

# TEXT OF PROPOSED REGULATIONS (Final)

## California Code of Regulations Title 19. Public Safety Division 1. State Fire Marshal

**Amendments** appear in underline for proposed additions and ~~strikeout~~ for proposed deletions.

### Chapter 1.5. Construction Materials and Equipment Listings

#### Article 3. Application Procedure

##### §206. Application for Evaluation and Listing.

(a) Original. An original application for listing is one of the following types: New listing or Cross Listing. A Cross-listing is an original application for a duplicate listing of a product that has already been approved and listed. An original Cross-listing applicant receives their own listing number under their company name, make and model number based on another company's originally approved and listed product. Any person, firm, corporation, association, or similar organization desiring the listing of any material or equipment shall submit a completed ~~application for listing~~ Application for Listing Service as specified in subdivision (d) to the State Fire Marshal ~~on forms provided.~~ Such form shall be accompanied by the appropriate fees as prescribed in Section 216. Application for reinstatement of a listing which has been expired for one year or more shall be considered as an original application for listing. Applications for listing received after March 31 of each calendar year shall be accompanied by the listing fees plus the renewal fee for the next ensuing fiscal year.

(b) Annual Renewal. Any person, firm, corporation, association, or similar organization desiring the annual renewal of the listing of any material or equipment shall submit a completed ~~application~~ Application for Listing Service form as specified in subdivision (d) for renewal of such listing to the State Fire Marshal ~~on forms provided.~~ Such ~~This~~ forms will be provided by the State Fire Marshal and shall be accompanied by the appropriate renewal fee as prescribed in Section 216. Applications for renewal shall be received or mailed to the Office of State Fire Marshal not later than March 31 preceding the renewal period.

(c) Revision. Any person, firm, corporation, association, or similar organization desiring a revision be made to the listing of any material or equipment shall submit a completed ~~application~~ Application for Listing Service as specified in subdivision (d) for revision of such listing to the State Fire Marshal ~~on forms provided.~~ Such forms shall be accompanied by the fee as prescribed in Section 216.

(d) The following form is hereby incorporated by reference and available on the State Fire Marshal website: <https://osfm.fire.ca.gov>:

(1) Application for Listing Service (dated 07-17-2020).

NOTE: Authority cited: Section 13144.4, Health and Safety Code. Reference: Section 13144.2, Health and Safety Code.

## **208. Special Provisions.**

(a) Carbon Monoxide Devices. A person shall not market, distribute, offer for sale, or sell any carbon monoxide device in this state unless the device and the instructions have been approved and listed by the State Fire Marshal.

(b) Fire Alarm and Automatic Sprinkler Systems and Devices.

1) Control Units. For purposes of a single listing fire alarm control units may include variations in circuitry, functions, current and voltage ratings.

A single fire alarm control unit which incorporates any combination of functions (such as a local signaling control unit designed for auxiliary connection) shall be considered for a single listing. Such listing may include units used in conjunction with any of the following actuating methods. Automatic fire alarm, manual fire alarm, sprinkler supervisory, or waterflow alarm.

(2) Devices. Fire alarm and automatic sprinkler devices, for the purpose of a single listing, may have variations in size, dimensions, ratings, current and voltage but shall not include variations in method of operation.

(3) Fire Alarm Prohibitions. When any equipment or systems specified in Section 204(d)(2) is to be connected to any fire alarm control unit or fire alarm device, such control unit or device shall be so designed and arranged that:

(A) The electrical design of the equipment or systems shall not be integral to the internal circuitry of the fire alarm control unit of the system or device, and

(B) Such equipment and systems shall be served by a power supply or circuit independent of the power supply or circuit necessary for the function of the control unit or device, and

(C) Such equipment and systems shall be interconnected to the control unit of the system or device by relays or switching devices which will provide electrical isolation from the system or device to prevent interference or interruption of the normal or intended operation of the fire alarm system or device.

(4) Service. The listee of fire alarm systems and fire alarm devices shall file notice of the establishment of facilities and evidence of capability to provide for the repair of their approved and listed systems and devices.

