# ADDITIONAL 15-DAY EXPRESS TERMS AND RATIONALEFOR PROPOSED BUILDING STANDARDSOF THE STATE FIRE MARSHALREGARDING THE 2025 CALIFORNIA BUILDING CODE,CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2(SFM 04/24)

No state agency may adopt, amend, or repeal a regulation that has been changed from that which was originally made available to the public pursuant to Government Code Section 11346.5 unless the change is (1) non-substantial or solely grammatical in nature or (2) sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action. If a sufficiently related change is made, the full text of the resulting adoption, amendment, or repeal, with the change clearly indicated, shall be made available to the public for at least 15 or 45 days before the agency adopts, amends, or repeals the resulting regulation.

Any written comments received regarding the change must be responded to in the final statement of reasons required by Government Code Section 11346.9 (Government Code Section 11346.8(c)).

If using assistive technology, please adjust your settings to recognize underline, strikeout, double strikeout, italics, and ellipsis. Double underline will be indicated by parenthetical notes within the text. The notes will not be codified or published in the code.

## LEGEND for EXPRESS TERMS (Based on model codes - Parts 2, 2.5, 3, 4, 5, 9, 10)

* Model Code language appears upright.
* Unmodified California 45-day amendments appear in *underline and italic* and *~~strikeout and italic~~.*
* California additional 15-day amendments appear in *double underline and italic* and *double strikeout and italic*.
* Ellipses ( ...) indicate existing text remains unchanged.
* **Rationale**: The justification for the change is shown after each section or series of related changes.

## ADDITIONAL 15-DAY EXPRESS TERMS

### ITEM 1-2.1chapter 1 Scope and Administration,Section 1.11.4.4 Fire clearance preinspection

***1.11.4.4 Fire clearance preinspection.*** *Pursuant to Health and Safety Code Section 13235, …, the local fire enforcing agency, as defined in Section 13244* *[start double underline] 13145 and 13146 [end double underline], …*

**Rationale:** The Health and Safety Code law section 13244 is incorrectly referenced as the local fire agency performing fire clearance inspections. The correct Health and Safety Code section that delegates authority from the State Fire Marshal to the local fire enforcing authority are Health and Safety Code Sections 13145 and 13146. This is an editorial change with no regulatory effect.

#### Notation:

Authority: Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72 - 1569.78, 1597.44 - 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2, 25500 through 25545; Government Code Sections 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

Reference(s): Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, 17921.

### ITEM 3-0.0Chapter 3 Occupancy Classification and Use,Section 304.1 Business Group B

**304.1 Business Group B.** Business Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Business occupancies shall include, but not be limited to, the following:

…

Ambulatory care facilities *serving four or more patients*

…

**Rationale:** In the 2022 Intervening Code Cycle, the SFM proposed to remove the reference to Group I-2.1 and utilize the model code provisions for Group B Ambulatory Care facilities. The California amendment in Chapter 3 has been identified as conflicting with the Chapter 2 definition of an Ambulatory care facility. This editorial fix also aligns with the provisions of Part 9, the California Fire Code, where the amendment was correctly not proposed.

#### Notation:

Authority: Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72 - 1569.78, 1597.44 - 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2, 25500 through 25545; Government Code Sections 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

Reference(s): Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, 17921.

### ITEM 3-1.3Chapter 3, Section 308.5.1 *Reserved*. Classification as Group E.*Special provisions*.

[The SFM proposes to adopt the model code with modifications as shown below.]

**308.5.1 *~~Reserved~~*~~.~~ Classification as Group E.** A child day care facility that provides care for more than ~~five~~ *six* but not more than 100 children *under 36 months of age*, where the rooms in which the children are cared for are located on a level of exit discharge serving such rooms and each of these child-care rooms has an exit door directly to the exterior, shall be classified as Group E.

*[start double underline]* ***308.5.1.1 Special provisions.*** *See Section 452.1.4 of the California Building Code for child- care locations above or below the first story. [end double underline]*

**Rationale:** The 45-day Express Terms for this proposal is proposed to be editorially corrected to accurately indicate the addition of Section 308.5.1.1 with underlined text. The underline was accidentally missed, and the new amendment was incorrectly shown as an existing amendment.

