

Proposal to Amend Chapter 110, Section 110.R5.1.3.1
From April 11, 2017 Meeting Minutes

EXHIBIT X - Message from Code Consultant, Paul Moriarty.

Board Action: Hold for possible 1st iteration amendment.

PROPOSED CODE AMENDMENT: Under "Exception", after the word "supervisor" in the 3rd line, add the following: "Anyone who contracts to perform work for a Home Owner under this section, on or after January 1, 2018, shall be licensed as a Construction Supervisor and shall notify in writing the appropriate Building Department of such role".

Paul Moriarty

MASSACHUSETTS STATE BUILDING CODE REVISIONS PROPOSAL FORM (9TH EDITION)
(PLEASE TYPE OR PRINT)

Date: February 21, 2017

Building Code Section No. 110.R5.1.3.1 Code Change No. _____
(State Use Only)

Proponent: (Name) Metro West Building Officials Association, Inc.

Address: 45 West Main Street, Westborough, Masssachusetts (Room 24) 01581
(Please check type of amendment proposed)

Change Section as follows: _____ Delete Section and substitute:

_____ Add new Section as follows: _____ Delete Section-no substitute:

PROPOSED CODE AMENDMENT: Under "Exception", after the word "supervisor" in the 3rd line, add the following: "Anyone who contracts to perform work for a Home Owner under this section, on or after January 1, 2018, shall be licensed as a Construction Supervisor and shall notify in writing the appropriate Building Department of such role".

SUPPORTING STATEMENT(S): There are too many instances whereby persons with no knowledge of the Building Code are applying for Building Permits under the Home Owner exemption but are having licensed/unlicensed persons performing the work. If a Home Owner performing work under this section "hires", a plumber and/or an electrician, that plumber and/or electrician must be licensed under the rules and regulations set up by the Massachusetts Division of Professional Licensure (M.G.L. chapter 141 §1A and chapter 142 §3), however, tradespeople performing work requiring a Building Permit are seemingly exempt from the Licensure requirements. The Home Owner should be protected from persons holding themselves as competent to perform work requiring a Building Permit. This proposal is needed in order to prevent misuse by contractors. If a "Home Owner" is actually performing the work, such work should be exempt, otherwise the work should be performed by a Licensed individual. This amendment also gives jurisdiction to BBRS over these "hired" tradespeople performing non-compliant work.

HOMEOWNER Person(s) who owns a parcel of land on which he/she resides or intends to reside, on which there is, or is intended to be, a one- or two-family dwelling, attached or detached structures accessory to such use and/or farm structures. A person who constructs more than one home in a two-year period shall not be considered a homeowner.

8/6/10

780 CMR - Eighth Edition - 273

110.R5.1.3.1. Individuals supervising persons engaged in construction, reconstruction, alteration, repair, removal or demolition involving any activity regulated by any provision of 780 CMR, shall be licensed in accordance with 780 CMR 110.R5. Individuals engaged in the supervision of the field erection of manufactured buildings in accordance with 780 CMR 110.R3, shall be licensed as construction supervisors.

Exception. Any homeowner performing work for which a building permit is required shall be exempt from the licensing provisions of 780 CMR 110.R5, provided that if a homeowner engages a person(s) for hire to do such work, then such homeowner shall act as supervisor. This exception shall not apply to the field erection of a manufactured buildings constructed pursuant to 780 CMR 110.R3.

Note. Any Licensed Construction Supervisor who contracts to do work for a homeowner shall be responsible for performing said work in accordance with 780 CMR and manufacture's recommendations, as applicable, whether or not the licensed contractor secured the permit for said work.

780 CMR - Eighth Edition - 274

Anderson, Robert (DPL)

Subject: FW: Proposed Code Change for 780 CMR 110.R5.4

----- Forwarded Message -----

From: tonyb@atyourpaceonline.com <tonyb@atyourpaceonline.com>

Date: 11/15/2017 6:38:06 AM

Subject: Proposed Code Change for 780 CMR 110.R5.4

To: Anderson, Robert (DPS) <robert.anderson@state.ma.us>

Good morning, Mr. Anderson.

At this time I would like to officially propose that the statement below be stricken from the code:

"Qualified licensees may acquire up to a maximum of six hours of continuing education via on-line training. Remaining hours shall be acquired through in-person, classroom training."

This statement is found in section 110.R5.4.3 in a notice issued by staff, but not actually found within revision documents. I would be happy to refactor this request in a more official format, such as the code change request form. Please let me know if there is anything I can do to make this easier or more official.

Thank you again for your time and attention.

Respectfully,
Tony Bowers
At Your Pace Online
541-226-6683



P.O. Box 268 W. Wareham, Ma. 02576

December 15th 2017

To: Board of Building Regulations and Standards

From: Massachusetts Federation of Building Officials

Re: 9th Edition 110 R5 repeal proposal vote

Mr. Chairman and board members it is our understanding that the board is considering a proposed change to the 9th edition 110 R5 Construction Supervisor License Continuing Education Requirements which came into full effect January 1st 2018. I thank the board for allowing a public comment period and giving me the opportunity to express the Mass. Federation of Building Officials, the Federation, position on this matter.

