

Dear Senators ANDREASON, Coiner & Malepeai, and
Representatives BLACK, Henderson & Elaine Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Idaho Dept. of Insurance:

IDAPA 18.01.50 - Adoption of the 2006 International Fire Code (Docket #18-0150-1001).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the co-chairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 10-29-10. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 11-30-10.

The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-4845, or send a written request to the address or FAX number indicated on the memorandum attached.



Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

Jeff Youtz
Director

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Commerce and Human Resources Committee and the House Business Committee

FROM: Brooke Murdoch, Research Analyst *BM*

DATE: October 12, 2010

SUBJECT: Idaho Department of Insurance – State Fire Marshal

**IDAPA 18.01.50 – Adoption of the 2006 International Fire Code
(Docket No. 18-0150-1001)**

The State Fire Marshal submits notice of proposed rulemaking at IDAPA 18.01.50 – Adoption of the 2006 International Fire Code. According to the State Fire Marshal, the proposed rule reflects the changes to the 2009 edition of the International Fire Code, bringing the rule into conformity with Idaho statutes, the International Building Code 2009 edition and changes made to previous editions of the fire code. This rulemaking also reflects changes agreed upon by a Fire Code Task Force that was organized by the Idaho Legislature after the 2010 legislative session.

Negotiated rulemaking was not conducted because the rule was drafted in consultation with representatives of the affected industries, fire agencies and elected officials. There is no negative fiscal impact on the general fund resulting from this rulemaking.

The proposed rule is within the authority granted to the State Fire Marshal in Sections 41-253 and 41-254, Idaho Code.

cc: Idaho Department of Insurance
Mark Larson, State Fire Marshal

Mike Nugent, Manager
Research & Legislation

Cathy Holland-Smith, Manager
Budget & Policy Analysis

Don H. Berg, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

IDAPA 18 DEPARTMENT OF INSURANCE
18.01.50 - ADOPTION OF THE 2006 INTERNATIONAL FIRE CODE
DOCKET NO. 18-0150-1001
NOTICE OF RULEMAKING - PROPOSED RULEMAKING

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section(s) 41-253, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 20, 2010.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY:The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This proposed rule reflects the changes to the 2009 edition of the International Fire Code to bring it into conformity with Idaho statutes, the International Building Code 2009 edition as adopted, and changes made to previous editions of the fire code. This edition will also reflect changes agreed upon by a "fire code task force" organized by the Idaho Legislature after the 2010 session.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This proposed rule has no impact on the general fund for the state of Idaho. The adoption of new editions of the fire code is and has been since 1982, an ongoing process planned for by most governmental and affected private entities.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the writing of this rule was accomplished in consultation with representatives of the affected industries, fire agencies and elected officials.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2) (a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

The International Fire Code makes reference to various documents and standards developed by recognized authorities, such as the National Fire Protection Association and the American Petroleum Institute. Chapter 47 of the 2009 edition of the code as proposed contains a listing of each specific standard referred to in the body of the code.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Mark Larson, Idaho State Fire Marshal, at 208-334-4370.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before November 1, 2010.

DATED this 23rd day of August, 2010.

Mark Larson
State Fire Marshal
Idaho Department of Insurance
700 West State Street, Third Floor
Boise, ID 83720-0043
Phone: (208) 334-4370 / Fax: (208) 334-4375

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 18-0150-1001

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 18.01.50, Rules of the Idaho Department of Insurance, Title 01, Chapter 50, "Adoption of the ~~2006~~ International Fire Code." (4-2-08)()

02. Scope. Pursuant to the authority provided by Section 41-253, Idaho Code, the ~~Idaho~~ State Fire Marshal hereby adopts the 2006~~0~~ edition of the International Fire Code, and such later editions that may be published and adopted by the State Fire Marshal in accordance with Section 67-5229, Idaho Code, and Section 004 of these rules, as the minimum standard for the protection of life and property from fire and explosion for the state of Idaho. (4-2-08)()

(BREAK IN CONTINUITY OF SECTIONS)

