

## NOTICE OF INTENT

### Department of Public Safety and Corrections Office of the State Fire Marshal

Code Enforcement and Building Safety  
Fire Protection (LAC 55:V:Chapters 1, 3, 11 and 15)

In accordance with the provisions of R.S. 40:1578.6(A), relative to the authority of the Office of State Fire Marshal to promulgate and enforce rules, the Office of State Fire Marshal hereby proposes to adopt the following Rule regarding the establishment of minimum standards.

## Title 55

## PUBLIC SAFETY

### Part V. Fire Protection

#### Chapter 1. Preliminary Provisions

##### §101. Request for Rule Change{ XE "Rule Change, Request for" }

A. Anyone petitioning the assistant secretary of the Department of Public Safety, Office of the State Fire Marshal, commonly known as the Louisiana State Fire Marshal, for the adoption of, or change of, any rule shall submit in writing to the fire marshal at 8181 Independence Boulevard, Baton Rouge, Louisiana 70806, an application containing the following basic information organized and captioned:

1. the name, address, and telephone number of the applicant. If the applicant is not the owner, the application must contain the owner's written statement giving the applicant authority to file the appeal on the owner's behalf. This written authorization shall include a certification that the individual, partnership, or corporation identified as the owner is, in fact, the owner of the property in question and that the owner is familiar with the basis and the facts upon which the appeal is made. The mailing address and telephone number of the owner must be included in the written authorization. The singular utilized herein refers as well to the plural;
2. a brief description of the facts supporting the applicant's request for the adoption of a rule or the change of a rule that has already been adopted;
3. suggested specific language or language setting forth the substance of the rule or rule change which is being requested;
4. an indication as to whether or not a public hearing is requested;
5. a copy of each and every document upon which the applicant bases his request for a rule or a citation of the information and where it can be easily obtained for review by this office:
  - a. whenever the fire marshal determines that a public hearing or public hearings should be held prior to the adoption of any rule or rule change, a notice of the meeting date and place and the agenda will be recorded in the *Louisiana Register*; however, whenever that is not possible, a copy of the meeting notice including the date, time, and place, and agenda of the meeting will be mailed to the official journals of the cities of Shreveport, Monroe, Lafayette, Lake Charles, Alexandria, New Orleans, and Baton Rouge, and any city or town in which the public hearing is to be held if it is not in one of the aforementioned major cities; and the same information shall also be mailed to each individual who has notified the Fire Marshal of his desire to receive a notice of the adoption of or change of any rule;
  - b. within 90 days of the request for adoption of or change of a rule, the fire marshal will notify the applicant and each individual who request a copy of either his denial of the application or notice of intent to adopt the requested rule.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40: 1563.F and R.S. 40:1578.6.A.

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of Fire Protection, LR 4:465 (November 1978), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 6:71 (February 1980), LR 23:1688 (December 1997).

##### §103. General Provisions{ XE "Provisions, General" }

- A. It shall be the policy of the State Fire Marshal that in all instances or specifications provided in the statutes or in the codes referenced by the statutes, or by any specific references in administrative rulings by the State Fire Marshal, that the *Standard Building Code* published by the Southern Building Code Congress International, and the *International Building Code* published by the International Code Council, and the *National Fire Codes* and standards published by the National Fire Protection Association, the publications referenced by the NFPA 1 Fire Code and the NFPA 101 Life Safety Code, and the publications specifically identified in the following list, shall be used as the materials for determinations by the State Fire Marshal.

