

**FINAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT
REGARDING THE 2025 CALIFORNIA ELECTRICAL CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3
(HCD 01/23)**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a Final Statement of Reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

UPDATES TO THE INITIAL STATEMENT OF REASONS:

Government Code Section 11346.9(a)(1) requires an update of the information contained in the Initial Statement of Reasons. If the update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the Initial Statement of Reasons, the state agency shall comply with Government Code Section 11347.1.

The Department of Housing and Community Development (HCD) has not added any data (including technical, theoretical, or empirical studies, reports, or similar documents relied upon) that would necessitate an update of the information contained in the Initial Statement of Reasons.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s).

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).

Government Code Section 11346.9(a)(3) requires a summary of EACH objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and an explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

The text with proposed changes was made available to the public during a 45-day comment period from May 17, 2024, until July 1, 2024. A total of four comments were received during the 45-day public comment period. HCD did not consider responses on non-HCD proposals or proposals not addressed during the specified public comment period. HCD acknowledged all of the comments and responded to only the comments that pertained to the proposed amendments for the 2024 Triennial Code Adoption Cycle and those received prior to the close of the comment period.

COMMENTS RECEIVED DURING THE 45-DAY PUBLIC COMMENT PERIOD

Item 4

Chapter 2 Wiring and Protection, Section 210.8 Ground-Fault Circuit-Interrupter Protection for Personnel

HCD proposes to adopt Chapter 2 from the 2023 National Electrical Code (NEC) and bring forward existing California amendments from the 2022 California Electrical Code (CEC) into the 2025 CEC with the modification to 210.8 “Ground-Fault Circuit-Interrupter Protection for Personnel.” Removing the September 1, 2026, expiration date.

Commenter(s) and Recommendation:

Bryce Nesbitt

The commenter recommends adding an additional exemption to section 210.8 regarding hardwired electric vehicle supply equipment.

Agency Response:

HCD acknowledges the comment and appreciates the recommendation provided by the Commenter. The proposed amendment is substantive and not codified within the current version of the model code (2023 NEC). An amendment, as suggested, will generally require statutory authority and direction to HCD or amendments within the applicable model code. HCD has decided not to make any additional amendments as suggested by the commenter.

Commenter(s) and Recommendation:

Mike Stone, National Electrical Manufacturers Association (NEMA)

NEMA suggests that the recommendation provided to HCD from the Plumbing, Electrical, Mechanical and Energy Code Advisory Committee to remove the sunset date from this exception be overtuned and that the model code continue to be adopted.

Agency Response:

HCD acknowledges the comment and appreciates the recommendations provided by NEMA. Upon review, HCD has decided not to make any additional amendments as suggested by the commenter. The removal of the language, “This exception shall expire September 1, 2026”, eliminates code maintenance issues and preserves the exception, since the date does not align with California cycles.

Commenter(s) and Recommendation:

Randall Cooper, Association of Home Appliance Manufacturers

The commenter recommends changes to 210.8(A) and 210.8(D). Changes include striking out “through 250-volt” in 210.8(A), adding “... where receptacles are installed to serve countertop services” in 210.8(A), and striking out items 8 through 12 in 210.8(DD). The commenter also proposes allowing the removal of GFCI when nuisance tripping occurs if the previous recommendations are not addressed.

Agency Response:

HCD acknowledges the comment and appreciates the recommendations provided by the Association of Home Appliance Manufacturers. Upon review, HCD has decided not to make any additional amendments, as suggested, to the model code language.

Item 9

Chapter 7 Special Conditions

HCD proposes to adopt Chapter 7 (except Articles 701 and 760) from the 2023 NEC into the 2025 CEC without amendment

Commenter(s) and Recommendation:

William Koffel, Koffel Associates, Inc.

The commenter recommends revising Article 702.4(B)(2)(b) to provide additional clarity for the code user. The proposed revisions aim to address potential misinterpretations from the authority having jurisdiction regarding energy management systems.

Agency Response:

HCD acknowledges the comment and appreciates the recommendations provided by Koffel Associates, Inc. Upon review, HCD has decided not to make any amendments as it does not align with model code and HCD is not proposing amendments to section 702.4 during this cycle.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

Government Code Section 11346.9(a)(4) requires a determination with supporting information 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 adopted regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

HCD has determined that there are no reasonable alternatives to be considered or have 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 and equally effective in implementing the statutory policy or other provisions of law.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:

Government Code Section 11346.9(a)(5) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

Not applicable.