

**FINAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE CALIFORNIA BUILDING STANDARDS COMMISSION
REGARDING THE 2025 CALIFORNIA EXISTING BUILDING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10
(BSC 06/24)**

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 California Building Standards Commission (BSC) 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).

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

BSC does not have authority to propose building standards for schools. HSC Section 18928 requires adoption of the most recent edition of the applicable model codes. HSC Section 18938(b) makes building standards contained in the model codes, as adopted by reference into the California Building Standards Code, applicable to all occupancies throughout the State of California as prescribed.

This proposal makes clarifying changes to existing code language with no intended change in regulatory effect. BSC's amendments apply to elements of state buildings, state colleges, and universities only, or resolve conflicts with existing California laws or regulations pursuant to HSC Section 18931.

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 for a 45-day comment period from September 6, 2024, until October 21, 2024. One (1) comment was received during the 45-day public comment period. This comment was not specific to BSC's proposed amendments. There was no subsequent public comment period.

ITEM 5

Chapter 5 PRESCRIPTIVE COMPLIANCE METHOD

BSC proposes to adopt 2024 IEBC Chapter 5 Sections 501.1, 502.1, 502.2 (former Section 502.3), 502.3 (former Section 502.4), 503.1, 503.2, 503.3, 506.1, 506.1.1, 506.2, 506.3 and bring forward existing amendments in Sections 501.1, 501.1.2, 502.1, 503.1 and 506.5 from 2022 California Existing Building Code (CEBC) to 2025 CEBC with the following modifications.

Commenter(s) and Recommendation:

Shahen Akelyan, MS, SE, Assistant Chief, Permit and Engineering Bureau, Chief of Counter Operations, Department of Building and Safety, City of Los Angeles.

The commenter suggests amendments to International Existing Building Code (IEBC) Chapter 5, Section 506.5.3 Seismic loads (seismic force-resisting system). Specifically, the commenter suggests removal of model code language in exception 1 regarding occupancy groups S and U, and adding a new exception 5 regarding occupancy groups and risk category.

Agency Response:

BSC acknowledges the commenter's suggestions and clarifies that BSC does not adopt Section 506.5.3 for occupancies, buildings and applications regulated by BSC and listed in Section 1.2. For occupancies, buildings and applications regulated by BSC, the performance level requirements of Section 506.5 are replaced with the performance level requirements of Section 317.5. BSC is proposing no further changes to the Express Terms for the 2025 CEBC in response to the comment.

BSC's authority to propose amendments to the model code is limited as, per HSC 18934.5, BSC amendments are applicable to State buildings and buildings constructed by the University of California and California State Universities only. To make the language proposed by the commenter applicable to all buildings in California, BSC

recommends the commenter to work with the International Code Council (ICC) to have it included in the next edition of IEBC.

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.

BSC has determined that no alternative considered would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the adopted regulations or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

BSC is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.

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— BSC has determined that this regulatory action would not have a significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states. BSC is making editorial amendments with no intended change in regulatory effect. The amendments are to provide clarifications and eliminate conflicts with existing building standards.