|           |              |  |
|-----------|--------------|--|
| NFPA 18   | 2011 Edition | Standard on Wetting Agents   |
| NFPA 32   | 2011 Edition | Standard for Dry Cleaning Plants   |
| NFPA 37   | 2015 Edition | Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines                              |
| NFPA 51   | 2013 Edition | Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting, and Allied Processes       |
| NFPA 53   | 2016 Edition | Recommended Practice on Materials, Equipment, and Systems Used in Oxygen-Enriched Atmospheres                        |
| NFPA 99B  | 2015 Edition | Standard for Hypobaric Facilities  |
| NFPA 101  | 2015 Edition | Life Safety Code   |
| NFPA 495  | 2013 Edition | Explosive Materials Code   |
| NFPA 664  | 2012 Edition | Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities                    |
| NFPA 820  | 2016 Edition | Standard for Fire Protection in Wastewater Treatment and Collection Facilities                                       |
| NFPA 901  | 2016 Edition | Standard Classifications for Incident Reporting and Fire Protection Data   |
| NFPA 1123 | 2014 Edition | Code for Fireworks Display   |
| NFPA 1124 | 2017 Edition | Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles            |
| NFPA 1221 | 2013 Edition | Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems                     |
| NFPA 1402 | 2012 Edition | Guide to Building Fire Service Training Centers  |
| NFPA 1403 | 2012 Edition | Standard on Live Fire Training Evolutions  |
| NFPA 1961 | 2013 Edition | Standard on Fire Hose  |
| NFPA 1962 | 2013 Edition | Standard for the Inspection, Care, and Use of Fire Hose, Couplings, and Nozzles and the Service Testing of Fire Hose |

B. All inspections and other evaluations of buildings constructed or remodeled pursuant to plans submitted to the Office of State Fire Marshal for review shall be made utilizing new construction requirements set forth in the *Life Safety Code* published by the National Fire Protection Association, the NFPA 1 Fire Code published by the National Fire Protection Association, the "Special Provisions for High-Rise Building" section of the *Standard Building Code* published by the Southern Building Code Congress International, the fire protection and life safety provisions of the International Building Code published by the International Code Council, and the FGI Guidelines published by the Facilities Guidelines Institute for facilities evaluated on behalf of the Department of Health as follows.

| Building Constructed or Remodeled | Life Safety Code Edition | NFPA 1 Fire Code Edition | Section/ Building Code Edition         | Sections/ International Building Code Edition | FGI Guidelines |
|-----------------------------------|--------------------------|--------------------------|--|---|----------------|
| prior to 1/1/1975                 | 1967                     |                          | -                                      | -   |                |
| 1/1/1975 to 12/31/1979            | 1973                     |                          | 518 / 1974 Chapter 4 revisions to 1973 | -   |                |
| 1/1/1980 to 8/31/1981             | 1976                     |                          | 518 / 1974 Chapter 4 revisions to 1973 | -   |                |
| 9/1/1981 to 8/31/1986             | 1981                     |                          | 506 / 1979                             | -   |                |
| 9/1/1986 to 2/18/1989             | 1985                     |                          | 506 / 1985                             | -   |                |
| 2/19/1989 to 5/31/1992            | 1988                     |                          | 506 / 1985                             | -   |                |
| 6/1/1992 to 1/4/1995              | 1991                     |                          | 506 / 1988                             | -   |                |
| 1/5/1995 to 5/31/1998             | 1994                     |                          | 506 / 1991                             | -   |                |
| 6/1/1998 to 6/30/2001             | 1997                     |                          | 412 / 1994                             | -   |                |

|                        |      |            |                    |
|------------------------|------|------------|--------------------|
| 7/1/2001 to 12/31/2001 | 2000 | 412 / 1994 | -                  |
| 1/1/2002 to 6/30/2004  | 2000 | 412 / 1997 | -                  |
| 7/1/2004 to 9/30/2007  | 2003 | -          | -                  |
| 10/1/2007 to 6/30/2010 | 2006 | -          | -                  |
| 7/1/2010 to 12/31/2013 | 2009 | -          | -                  |
| 1/1/2014 to 6/30/2017  | 2012 | -          | 9 and 10/2012      |
| After 7/1/2017         | 2015 | 2015       | 9 and 10/2015 2014 |

C. All references to performance based criteria in the *Life Safety Code* shall only be considered by the Office of State Fire Marshal after an appeal of a decision has been timely made.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1563.F, R.S. 40:1563.L, R.S. 40:1578.6.A, and R.S. 40:1578.7.E.

