

527 CMR: BOARD OF FIRE PREVENTION REGULATIONS

527 CMR 29.00: UPHOLSTERED FURNITURE, MOLDED SEATING AND RE-UPHOLSTERED FURNITURE

Section

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29.01: Definitions

For the purpose of 527 CMR 29.00, the following words shall have the meanings respectively assigned to them:

Approved. Unless otherwise indicated, listed or approved by a nationally recognized testing laboratory (NRTL).

COM. Customer owned material.

Dormitories. Dormitories include buildings or spaces in buildings where group sleeping accommodations are provided for more than 16 persons who are not members of the same family, in one room or a series of closely associated rooms, under joint occupancy and single management, with or without meals, but without individual cooking facilities.

Enclosed Spaces. Those spaces within an occupancy that are completely separated from public spaces by a "smoke barrier". Included are hotel rooms, individual apartments, and enclosed offices.

Molded Seating. Furniture formed by molding resin formulations which may have a textile or coated fabric cover or a padding material between the cover and the molded resin. Molded seating shall include plastic chairs.

NR. Not Regulated.

Nationally Recognized Testing Laboratory (NRTL). An organization which tests for safety and lists labels or accepts equipment or materials and which meets the criteria in 527 CMR 49.00 (Appendix C).

Public Spaces. Those spaces within an occupancy accessible by the public while the building is occupied. This shall include all components of the means of egress such as exit accesses and exits.

Regulated Seating. Any seating product, including upholstered furniture, re-upholstered furniture and molded seating regulated by 527 CMR 29.00.

Re-upholstered furniture. Existing upholstered furniture for which a new cover material or interior components are to be replaced.

Smoke Barrier. A continuous membrane, either vertical or horizontal, such as a wall, floor, or ceiling assembly and solid opening protection such as solid doors and windows, that is designed and constructed to restrict the spread of smoke. A smoke barrier may or may not have a fire resistance rating. Opening protective devices (doors, for example) shall be self- or automatic-closing.

Upholstered Furniture. Movable or stationary chairs, settees, sofas, banquettes, booths, auditorium chairs, divans, davenports, love seats, ottomans, studio couches, sleeper-sofas and similar equipment which are manufactured with leather, textile fabric or coated fabric exterior and padding materials including foamed plastic, fiberfill, cotton batting or other natural or synthetic fiber.

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29.01: continued

Use Group. The classification of a building or structure based on the purpose for which it is used as listed in 780 CMR.

29.02: General Requirements

- (1) Regulated seating shall include seating to be used in the Use Groups as indicated by 527 CMR 29.05: Table 1.
- (2) Regulated seating shall not be purchased, leased or rented for use in a particular occupancy unless the intended user is provided with written notice from the manufacturer, supplier, vendor, distributor or an approved testing agency that the regulated seating conforms to 527 CMR 29.00.
- (3) The head of the fire department shall be provided with a copy of the certification required by 527 CMR 29.02(2) and a notice that fire test reports and related documentation which demonstrate the certified compliance are available on request.
- (4) The following articles shall be exempt from 527 CMR 29.00:
 - (a) Cushions and pads intended solely for outdoor use.
 - (b) Any article which is smooth surfaced and contains no more than ½ inch of filling material, provided that such article does not have a horizontal surface meeting vertical surface.
 - (c) Articles manufactured solely for recreational use or physical fitness purposes, such as weight lifting benches, gymnasium mats or pads, side horses and similar articles.

29.03: Requirements for Upholstered Furniture and Molded Seating

- (1) On and after May 1, 1994, all regulated seating sold for use in the Commonwealth of Massachusetts, except as provided in 527 CMR 29.03(4), shall meet the test criteria set forth in the State of California, Bureau of Home Furnishings and Thermal Insulation Technical Bulletin Number 133, entitled "Flammability Test Procedure For Seating Furniture For Use In Public Occupancies," dated January 1991, or tested in accordance with ASTM E 1537-93, "Standard Test Method for Fire Testing of Real Scale Upholstered Furniture Items," and meeting the test criteria of California Technical Bulletin 133.
- (2) The following label shall be attached to every article of regulated seating complying with Technical Bulletin 133:
NOTICE: THIS ARTICLE IS MANUFACTURED FOR USE IN PUBLIC OCCUPANCIES AND MEETS THE FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF HOME FURNISHINGS TECHNICAL BULLETIN 133. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.
- (3) The minimum size of the label shall be two inches by three inches and the minimum size of the type shall be C inch in height. All type shall be in capital letters.
- (4) In occupancies protected throughout with automatic sprinklers installed in accordance with 780 CMR, "Mass. State Building Code," 5th edition, regulated seating shall conform with California Technical Bulletin 133 as indicated in 527 CMR 29.03(1), 29.03(2) and 29.03(3) or shall meet the test requirements set forth in the State of California, Bureau of Home Furnishings and Thermal Insulation Technical Bulletin 117, "Requirements, Test Procedure and Apparatus for Testing the Flame Retardance of Resilient Filling Materials Used In Upholstered Furniture," dated January 1980.
- (5) The following label shall be attached to every article of regulated seating complying with Technical Bulletin 117:
NOTICE: THIS ARTICLE MEETS ALL FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF HOME FURNISHINGS BULLETIN 117. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.
- (6) The minimum size of the label shall be two inches by three inches and the minimum size of the type shall be C inch in height. All type shall be in capital letters.

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29.03: continued

(7) When the automatic sprinkler option is utilized for compliance with 527 CMR 29.00, listed "residential" or "quick response" sprinklers shall be used when in conformance with the listing and installation requirements. All other building areas may use standard spray sprinkler heads.

29.04: Requirements for Re-upholstered Furniture

- (1) Any re-upholstered furniture shall, at a minimum, provide the equivalent level of safety to that provided by:
- (a) The State of California, Bureau of Home Furnishings and Thermal Insulation Technical Bulletin Number 133, entitled "Flammability Test Procedure For Seating Furniture For Use In Public Occupancies, dated January 1991",
 - (b) This can be accomplished by re-upholstering furniture with components meeting The State of California, Bureau of Home Furnishings and Thermal Insulation Technical Bulletins Numbers 116 and 117.
- (2) The occupancies regulated shall be the same as for new furniture.
- (3) The re-upholsterer shall affix a tag with their name and address, the date the re-upholstery was completed and a statement indicating compliance with 527 CMR 29.04(1).

29.05: Table 1

REGULATED SEATING UNDER 527 CMR 29.00

Use Group	
A - Assembly	Yes
B - Business	NR
E - Educational	Yes
F - Factory and Industrial	NR
H - High Hazard	NR
I - Institutional	Yes
M - Mercantile	NR
R - Residential, R-1	
public space	Yes
enclosed space	Yes
Residential, R-2	
public space	Yes
dormitories	Yes
other enclosed space	NR
Residential, R-3 and R-4	
public space	Not Applicable
enclosed space	NR
Residential, R-5	
public space	Not Applicable
enclosed space	Yes
S - Storage	NR
U - Utility and Miscellaneous	NR

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29.06: Referenced Publications

Documents or portions thereof that are referenced within 527 CMR 29.00 shall be considered a part of the requirements of 527 CMR 29.00. Refer to 527 CMR 49.00 for a complete listing of all documents referenced in 527 CMR.

REGULATORY AUTHORITY

527 CMR 29.00: M.G.L. c. 148, §§ 10 and 28.