

**NOTICE OF INTENT**

**Department of Public Safety and Corrections  
Office of the Fire Marshal**

Code Enforcement and Building Safety  
Fire Protection (LAC 55:V.103 and 303)

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**

**§103. General Provisions**

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 published by the National Fire Protection Association as specifically identified in the following list, shall be used as the materials for determinations by the State Fire Marshal.

NFPA 1	2009 Edition	Fire Code
NFPA 10	2010 Edition	Standard for Portable Fire Extinguishers
NFPA 11	2010 Edition	Standard for Low-, Medium-, and High-Expansion Foam
NFPA 12	2008 Edition	Standard on Carbon Dioxide Extinguishing Systems
NFPA 12A	2009 Edition	Standard on Halon 1301 Fire Extinguishing Systems
NFPA 13	2010 Edition	Standard for the Installation of Sprinkler Systems
NFPA 13D	2010 Edition	Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes

NFPA 13R	2010 Edition	Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height
NFPA 14	2010 Edition	Standard for the Installation of Standpipes and Hose Systems
NFPA 15	2007 Edition	Standard for Water Spray Fixed Systems for Fire Protection
NFPA 16	2007 Edition	Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems
NFPA 17	2009 Edition	Standard for Dry Chemical Extinguishing Systems
NFPA 17A	2009 Edition	Standard for Wet Chemical Extinguishing Systems
NFPA 18	2010 Edition	Standard on Wetting Agents
NFPA 20	2010 Edition	Standard for the Installation of Stationary Pumps for Fire Protection
NFPA 22	2008 Edition	Standard for Water Tanks for Private Fire Protection
NFPA 25	2008 Edition	Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems
NFPA 30	2008 Edition	Flammable and Combustible Liquids Code
NFPA 30A	2008 Edition	Code for Motor Fuel Dispensing Facilities and Repair Garages
NFPA 30B	2007 Edition	Code for the Manufacture and Storage of Aerosol Products
NFPA 31	2006 Edition	Standard for the Installation of Oil-Burning Equipment
NFPA 32	2007 Edition	Standard for Drycleaning Plants
NFPA 33	2007 Edition	Standard for Spray Application Using Flammable or Combustible Materials
NFPA 34	2007 Edition	Standard for Dipping and Coating Processes Using Flammable or Combustible Liquids
NFPA 37	2010 Edition	Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines
NFPA 45	2010 Edition	Standard on Fire Protection for Laboratories Using Chemicals
NFPA 51	2007 Edition	Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting, and Allied Processes
NFPA 51B	2009 Edition	Standard for Fire Prevention During Welding, Cutting, and Other Hot Work
NFPA 52	2010 Edition	Vehicular Gaseous Fuel Systems Code
NFPA 53	2010 Edition	Recommended Practice on Materials, Equipment, and Systems Used in Oxygen-Enriched Atmospheres
NFPA 54	2009 Edition	National Fuel Gas Code
NFPA 55	2010 Edition	Compressed Gases and Cryogenic Fluids Code
NFPA 58	2008 Edition	Liquefied Petroleum Gas Code
NFPA 59A	2009 Edition	Standard for the Production, Storage, and Handling of Liquefied Natural Gas (LNG)
NFPA 61	2008 Edition	Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities
NFPA 68	2007 Edition	Standard on Explosion Protection by Deflagration Venting
NFPA 69	2008 Edition	Standard on Explosion Prevention Systems
NFPA 70	2008 Edition	National Electrical Code
NFPA 72	2010 Edition	National Fire Alarm and Signaling Code
NFPA 80	2010 Edition	Standard for Fire Doors and Other Opening Protectives