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of Fire Protection, LR 1:145 (February 1975), amended LR 5:468 (December 1979), LR 6:71 (February 1980), amended by the Office of the State Fire Marshal, LR 7:588 (November 1981), LR 9:417 (June 1983), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 15:96 (February 1989), LR 17:1114 (November 1991), LR 23:1688 (December 1997), LR 27:857 (June 2001), LR 27:2257 (December 2001), repromulgated LR 29:183 (February 2003), amended LR 30:1303 (June 2004), LR 33:671 (April 2007), LR 36:1564 (July 2010), LR 39:1478 (June 2013).

**§105. Required Inspections of Wiring, Gas Piping and Fire Extinguishers{ XE "Inspections of Wiring, Gas Piping and Fire Extinguishers, Required" }{ XE "Wiring, Required Inspections of" }{ XE "Gas Piping, Required Inspections of" }{ XE "Fire Extinguishers, Required Inspections of" }**

A. In order to assure that the electrical wiring in any structure or movable will not cause a fire or explosion, the electrical wiring in any structure, watercraft or movable shall be inspected and, if necessary, repaired by a licensed electrical contractor in accordance with the *National Electrical Code*.

B. In order to assure that any structure, watercraft or movable is safe from hazards caused by gas piping, all gas piping shall be inspected and, if necessary, repaired by a licensed plumber or mechanical contractor in accordance with the applicable *National Fuel Gas Code* of the National Fire Protection Association and the provisions of the Louisiana Revised Statutes.

C. The inspections required by this regulation for electrical wiring and gas piping shall be made at the time of the initial installation and thereafter as required based upon a visual inspection by the fire marshal or his designated representative.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1651(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of the State Fire Marshal, LR 8:145 (March 1982), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 23:1691 (December 1997).

**§107. Smoke and Fire Detection Systems{ XE "Smoke and Fire Detection Systems" }{ XE "Fire Detection Systems, Smoke and" }**

A. Educational Occupancies

1. In those educational facilities for which plans were reviewed prior to January 1, 1982, and in which deficiencies have been noted because of inadequate corridor separation, lack of smoke barriers, and lack of sprinkler protection in windowless classroom buildings, the state fire marshal will accept as equivalent compliance to the aforementioned requirements installation of a complete smoke detection system in the corridors and hazardous areas. This system must be capable of/and properly connected to sound the general fire alarm and shut down all central air handling systems.

2. Within 45 days after service on the owner and/or operator of an inspection report and order of correction citing the deficiencies listed therein, the owner and/or operator of the school must submit to the fire marshal a proposed plan of correction in accordance with §107.A.1. The accepted plan of correction then must be completed within the time specified by the fire marshal which shall not exceed 48 months.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1651(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of the State Fire Marshal, LR 8:236 (May 1982), amended LR 8:523 (October 1982), LR 8:625 (November 1982), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 23:1691 (December 1997).

**§301. Building Permits{ XE "Building Permits" }{ XE "Permits, Building" }**

**Chapter 3. Buildings**

A. In accordance with the requirements set forth in R.S. 40:1574 that plans and specifications for any and all buildings to be constructed in the state must first be submitted to the Office of the State Fire Marshal for review before construction, renovation, remodeling, or repair, no governmental subdivision in the state of Louisiana shall issue any building permit until the plans and specifications, therefore, have been approved by the Office of the State Fire Marshal.

B. Accordingly, with the application for a building permit from any governmental subdivision of this state, proof of approval by the Office of the State Fire Marshal of the plans and specifications for which the building permit is being requested shall be provided with the permit application. Such proof may be provided electronically. This ruling shall not apply to one and two family dwellings.

C. Plans and specifications submitted in violation of R.S. 37:155(4) will be rejected by the Office of the State Fire Marshal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1563.F and R.S. 40:1578.6.A.

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of Fire Protection, LR 4:465 (November 1978), repromulgated LR 6:72 (February 1980), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 16:320 (April 1990), LR 23:1691 (December 1997).

