

**NOTICE OF PROPOSED ACTION  
TO BUILDING STANDARDS OF THE  
DIVISION OF THE STATE ARCHITECT (DSA-AC)  
REGARDING THE 2025 CALIFORNIA BUILDING CODE & 2025 CALIFORNIA  
EXISTING BUILDING CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2 & 10  
(DSA-AC 01-24)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Division of the State Architect (DSA-AC) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2 & 10. The DSA-AC is proposing building standards related to 2025 CALIFORNIA BUILDING CODE & 2025 CALIFORNIA EXISTING BUILDING CODE.

**PUBLIC COMMENT PERIOD**

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **July 26, 2024**, until midnight on **September 9, 2024**.

Comments may be submitted to CBSC via:

Email: [cbsc@dgs.ca.gov](mailto:cbsc@dgs.ca.gov)

US Mail postmarked no later than **September 9, 2024**:

California Building Standards Commission  
Attention: Public Comments  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS**

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or

request that you be notified of any modifications.

## **AUTHORITY AND REFERENCE**

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.1.

The purpose of these building standards is to implement, interpret, or make specific the provisions of Government Code Sections 4450 through 4452, 4456, 4457, 4459, 12955.1 and 14679, Health and Safety Code Sections 19955 through 19959 and Vehicle Code Section 22511.8.

The Division of the State Architect is proposing this regulatory action based on Government Code Sections 4450 and 12955.1(c).

## **INFORMATIVE DIGEST**

Reference: Government Code Section 11346.5(a)(3).

### **Summary of Existing Laws**

**Government Code Section 4450** authorizes the State Architect to develop regulations for making buildings, structures, sidewalks, curbs, and related facilities accessible to and usable by persons with disabilities.

**Government Code Section 4451** limits the application to buildings and facilities intended for use by the public, with reasonable availability to persons with disabilities, including educational facilities and including those buildings and facilities constructed with state, county, or municipal funds, including any political subdivision thereof. Includes temporary and emergency construction.

**Government Code Section 4452** states that it is the intent of the Legislature that the building standards relating to disabled access are intended to be used as minimum requirements to ensure that buildings and facilities are accessible to, and functional for, disabled persons.

**Government Code Section 4456** establishes that buildings and facilities constructed prior to Nov. 13, 1968 must comply with accessibility provisions when undertaking an alteration, structural repair, or addition.

**Government Code Section 4457** requires that portable school buildings be accessible, with some exceptions.

**Government Code Section 4459** directs the State Architect to develop amendments to building regulations to meet, but not exceed, state regulations effective prior to 2001 and to meet minimum federal accessibility standards adopted by the Department of Justice.

**Government Code Section 12955.1** requires that building standards for public housing must meet minimum requirements of this section and meet or exceed the requirements of the federal Fair Housing Act and implementing regulations; and gives the Division of the State Architect authority to propose regulations as deemed appropriate and necessary to implement, interpret, or make specific the provisions contained therein.

**Government Code Section 14679** requires the State Architect to develop regulations for parking facility accessibility.

**Health and Safety Code Section 18949.1** transfers the responsibilities of DSA to adopt regulations relating to building standards, to the California Building Standards Commission.

**Health and Safety Code Section 19955** requires certain public accommodations and facilities be accessible to persons with disabilities.

**Health and Safety Code Section 19956.5** requires that public walks and curbs be accessible.

**Health and Safety Code Section 19957** provides exceptions from the literal building standards in the cases of unnecessary hardship or technical difficulty and sets enforcement and equivalent facilitation standards.

**Health and Safety Code Section 19958** provides authority for enforcement of building regulations.

**Health and Safety Code Section 19959** requires existing public accommodations to provide accessible features when alterations, structural repairs, or additions are undertaken.

**Vehicle Code Section 22511.8** requires off street parking facilities to provide accessible parking and directs the State Architect to develop appropriate regulations to ensure compliance.

### Summary of Existing Regulations

Existing regulations promulgated by DSA-AC are contained in the California Building Code (Title 24, Part 2). These regulations are applicable to:

1. Publicly funded buildings, structures, sidewalks, curbs and related facilities;
2. Privately funded public accommodations and commercial facilities;
3. Public housing and private housing available for public use;
4. Any portable buildings leased or owned by a school district; and
5. Temporary and emergency buildings and facilities.

### Summary of Effect

The proposed action would amend the CCR, Title 24, Part 2 by:

- Changing the language to the term “bathroom(s)” in the definition of multi-bedroom housing unit.
- Correcting section references in site impracticality tests applied to residential units with adaptable features in public housing.
- Removing duplicative scoping language for toilet rooms and bathing rooms within transient lodging guest rooms that are not required to be accessible.
- Clarifying scoping and technical requirements for transient lodging facilities and housing at a place of education.
- Clarifying scoping exceptions for electric vehicle charging stations (EVCS).
- Adding technical section references to scoping of public housing facilities.
- Adding information to clarify the applicability of additional requirements under site impracticality.

