

Dear Senators PATRICK, Martin, Schmidt, and
Representatives BARBIERI, Clow, Smith:

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

IDAPA 18.01.50 - Adoption of the International Fire Code - Proposed Rule (Docket No.
18-0150-1601).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen 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 10/11/2016. 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 11/08/2016.

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 334-4834, or send a written request to the address on the
memorandum attached below.



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

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

FROM: Senior Legislative Research Analyst - Elizabeth Bowen

DATE: September 26, 2016

SUBJECT: Department of Insurance

IDAPA 18.01.50 - Adoption of the International Fire Code - Proposed Rule (Docket No. 18-0150-1601)

The Department of Insurance submits notice of proposed rulemaking at IDAPA 18.01.50. The purpose of the rule is to adopt the 2015 International Fire Code in anticipation of the companion International Building Code being adopted by the Division of Building Safety.

Negotiated rulemaking was conducted, and there is no negative fiscal impact on the state general fund. The Department states that the rulemaking is authorized pursuant to the following sections of the Idaho Code:

- Section 41-211, which permits rulemaking by the director of the Department of Insurance; and
- Section 41-254, which requires the state fire marshal, appointed by the director, to enforce the International Fire Code.

cc: Department of Insurance
Knute Sandahl, State Fire Marshal

IDAPA 18 - IDAHO DEPARTMENT OF INSURANCE

18.01.50 - ADOPTION OF THE INTERNATIONAL FIRE CODE

DOCKET NO. 18-0150-1601

NOTICE OF RULEMAKING - PROPOSED RULE

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 Sections 41-211 and 41-254, 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 September 21, 2016.

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 AND STATEMENT OF PURPOSE: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The existing rule is proposed to be amended to adopt the 2015 International Fire Code to match the anticipated adoption of the 2015 International Building Code by the Division of Building Safety.

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 resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the July 6, 2016 Idaho Administrative Bulletin, [Volume 16-7, page 72](#).

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 purpose of this proposed rule is to adopt the 2015 International Fire Code, with any variations noted within the rule text.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this proposed rule, contact Knute Sandahl at (208) 334-4377, or at Knute.sandahl@doi.idaho.gov.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the attention of the undersigned and must be delivered either by hard copy or via email to the same email address for questions set forth above on or before Wednesday, September 28, 2016.

DATED this 5th Day of August, 2016.

Dean L. Cameron, Director
Idaho Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, ID 83702-0043
Phone: (208) 334-4250
Fax: (208) 334-4398

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 18-0150-1601
(Only Those Sections With Amendments Are Shown.)

004. INCORPORATION BY REFERENCE.

01. **2012~~5~~ International Fire Code.** In accordance with Section 67-5229, Idaho Code, and pursuant to the authority provided by Section 41-253, Idaho Code, the State Fire Marshal hereby adopts the 2012~~5~~ edition of the International Fire Code as published by the International Code Council. Any revisions, additions, deletions and/or appendices to the 2012~~5~~ International Fire Code are included herein. (3-20-14)()

02. **Availability of Referenced Material.** Copies of the 2012~~5~~ edition of the International Fire Code are available for public inspection at the office of the State Fire Marshal. The 2012~~5~~ International Fire Code and supplements thereto may be purchased by writing the International Code Council, ~~Northwest Resource Center, 2122 H2th Ave NE, Suite C, Bellevue, WA 98004~~ 25442 Network Place, Chicago, Illinois 60673 or online through the electronic store on the Council's website at <http://www.iccsafe.org/Pages/default.aspx>. (3-20-14)()

(BREAK IN CONTINUITY OF SECTIONS)

020. ~~DEFINITION OF CODE OFFICIAL~~, SECTION 202, INTERNATIONAL FIRE CODE.

01. **Fire Code Official.** Add "or as appropriate the Idaho State Fire Marshal" to the end of the definition for FIRE CODE OFFICIAL in Section 202 of the International Fire Code. (3-20-14)()

02. **Driveway.** Add "DRIVEWAY. A vehicular ingress and egress route that serves no more than five (5) single family dwellings, not including accessory structures." ()

03. **Fire Station.** Add "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." ()

021. CHAPTER 5 FIRE SERVICE FEATURES.

Make the following changes within Chapter 5 of the International Fire Code; (3-20-14)

01. **Section 501.** (4-7-11)

a. To section 501.3 after the phrase, Construction documents for proposed, add the word "driveways." (4-7-11)

b. To section 501.4 after the phrase, When fire apparatus access roads, add the word "driveways." (4-7-11)

02. **Section 502.**

a. To section 502, add the following ~~definition in, word~~ "DRIVEWAY. A vehicular ingress and egress route that serves no more than five (5) single family dwellings, not including accessory structures." (4-7-11)()

b. To section 502, add the words "FIRE STATION." ()

03. **Section 503.** (4-7-11)

~~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.~~” (4-7-11)

~~ba.~~ To section 503 add the words, “AND DRIVEWAYS” to the section heading. (4-7-11)

~~eb.~~ To section 503.1.1 add the following sentence, “Driveways shall be provided and maintained in accordance with Sections 503.~~7~~1.1 through 503.13.” (3-20-14)()

~~ec.~~ 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. (4-7-11)

~~ed.~~ 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 less than 20 feet (6096mm) in width may require turnouts in addition to turnarounds.” (4-7-11)

~~fe.~~ Add the following section, “503.7.1 Limits. A driveway shall not serve in excess of five single family dwellings.” (4-7-11)

~~gf.~~ 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.” (4-7-11)

~~hg.~~ 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.” (4-7-11)

~~ih.~~ 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.” (4-7-11)

~~ji.~~ 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.” (4-7-11)

~~kj.~~ Add the following section, “503.7.6 Grade. The gradient for driveways shall not exceed 10 percent unless approved by the fire code official.” (4-7-11)

~~lk.~~ 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.” (4-7-11)

~~ml.~~ 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.” (4-7-11)

04. Section 507. To section 507.2 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.” (4-7-11)

022. -- 026. (RESERVED)

027. ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS, SECTION 904.1.1, INTERNATIONAL FIRE CODE.