The BBRS recognized the flaws and faults with the R5 regulation in the 8th edition of 780 CMR and had a comprehensive review process. On March of 2017 Federation Vice President, Jeffrey Clemons provided verbal and written testimony to the board supporting changes to the continuing education requirements under R5 and worked with staff to effectively correct those issues with new requirements for the 9th edition. The board members unanimously voted for final draft changes that Chief Anderson proposed and have been codified by the Secretary of State's office.

The Federation clearly supported the boards efforts in the new language to require Construction Supervisor licensees to obtain half of their required continuing education hours in a live classroom setting. We feel that if the board repeals its decision to fix the flaws in the 8th edition that those flaws will continue to discredit our education efforts and our industry. In conclusion, we strongly recommend that the board keeps the 9th edition 110 R5 requirements and have the staff monitor its progress with a report back to the board on its merits prior to the next code change proposals for the 10th edition.

Respectfully,

Robert C. Borden, President
Mass. Federation of Building Officials

**Proposal to Amend Appendix J of IRC
From May 16, 2017 Meeting Minutes**

Board members also discussed revisions to Appendix J as identified below, but also determined that the suggested changes should be examined more closely and perhaps proposed as a first iteration revision to the ninth edition later in the year.

AJ102.3.1 through AJ102.3.3 Add the subsections as follows:

AJ102.3.1 Adding or creating one or more sleeping rooms.

1. **Single family dwelling.** When one or more sleeping rooms are added or created to an existing dwelling, the entire dwelling shall be provided with smoke, heat and carbon monoxide protection.
2. **Two-family dwelling.** When one or more sleeping rooms are added or created to one *dwelling unit* that unit shall be provided with smoke, heat and carbon monoxide protection detectors. When sleeping rooms are added or created to both units the entire building shall be provided with smoke, heat and carbon monoxide protection.
3. **Townhouses dwelling unit.** When one or more sleeping rooms are added or created to an existing *dwelling unit*, the entire unit shall be provided with smoke, heat and carbon monoxide protection.

~~AJ102.3.2~~ **AJ601.5 Complete reconstruction.** If a *dwelling* or townhouse building undergoes ~~reconstruction~~ *reconstruction* such that more than 50% of total walls and ceilings area are is opened during construction to framing, then the entire existing building shall be provided with smoke, heat and carbon monoxide protection.

~~AJ102.3.3 Adding an attached garage.~~ If a garage is created under or attached to an existing *dwelling unit*, a heat detector shall be provided in the garage, in accordance with R314.8.

Section AJ102.3.2 is a new MA amendment to the IRC 2015. I understand the intent but I do not believe it is necessary based on my experience for the past 18 months mediating disagreements between parties pertaining to code requirements to repair damaged buildings. Adding smoke detection in areas of these buildings not under construction is generally readily accepted by both parties. For this reason, if the amendment is retained it should be placed in the RECONSTRUCTION section of Appendix J, and modified as shown.

Section AJ102.3.3 is a new MA amendment to the IRC 2015 and is not necessary as it is common knowledge that for a new garage, new construction requirements apply. There is no need to identify that a heat detector is required, and it is not necessary to identify what gypsum board is required, and it is not necessary to identify all other new construction requirements.

Recommendation: Modify AJ102.3.2 as shown above and delete AJ102.3.3

AJ102.12 Energy Efficiency See Section ~~N1100~~, **N1107 to N1111.**

Recommendation: Modify to improve clarity, section AJ102.12 as shown above.

General definitions for both residential and base code.

C202 GENERAL DEFINITIONS.

Electric Vehicle. An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current.

Informational note: defined as in 527 CMR 12 section 625.2.

Electric Vehicle Supply Equipment (EVSE): The conductors, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

Informational note: defined as in 527 CMR 12 section 625.2.

Electric Vehicle Charging Space (“EV Ready Space”): A designated parking space which is provided with one dedicated 50-ampere branch circuit for *EVSE* servicing *Electric Vehicles*.

Amendments to IECC2015 - COMMERCIAL PROVISIONS

C103.2 Information on Construction Documents Amend as follows:

(ADD) #13EV Ready Spaces locations in accordance with C405.9.3

C405.9.3 Add a section as follows:

C405.9.3 Electric Vehicle Charging Spaces ("EV Ready Spaces"). Group A-1, B, E, I, M and R buildings with four or more passenger vehicle parking spaces on the premises shall provide *EV Ready Spaces* for a percentage of parking spaces not less than:

- a. 5% of first 80 spaces,
- b. 3% of all spaces more than 80.

The branch circuit shall be identified as "EV READY" in the service panel or subpanel directory, and the termination location shall be marked as "EV READY". The circuit shall terminate in a NEMA 6-50 or NEMA 14-50 receptacle or a Society of Automotive Engineers (SAE) standard J1772 electrical connector.