(5) Restoration. Required Systems. Listees of fire alarm equipment used or intended for use on fire alarm systems required by Subchapter 1 of these regulations shall, at the time of application for approval and listing, include evidence of the capability to restore to operating condition, listed fire alarm systems, within 24 hours of notification.

(6) Continuity. Service and restoration facilities shall be maintained for the duration of listing and the listee shall file notice of the establishment of new facilities or discontinuance of any previously established facilities, within 30 days of the establishment or discontinuance of service facility.

Organizations designated by a listee as a service or restoration facility shall file with the notice, certification of service or restoration capability, geographical limitations, and evidence of service equipment, qualified service personnel and the necessary stock of parts and devices.

Service and restoration organizations who engage in the sale, distribution or installation of fire alarm systems or devices requiring a State Contractor's License shall file such evidence with their notice.

(7) Prohibition of Sale. The marketing, distribution, offering for sale, or selling of any fire alarm system or fire alarm device in this State is prohibited unless such system or device has been approved and listed by the State Fire Marshal.

Conditions of approval and listing by the State Fire Marshal shall be furnished at the time of purchase.

(8) Fire Alarm System and Fire Alarm Device Listings. The State Fire Marshal shall issue the initial listing upon receipt of:

1. An application conforming to the provisions of Section 206(a) and
2. A certification letter from a State Fire Marshal ~~accredited~~ approved testing laboratory. The complete test report from the approved testing laboratory shall be submitted for evaluation within 60 days from the date the initial listing is issued.

(c) Wood Roof Covering Materials. Wood roof covering materials shall be approved and listed by the State Fire Marshal pursuant to Health and Safety Code Section 13132.7(j). No wood roof covering materials shall be sold or applied in this state unless both of the following conditions are met:

- (1) The materials have been approved and listed by the State Fire Marshal as complying with the requirements of this section.
- (2) The materials have passed at least five years of the 10-year natural weathering test. The 10-year natural weathering test required by this subdivision shall be conducted in accordance with standard 15-2 of the 1994 edition of the Uniform Building Code at a testing facility recognized by the State Fire Marshal.

(d) Smoke Alarms:

- (1) Commencing July 1, 2014, all smoke alarms, including combination smoke alarms, that are solely battery powered shall contain a nonreplaceable, nonremovable battery that is capable of powering the smoke alarm or combination smoke alarm for at least 10 years.

EXCEPTION: This section shall not apply to any smoke alarm or combination smoke alarm that has been ordered by, or are in the inventory of, an owner, managing agent, contractor, wholesaler, or retailer on or before July 1, 2014, until July 1, 2015.

- (2) Commencing January 1, 2015 all smoke alarms or combination smoke alarms shall:

(A) Display the date of manufacture.

(B) Provide a place on the device where the date of installation can be written. The date of installation shall be visible to the consumer without removing the alarm from its base or mounting bracket.

(C) Incorporate a hush feature.

- (3) EXCEPTIONS to (1) and (2) of the above:

(A) Smoke detectors intended to be used with a fire alarm or household fire alarm control unit.

(B) Smoke alarms that send a supervision and battery depletion signal to a fire alarm or household fire alarm control unit via a low-power radio frequency wireless communication signal.

(C) Smoke alarms that use low-power radio frequency wireless communication signal for interconnection.

Note: Authority cited: Sections 13114, 13132.7, 13144.4 and 13263, Health and Safety Code. Reference: Sections 13114, 13132.7, 13144, 13144.1, 13144.2 and 13263, Health and Safety Code.

## **§209. Required Submissions for Listing.**

(a) Sample Specimens. In addition to the application and fee required by Section 206, the State Fire Marshal may require that sample specimens, taken from regular

production, be submitted for evaluation. The State Fire Marshal may require the assembly or erection of a sample specimen for evaluation purposes. The applicant shall assume all responsibility relating to the assembly or erection of such specimen, including but not limited to the cost, liability and removal thereof. The applicant shall arrange for the removal of any specimen submitted to the State Fire Marshal or which has been assembled or erected pursuant to this section, within 60 days of notification by the State Fire Marshal. The State Fire Marshal may dispose of any specimen submitted following the 60-day notification.