004. INCORPORATION BY REFERENCE.

01. 2006~~9~~ International Fire Code. In accordance with Section 67-5229, Idaho Code, and pursuant to the authority provided by Section 41-253, Idaho Code, the Idaho State Fire Marshal hereby adopts the 2006~~9~~ edition of the International Fire Code as published by the International Code Council with the following revisions, additions, deletions and appendixes. (4-2-08)()

02. Availability of Referenced Material. Copies of the 2006~~9~~ edition of the International Fire Code are available for public inspection at the office of the State Fire Marshal, ~~the State Law Library, and the State Legislative Council.~~ Copies of the 2006~~9~~ International Fire Code may be procured by writing the International Code Council, Northwest Resource Center, 2122 112th Ave NE, Suite C, Bellevue, WA 98004. (4-2-08)()

005. OFFICE -- OFFICE HOURS, MAILING ADDRESS AND STREET ADDRESS.

The office of the Idaho State Fire Marshal is located at 700 West State Street, third floor, Boise Idaho. The business hours are 8 am through 5 pm , Monday through Friday. The mailing address is Idaho State Fire Marshal, Department of Insurance, P.O. Box 83720, Boise, ID 83720-0043. The department's web address is <http://www.doi.idaho.gov> ()

006. PUBLIC RECORDS ACT COMPLIANCE.

Any records associated with this rule are subject to the provisions of the Idaho Public records Law, Title 9, Chapter 3, Idaho Code. ()

~~0057.~~ -- 009. (RESERVED).

(BREAK IN CONTINUITY OF SECTIONS)

~~021. -- 025. (RESERVED).~~

021. CHAPTER 5 FIRE SERVICE FEATURES.

01. Section 501. ()

a. To section 501.3 after the phrase, Construction documents for proposed, add the word "driveways." ()

- b.** To section 501.4 after the phrase, When fire apparatus access roads, add the word “driveways.” ()
- 02.** Section 502. To section 502, add the following definition in , DRIVEWAY. A vehicular ingress and egress route that serves no more than five (5) single family dwellings, not including accessory structures. ()
- 03.** Section 503. ()
- a.** To section 503, add the following definition, “FIRE STATION, A building, or portion of a building that provides, at a minimum, all weather protection for fire apparatus. Temperatures inside the building used for this purpose must be maintained at above thirty-two (32) degrees Fahrenheit.” ()
- b.** To section 503 add the words, “AND DRIVEWAYS” to the section heading. ()
- c.** To section 503.1 add the following sentence, “Driveways shall be provided and maintained in accordance with Sections 503.7 through 503.11.” ()
- d.** To section 503.6 delete the sentence, The installation of security gates across a fire apparatus access road shall be approved by the fire chief. ()
- e.** Add the following section, “503.7 Driveways. Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet (45720mm) from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 12 feet (3658mm) and a minimum unobstructed height of 13 feet 6 inches (4115mm). Driveways in excess of 150 feet (45720mm) in length shall be provided with turnarounds. Driveways in excess of 200 feet (60960mm) in length and 20 feet (6096mm) in width may require turnouts in addition to turnarounds.” ()
- f.** Add the following section, “503.7.1 Limits. A driveway shall not serve in excess of five single family dwellings.” ()
- g.** Add the following section, “503.7.2 Turnarounds. Driveway turnarounds shall have an inside turning radius of not less than 30 feet (9144mm) and an outside turning radius of not less than 45 feet (13716mm). Driveways that connect with an access road or roads at more than one point may be considered as having a turnaround if all changes of direction meet the radius requirements for driveway turnarounds.” ()
- h.** Add the following section, “503.7.3 Turnouts. Where line of sight along a driveway is obstructed by a man-made or natural feature, turnouts shall be located as may be required by the fire code official to provide for safe passage of vehicles. Driveway turnouts shall be of an all-weather road surface at least 10 feet (3048mm) wide and 30 feet (9144mm) long.” ()
- i.** Add the following section, “503.7.4 Bridge Load Limits. Vehicle load limits shall be posted at both entrances to bridges on driveways and private roads. Design loads for bridges shall be established by the fire code official.” ()
- j.** Add the following section, “503.7.5 Address markers. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and maintained thereafter. The address shall be visible and legible from the road on which the road on which the address is located. Address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction. Where multiple address’s are required at a single driveway, they shall be mounted on a single post, and additional signs shall be posted at locations where driveways divide.” ()
- k.** Add the following section, “503.7.6 Grade. The gradient for driveways shall not exceed 10 percent unless approved by the fire code official.” ()
- l.** Add the following section, “503.7.7 Security Gates. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and emergency operation shall be maintained