**§303. Plans and Specifications for New Buildings{ XE "Plans and Specifications for New Buildings" }{ XE "Buildings, Plans and Specifications for New" }**

A. As of July 1, 2017, the plans and specifications for every structure built or remodeled in the state of Louisiana shall be submitted for review and must be drawn in accordance with the applicable requirements of the following publications:

1. the 2015 edition of the NFPA 101 *Life Safety Code* (excluding chapter 5, which may be used as a basis for equivalency determinations);
2. the publications referenced in chapter 2 of the NFPA 101 *Life Safety Code*;
3. the applicable provisions of the 2015 edition of the NFPA 1 *Fire Code*;
4. the fire protection and life safety provisions of the most recently adopted *International Building Code* (IBC) by the Louisiana State Uniform Construction Code Council;
5. the most recently adopted editions of the Louisiana State Uniform Construction Code (LSUCC) for Industrialized Buildings and for building code reviews performed on behalf of parishes and municipalities;
6. the 2016 editions of NFPA 13 for Sprinkler Systems, NFPA 13D for Domestic Sprinkler Systems, and NFPA 13R for Residential Sprinkler Systems;
7. and the 2016 edition of NFPA 20 for Stationary Fire Pumps.B. In addition to the documents outlined above, plans and specifications for specific structure uses shall be drawn in accordance with the requirements of the following publications:
  1. NFPA 30A: Code for Motor Fuel Dispensing Facilities and Repair Garages, 2015 Edition;
  2. NFPA 32: Standard for Drycleaning Facilities, 2011 Edition;
  3. NFPA 33: Standard for Spray Application Using Flammable or Combustible Materials, 2011 Edition;
  4. NFPA 37: Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines, 2015 Edition;
  5. NFPA 51: Standard for the Design and Installation of Oxygen–Fuel Gas Systems for Welding, Cutting, and Allied Processes, 2013 Edition;
  6. NFPA 59A: Standard for the Production, Storage, and Handling of Liquefied Natural Gas (LNG), 2013 Edition;
  7. NFPA 140: Standard on Motion Picture and Television Production Studio Soundstages, Approved Production Facilities, and Production Locations, 2013 Edition;
  8. NFPA 400: Hazardous Materials Code, 2016 Edition;
  9. NFPA 407: Standard for Aircraft Fuel Servicing, 2012 Edition;
  10. NFPA 495: Explosive Materials Code, 2013 Edition;
  11. NFPA 664: Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities, 2012 Edition;
  12. NFPA 1221: Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems, 2013 Edition.

C. As of July 1, 2017, the plans and specifications for facilities licensed, certified, or seeking licensure or certification by the Louisiana Department of Health and submitted to the state fire marshal for review in accordance with R.S. 40:1563.L shall be drawn in accordance with the applicable requirements of the following publications:

1. The 2014 edition of the Facility Guidelines Institute publication titled “Guidelines for Design and Construction of Hospitals and Outpatient Facilities”, where required by rules published by the Louisiana Department of Health for hospitals and outpatient facilities.
2. The 2014 edition of the Facility Guidelines Institute publication titled “Guidelines for Design and Construction of Residential Health, Care, and Support Facilities”, where required by rules published by the Louisiana Department of Health for residential health, care, and support facilities.

3. Rules published by the Louisiana Department of Health as applicable to the Physical Environment for licensed or certified facilities.

D. All unsprinkled dwelling units within apartment buildings shall be separated from one another by construction having a fire resistance rating of not less than one hour as required by the *Standard Building Code*.

E. Portable fire extinguishers shall be required in all occupancies. The location, maintenance, and installation shall be in accordance with NFPA Pamphlet Number 10.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1563.F, R.S. 40:1563.L, and R.S. 40:1578.6.A.

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of Fire Protection, LR 1:143 (February 1975), amended LR 5:468 (December 1979), LR 6:72 (February 1980), amended by the Office of the State Fire Marshal, LR 7:344 (July 1981), LR 7:588 (November 1981), LR 9:417 (June 1983), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 12:116 (February 1986), LR 15:96 (February 1989), LR 17:1115 (November 1991), LR 23:1692 (December 1997), LR 30:1305 (June 2004), LR 33:673 (April 2007), LR 36:1565 (July 2010), LR 39:1480 (June 2013).