~~(b) Test Reports and Technical Data. Every application for evaluation and listing of a material or equipment which is required by these regulations to be tested, shall be accompanied by a manufacturer's test report issued by an approved testing organization. Technical data shall be submitted with any application when required by the State Fire Marshal. Each application for an evaluation and listing of a fire-resistive design, and when required by the State Fire Marshal for any other material or equipment, shall be accompanied by black-line drawings suitable for reproduction. Exception: For fire alarm systems and fire alarm devices only, test reports need not be provided at the time of application provided the provisions of Section 208(b)(8) are met. The test report shall be submitted for evaluation within 60 days from the time of listing.~~

(b) Test Reports. Every application for evaluation and listing of a material or equipment which is required by these regulations to be tested, shall be accompanied by a manufacturer's test report issued by a State Fire Marshal approved testing organization. The complete test report shall include, but not be limited to, the cover page, tested product description, illustrations, diagrams, installation instructions, detailed test procedures with test data and results, photographs, and the conclusion.

Exception:

- 1) A Cross Listing application for a fire alarm system or device requires only the testing correlation sheet from the State Fire Marshal approved testing laboratory in lieu of a complete test report.
- 2) For fire alarm systems and fire alarm devices only, test reports need not be provided at the time of application provided the provisions of Section 208(b)(8) are met. The complete test report from the approved testing laboratory shall be submitted for evaluation within 60 days from the date the initial listing is issued.

(c) Technical Data. Technical data shall be submitted with any application when required by the State Fire Marshal. Each application for an evaluation and listing of a fire-resistive design, and when required by the State Fire Marshal for any other material or equipment, shall be accompanied by:

- 1) A copy of the engineering drawings.
- 2) A copy of the manufacturer's product specification sheets.
- 3) A copy of the manufacturer's installation instructions.
- 4) A copy of the manufacturer's operations and maintenance manual.

NOTE: Authority cited: Sections 13114 and 13144.4, Health and Safety Code.  
Reference: Sections 13114 and 13144.1, Health and Safety Code.

**§ 216. Fees.**

The fee for listing a fire alarm system or device, building material or equipment shall be:

- (a) Original Submittals:
  - (1) New Listing Application Fee \$ ~~170~~850.00
  - (2) Cross Listing Application Fee \$ 850.00
  - ~~(2)~~(3) Listing Fee \$ ~~150~~250.00
  
- (b) Annual Renewal Application:
  - (1) Listing Fee \$ ~~150~~250.00
  
- (c) Revision Fee:
  - (1) Technical With Evaluation \$ ~~200~~650.00
  - (2) Non-technical Without Evaluation \$ 250.00
  
- (d) Returned/Dishonored Check  
Service Fee \$ 30.00

~~The fee for listing fire alarm system or device shall be:~~

- ~~(d) Original Submittals:~~
  - ~~(1) Application Fee \$ 170.00~~
  - ~~(2) Listing Fee \$ 150.00~~
  
- ~~(e) Renewal Application:~~
  - ~~(1) Listing Fee \$ 150.00~~
  
- ~~(f) Revision Fee:~~
  - ~~(1) With Evaluation \$ 200.00~~
  - ~~(2) Without Evaluation \$ 25.00~~

~~(g)~~(e) Disposition of Fees. Application and listing fees shall be submitted simultaneously with each original application for listing. If the material or equipment is not found to be in conformance with the provisions of these regulations, the listing fee shall be returned to the applicant. The application fee shall be retained by the State Fire Marshal to offset the costs incurred through evaluation of the material or equipment.

~~(h)~~(f) Listing and Period. Listing fees shall be for the term of a fiscal year between July 1 and June 30, or for any portion thereof.

NOTE: Authority cited: Sections 13144.2 and 13144.4, Health and Safety Code; and Section 6157. (b), Government Code. Reference: Sections 13144.2 and 13144.3, Health and Safety Code.