operational at all times.” ()

m. Add the following section, “503.7.8 Surface. Driveways shall be designed and maintained to support the imposed loads of local responding fire apparatus and shall be surfaced as to provide all weather driving capabilities.” ()

04. Section 508. To section 508.2 Type of water supply. delete the existing language and add the following, “A water supply shall consist of water delivered by fire apparatus, reservoirs, pressure tanks, elevated tanks, water mains or other sources approved by the fire code official capable of providing the required fire flow. Exception. The water supply required by this code shall only apply to structures served by a municipal fire department or a fire protection district and within ten miles (16093m) of a responding fire station.” ()

~~**026. SECTION 903.2.7 GROUP R AUTOMATIC SPRINKLER SYSTEM REQUIREMENTS.**~~
~~Add to the paragraph, “Exception: automatic sprinkler systems are not required in 3- or 4 unit Group R buildings.”~~
(4-6-05)

~~**022. -- 026. (RESERVED).**~~

(BREAK IN CONTINUITY OF SECTIONS)

037. FIRE ALARM AND DETECTION SYSTEMS, SECTION 907.1, INTERNATIONAL FIRE CODE.

~~**01.**~~ Notification Devices. When fire alarm systems not required by the International Fire Code are installed, the notification devices shall meet the minimum design and installation requirements for systems which are required by this code. Intent: (Non-required fire alarm systems shall provide the same level of occupant notification that required systems provide). (5-3-03)

~~**02.**~~ ~~*Partial or Limited Detection Systems Are Allowed. If notification devices are provided, they must meet Subsection 037.01 above.*~~ (7-1-99)

(BREAK IN CONTINUITY OF SECTIONS)

041. EXPLOSIVES AND FIREWORKS, CHAPTER 33, INTERNATIONAL FIRE CODE.

Delete Sections 3301.1.3, 3301.2.2, 3301.2.3, 3301.2.4.1, 3301.2.4.2, and 3308.1 through 3308.3. (~~5-3-03~~)()

(BREAK IN CONTINUITY OF SECTIONS)

~~**047. -- 0540. (RESERVED).**~~

051. CHAPTER 46. CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS.

To section 4601.1 delete the period and add, “only if in the opinion of the fire code official, they constitute a distinct hazard to life or property.” ()

052. REFERENCED STANDARDS, CHAPTER 45, INTERNATIONAL FIRE CODE.

Beginning on Page ~~387~~ 418, of the NFPA Referenced Standards, make the following changes to the listed editions:

