

**INITIAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS  
OF THE DIVISION OF THE STATE ARCHITECT (DSA-SS, DSA-SS/CC)  
REGARDING THE 2025 CALIFORNIA ADMINISTRATIVE CODE,  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1  
(DSA-SS 04/24)**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS**

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

**ITEM 1**

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS)**

DSA-SS proposes to adopt Chapter 4 of the 2022 CAC into the 2025 CAC with amendments as indicated. All existing California amendments that are not revised shall continue without change.

**CAC Recommendation:**

Approve.

**Agency Response:**

Accept.

**ITEM 2**

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), ARTICLE 1: ESSENTIAL SERVICES BUILDINGS**

**Section 4-205. Application of building standards.**

DSA-SS proposes to add a reference to new Part 7 to the list of applicable building standards, in response to SFM proposal to establish new Part 7 to Title 24, C.C.R.. If the CBSC does not approve SFM proposal to create new Part 7, this proposal will be withdrawn.

**CAC Recommendation:**

Approve.

**Agency Response:**

Accept.

### ITEM 3

#### Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 1: GENERAL PROVISIONS

**Section 4-305. Application of building standards.** Adding reference to new Part 7 to the list of applicable building standards, in response to SFM proposal to establish new Part 7 to Title 24, C.C.R.. If the CBSC does not approve SFM proposal to create new Part 7, this proposal will be withdrawn.

#### **Section 4-309 (a). Reconstruction or alteration projects in excess of \$100,000 in cost - General.**

Replace “modifications” with “reconstruction, alterations or additions”. The purpose of this editorial revision is to clarify intent and provide consistency of language with the CAC and CEBC. The terms “reconstruction”, “alteration”, and “addition” are all defined in Section 3-314 Definitions, but “modifications” is not. No change in regulatory effect.

#### **Section 4-309 (c). Reconstruction or alteration projects in excess of \$100,000 in cost – Required rehabilitation.**

Editorial revision to scope trigger language. The leading paragraph for 4-309(c) states that the evaluation and retrofit are triggered “...when any of the following conditions occur” so it is unnecessary to state “...when the cost...does not exceed 50% of the replacement value of the existing building” in the scope trigger. Therefore, revise scope trigger language to simply state: “When the proposed work results in...” No change in regulatory effect.

#### **Section 4-310. School garages, warehouses, storage and similar buildings, dwellings for employees and miscellaneous structures.**

Update language to note community college student housing buildings are exempted from Field Act (result of AB358).

##### **CAC Recommendation:**

Approve all CAM sub-items except the sub-item noted below.

Further Study Required of CAM sub-item: DSA-SS 04/24-3-4 (Section 4-310).

##### **Agency Response:**

Accept.

The express terms have been modified to add ITEM 15 where DSA proposes amendments similar to those proposed within Section 4-310 to be in alignment with Education Code Section 81050.5.

### ITEM 4

#### Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 2: DEFINITIONS

4-314. Definitions. Add definition of LABORATORY OF RECORD to coordinate with language updates to Sections 4-335 and 4-335.1 and reorganization to create new Article 11.

##### **CAC Recommendation:**

Approve.

**Agency Response:**

Accept.

**ITEM 5**

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 3: APPROVAL OF DRAWINGS AND SPECIFICATION**

**Section 4-317(e). Plans, specifications, calculations and other data. – Site data.**

DSA-SS proposes to include an exception to this portion of the regulation that prohibits construction, rehabilitation, reconstruction or relocation of a school building within 50 feet of the trace of an active fault. The existing regulation infers that Maintenance or Alteration would be allowed. However, per the definition in 4-314, "Maintenance ...shall not include work, other than repainting, on structural framing...". Also per 4-314, an Alteration is "...any construction or renovation...other than reconstruction, rehabilitation, or addition". The objective in adding the exception is to allow repair of damage caused by means not related to natural or manmade disaster (e.g. dry rot, vehicle impact) on a school building within 50 feet of fault trace.

**Section 4-318(a). Procedure for approval of application and voidance of application. – General.**

DSA-SS proposes to make editorial revisions to current language that utilizes terms such as "prints", "tracings", "reproducible sheets", etc. which are tied to a paper-based system and not in alignment with current practice which uses electronic media and submittal processes. Thus, editorial revisions have been made to the language to remove conflicts. No change in regulatory effect.

