equipment, method of construction, or installation of equipment from the listings or revision thereto.

The original application fee, the listing fee, and the revision fee shall be established and collected by the State Fire Marshal. Those fees shall not exceed the costs incurred by the State Fire Marshal in conducting evaluations

and tests of construction materials and equipment and methods of construction and of installation of equipment.

The annual application and listing fee renewal period shall begin on January 1 and end on May 1 preceding the listing year for which the renewal is requested. A penalty of 50 percent of the listing fee shall be assessed in all cases where the renewal fees are not paid on or before May 1, preceding the listing year for which renewal is requested.

The State Fire Marshal may designate in generic terms, without application or fee, materials or assemblies of materials classed by the State Fire Marshal as industrywide, by regulations adopted pursuant to Sections 13108 and 13143.

13144.3. The annual and renewal listing established by Section 13144.2 shall be for the fiscal year period from July 1 to June 30 or for the remaining portion thereof. All moneys collected from original and annual renewal fees pursuant to Section 13144.2 shall be deposited in the State Fire Marshal Licensing and Certification Fund established pursuant to Section 13137, and shall be available to the State Fire Marshal upon appropriation by the Legislature for the purposes specified in Section 13144.2.

13144.4. The State Fire Marshal may adopt regulations to implement, interpret, make specific or otherwise carry out the provisions of Sections 13144.1, 13144.2, and 13144.3.

13262. For purposes of this chapter, the following definitions shall apply:

(a) "Carbon monoxide device" means a device that meets all of the following requirements:

(1) A device designed to detect carbon monoxide and produce a distinct, audible alarm.

(2) A device that is battery powered, a plug-in device with battery backup, or a device installed as recommended by Standard 720 of the National Fire Protection Association that is either wired into the alternating current power line of the dwelling unit with a secondary battery backup or connected to a system via a panel.

(3) If the device is combined with a smoke detector, the combined device shall comply with all of the following:

(A) The standards that apply to carbon monoxide alarms as described in this chapter.

(B) The standards that apply to smoke detectors, as described in Section 13113.7.

(C) The combined device emits an alarm or voice warning in a manner that clearly differentiates between a carbon monoxide alarm warning and a smoke detector warning.

(4) The device has been tested and certified, pursuant to the requirements of the American National Standards Institute (ANSI) and Underwriters Laboratories Inc. (UL) as set forth in either ANSI/UL 2034 or ANSI/UL 2075, or successor standards, by a nationally recognized testing laboratory listed in the directory of

approved testing laboratories established by the Building Materials Listing Program of the Fire Engineering Division of the Office of the State Fire Marshal of the Department of Forestry and Fire Protection.

(b) "Dwelling unit intended for human occupancy" means a single-family dwelling, factory-built home as defined in Section 19971, duplex, lodging house, dormitory, hotel, motel, condominium, stock cooperative, time-share project, or dwelling unit in a multiple-unit dwelling unit building or buildings. "Dwelling unit intended for human occupancy" does not mean a property owned or leased by the state, the Regents of the University of California, or a local governmental agency.

(c) "Fossil fuel" means coal, kerosene, oil, wood, fuel gases, and other petroleum or hydrocarbon products, which emit carbon monoxide as a byproduct of combustion.

13263. (a) (1) The State Fire Marshal shall develop a certification and decertification process to approve and list carbon monoxide devices and to disapprove and delist previously approved devices, if necessary. The certification and decertification process shall include consideration of effectiveness and reliability of the devices, including, but not limited to, their propensity to record false alarms. The certification and decertification process shall include a review of the manufacturer's instructions and shall ensure their consistency with building standards applicable to new construction for the relevant type of occupancy with respect to number and placement.

(2) The State Fire Marshal shall charge an appropriate fee to the manufacturer of a carbon monoxide device to cover his or her costs associated with the approval and listing of carbon monoxide devices.

(b) A person shall not market, distribute, offer for sale, or sell any carbon monoxide device in this state unless the device and the instructions have been approved and listed by the State Fire Marshal.