**§305. Insulation{ XE "Insulation" }**

A. The state fire marshal will accept and permit the use of insulation as permitted by the 1994 Edition of the *Standard Building Code*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1651(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of Fire Protection, LR 4:389 (October 1978), LR 6:72 (February 1980), LR 6:149 (April 1980), amended by the Office of the State Fire Marshal, LR 8:485 (September 1982), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 23:1692 (December 1997).

**§307. Observation of Construction; Final Inspection{ XE "Construction; Final Inspection, Observation of" }{ XE "Inspection, Observation of Construction, Final" }**

A. For a structure which by law may only be constructed with plans prepared and certified by a licensed architect or civil engineer, it shall be the duty of the owner of such a structure to provide for periodic observation of the construction of the structure to determine if the work is proceeding in accordance with the plans and specifications as approved by the fire marshal. The observations shall be performed by a registered architect or a registered civil engineer.

B. Upon completion of such work, where the law requires the owner to engage an architect or registered civil engineer, the owner shall furnish to the fire marshal a certificate signed by a registered architect or registered civil engineer stating that the periodic observations have been made and that to the best of the architect's or engineer's knowledge, information and belief, the work was completed in accordance with those fire safety standards and regulations stipulated in the plans and specifications previously approved by the fire marshal. When the owner has not engaged an architect or registered civil engineer, and the same is not required by law, the owner must submit the certificate of completion when appropriate, but always under his signature. Electronic certification made through the state fire marshal online portal shall be acceptable.

C. Occupancy of a structure, watercraft or movable prior to furnishing a certificate to the fire marshal as required under this regulation is expressly forbidden by the fire marshal, unless and until a satisfactory inspection has been made by the fire marshal or his certified representative.

D. In order to comply with the requirements of §307.B, the owner must submit to the fire marshal the following certificate completed by the architect, civil engineer, or, if neither is required by law, the owner. In lieu of the following completed certificate, electronic certification made through the state fire marshal online portal shall be acceptable.

Date: CERTIFICATE OF COMPLETION

TO: The Louisiana State Fire Marshal  
8181 Independence Blvd  
Baton Rouge, Louisiana 70806

This is to certify that the \_\_\_\_\_  
(name of project by title)  
for \_\_\_\_\_ located at \_\_\_\_\_  
(type of use) (street/number/name)

as periodically observed by me, by my consultants, and/or by others in my employ during construction and, to the best of my knowledge, information and belief, has been completed in accordance with the safety provisions which were shown in the plans and specifications previously approved by the fire marshal.

Under penalty of law for false statement,

I \_\_\_\_\_ License Number: \_\_\_\_\_  
(name of architect/civil engineer  
or owner if architect or engineer  
is not required)

certify that all statements contained therein are, to the best of my knowledge, information and belief, true and correct.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1563.F.

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of Fire Protection, LR 3:498 (December 1977), repromulgated LR 6:73 (February 1980), amended by the Office of the State Fire Marshal, LR 8:523 (October 1982), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 23:1692 (December 1997).

**§309. Requirements for Connection of Electrical Power{ XE "Electrical Power, Requirements for Connection of" }{ XE "Requirements for Connection of Electrical Power" }**

A. The installation and/or use of temporary or permanent electrical power in new construction shall be prohibited until plans and specifications for every structure built in the state of Louisiana are reviewed by the Office of the State Fire Marshal pursuant to R.S. 40:1574 and LAC 55:V.303 and found to comply with the requirements.

B. Proof of compliance shall be presented to utility companies upon request for temporary or permanent power.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1563.F.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 17:272 (March 1991), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 23:1692 (December 1997).

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## Chapter 11. Modular Structures

**§1101. Repealed.**

**§1103. Repealed.**

**§1105. Repealed.**

**§1107. Repealed.**

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## Chapter 15. Public Places in General

**§1501. Equal Access for Disabled Individuals{ XE "Access for Disabled Individuals, Equal" }{ XE "Disabled Individuals, Equal Access for" }**

A. Buildings, structures, public facilities, governmental facilities and improved areas built between January 1, 1978 and August 14, 1995 shall be covered by the standards put forward in ANSI 117.1. Such entities built on or after August 14, 1995 and before September 30, 2011 shall be covered by the ADAAG guidelines to the Americans with Disabilities Act in effect on September 1, 1994. Such entities built on or after October 1, 2011 shall be covered by the Americans with Disabilities Act and Architectural Barriers Act Accessibility Guidelines published July 23, 2004 (ADA-ABA).

