

BUILDING STANDARDS COMMISSION

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BUILDING STANDARDS INFORMATION BULLETIN 18-01

DATE: DECEMBER 31, 2018

TO: CBSC INTERESTED PARTIES
LOCAL BUILDING DEPARTMENTS
STATE AGENCIES AND DEPARTMENTS

SUBJECT: 2018 LEGISLATIVE CHANGES

This information bulletin summarizes the 2018 legislative changes to state laws related to the California Building Standards Commission (CBSC) and state building standards. The statutory changes summarized in this bulletin become effective on January 1, 2019, unless otherwise specified in statute. Detailed information on each bill can be viewed by selecting the hyperlink embedded in the bill heading.

[AB 565 \(Bloom, Chapter 573, Statutes of 2018\) Building standards: live/work units](#)

This bill requires the Department of Housing and Community Development, commencing with the next triennial edition of the California Building Standards Code (Title 24, California Code of Regulations) adopted after January 1, 2019, to develop and submit for approval by the California Building Standards Commission clarifications in the California Building Code (Part 2 of Title 24) and the California Residential Code (Part 2.5 of Title 24) pertaining to the requirements for the construction of live/work units.

[AB 1668 \(Friedman, Chapter 15, Statutes of 2018\) Water management planning](#)

This bill requires the State Water Resources Control Board, in coordination with the Department of Water Resources, to adopt long-term standards for the efficient use of water, as provided, and performance measures for commercial, industrial, and institutional water use on or before June 30, 2022. The bill would require the department, in coordination with the board, to conduct necessary studies and investigations and make recommendations, no later than October 1, 2021, for purposes of these standards and performance measures.

[AB 1796 \(Muratsuchi, Chapter 163, Statutes of 2018\) Rental property: electric vehicle charging stations](#)

This bill requires specified lessors to approve a written request of a lessee to install an electric vehicle charging station in accordance with specific requirements, unless the local jurisdiction has adopted a similar ordinance on or before January 1, 2018.

[AB 2127 \(Ting, Chapter 365, Statutes of 2018\) EV charging infrastructure: assessment](#)

This bill requires the California Energy Commission, working with the State Air Resources Board and the Public Utilities Commission, to prepare and biennially update a statewide assessment of the electric vehicle charging infrastructure needed to support the levels of electric vehicle adoption required for the state to meet its goals of putting at least 5 million zero-emission vehicles on California roads by 2030 and of reducing emissions of greenhouse gases to 40% below 1990 levels by 2030. The bill would require the Energy Commission to regularly seek data and input from stakeholders relating to electric vehicle charging infrastructure.

[AB 2371 \(Carrillo, Chapter 867, Statutes of 2018\) Water use efficiency: landscape irrigation](#)

This bill, before revision of the landscaping contractor examination, requires the Contractors' State License Board to confer with specified entities to determine whether any updates or revisions to the examination are needed to reflect new and emerging landscape irrigation efficiency practices, as specified.

[AB 2518 \(Aguiar-Curry, Chapter 637, Statutes of 2018\) Innovative forest products and mass timber](#)

This bill requires, on or before January 31, 2020, the Department of Forestry, in consultation with the State Board of Forestry and Fire Protection, to identify barriers to in-state production of mass timber and other innovative forest products, as those terms are defined, and develop solutions that are consistent with the state's climate objectives on forest lands. The bill would require the department to collaborate with the working group, other state agencies, and independent experts, including with apprenticeship programs of organized labor, community colleges, and others with similar expertise, on innovative forest products and mass timber workforce training and job creation.

[AB 2911 \(Friedman, Chapter 641, Statutes of 2018\) Fire safety](#)

Current law authorizes a local agency, at its discretion, to exclude from specified requirements governing fire risk reduction an area identified as a very high fire hazard severity zone by the director within the jurisdiction of the local agency, following a specified finding supported by substantial evidence that those requirements are not necessary for effective fire protection within the area. This bill will eliminate the above-described exemption and exclusion and would require a local agency to transmit a copy of any ordinance adopted pursuant to these provisions to the State Board of Forestry and Fire Protection within 30 days of adoption.

[AB 2913 \(Wood, Chapter 655, Statutes of 2018\) Building standards: building permits: expiration](#)

A provision of the California Building Standards Law specifies that a local ordinance adding or modifying building standards published in the California Building Standards Code applies only to an application for a building permit submitted after the effective date of the ordinance and to plans and specifications for, and the construction performed under, that permit, unless, among other reasons, the permit is subsequently deemed expired because the building or work authorized by the permit is not commenced within 180 days from the date of the permit, or the permittee has

suspended or abandoned the work authorized by the permit at any time after the work is commenced. This bill provides that a permit would remain valid for purposes of the California Building Standards Law if the work on the site authorized by that permit is commenced within 12 months after its issuance, unless the permittee has abandoned the work authorized by the permit.

[AB 3002 \(Grayson, Chapter 680, Statutes of 2018\) Disability access requirements: information](#)

Current law requires each city, county, or city and county to provide applicants for a business license or equivalent instrument or permit with certain information regarding compliance with disability access provisions under federal and state law, including information on legal obligations from specified state agencies. This bill requires the above local jurisdictions issuing building permits for commercial construction or business licenses to make available a notice containing specified information regarding disability access.