#### Notation:

Authority: Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72 - 1569.78, 1597.44 - 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2, 25500 through 25545; Government Code Sections 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

Reference(s): Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, 17921.

### ITEM 10-12.1Chapter 9 Fire Protection and Life Safety Systems,Section 907.2.9.3 Group R-2 college and university buildings

**907.2.9.3.Group R-2 college and university buildings.** An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies operated by a college or university for student or staff housing in all of the following locations:

1. Common spaces outside of dwelling units and sleeping units.
2. Laundry rooms, mechanical equipment rooms and storage rooms.
3. All interior corridors serving sleeping units or dwelling units.

Required smoke alarms *and detectors listed in accordance with UL 268,* in dwelling units and sleeping units in Group R-2 occupancies operated by a college or university for student or staff housing shall be interconnected with the fire alarm system to *activate the occupant notification* in accordance with NFPA 72 *and shall comply with Section 907.2.11.7*.

**Rationale:** Smoke alarms are not permitted under this section in California for college and university buildings. Smoke alarms are not listed with UL268. The editorial correction to remove the term “alarms” is in alignment with the intent of the code section and eliminates confusion for the code user.SFM received a comment during the 45-day public comment period pointing to this issue, and SFM is addressing it in this 15-day Express Terms.

#### Notation:

Authority: Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72 - 1569.78, 1597.44 - 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2, 25500 through 25545; Government Code Sections 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

Reference(s): Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, 17921.

### ITEM 10-3Chapter 9, Section 903.3.1.1.1 Exempt Locations

[SFM proposed renumbering and blending modification to an existing amendment to carry forward California provisions.]

**903.3.1.1.1 Exempt locations.** Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

~~1.~~ [Item 1 shown as crossed out is 2022 CBC model code language that was removed from 2024 IBC and existing SFM amendment proposed to be repealed.] ~~A room where the application of water, or flame and water, constitutes a serious life or fire hazard~~ *~~as determined by the authority having jurisdiction.~~*

1. A room or space where sprinklers constitute a serious life or fire hazard because of the nature of the contents, *as determined by the authority having jurisdiction*.

*~~3~~ 2. Machine rooms, machinery spaces, control rooms, control spaces and hoistways associated with fire service access elevators provided in accordance with Section 3007.*

 *~~4~~ 3.* Machine rooms, machinery spaces, control rooms and control spaces *and hoistways* associated with occupant evacuation elevators designed in accordance with Section 3008.

*~~5~~ 4. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, and associated electrical power distribution equipment, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with Section 707 or not less than 2-hour horizontal assemblies constructed in accordance with Section 712, or both.*

*65. Elevator hoistways, machine rooms, machinery spaces, control spaces and control rooms in accordance with Section 3005.4.1 of the California Building Code.*

**Rationale:** The California amendment is no longer needed, there is no need for exception # 6 since NFPA 13-2025 has new sprinkler omission requirements that covers sprinkler omissions for all elevator associated spaces. Therefore, this exception is redundant and creates potential conflicts between CFC and NFPA 13.

Also – some fire authorities are interpreting this exception in a way that if the top of a hoistway sprinkler is omitted it will trigger a top of hoistway smoke detector regardless of if the elevator is a Machine-Room-Less (MRL) or standard traction or hydraulic elevator.

This creates major conflicts and inconsistencies with the elevator code ASME A17.1 which only requires smoke detectors at the top of hoistways (machinery space) of MRL elevators. ASME A17.1 does not require smoke detectors at the top of hoistways of standard traction elevators or hydraulic elevators.

Deleting this exception # 6 will prevent these inconsistencies and conflicts.

There are new sections in NFPA 13-2025 with Sprinkler omission in elevator pits for all elevators (9.2.14.2) and top of hoistway sprinklers omission for all hydraulic elevators (9.2.14.4.2). SFM received a comment during the 45-day public comment period pointing to this issue, and SFM is addressing it in this 15-day Express Terms.

#### Notation:

Authority: Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72 - 1569.78, 1597.44 - 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2, 25500 through 25545; Government Code Sections 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

Reference(s): Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, 17921.

### ITEM 29-2.1Chapter 30 Elevator and Conveying Systems,Section 3001.7 Elevators utilized to transport hazardous materials.