B. Multi-family dwelling units of more than 15 dwelling units must have at least 5 percent but no fewer than one dwelling unit which meets the regulations specified by the Americans with Disabilities Act and Architectural Barriers Act Accessibility Guidelines published July 23, 2004 (ADA-ABA) for "Residential Facilities, Sections 233 and F233" as applicable.

C. Any dwelling unit in a facility which incorporates four or more dwelling units shall be made accessible in accordance with the HUD Fair Housing Accessibility Guidelines published on March 6, 1991, 56 Federal Register 9472, 24 CFR Chapter 1, Subchapter A, Appendix II and III (1991) and the Supplemental Notice to Fair Housing Accessibility Guidelines: Questions and Answers about the Guidelines, published on June 28, 1994, and the HUD Fair Housing Act Design Manual.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1563.F and R.S. 40:1734(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of Fire Protection, LR 4:465 (November 1978), repromulgated LR 6:74 (February 1980), amended by the Office of the State Fire Marshal, LR 7:588 (November 1981), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 23:1698 (December 1997), LR 32:1906 (October 2006).

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### Family Impact Statement

The proposed Rule will not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically there should be no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;

5. the behavior and personal responsibility of the children.

Local governmental entities have the ability to perform the enforcement of the action proposed in accordance with R.S. 40:1571.A.

#### **Small Business Analysis**

The impact of the proposed Rule on small businesses has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

#### **Provider Impact Statement**

In compliance with House Concurrent Resolution (HCR 107) of the 2014 Regular Session of the Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have a positive impact on providers. However, the particular proposed Rule does not impact or affect the staffing level requirements required to provide the same level of service.

#### **Poverty Impact Statement**

The impact of the proposed Rule on child, individual, or family poverty has been considered and it is estimated that the proposed action is not expected to have significant adverse impact on poverty in relation to individual or community asset development as provided in R.S. 49:973. The agency has considered economic welfare factors and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on poverty.

#### **Public Comments**

All interested persons are invited to submit written comments on the proposed regulation. Such comments should be submitted no later than March 10, 2017, at 4:30 p.m. to Joe Delaune, Office of State Fire Marshal, Plan Review Section, 8181 Independence Blvd., Baton Rouge, LA 70806. A public hearing will be scheduled if the requisite number of comments are received by the deadline date.

LTC Jason Starnes  
Chief Administrative Officer

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Code Enforcement and Building Safety**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
The proposed rule changes will not result in any costs or savings to state or local governmental units. The modifications to the existing rules are necessary for the Office of the State Fire Marshal (OSFM) to be up to date with construction means, methods and technology changes, to allow for electronic submission of proof of compliance to the OSFM's electronic submission system, and to coordinate with code adoptions made by the Louisiana State Construction Code Council.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
The proposed rule changes will not affect revenue collections for state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)  
The proposed rule changes are not more stringent than those that are currently adopted and will only affect construction costs for applicable buildings to the extent firms use the newest technology, materials, and methods allowable under the proposed rule changes, which may be more expensive. In the event the new technology, materials, and methods of construction are more expensive, any increased costs for firms would likely be passed on to consumers funding construction of buildings under the new guidelines in the proposed rule changes. However, the proposed rule changes do not prohibit the use of older construction methods, so firms - and therefore consumers - will only incur additional costs to the extent they choose to use the newest methods and technology. Furthermore, consumers who are funding construction of a new building may realize an economic benefit in the event they utilize the newest construction methods, materials, and technology, such as a building with a longer usable life, reduced maintenance costs, improved building safety, etc.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)  
The proposed rule changes may have a marginal effect on competition, as firms who utilize the newest construction methods and technology may incur additional costs, which may then be passed on to consumers, resulting in a potential loss of business that would be offset in part or in whole by charging higher rates for use of

the most recent methods and technology. However, this effect will likely be marginal, and will not likely affect aggregate business activity statewide. The proposed rules will not affect employment.