[AB 3205 \(O'Donnell, Chapter 401, Statutes of 2018\) School facilities: modernization projects: door locks](#)

This bill requires the governing board of a school district, if the governing board of the school district applies for state funding pursuant to the Greene Act for a school modernization project for a school facility constructed before January 1, 2012, to include, as part of the modernization project, locks that allow doors to classrooms and any room with an occupancy of 5 or more persons to be locked from the inside of the room, except as provided. The bill would provide that these provisions apply only to those projects seeking funding on or after January 1, 2019, and that were submitted to the Division of the State Architect for approval on or after January 1, 2019.

[SB 721 \(Hill, Chapter 445, Statutes of 2018\) Building standards: decks and balconies: inspection](#)

Current law provides authority for an enforcement agency to enter and inspect any buildings or premises whenever necessary to secure compliance with or prevent a violation of the building standards published in the California Building Standards Code and other rules and regulations that the enforcement agency has the power to enforce. This bill requires an inspection of exterior elevated elements and associated waterproofing elements, as defined, including decks and balconies, for buildings with 3 or more multifamily dwelling units by a licensed architect, licensed civil or structural engineer, a building contractor holding specified licenses, or an individual certified as a building inspector or building official, as specified.

[SB 966 \(Wiener, Chapter 890, Statutes of 2018\) Onsite treated nonpotable water systems](#)

This bill, on or before December 1, 2022, requires the State Water Resources Control Board, in consultation with the California Building Standards Commission and the Department of Housing and Community Development, to adopt regulations for risk-based water quality standards for the onsite treatment and reuse of nonpotable water, as provided. The bill would authorize the state board to contract with public or private entities regarding the content of the standards.

[SB 969 \(Dodd, Chapter 621, Statutes of 2018\) Automatic garage door openers: backup batteries](#)

This bill, beginning July 1, 2019, requires an automatic garage door opener that is manufactured for sale, sold, offered for sale, or installed in a residence to have a battery backup function that is designed to operate when activated because of an electrical outage. The bill makes a violation of those provisions subject to a civil penalty of \$1,000 and, on and after July 1, 2019, prohibits a replacement residential garage door from being installed in a manner that connects the door to an existing garage door opener that does not meet the requirements of these provisions.

[SB 1000 \(Lara, Chapter 368, Statutes of 2018\) Transportation electrification: electric vehicle charging infrastructure](#)

This bill prohibits a city, county, or city and county from restricting which types of electric vehicles may access an electric vehicle charging station approved for passenger vehicles that both is publicly accessible and the construction of which was funded, at least in part, by the state or through moneys collected from ratepayers.

[SB 1078 \(Committee on Transportation and Housing, Chapter 957, Statutes of 2018\) Housing†](#)

This is the 2018 housing omnibus bill, which contains various non-controversial changes to state law, including corrections to statutory references cited in Health & Safety Code Section 115927.

[SB 1205 \(Hill, Chapter 854, Statutes of 2018\) Fire protection services: inspections: compliance reporting](#)

This bill requires every city or county fire department, city and county fire department, or district required to perform specified inspections to report annually to its administering authority, as defined, on the department's, or district's, compliance with certain inspection requirements, as provided.

[SB 1226 \(Bates, Chapter 1010, Statutes of 2018\) Building standards: building permits](#)

This bill requires the Department of Housing and Community Development to propose the adoption of a building standard to the Building Standards Commission pursuant to existing law that would authorize, when a record of the issuance of a building permit for the construction of an existing residential unit does not exist, specified enforcement officials to determine when the residential unit was constructed and then apply the State Housing Law, the building standards published in the California Building Standards Code, and other specified rules and regulations in effect on that date and issue a retroactive building permit for that construction.

† Please contact the Department of Housing and Community Development for further information on bills that have an impact on housing:

[SB 1397 \(Hill, Chapter 1014, Statutes of 2018\) Automated external defibrillators: requirement: modifications to existing buildings](#)

Current law requires certain occupied structures that are not owned or operated by any local government entity and are constructed on or after January 1, 2017, to have an automated external defibrillator (AED) on the premises. This bill applies the AED requirements to certain structures that are constructed prior to January 1, 2017, and subject to subsequent modifications, renovations, or tenant improvements, as specified.

[SB 1477 \(Stern, Chapter 378, Statutes of 2018\) Low-emissions buildings and sources of heat energy](#)

This bill requires the Public Utilities Commission to develop and supervise the administration of the Technology and Equipment for Clean Heating Initiative, a statewide market development initiative, to require gas corporations to advance the state's market for low-emission space and water heating equipment for new and existing residential buildings. The requires the commission, as a part of the initiative, to identify and target key low-emission space and water heating equipment technologies that are in an early stage of market development and that would assist the state in achieving its greenhouse gas emissions reduction goals.

In addition to the above-referenced legislation, it is important to note that certain existing statutory requirements mandated in [Civil Code Section 1101.5](#) also become operative January 1, 2019. These provisions, originally enacted in [SB 407 \(Padilla, Chapter 587, Statutes of 2009\)](#) and referenced in [Building Standards Information Bulletin 13-06](#), require the replacement of non-compliant plumbing fixtures with water-conserving plumbing fixtures in certain multifamily residential and commercial real property, as specified.

As appropriate, CBSC updates the California Building Standards Code (Cal. Code Regs., Title 24) with changes resulting from newly enacted legislation. This information bulletin is not intended to be a complete digest of all new laws affecting buildings, building standards, and CBSC. The complete text of each law can be reviewed on the California Legislative Information website at <http://leginfo.legislature.ca.gov/>.

Sincerely,



Mia Marvelli, Executive Director
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