NFPA 82	2009 Edition	Standard on Incinerators and Waste and Linen Handling Systems and Equipment
NFPA 88A	2007 Edition	Standard for Parking Structures
NFPA 90A	2009 Edition	Standard for the Installation of Air-Conditioning and Ventilating Systems
NFPA 90B	2009 Edition	Standard for the Installation of Warm Air Heating and Air-Conditioning Systems
NFPA 92A	2009 Edition	Standard for Smoke-Control Systems Utilizing Barriers and Pressure Differences
NFPA 92B	2009 Edition	Guide for Smoke Management Systems in Malls, Atria, and Large Spaces
NFPA 96	2008 Edition	Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations
NFPA 99	2005 Edition	Standard for Health Care Facilities
NFPA 99B	2010 Edition	Standard for Hypobaric Facilities
NFPA 101	2009 Edition	Life Safety Code
NFPA 101A	2010 Edition	Guide on Alternative Approaches to Life Safety
NFPA 102	2006 Edition	Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures
NFPA 105	2010 Edition	Standard for the Installation of Smoke Door Assemblies and Other Opening Protectives
NFPA 110	2010 Edition	Standard for Emergency and Standby Power Systems
NFPA 111	2010 Edition	Standard on Stored Electrical Energy Emergency and Standby Power Systems
NFPA 140	2008 Edition	Standard on Motion Picture and Television Production Studio Soundstages, Approved Production Facilities, and Production Locations
NFPA 150	2009 Edition	Standard on Fire and Life Safety in Animal Housing Facilities
NFPA 160	2006 Edition	Standard for the Use of Flame Effects Before an Audience
NFPA 170	2009 Edition	Standard for Fire Safety and Emergency Symbols
NFPA 204	2007 Edition	Standard for Smoke and Heat Venting
NFPA 211	2010 Edition	Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances
NFPA 220	2009 Edition	Standard on Types of Building Construction
NFPA 221	2009 Edition	Standard for High Challenge Fire Walls, Fire Walls, and Fire Barrier Walls
NFPA 303	2006 Edition	Fire Protection Standard for Marinas and Boatyards
NFPA 307	2006 Edition	Standard for the Construction and Fire Protection of Marine Terminals, Piers, and Wharves
NFPA 407	2007 Edition	Standard for Aircraft Fuel Servicing
NFPA 409	2010 Edition	Standard on Aircraft Hangars
NFPA 415	2008 Edition	Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways
NFPA 418	2006 Edition	Standard for Heliports
NFPA 484	2009 Edition	Standard for Combustible Metals
NFPA 495	2010 Edition	Explosive Materials Code
NFPA 654	2006 Edition	Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids

NFPA 664	2007 Edition	Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities
NFPA 701	2010 Edition	Standard Methods of Fire Tests for Flame Propagation of Textiles and Films
NFPA 703	2009 Edition	Standard for Fire-Retardant Treated Wood and Fire-Retardant Coatings for Building Materials
NFPA 750	2010 Edition	Standard on Water Mist Fire Protection Systems
NFPA 801	2008 Edition	Standard for Fire Protection For Facilities Handling Radioactive Materials
NFPA 820	2008 Edition	Standard for Fire Protection in Wastewater Treatment and Collection Facilities
NFPA 901	2006 Edition	Standard Classifications for Incident Reporting and Fire Protection Data
NFPA 909	2010 Edition	Code for the Protection of Cultural Resources Properties - Museums, Libraries, and Places of Worship
NFPA 914	2010 Edition	Code for Fire Protection of Historic Structures
NFPA 1031	2009 Edition	Standard for Professional Qualifications for Fire Inspector and Plan Examiner
NFPA 1123	2010 Edition	Code for Fireworks Display
NFPA 1124	2006 Edition	Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles
NFPA 1126	2006 Edition	Standard for the Use of Pyrotechnics before a Proximate Audience
NFPA 1221	2010 Edition	Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems
NFPA 1402	2007 Edition	Guide to Building Fire Service Training Centers
NFPA 1403	2007 Edition	Standard on Live Fire Training Evolutions
NFPA 1961	2007 Edition	Standard on Fire Hose
NFPA 1962	2008 Edition	Standard for the Inspection, Care, and Use of Fire Hose, Couplings, and Nozzles and the Service Testing of Fire Hose
NFPA 2001	2008 Edition	Standard on Clean Agent Fire Extinguishing Systems

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 and the "Special Provisions for High-Rise Building" Section of the *Standard Building Code* published by the Southern Building Code Congress International as follows.

Building Constructed or Remodeled	Life Safety Code Edition	Section/Standard Building Code Edition	Sections/International Building Code Edition
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	-	-
after 7/1/2010	2009	-	-

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. 40:1651(B).

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:

### Chapter 3. Buildings

#### §303. Plans and Specifications for New Buildings

A. As of July 1, 2010, the plans and specifications for every structure built or remodeled in the state of Louisiana must be drawn in accordance with the requirements of the 2009 Edition of the *Life and Safety Code* (excluding Chapter 5) of the National Fire Protection Association. Chapter 5, Performance-Based Option, may be used as a basis for appeal equivalency determinations.

B. - D. ...

E. Regarding "building rehabilitation," compliance in accordance with LAC 55:V.103.B shall be considered by the Office of State Fire Marshal as an equivalent alternative for compliance with the applicable existing chapter, where the applicable existing chapters are prescribed in the latest adopted NFPA 101 Life Safety 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 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), amended LR 30:1305 (June 2004), LR 33:673 (April 2007), LR 36:

#### 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 Impact Statement

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.

#### Public Comments

All interested persons are invited to submit written comments on the proposed regulation. Such comments should be submitted no later than April 16, 2010, at 4:30 p.m. to Don Zeringue, Office of State Fire Marshal, Plan Review Section, 8181 Independence Blvd., Baton Rouge, LA 70806. In the event that the required number of written comments is received, a public hearing is tentatively scheduled for April 19, 2010 at 2:00 p.m. at 8181 Independence Blvd., Baton Rouge, LA 70806. Please call in advance to confirm the time and place of meeting.

Jill P. Boudreaux  
Undersecretary