Exceptions:

1. Parking spaces and garage spaces intended exclusively for storage of vehicles for retail sale or vehicle service.
2. This requirement will be considered met if all spaces which are not *EV Ready* are separated from the meter by a public right-of-way.
3. Parking spaces which are limited to parking durations of less than an hour.

C502.2 ADDITIONS. Add a section as follows:

C502.2.7 Electric Vehicle Charging Spaces ("EV Ready Spaces"). The number of *EV Ready Spaces* for the addition shall comply with the requirements for new construction.

Exception

1. Where the existing electric service is not being upgraded and capacity is not available.

Amendments to IECC2015/IRC2015 - RESIDENTIAL PROVISIONS

N1101.5 (R103.2) Information on Construction Documents Amend as follows:

(ADD) #9 EV Ready Space locations per N1104.2/R404.2

N1104.3 (R404.2) Add a section as follows:

N1104.2 (R404.2) Electric Vehicle Charging Spaces (“EV Ready Spaces”)

(Mandatory). *EV Ready Spaces* shall be provided in accordance with Table N1104.2 (R404.2). The branch circuit shall be identified as “EV READY” in the service panel or subpanel directory, and the termination location shall be marked as “EV READY”. The circuit shall terminate in a NEMA 6-50 or NEMA 14-50 receptacle or a Society of Automotive Engineers (SAE) standard J1772 electrical connector.

Table N1104.2 (R404.2) EV ready space requirements

Type of Building	Number of parking spaces
R-3	At least 50%
R-2	At least 20%

Exceptions:

1. In no case shall the number of required *EV Ready Spaces* be greater than the number of parking spaces otherwise required by local ordinance.
2. This requirement will be considered met if all spaces which are not *EV Ready*:
 - a. Are located more than 130 ft from the nearest electrical panel or sub-panel location, or
 - b. Are separated from the premises by a public right-of-way.

R502.2 ADDITIONS. Add a section as follows:

R502.1.1.5 Electric Vehicle Charging Spaces (“EV Ready Spaces”). The number of *EV Ready Spaces* for the addition shall comply with the requirements in N1104.2 (R404.2) for new construction.

Exception

Where the existing electric service capacity is not being upgraded and capacity is not available.

2017-08-14 draft

Amendments to 2015 International Energy Conservation Code (IECC):

Add the following definitions to N1101.6 (R202) Defined terms:

Electric Vehicle. An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current.

Informational note: defined as in 527 CMR 12 section 625.2.

Electric Vehicle Supply Equipment (EVSE): The conductors, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

Informational note: defined as in 527 CMR 12 section 625.2.

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R502.1.1.5 Electric Vehicle Charging Spaces (“EV Ready Spaces”). The number of *EV Ready Spaces* for the addition shall comply with the requirements in N1104.2 (R404.2) for new construction.

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Where the existing electric service capacity is not being upgraded and capacity is not available.

Amendments to IECC2015 - COMMERCIAL PROVISIONS

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**Home Builders &
Remodelers Association**
Central Massachusetts

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November 13, 2017

Rob Anderson
Chief of Inspections – Building & Engineering
Division of Professional Licensure
Office of Public Safety and Inspections
One Ashburton Place – Room 1301
Boston, MA 02108

Re: 780 CMR, 9th Edition Code, Proposed Amendments, One & Two Family Dwelling Code - EV-Ready Provisions

Mr. Anderson:

After careful review of the above referenced provision I have some deep concerns over the potential adoption of such a mandate as it is represented in the proposed amendments to the 9th Edition MA Building Code.

1. Compatibility and applicability issues

The proposed regulation calls for a 50amp branch circuit terminating in a SAE standard J1772 electrical connector. However, all electric cars come with a standard charging cable that can plug into a common 120-volt household electrical outlet and use these 120-volt cords interchangeably because they are all designed to the SAE J1772 standard. While this is not the optimum means of charging an electric vehicle as it takes longer, not adopting the proposed code change in no way prevents homeowners from purchasing and charging their electric cars at home.

General Motors has partnered with a company that has developed a wireless, inductive charging pad that eliminates the standard charging station altogether. These charging pads have different power requirements than the current standard charging stations. As battery technology evolves, so does the means of charging them and may very well be incompatible with the current equipment that would be required under the proposed code change. It is clear that the technical requirements for charging EV's are evolving and more options are on the horizon. Given this, having a specific requirement mandated for new homes and in some cases, additions makes little sense. Varying and evolving technology related to EV's as well as emerging technology such as fuel-cell vehicles further diminish the validity and applicability of the proposed mandate.

2. Cost implications

The vast majority of new homes have a 200amp electrical service. Dedicating 50amps for an EV charging station represents 25% of the total load on the electrical service leaving only 150amps to carry the load for the entire home. This will not be sufficient in many new single family homes unless it is a very small