**Section 4-318(c). Procedure for approval of application and voidance of application. - Voidance of application. and 4-319. Withdrawal of application.**

Proposed revisions seek to clarify amount of refund of fees when the work has not yet commenced (checking work, or construction) on a project (or subsequent increments for the same project application number) and to establish better alignment with current practice as stipulated in the table in Section 1.5 of DSA IR A-30 (and vice-versa).

**CAC Recommendation:**

Approve

**Agency Response:**

Accept

**ITEM 6**

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 5: CERTIFICATION OF CONSTRUCTION**

**Section 4-333(b). Observation and inspection of construction. - Inspection by a project inspector or assistant inspector.**

Add reference to assistant inspector in section heading. Add clarification to emphasize that, while the school board must provide for and require "competent, adequate and

continuous inspection” of the project, the inspector is ultimately responsible to DSA “...for enforcement of the plans and specifications of the school project.”

- **Item #1** – Add clarification to emphasize each inspector’s responsibility to the governing board for “...inspection related activities”. The intent in adding this language is to make clear the responsibility for standard of conduct extends to any and all DSA Certified Project Inspectors (PI’s) involved in inspection related services or activities for a given project. This includes not only the PI (or Assistant Inspector) approved for the project but also any PI involved in providing project inspection services to the district for the project (e.g., PI broker). This is a key element of DSA’s efforts this cycle to clarify and consolidate the requirements necessary to obtain and maintain certification as a DSA Project Inspector. This work is being done in order to improve and enhance the integrity of certification for all PI’s and ensure adherence to the statutory obligations of California Education Code (EDC) Section 17311(a) which mandates “competent, adequate and continuous inspection”.

As stipulated in Section 4-342(b).8: “The inspector shall perform all duties and render all services with honesty. Inspectors who fail to carry out their duties in an ethical manner or who engage in illegal activities may be subject to adverse action as defined in the proposed Section 4-366 (formerly 4-342(d)).”

As stipulated in proposed Section **4-366 Adverse action.**, “DSA may withdraw project approval, deny issuance or renewal of certification, or suspend or revoke certification for any act in violation of Section 4-364, or acts affecting good standing associated with inspector certification or project approval, including but not limited to those specified in Section 4-365. In case of withdrawal of project approval or suspension of certification, failure to successfully address the corrective measures specified may lead to additional adverse action, including revocation of certification.”

As stipulated in proposed Section **4-365. Cause for action.**, “...DSA may deny eligibility for certification examination, deny issuance or renewal of certification, withdraw project approval, or suspend or revoke certification for any of the following acts affecting good standing including but not limited to:

- (a) Failure to satisfy the requirements of Article 5, Article 6, and Article 10 of Group 1 in this chapter, and failure to comply with the applicable inspection-related referenced standards on the DSA-approved plans and specifications.
  - (g) Acts of dishonesty, fraud, or deceit with the intent to substantially benefit themselves or another, or substantially injure another.”
- **Items #2, 4, 5, 6, and 7** – Adding in assistant inspector (AI) language because AIs have similar requirements and restrictions as PI, but for the limited scope of AI inspections. Adding the AI language in these items allows removal of duplicative/redundant language in the proposed amendments to Section 4-333(d).

### **Section 4-333(d). Observation and inspection of construction. – Assistant inspectors.**

- **Item #2** is relocated to Section 4-361.4 and modified.
- **Items #3-4** are removed due to redundancy with existing or proposed requirements in the proposed amendments to Section 4-333(b).

**Section 4-333.1. Project inspector certification.** This section is relocated to new Article 10 (Sections 4-360 through 4-369) to consolidate all Project Inspector and DSA Special

Inspector certification requirements into one place. Further modifications proposed to clarify requirements without changing regulatory intent, except for removing a qualification pathway for non-licensed individuals due to lack of occurrence based on DSA's review of applications. Specifically, non-licensed individuals performing construction observations as a design professional's representative while possessing a valid commercial combination, residential combination, or commercial building inspector certification by a state- or nationally recognized organization acceptable to DSA. (NOTE: New Project Inspector regulations are proposed within the new Article 10, with reasons provided for those in sections below.)

**Section 4-335(a). Structural tests and special inspections. – General.** Adding pointer to Section 4-372, the new section for laboratory acceptance requirements.

**Section 4-335(f). Structural tests and special inspections. – Special inspection.** Requiring minimum educational requirements for special inspectors in order to be consistent with similar minimum qualifications for Project Inspectors and DSA Certified Special Inspectors. Removing minimum age requirement since the other existing and proposed minimum qualifications are sufficient to ensure appropriately qualified individuals provide special inspections.

