

*Draft Post-Hearing Changes to Comm 14
In the Comm 14 and 60 to 66 Rule Package*

[The draft changes begin in paragraph (b) 2. below – the text preceding the changes shows the earlier context within which the changes would occur.]

Comm 14.01 (2) APPLICATION. Substitute the following wording for the requirements in NFPA 1 section 1.3.1:

(a) *General.* 1. This chapter applies to all of the following unless specifically stated otherwise in ~~a rule~~ this chapter:

a. The use and operation of all public buildings and places of employment that exist on or after the effective dates of ~~these rules~~ chapter.

b. The inspection, testing and maintenance of all fire safety features as specified in this chapter, for all public buildings and places of employment, that exist on or after the effective date of this chapter.

2. The design and construction requirements in NFPA 1, *Uniform Fire Code* that apply to public buildings or places of employment are not included as part of this chapter, except as specified in subd. 4. a.

Note: See chs. Comm 640 to 656 for design and construction requirements for public buildings and places of employment.

3. The codes and standards referenced in this chapter and additional codes and standards subsequently referenced therein shall apply to the prescribed extent of each such reference, except as modified by this chapter.

4. a. The design and construction requirements in NFPA 1 chapter 18 for fire department access and water supply are included as part of this chapter.

b. The requirements in NFPA 1 sections 18.2.3 and 18.3 do not apply to buildings constructed prior to the effective date of this subdivision.

(b) *Conflicts.* 3 1. Where any rule of the department differences occur between the ~~from a requirements of this chapter and within a document~~ referenced codes or standards in this chapter, the ~~requirements of this chapter~~ rule of the department shall govern apply.

4 2. Where rules of the department specify conflicting requirements, types of materials, methods, processes or procedures, the most restrictive rule shall govern, except as provided in subds. ~~2. to 4~~ 3. and 4.

2 3. Where there is a conflict difference between a rule that prescribes a general requirement and a rule that prescribes a specific or more detailed requirement, the specific or more detailed requirement shall govern, except as provided in subds. 3 1. and 4.

4. Where differences occur between the requirements of this chapter and chs. Comm ~~61 to 65~~ 10, the requirements of chs. Comm ~~61 to 65~~ 10 shall govern.

(c) *Department authority.* Pursuant to s. 101.02 (1), Stats., the department reserves the right to interpret the requirements in this chapter and in all adopted codes and standards.

Note: Section 101.02 (1), Stats., reads as follows: “The department shall adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings.”

-
-
-

Note: The department and other state agencies may have additional rules that affect the design, construction, inspection, maintenance and use of public buildings, places of employment and premises, including chs. Comm 5, Licenses, Certifications, and Registrations; Comm 7, Explosives and Fireworks; Comm 10, Flammable and Combustible Liquids; Comm 16, Electrical; Comm 18, Elevators, Escalators and Lift Devices; Comm 40, Gas Systems; Comm 41, Boilers and Pressure Vessels; Comm 43, Anhydrous Ammonia; Comm 45, Mechanical Refrigeration; Comm 60 to 66, Commercial Building Code; Comm 75 to 79, Buildings Constructed Prior to 1914; Comm 81 to 87, Plumbing; Comm 90, Public Swimming Pools; and Comm 91, Sanitation. The department’s Safety and Buildings Division administers all of these listed codes except ch. Comm ~~405~~, which is jointly administered by-with the department’s Environmental and Regulatory Services Division, and ch. Comm 10, which is administered by that Division.

-
-
-

~~(11) (b) 8. Note and 9. Note [2]: As referenced in s. Comm 14.66, see ch. Comm 10 for fire-prevention requirements for flammable, combustible or hazardous liquids that are not within the scope of this chapter. Some of the inspections for enforcing those requirements have corresponding credential requirements in ch. Comm 5.~~

-
-
-

~~**Comm 14.30 Motor fuel dispensing facilities and repair garages.** These are department exceptions to the requirements in NFPA 1 chapter 30:~~

~~—— (1) Any of the requirements in NFPA 1 chapter 30 that are within the scope of ch. Comm 10 are not included as part of this chapter.~~

~~(2) Any of the requirements of NFPA 1 chapter 30 that are excluded by sub. (1) from applying to new facilities and structures are also excluded from applying to facilities and structures in existence on [the effective date of this section . . . Revisor inserts date].~~

~~—— **Comm 14.42 Refueling.** These are department exceptions to the requirements in NFPA 1 chapter 42:~~

~~—(1) Any of the requirements in NFPA 1 chapter 42 that are within the scope of ch. Comm 10 are not included as part of this chapter.~~

~~—(2) Any of the requirements of NFPA 1 chapter 42 that are excluded by sub. (1) from applying to new facilities and structures are also excluded from applying to facilities and structures in existence on [the effective date of this section . . . Revisor inserts date].~~

~~—**Comm 14.43 Spraying, dipping and coating using flammable or combustible materials.** These are department exceptions to the requirements in NFPA 1 chapter 43:~~

~~—(1) Any of the requirements in NFPA 1 chapter 43 that are within the scope of ch. Comm 10 are not included as part of this chapter.~~

~~(2) Any of the requirements in NFPA 1 chapter 43 that are excluded by sub. (1) from applying to new facilities and structures are also excluded from applying to facilities and structures in existence on [the effective date of this section . . . Revisor inserts date].~~

- ~~.~~
- ~~.~~
- ~~.~~

~~—**Comm 14.66 Flammable and combustible liquids.** These are department exceptions to the requirements in NFPA 1 chapter 66:~~

~~—(1) Any of the requirements in NFPA 1 chapter 66 that are within the scope of ch. Comm 10 are not included as part of this chapter.~~

~~—(2) Any of the requirements of NFPA 1 chapter 66 that are excluded by sub. (1) from applying to new facilities and structures are also excluded from applying to facilities and structures in existence on [the effective date of this section . . . Revisor inserts date].~~

File reference: Comm 14/rules 2007LRz2