California Code of Regulations, Title 19

Chapter 1.5. Building Materials Listing

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Chapter 1.5. Building Materials Listing

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Article 1.

200. Purpose.

(a) Construction material, assemblies of material, equipment, methods of construction, methods for the installation of equipment, fire alarm systems and devices, carbon monoxide 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.

*Note: Authority cited: Sections 13144.4 and 13263, Health and Safety Code.
Reference: Sections 13144.1 and 13263, Health and Safety Code.*

201. Regulation Identification.

Except when otherwise specified, construction materials, equipment, methods of construction, methods for the installation of equipment, fire alarm systems and devices, carbon monoxide devices, and automatic sprinkler systems and devices are herein identified as “materials and equipment,” may be cited as such, and will hereafter be referred to in this article as “materials and equipment.”

*Note: Authority cited: Sections 13144.4 and 13263, Health and Safety Code.
Reference: Sections 13144.1 and 13263, Health and Safety Code.*

202. Limitation.

Acceptance under the provisions of Section 204(b) shall be limited to the material and equipment listed and shall not extend to any other product.

*Note: Authority cited: Section 13144.4, Health and Safety Code. Reference:
Section 13144.1, Health and Safety Code.*

203 Expired Listing.

It shall not be construed that an expired listing automatically conforms with the current provisions of these regulations.

*Note: Authority cited: Section 13144.4, Health and Safety Code. Reference:
Sections 13144.1 and 13144.2, Health and Safety Code.*

Article 2

204. Definitions.

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

(a) Carbon monoxide device. A device that meets all of the following requirements:

(1) A device designed to detect carbon monoxide and produce a distinct, audible alarm.

(2) A device that is battery powered, a plug-in device with battery backup, or a device installed as recommended by Standard 720 of the National Fire Protection Association that is either wired into the alternating current power line of the dwelling unit with a secondary battery backup or connected to a system via a panel.

(3) If the device is combined with a smoke detector, the combined device shall comply with all of the following:

(A) The standards that apply to carbon monoxide alarms as described in Chapter 8 of Part 2 of Division 12 of the Health and Safety Code (commencing with Section 13260).

(B) The standards that apply to smoke detectors, as described in Health and Safety Code Section 13113.7.

(C) The combined device emits an alarm or voice warning in a manner that clearly differentiates between a carbon monoxide alarm warning and a smoke detector warning.

(4) The device has been tested and certified, pursuant to the requirements of the American National Standards Institute (ANSI) and Underwriters Laboratories Inc. (UL) as set forth in either ANSI/UL 2034 or ANSI/UL 2075, or successor standards, by a nationally recognized testing laboratory listed in the directory of approved testing laboratories established by the Building Materials Listing Program of the Fire Engineering Division of the Office of the State Fire Marshal of the Department of Forestry and Fire Protection.

(b) 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.

(c) 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(b)(3)].

(d) 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(b)(3). 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(b)(3) shall be prohibited or may be listed as approved without the interconnection of any unapproved equipment.

*Note: Authority cited: Sections 13144.4 and 13262, Health and Safety Code.
Reference: Sections 13144.1 and 13262, Health and Safety Code.*

Article 3

205. Method and Scope of Listings.

(a) Method. Listings of materials and equipment shall be in either of two forms, i.e., proprietary or generic. Proprietary listings shall be separately published by the State Fire Marshal in accordance with the provisions of Section 13144.1, Health and Safety Code. Materials and equipment classed by the State Fire

Marshal as industry-wide may be designated in generic terms in regulations in accordance with the provisions of Section 13144.2(c), Health and Safety Code.
(b) Scope. The provisions of this article shall be limited to proprietary listings.