Delete	Add	Delete	Add	Delete	Add
10-20027	<u>10-200710</u>	51-2002	<u>51-2007</u>	407-2004	<u>407-2007</u>
11-20025	<u>11-200510</u>	52-20026	<u>52-200610</u>	430-2000	<u>430-2004</u>
12A-972004	<u>12A-20049</u>	57-99	<u>57-2002</u>	480-98	<u>484-2002</u>
13-20027	<u>13-200710</u>	58-2004	<u>58-2004</u>	481-2000	<u>484-2002</u>
13D-20027	<u>13D-200710</u>	61-99	<u>61-2002</u>	484-20026	<u>484-20069</u>
13R-20027	<u>13R-200710</u>	69-97	<u>69-2002</u>	490-98	<u>490-2002</u>
14-20037	<u>14-200710</u>	72-20027	<u>72-200710</u>	495-20046	<u>495-200610</u>
15-2004	<u>15-2007</u>	85-2004	<u>85-2007</u>	498-20046	<u>498-200610</u>
16-2003	<u>16-2007</u>	86-2003	<u>86-2007</u>	505-2002	<u>505-2006</u>
17-982002	<u>17-20029</u>	99-2002	<u>99-2005</u>	650-98	<u>654-2000</u>
17A-982002	<u>17A-20029</u>	101-20036	<u>101-20069</u>	654-2000	<u>654-2006</u>
20-20037	<u>20-200710</u>	110-20025	<u>110-200610</u>	655-2004	<u>655-2007</u>
22-982003	<u>22-20038</u>	211-20006	<u>211-200310</u>	664-2002	<u>664-2007</u>
24-952003	<u>24-200310</u>	231-98	<u>230-2003</u>	704-2004	<u>704-2007</u>
25-92008	<u>25-2002</u>	231C-98	<u>230-2003</u>	750-20036	<u>750-200610</u>
30-2000	<u>30-2003</u>	231D-98	<u>230-2003</u>	1122-97	<u>1125-2004</u>
30A-2000	<u>30A-2003</u>	260-982003	<u>260-20039</u>	1123-20006	<u>11263-200410</u>
30B-2002	<u>30B-2007</u>	261-982003	<u>261-20039</u>	1124-2003	<u>1124-2006</u>
33-2003	<u>33-2007</u>	265-2002	<u>265-2007</u>	1125-2004	<u>1125-2007</u>
34-2003	<u>34-2007</u>	266-98	<u>272-2003</u>	1127-98	<u>1127-2002</u>
40-2004	<u>40-2007</u>	120-19992004	<u>120-200410</u>	1123-2000	<u>1123-2006</u>
12-20005	<u>12-20058</u>	160-2004	<u>160-2006</u>	1126-2004	<u>1126-2006</u>
24-2002	<u>24-2007</u>	241-20004	<u>241-20049</u>	31-2004	<u>31-2006</u>
35-1999	<u>35-2005</u>	286-2000	<u>286-2006</u>	32-2000	<u>32-2007</u>
51A-2004	<u>51A-2006</u>	303-2000	<u>303-2006</u>	701-19992004	<u>701-200410</u>
59A-20046	<u>59A-20069</u>	385-2000	<u>385-2007</u>	703-20006	<u>703-20069</u>
80-19992007	<u>80-200710</u>	409-2004	<u>409-2004</u>	267-98	<u>272-2003</u>
92BA-2005	<u>92A-2006</u>	484-20026	<u>484-20069</u>	111-20045	<u>111-200510</u>
				2001-2000	<u>2001-2004</u>

(4-2-08)()

053. -- 055. (RESERVED).

056. REFERENCES TO APPENDIX, INTERNATIONAL FIRE CODE.

When this code references the appendix, the provisions of the appendix shall not apply unless specifically incorporated by reference. The following appendixes of the International Fire Code are incorporated by reference:

- (5-3-03)
- 01. Appendix B, Fire Flow Requirements for Buildings.** (5-3-03)
- 02. Appendix C, Fire Hydrant Location and Distribution.** (5-3-03)
- 03. Appendix D, Fire Apparatus Access Roads.** (4-2-08)
- a.** To section D101.1 Scope, add the following sentence, “Driveways as described in section 503.7 through 503.11 are not subject to the requirements of this appendix.” ()
- b.** To section D102.1, after the phrase, by way of an approved fire apparatus access road, add the following “designed and maintained to support the imposed loads of the responding fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.” And delete the remainder of the section. ()
- c.** To section D103.2 Grade. Add the following. “The gradient of the fire apparatus access road shall be within the limits established by the fire code official based on the capabilities of the responding fire departments apparatus.” Delete the remainder of the section and the exception. ()
- 04. Appendix E, Hazard Categories.** (5-3-03)
- 05. Appendix F, Hazard Rankings.** (5-3-03)