- Clarifying technical requirements for detectable warning surfaces at blended transitions.
- Clarifying technical requirements to public housing for door signal devices, and washing machines and clothes dryers in alignment with existing California Regulations.
- Adding requirements for viewing devices at primary entrances to public housing units, when provided.
- Clarifying language for interior doors within residential dwelling units with adaptable features.
- Changing reference to bathrooms for technical section in residential dwelling units with adaptable features.
- Amending language for shower size and clear floor space at showers in residential dwelling units with adaptable features.
- Adding technical language for overlap of clear floor space at dining surfaces.
- Changing existing reference to Chapters 11A and 11B in raised deck systems egress and accessibility in Chapter 15.
- Clarifying technical requirements for personal lift devices in transient lodging facilities.

The proposed action would amend the CCR, Title 24, Part 10 by:

- Removing unadopted, duplicative language and an incorrect referenced standard in the California Existing Building Code (CEBC).

### **Comparable Federal Statute or Regulations**

Comparable federal statutes and regulations include:

- Regulations for Title II and Title III of the Americans with Disabilities Act of 1990, as adopted by the US Department of Justice. The regulations provide enforceable standards for accessible design, known as the 2010 ADA Standards for Accessible Design, in three parts.
  1. 2010 Standards for State and Local Government Facilities: Title II Regulations at 28 CFR Part 35.151;
  2. 2010 Standards for Public Accommodations and Commercial Facilities: Title III Regulations at 28 CFR Part 36, Subpart D; and
  3. 2010 Standards for Title II and III Facilities: 2004 ADAAG
- Fair Housing Amendments Act of 1988.

### **Policy Statement Overview**

The proposed building standards are intended to implement new accessibility provisions and clarify existing accessibility provisions contained in the 2025 California Building Code to ensure that publicly funded buildings, structures, sidewalks, curbs, and related facilities shall be accessible to and usable by persons with disabilities; privately funded public accommodations and commercial facilities shall be accessible to and usable by persons with disabilities; and public housing shall be accessible to and usable by persons with disabilities.

### **Evaluation of Consistency**

There are no inconsistent or incompatible regulations proposed.

## **OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

Reference: Government Code Section 11346.5(a)(4).

There are no other matters prescribed by statute applicable to DSA-AC, or to any specific regulation or class of regulations.

## **MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

Reference: Government Code Section 11346.5(a)(5).

DSA-AC has determined that the proposed regulatory action WOULD NOT impose a mandate on local agencies or school districts.

## **ESTIMATE OF COST OR SAVINGS**

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **No**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No**
- D. Other nondiscretionary cost or savings imposed on local agencies: **No**
- E. Cost or savings in federal funding to the state: **No**

Estimate: N/A

## **INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the amendment of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

DSA-AC has made an initial determination that the amendment of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

### **Declaration of Evidence**

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

No facts, evidence, documents, testimony or other evidence were relied upon nor received during pre-cycle outreach workshops indicating that there would be a significant statewide adverse economic impact to business. The public may submit any information, facts or documents either supporting DSA's initial determination or finding to the contrary.

### **FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE**

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

N/A

### **COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

DSA-AC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION**

Reference: Government Code Section 11346.5(a)(10).

The DSA-AC has assessed whether and to what extent this proposal will affect the following:

**A. The creation or elimination of jobs within the State of California.**

The Division of the State Architect has determined that the proposed action has no effect.

**B. The creation of new businesses or the elimination of existing businesses within the State of California.**

The Division of the State Architect has determined that the proposed action has no effect.

**C. The expansion of businesses currently doing business within the State of California.**

The Division of the State Architect has determined that the proposed action has no effect.

**D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.**

The Division of the State Architect has determined that the proposal establishes the minimum requirements to safeguard the public health, safety and general welfare through access to persons with disabilities.

## **ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING**

Reference: Government Code Section 11346.5(a)(12).

The Division of the State Architect has made an initial determination that this proposal would not have a significant effect on housing costs.

## **CONSIDERATION OF ALTERNATIVES**

Reference: Government Code Section 11346.5(a)(13).

DSA-AC has determined that no reasonable alternative considered by DSA-AC or that has otherwise been identified and brought to the attention of DSA-AC 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 than the proposed action. In addition, no reasonable alternative considered by DSA-AC or that has otherwise been identified and brought to the attention of DSA-AC would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

## **AVAILABILITY OF RULEMAKING DOCUMENTS**

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the [CBSC website](https://dgs.ca.gov/BSC): [dgs.ca.gov/BSC](https://dgs.ca.gov/BSC).

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the [CBSC website](https://dgs.ca.gov/BSC): [dgs.ca.gov/BSC](https://dgs.ca.gov/BSC).

Reference: Government Code Section 11346.5(a)(21).

DSA-AC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

## **CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS**

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director  
California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone: (916) 263-0916

**PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE OR  
TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING  
STANDARDS**

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Eric Driever, Principal Architect  
Division of the State Architect  
Headquarters, Codes and Policies  
(916) 443-9829  
[Eric.driver@dgs.ca.gov](mailto:Eric.driver@dgs.ca.gov)

Back up Contact:

Michelle Davis, Supervising Architect  
Division of the State Architect  
Headquarters, Codes and Policies  
(279) 799-3835  
[Michelle.davis@dgs.ca.gov](mailto:Michelle.davis@dgs.ca.gov)