**Section 4-335(f)4.A. Structural tests and special inspections. – Special inspection. – Inspection reporting requirements: - Special inspector daily reports.** It is unnecessary to include the project inspector in the listing of parties required to receive reports within 7 calendar days since the first paragraph in 4-335(f)4.A requires the project inspector to receive those reports sooner.

**Section 4-335.1 DSA Laboratory of Record.** Relocating portions of DSA acceptance requirements for material testing laboratories to new Article 11 (Sections 4-370 through 4-378) and expanded upon, describing requirements for maintaining DSA acceptance.

**CAC Recommendation:**

Approve all CAM sub-items except the two sub-items noted below.

Further Study Required of CAM sub-items: DSA-SS 04/24-6-1 (Section 4-333), DSA-SS 04/24-6-6 (Section 4-335.1).

**Agency Response:**

Accept.

The proposed express terms in Section 4-333(b)5 were editorially modified to be more concise and remove gender specific pronouns. The express terms in Section 4-335.1 were edited grammatically to clarify requirements.

**ITEM 7**

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 6: DUTIES UNDER THE ACT**

**Section 4-342(b). Duties of the project inspector. – Duties.** See below for reasons for items:

- **Item #5. Notifications to DSA. A.** Revising reference from 'D' to 'E' due to proposed addition of new item 'D.'
- **Item #5. Notifications to DSA. D.** 48-hour prior notification is required for concrete and masonry structures, but not structural steel. Adding the 48 hours prior notification

for structural steel erection provides consistency in notification to DSA prior to significant milestones for these structural systems. Renumbered remaining existing unchanged items. [Post SD/LF CAC: Revised proposed language to clarify intent and add 24-hour prior notification, when requested by DSA, for subsequent structural steel erection to more closely mimic requirements for concrete and masonry construction and account for large projects have multiple days of structural steel erection.]

- **Item #8. Performance of duties.** Editorial word change and update reference pointer to new proposed section.

**Sections 4-342(c). Violations. through 4-342(g). Filing an appeal.** Relocation of items to new Article 10. Further modifications proposed to clarify requirements without changing regulatory intent. (NOTE: New Project Inspector regulations are proposed within the new Article 10, with reasons provided for those in sections below.)

**CAC Recommendation:**

Approve CAM sub-item DSA-SS 04/24-7-2 (Section 4-342(c) through (g)).

Further Study Required of CAM sub-item: DSA-SS 04/24-7-1 (Section 4-342(b)).

**Agency Response:**

Accept.

The express terms for Section 4-342(b)5.D were modified to clarify when DSA must be notified of structural steel erection occurring on projects. Corresponding changes were made to the rationale provided above and noted as [Post SD/LF CAC].

**ITEM 8**

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 8: DOCUMENTS AND RECORDS and ARTICLE 9: RESERVED**

**Section 4-350. Records.** Repeal this language; it is redundant and possibly in conflict with Public Records Act law.

**Section 4-351. Location of records.** Repeal this language. As noted in the California Building Standards Commission publication *Accessing California State Laws, Regulations and Legislation Online*, the purpose of regulations are to "...implement, interpret or make specific the laws enforced or administered by them", and "Regulations, also known as codes, are created by state agencies to implement laws."

The cited EDC sections for this section address the submittal of construction documents for DSA review and approval, not records storage. The topic should more appropriately be addressed by policy and not regulation.

**Section 4-352. Submission of documents.** Relocate to 4-350 and amend erroneous Reference section – should be EDC 81141 (which addresses reports to DSA) not EDC 81135 (which addresses the requirements relating to 3<sup>rd</sup> party plan review consultants).

**Article 9.** Add reserved article for numbering consistency.

**CAC Recommendation:**

Approve.

**Agency Response:**

Accept.

**ITEM 9**

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS, ARTICLE 10: INSPECTOR CERTIFICATION**

This new article consolidates and clarifies inspector certification, discipline, appeals, and reinstatement requirements. Within this new article are several sections containing relocated provisions, often with further modifications, while others are new.

**Sections 4-360. Inspector certification. through 4-360.3. Fees.** Identifies the inspection services requiring a valid DSA certification, defines the Project Inspector and DSA Certified Special Inspector classifications and lists the fees associated with obtaining and maintaining inspector certification.