Note: Authority cited: Section 13144.4, Health and Safety Code. Reference: Sections 13144.1 and 13144.2, 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 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 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 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: Section 13144.4, Health and Safety Code.
Reference: Section 13144.2, Health and Safety Code.*

207. Effective Date of Listing.

Materials and equipment 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: Section 13144.4, Health and Safety Code.
Reference: Section 13144.3, Health and Safety Code.*

208. Special Provisions.

(a) Carbon Monoxide Devices. A person shall not market, distribute, offer for sale, or sell any carbon monoxide device in this state unless the device and the instructions have been approved and listed by the State Fire Marshal.

(b) 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(d)(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.

(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, 13144.4 and 13263, Health and Safety Code. Reference: Sections 13132.7, 13144, 13144.1, 13144.2 and 13263, 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 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, 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(b)(8) are met. The test report shall be submitted for evaluation within 60 days from the time of listing.

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

210. Test Specimens.

Specimens submitted to laboratories for testing shall be from regular production. Acceptance for listing will not be considered on the basis of any examination of hand made equipment or products.

Note: Authority cited: Section 13144.4, Health and Safety Code. Reference: Section 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. Manufacturing processes, ingredients or compounds of materials or equipment shall not be matters of public record.

Note: Authority cited: Section 13144.4, Health and Safety Code. Reference: Section 13144.1, Health and Safety Code.

Article 4

212. Labels.

(a) Every material or equipment 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 may have such label placed upon the wrapping or boxing material.

- (2) Materials or equipment 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 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 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 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.



Image 1 (1.64" X 2.33")

- (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 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.

(i) Every approved and listed carbon monoxide device as defined in Section 204(a) intended to be marketed, distributed, offered for sale or sold in this state shall have prominently and permanently printed on or adhered to the container or box containing such device an approved label of the State Fire Marshal in accordance with Section 212.

Exception: Subsections (1), (2) and (3) of Section 212(a) are not applicable to labels for carbon monoxide devices.

Note: Authority cited: Sections 13144.4 and 13263, Health and Safety Code. Reference: Sections 13144.1 and 13263, Health and Safety Code.

Article 5

213. Approved Testing Organization.

(a) Qualifications. It shall be incumbent upon persons, firms, corporations, or associations desiring approval as a testing organization to corporations, or associations desiring approval as a testing organization 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. For the purposes of this article, an approved testing organization shall mean any person, firm, corporation, or association which conforms to all of the following:

(1) Equipped or has access to facilities which are equipped to perform tests in accordance with the required test procedures.

(2) Organizations which employ personnel who are qualified for testing. Evidence of such qualifications may include persons who are registered engineers in an appropriate discipline.

(3) Approved by the State Fire Marshal.

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

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

(1) The applicant and the testing organization has no financial interest in any company manufacturing or distributing any portion of the products to be tested or inspected.

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

(d) Sample Test Reports. The applicant shall submit sample copies of typical test reports to demonstrate their completeness and compliance with requirements of the test standard.

(e) Inspections. Test facilities shall be subject to periodic unannounced inspections to verify the adequacy of existing test equipment, test methods, certifications and personnel. If the inspection reveals noncompliance, the State Fire Marshal may rescind his approval and remove the laboratory from the list.

(f) Change of Status. Approved testing organizations shall notify the State Fire Marshal at his 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 major test equipment or procedures.

(3) Changes in principal officers or in supervisory and responsible personnel.

Note: Authority cited: Section 13144.4, Health and Safety Code.

Reference: Section 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, 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 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: Section 13144.4, Health and Safety Code.

Reference: Section 13144.1, Health and Safety Code.

Article 6

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 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 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 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: Section 13144.4, Health and Safety Code.
Reference: Section 13144.1, Health and Safety Code.*

Article 7

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 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.

(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 13144.2 and 13144.4, Health and Safety Code. Reference: Sections 13144.2 and 13144.3, Health and Safety Code.

Article 8

217. Violations.

No person, firm, corporation, or association shall knowingly or intentionally represent any material or equipment as being approved and listed by the State Fire Marshal when such material or equipment 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: Section 13144.4, Health and Safety Code.
Reference: Section 13144.1, Health and Safety Code.*