Add the following language to the beginning of section 904.1.1 of the International Fire Code, “If required by the authority having ~~the~~ jurisdiction,”. ~~(3-20-14)~~()

(BREAK IN CONTINUITY OF SECTIONS)

052. REFERENCED STANDARDS, CHAPTER 80, INTERNATIONAL FIRE CODE.

Beginning on Page 439, of the NFPA Referenced Standards, make the following changes to the listed editions:

Delete	Add	Delete	Add
2-2011	<u>2-2016</u>	204-2007	<u>204-2012</u>
40-2010	<u>40-2013</u>	211-201 03	211-201 36
11-2010	<u>11-2016</u>	241-2009	<u>241-2013</u>
13-201 03	13-201 36	260-2009	<u>260-2013</u>
13D-201 03	13D-201 36	261-2009	<u>261-2013</u>
13R-201 03	13R-201 36	265-2011	<u>265-2015</u>
14-201 03	14-201 36	289-2009	<u>289-2013</u>
47-2009	<u>47-2013</u>	303-2011	<u>303-2016</u>
47A-2009	<u>47A-2013</u>	318-20 09 <u>12</u>	318-20 12 <u>15</u>
20-201 03	20-201 36	326-2010	<u>326-2015</u>
22-2008	<u>22-2013</u>	385-2007	<u>385-2012</u>
24-201 03	24-201 36	400-2013	<u>400-2016</u>
30-2012	<u>30-2015</u>	409-201 01	409-201 46
31-2011	<u>31-2016</u>	410-2010	<u>410-2015</u>
32-2011	<u>32-2016</u>	495-2010	<u>495-2013</u>
35-2011	<u>35-2016</u>	498-2010	<u>498-2013</u>
40-2011	<u>40-2016</u>	505-2010	<u>505-2013</u>

Delete	Add
51-2007	51-2013
51A-2011	51A-2012
52-2010	52-2013
55-2010 ⁰³	55-2013 ³⁶
56-2012	56-2014
59A-2009 ¹³	59A-2013 ³⁶
61-2008	61-2013
72-2010 ⁰³	72-2013 ³⁶
80-2010 ⁰³	80-2013 ³⁶
99-2010	99-2012
105-2010 ⁰³	105-2013 ³⁶
110-2010 ⁰³	110-2013 ³⁶
111-2010 ⁰³	111-2013 ³⁶
160-2011	160-2016
170-2009 ¹²	170-2012 ²⁵

Delete	Add
654-2011	654-2013
701-2010	701-2015
720-2005	720-2012
750-2014	750-2015
914-2010	914-2015
1122-2008	1122-2013
1124-2012	1124-2013
1126-2011	1126-2016
1127-2008	1127-2013
2001-2011	2001-2013

~~(3-20-14)~~()

TEMPLATE FOR SYNOPSIS FOR INCORPORATION BY REFERENCE

INCORPORATION BY REFERENCE SYNOPSIS

In compliance with Section 67-5223(4), Idaho Code, the following is a synopsis of the differences between the materials previously incorporated by reference in this rule that are currently of full force and effect and newly revised or amended versions of these same materials that are being proposed for incorporation by reference under this rulemaking.

The following agency of the state of Idaho has prepared this synopsis as part of the proposed rulemaking for the chapter cited here under the docket number specified:

Department of Insurance
IDAPA 18.01.50 - Rules Governing the adoption of the 2015 International Fire Code
Proposed Rulemaking - Docket No. 18-0150-1601

The 2015 edition of the International Fire Code is a model code provided by a consensus of fire code officials, fire inspectors, building officials, design professionals, contractors, and many others interested in fire safety. In this edition, many of the changes clarify requirements for general fire safety and address security concerns, keeping fire safety in mind in our changing environment.

The fire code provides safeguards for new technologies and manufacturing processes and provides allowances for the use of new fire safety systems. New technologies are also incorporated to provide end users and designers more, cost effective options to provide a high level of fire safety.

Notable significant changes to the fire code are:

- Requirements for emergency preparedness and evacuation plans and training of employees.
- Fire sprinkler requirements for buildings with assembly occupancies on roofs and an occupant load greater than 100.
- Exempts fire sprinklers in bathrooms in residential occupancies with an area of less than 55 square feet.
- Recognizes the effectiveness of water mist sprinkler systems and provides an opportunity for these systems to be installed where appropriate.
- Provides the use of residential cooking appliances and appropriate fire protection of these surfaces in institutional occupancies (Nursing Homes, Assisted Living, etc.)

- Increases the occupant load, requiring a manual fire alarm, from 30 to 50 in educational occupancies and the requirement for voice evacuation fire alarm systems to 100.
- Provide clarification of the installation of smoke alarms near cooking appliances and bathrooms, thus reducing the number of nuisance alarms.
- Provides additional requirements and design criteria for smoke control systems in multi-story buildings
- Provides additional requirements and clarification of carbon monoxide detection in occupancies utilizing fuel burning appliances and heating.
- Numerous changes in means of egress and components. Most notable is the increase in travel distance to a means of egress in factory and storage occupancies.
- Temporary stage canopies has been added to the code to address concerns on construction and egress in response to a number of collapses during events.