**Sections 4-361. Project Inspector examination eligibility criteria. through 4-361.4. Assistant Inspectors.** Defines eligibility criteria to sit for DSA Project Inspector certification examinations. Most content is relocated from previous sections, but language has undergone significant editorial revisions and reorganization with the intent to make the requirements easier to comprehend and navigate.

**Section 4-362. DSA Certified Special Inspector examination eligibility criteria.** Defines eligibility criteria to sit for DSA Certified Special Inspector certification examinations. Most content is based on requirements in previous sections, with some clarification and minor reorganization.

**Sections 4-363. Certification requirements. through 4-363.7. Requests for certification after expiration.** Provides explicit requirements already applicable for issuance and maintenance of inspector certifications in existing DSA policies and processes.

**Section 4-364. Professional conduct.** Includes previous and expands upon professional conduct requirements for inspectors and others taking DSA inspector certification examinations.

**Section 4-365. Cause for action.** Includes previous and expands upon grounds for DSA taking action against inspectors and those taking examinations. New and expanded proposed regulations are based on existing statutory requirements not commonly referenced in most DSA program regulations. Previous title and initial paragraph in Section 4-365(c) is removed since the existing language in relocated Section 4-342(b)6 coupled with proposed Section 4-365(h) achieves the same result.

**Section 4-366. Adverse action.** Includes previous and expands upon the nature of action DSA can take against inspectors and those taking examinations along with notification and response processes.

**Section 4-367. Filing an appeal.** Clarifies the appeals process for inspectors, expanding on previous requirements.

**Section 4-368. Criteria for reinstatement.** Clarifies and expands upon previous criteria for inspector reinstatement.

**Section 4-369. Reinstatement after disciplinary action** Specifies the inspector reinstatement process after disciplinary action.

**CAC Recommendation:**

Approve all CAM sub-items except the two sub-items noted below.

Further Study Required of CAM sub-items: DSA-SS 04/24-9-1 (Section 4-360), DSA-SS 04/24-9-6 (Section 4-365).

**Agency Response:**

Accept.

The express terms for both sections were editorially modified to clarify the requirements.

**ITEM 10**

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 1, ARTICLE 11: LABORATORY ACCEPTANCE**

This new article consolidates and clarifies laboratory acceptance, discipline, appeals, and reinstatement requirements. Within this new article are several sections containing relocated provisions, often with further modifications, while others are new.

**Sections 4-370. DSA Laboratory Evaluation and Acceptance. through 4-372.8.**

**Acceptance extension.** Covers the laboratory evaluation and acceptance process, mostly with relocated content from Section 4-335.1, which is further modified to clarify requirements. Existing fees published on DSA's website are also added as proposed amendments to Section 4-370.1. Maintenance of DSA laboratory acceptance is clarified.

**Section 4-373. Professional conduct.** Specifies professional conduct requirements for the laboratory, laboratory personnel, and engineering manager.

**Section 4-374. Cause for action.** Includes previous and expands upon grounds for DSA taking action against labs. New and expanded proposed regulations are based on existing regulatory and statutory requirements, some of which are not currently referenced in DSA PI or LEA program regulations.

**Section 4-375. Adverse action.** Specifies the nature of action DSA can take against labs along with notification and response processes.

**Section 4-376. Filing an appeal.** Specifies the appeals process for laboratories.

**Section 4-377. Criteria for reinstatement.** Specifies the criteria for laboratory reinstatement.

**Section 4-378. Reinstatement.** Specifies the laboratory reinstatement process.

**CAC Recommendation:**

Approve all CAM sub-items except the four sub-items noted below.

Further Study Required of CAM sub-items: DSA-SS 04/24-10-1 (Section 4-370 through 4-372.8), DSA-SS 04/24-10-2 (Section 4-373), DSA-SS 04/24-10-3 (Section 4-374), and DSA-SS 04/24-10-4 (Section 4-375).

**Agency Response:**

Accept.



DSA grammatically modified express terms for Sections 4-370, 4-372.5, 4-372.5.2, 4-372.8(a), 4-373(a), and 4-375 to clarify requirements. DSA editorially modified express terms in Section 4-374(n) to be more concise.

#### ITEM 11

### Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 2: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS: FIRE AND LIFE SAFETY, ARTICLE 1: GENERAL PROVISIONS

**Section 4-402. Scope.** Adding reference to new Part 7 to the list of applicable building standards, in response to SFM proposal to establish new Part 7 to Title 24, C.C.R.. If the CBSC does not approve SFM proposal to create new Part 7, this proposal will be withdrawn.