***3005.4.1 Automatic sprinkler system*.** *Automatic sprinklers shall not be required to be installed in the elevator hoistway, elevator machine room, elevator machinery space, elevator control space or elevator control room where all the following are met:*

1. *The requirements of NFPA 13, Section 9.3.6.3.*
2. *The elevator machine room, elevator machinery space, elevator control space or elevator control room shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both. The fire-resistance rating shall not be less than the required rating of the hoistway enclosure served by the machinery. Openings in the fire barriers shall be protected with assemblies having a fire protection rating not less than that required for the hoistway enclosure doors. The exceptions to Section 3005.4 shall not apply.*

**Rationale:**

The California amendment in item 1 is no longer needed, as the NFPA 13 AUT-SSI Technical Committee did significant work for the 2025 Edition regarding Sprinkler protection and Sprinkler omission related to Elevator spaces (Machine and control rooms and Hoistway tops and pits). The SFM will evaluate the remainder of the California amendment in future rulemaking. SFM received a comment during the 45-day public comment period pointing to this issue, and SFM is addressing it in this 15-day Express Terms.

#### Notation:

Authority: Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72 - 1569.78, 1597.44 - 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2, 25500 through 25545; Government Code Sections 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

Reference(s): Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, 17921.

### ITEM 33-6Chapter 35 Reference Standards, NFPA

[SFM proposes to adopt Chapter 35 and carry forward existing amendments with modifications that update the referenced standard to correlate with the most recent edition of the standard. The rulemaking process between the different model codes can cause conflict in the adoption of the latest standards. The proposal is to establish consistency within the parts of the California Buildings Standards Code.]

…

**13—~~22~~*25*:** Standard for the Installation of Sprinkler Systems *as amended\**

*…*

***Delete Sections 9.3.6.1 and 9.3.6.2***

***9.3.6.1\* Reserved.***

***9.3.6.2 Reserved.***

***Revise Section 9.3.6.3 as follows:***

***9.3.6.3*** *Automatic fire sprinklers shall not be required in elevator machine rooms, elevator machinery spaces, control spaces or hoistways of traction elevators installed in accordance with the applicable provisions in the California Building Code, where all of the following conditions are met:*

(1)The elevator machine room, machinery space, control room, control space or hoistway of traction elevator is dedicated to elevator equipment only.

(2)The elevator machinery space, control room, control space or hoistway of traction elevators is separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire resistance rating of not less than that specified by the applicable building code.

(3)No materials unrelated to elevator equipment are permitted to be stored in elevator machine rooms, machinery spaces, control rooms, control spaces or hoistways of traction elevators.

(4)The elevator machinery is not of the hydraulic type.

***Add new Section 9.3.6.1.1 as follows:***

***9.3.6.1.1*** *The sprinkler required at the top and bottom of the elevator hoistway by 8.15.5.6 shall not be required where permitted by* [*Chapter 30*](https://codes.iccsafe.org/content/CABC2022P4/chapter-35-referenced-standards#CABC2022P4_Ch30) *of the California Building Code.*

…

**72—~~22~~ *24*** *[start double underline]* ***25*** *[end double underline]***:** National Fire Alarm and Signaling Code

…

**Rationale for NFPA 13:** Significant work was done by the NFPA 13 AUT-SSI Technical Committee for the 2025 Edition regarding Sprinkler protection and Sprinkler omission related to Elevator spaces (Machine and control rooms and Hoistways tops and pits). The new sections in NFPA 13-2025 are consistent with the current 2022 CBC amendments in Chapter 35, and therefore, there is no longer a need to have these amendments to NFPA 13 in CBC Chapter 35 and no need for item # 1 in Section 3005.4.1. **These are the new sections in NFPA 13-2025 with Sprinkler omission in elevator** **pits for all elevators (9.2.14.2) and top of hoistway sprinklers omission for all** **hydraulic elevators (9.2.14.4.2).**SFM received a comment during the 45-day public comment period pointing to this issue, and SFM is addressing it in this 15-day Express Terms.

**Rationale for NFPA 72:** The latest edition of NFPA 72 is the 2025 edition. The 2024 year is incorrect.

#### Notation:

Authority: Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72 - 1569.78, 1597.44 - 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2, 25500 through 25545; Government Code Sections 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

Reference(s): Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, 17921.