Adding reference to Part 10 to the list of applicable building standards.

**Section 4-405. Application of building standards.** Adding reference to new Part 7 to the list of applicable building standards, in response to SFM proposal to establish new Part 7 to Title 24, C.C.R.. If the CBSC does not approve SFM proposal to create new Part 7, this proposal will be withdrawn.

Adding reference to Part 10 to the list of applicable building standards.

#### **CAC Recommendation:**

Approve.

#### **Agency Response:**

Accept.

#### ITEM 12

### Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 2: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS: FIRE AND LIFE SAFETY, ARTICLE 2: DEFINITIONS

**Section 4-411. Definitions.** Proposed revisions seek to add definitions (Classroom and Shade Structure) to clarify broad terms frequently reflected in project designs for which there are no current definitions. Adding these definitions provides clarity in their application towards confirming code compliant designs.

#### **CAC Recommendation:**

Accept

#### **Agency Response:**

Approve

#### ITEM 13

### Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 2: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS: FIRE AND LIFE SAFETY, ARTICLE 4: FEES

**Section 4-420. Fees (d):** DSA-SS proposes revisions to clarify the amount of refund of fees when the work has not yet commenced (checking work, or construction) on a project

(or subsequent increments for the same project application number) and to establish better alignment with current practice as stipulated in the table in Section 1.5 of IR A-30 (and vice-versa).

**CAC Recommendation:**

Approve.

**Agency Response:**

Accept.

**ITEM 14**

**Chapter 4 ADMINISTRATIVE REGULATIONS FOR THE DIVISION OF THE STATE ARCHITECT—STRUCTURAL SAFETY (DSA-SS), GROUP 2: SAFETY OF CONSTRUCTION OF PUBLIC SCHOOLS: FIRE AND LIFE SAFETY, ARTICLE 5: CERTIFICATION OF CONSTRUCTION**

**Section 4-430. General.** Update pointer to Project inspector certification to reference new Section 4-360 due to certification regulations being relocated from 4-333.1 to new section 4-360.

**CAC Recommendation:**

Approve.

**Agency Response:**

Accept.

**ITEM 15**

**Chapter 5 ACCESS TO PUBLIC BUILDINGS BY PERSONS WITH DISABILITIES, ARTICLE 1: COMPLIANCE PROCEDURES**

**Section 5-101. Purpose.** Exception added in order to align with actions of AB306 and AB358 which exempted teacher or district employee dwellings from DSA review for Access Compliance, and AB358 which exempted community college student housing buildings from DSA review for Access Compliance. Parallel exemptions are included in Section 4-310, exempting such buildings from DSA review & Construction Oversight for Structural Safety.

**CAC Recommendation:**

N/A. ITEM 15 was added after the CAC meeting.

**Agency Response:**

N/A.

**TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS**

Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

These administrative regulations are applicable to Parts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Title 24, California Code of Regulations. No other technical reports or studies were used in the development of these proposed amendments.

## **STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS**

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

The proposed amendments do not contain any mandates for specific technologies or equipment or prescriptive standards.

## **CONSIDERATION OF REASONABLE ALTERNATIVES**

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

The Division of the State Architect did not identify nor determine any reasonable alternatives to the proposed administrative regulations.

## **REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

There will be no adverse impact on small business.

## **FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS**

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

No significant adverse impact on business was determined and no other documents or evidence was determined applicable to the proposed provisions.

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

Government Code Sections 11346.2(b)(2) and 11346.3(b)(1)

The Division of the State Architect 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 did not identify any amended regulation that would lead to the creation or elimination of jobs within the State of California.

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

The Division of the State Architect did not identify any amended regulation that would lead to the creation of new businesses or the elimination of existing businesses within the State of California.

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

The Division of the State Architect did not identify any amended regulation that would lead to the expansion of businesses currently doing business within the State of California.

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

Part 1, California Administrative Code is the administrative regulations for application of the California Building code, implementation of construction testing and inspection programs, and certification of construction for the safety and protection of life and property of public K-14 school buildings in compliance with the California Education Code and state-owned or state-leased essential service buildings in compliance with the California Health and Safety Code. The benefits of the regulations provide clarity to the California Administrative Code.

**ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS**

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

The proposed changes to the regulations are primarily editorial to provide clarity or to align with statute, and do not result in an increase to the cost of compliance in the application and implementation of the California Administrative Code or California Building Code.

**DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

These proposed administrative regulations do not duplicate or conflict with federal regulations.