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Virginia Code Commission

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VIRGINIA REGISTER INFORMATION PAGE

THE VIRGINIA REGISTER OF REGULATIONS is an official state publication issued every other week throughout the year. Indexes are published quarterly, and are cumulative for the year. The *Virginia Register* has several functions. The new and amended sections of regulations, both as proposed and as finally adopted, are required by law to be published in the *Virginia Register*. In addition, the *Virginia Register* is a source of other information about state government, including petitions for rulemaking, emergency regulations, executive orders issued by the Governor, and notices of public hearings on regulations.

ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

Following publication of the proposal in the *Virginia Register*, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor's comments, if any, will be published in the *Virginia Register*. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation.

The Joint Commission on Administrative Rules (JCAR) or the appropriate standing committee of each house of the General Assembly may meet during the promulgation or final adoption process and file an objection with the Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative body, and the Governor.

When final action is taken, the agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate legislative body and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact.

A regulation becomes effective at the conclusion of the 30-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 21-day objection period; (ii) the Governor exercises his authority to require the agency to provide for additional public comment, in which event the regulation,

unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period and no earlier than 15 days from publication of the readopted action.

A regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

FAST-TRACK RULEMAKING PROCESS

Section 2.2-4012.1 of the Code of Virginia provides an exemption from certain provisions of the Administrative Process Act for agency regulations deemed by the Governor to be noncontroversial. To use this process, Governor's concurrence is required and advance notice must be provided to certain legislative committees. Fast-track regulations will become effective on the date noted in the regulatory action if no objections to using the process are filed in accordance with § 2.2-4012.1.

EMERGENCY REGULATIONS

Pursuant to § 2.2-4011 of the Code of Virginia, an agency, upon consultation with the Attorney General, and at the discretion of the Governor, may adopt emergency regulations that are necessitated by an emergency situation. An agency may also adopt an emergency regulation when Virginia statutory law or the appropriation act or federal law or federal regulation requires that a regulation be effective in 280 days or less from its enactment. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited to no more than 18 months in duration; however, may be extended for six months under certain circumstances as provided for in § 2.2-4011 D. Emergency regulations are published as soon as possible in the *Register*. During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not to adopt the regulations, the emergency status ends when the prescribed time limit expires.

STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia be examined carefully.

CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. **29:5 VA.R. 1075-1192 November 5, 2012**, refers to Volume 29, Issue 5, pages 1075 through 1192 of the *Virginia Register* issued on November 5, 2012.

The Virginia Register of Regulations is published pursuant to Article 6 (§ 2.2-4031 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia.

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PUBLICATION SCHEDULE AND DEADLINES

This schedule is available on the *Register's* Internet home page (<http://register.dls.virginia.gov>).

February 2017 through February 2018

<u>Volume: Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
33:13	February 1, 2017	February 20, 2017
33:14	February 15, 2017	March 6, 2017
33:15	March 1, 2017	March 20, 2017
33:16	March 15, 2017	April 3, 2017
33:17	March 29, 2017	April 17, 2017
33:18	April 12, 2017	May 1, 2017
33:19	April 26, 2017	May 15, 2017
33:20	May 10, 2017	May 29, 2017
33:21	May 24, 2017	June 12, 2017
33:22	June 7, 2017	June 26, 2017
33:23	June 21, 2017	July 10, 2017
33:24	July 5, 2017	July 24, 2017
33:25	July 19, 2017	August 7, 2017
33:26	August 2, 2017	August 21, 2017
34:1	August 16, 2017	September 4, 2017
34:2	August 30, 2017	September 18, 2017
34:3	September 13, 2017	October 2, 2017
34:4	September 27, 2017	October 16, 2017
34:5	October 11, 2017	October 30, 2017
34:6	October 25, 2017	November 13, 2017
34:7	November 8, 2017	November 27, 2017
34:8	November 21, 2017 (Tuesday)	December 11, 2017
34:9	December 6, 2017	December 25, 2017
34:10	December 19, 2017 (Tuesday)	January 8, 2018
34:11	January 3, 2018	January 22, 2018
34:12	January 17, 2018	February 5, 2018

*Filing deadlines are Wednesdays unless otherwise specified.

NOTICES OF INTENDED REGULATORY ACTION

TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007.01 of the Code of Virginia that the Board of Medical Assistance Services intends to consider amending **12VAC30-10, State Plan under Title XIX of the Social Security Act Medical Assistance Program; General Provisions; 12VAC30-50, Amount, Duration, and Scope of Medical and Remedial Care and Services; and 12VAC30-130, Amount, Duration and Scope of Selected Services.** The purpose of the proposed action is to update the regulations for group homes and residential treatment facilities for individuals younger than the age of 21 years. The action includes changes to the following areas: (i) provider qualifications including acceptable licensing standards; (ii) preadmission assessment requirements; (iii) program requirements; (iv) new discharge planning and care coordination requirements; and (v) language enhancements for utilization review requirements to clarify program requirements and help providers avoid payment retractions.

The agency does not intend to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 32.1-325 of the Code of Virginia; 42 USC § 1396 et seq.

Public Comment Deadline: March 22, 2017.

Agency Contact: Emily McClellan, Regulatory Supervisor, Policy Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 371-4300, FAX (804) 786-1680, or email emily.mcclellan@dmas.virginia.gov.

VA.R. Doc. No. R17-4495; Filed January 31, 2017, 4:07 p.m.

REGULATIONS

For information concerning the different types of regulations, see the Information Page.

Symbol Key

Roman type indicates existing text of regulations. Underscored language indicates proposed new text. Language that has been stricken indicates proposed text for deletion. Brackets are used in final regulations to indicate changes from the proposed regulation.

TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

CRIMINAL JUSTICE SERVICES BOARD

Proposed Regulation

Titles of Regulations: **6VAC20-172. Regulations Relating to Private Security Services Businesses (amending 6VAC20-172-10, 6VAC20-172-40, 6VAC20-172-50, 6VAC20-172-80).**

6VAC20-174. Regulations Relating to Private Security Services Registered Personnel (amending 6VAC20-174-10, 6VAC20-174-150).

Statutory Authority: § 9.1-141 of the Code of Virginia.

Public Hearing Information: No public hearings are scheduled.

Public Comment Deadline: April 21, 2017.

Agency Contact: Barbara Peterson-Wilson, Law Enforcement Program Coordinator, Department of Criminal Justice Services, 1100 Bank Street, Richmond, VA 23219, telephone (804) 225-4503, FAX (804) 786-0410, or email barbara.peterson-wilson@dcjs.virginia.gov.

Basis: Section § 9.1-102 of the Code of Virginia authorizes the Department of Criminal Justice Services (DCJS) and the Criminal Justice Services Board (CJSB) to adopt regulations for administration of Chapter 1 (§ 9.1-100 et seq.) of Title 9.1 of the Code of Virginia, and § 9.1-141 of the Code of Virginia authorizes the board to adopt regulations establishing compulsory minimum, entry-level, in-service, and advanced training standards for persons employed by private security services businesses in classifications defined in § 9.1-138 of the Code of Virginia. In addition, § 9.1-144 of the Code of Virginia requires bond or insurance for private security services, personal protection specialists, and private investigators.

Purpose: Chapter 202 of the 2015 Acts of Assembly permits a licensed private security services business to hire as an independent contractor a personal protection specialist or private investigator. The legislation requires every personal protection specialist and private investigator hired as an independent contractor by a licensed private security services business to maintain comprehensive liability insurance in an amount to be determined by DCJS.

Although 6VAC20-172 and 6VAC20-174 do not address the requirements for insurance for independent contractors, 6VAC20-172 currently requires individuals obtaining a business license to provide documentation verifying that a

bond has been secured in the amount of \$100,000 or a certificate of insurance for comprehensive general liability insurance with a minimum coverage of \$100,000 per individual occurrence and \$300,000 general aggregate. The bond and insurance amounts identified in 6VAC20-172 have not been reviewed since these regulations were first promulgated 15 years ago, and the amounts do not reflect current industry standards or needs of private security businesses and do not adequately protect the public.

Requiring personal protection specialists and private investigators serving as independent contractors to maintain comprehensive liability insurance protects the health, safety, and welfare of all parties involved. Comprehensive liability insurance protects the public against personal injury and property damage on the part of the personal protection specialist or private investigator. Additionally the insurance protects the personal protection specialist's and private investigator's personal assets up to the covered amount.

During the December 1, 2015, meeting of the Private Security Services Advisory Board (PSSAB), DCJS requested the PSSAB to recommend an amount of comprehensive liability insurance that it felt was appropriate for independent contractors and for private security businesses. The PSSAB informed DCJS staff that they did not have enough information to determine an appropriate figure. DCJS was asked to provide additional information regarding the current amount of insurance held by private security businesses and agreed to use staff from the research unit to conduct a random sample of the private security businesses.

At the March 3, 2016, meeting, the PSSAB was presented with the following results of the research:

Random sample. The DCJS Research Center selected a random sample of private security businesses from all but two of the seven private security businesses regulated by DCJS. The number of armored car and security canine handling services businesses registered with DCJS is small therefore all armored car and security canine handling services businesses were included. A total for 400 businesses made up the final sample.

- Security officer (sample size N=78)
- Private investigation (N=82)
- Armored car (N=15)
- Security canine handling (N=15)
- Personal protection (N=52)
- Electronic security (N=86)
- Locksmith (N=72)

Current requirement. Private security business insurance requirements per current regulation are (i) a surety bond in the amount of \$100,000 or comprehensive general liability insurance with a minimum coverage of \$100,000 per individual occurrence and (ii) \$300,000 general aggregate.

Terminology:

Surety bonds are a financial guarantee of performance of a specific action. A surety bond is not liability insurance.

Commercial general liability insurance protects a business from financial loss resulting from claims of injury or damage caused to others by the business. A comprehensive policy typically covers:

- Bodily injury – physical damage to a person other than an employee of the business and injuries caused by the business at a client's home or work place.
- Personal injury – libel, slander, copyright infringement, invasion of property or privacy, wrongful eviction, false arrest, and similar acts that cause damage to a person's reputation or rights.
- Property damage – damage done to another person's property by the business in the course of conducting business.
- Advertising injury – losses caused by the business's advertising.
- Legal defense and judgments – costs to defend against real and frivolous suits and judgments up to the limit of coverage. This generally does not include punitive damages for negligence or willful misconduct.

A general aggregate insurance limit is the maximum amount of money the insurer will pay out during a policy term. Once the general aggregate limit has been exhausted, the insurer is under no obligation to cover further losses in any of the categories covered under the general liability policy.

Current general liability insurance carried by private security businesses:

- 99% (N=395) of businesses have a general liability insurance limit that exceeds the \$100,000 minimum.
- One business has a \$100,000 surety bond in lieu of general liability insurance.
- 93% (N=371) have a general liability limit of \$1 million or more (range \$1 million to \$10 million).
- Average general liability insurance limit: \$1,160,250.

Current general aggregate insurance carried by private security businesses:

- One business has a surety bond in lieu of aggregate liability insurance
- 97% (N=389) of businesses have a general aggregate liability limit that exceeds the \$300,000 minimum.
- 93% (N=337) have an aggregate liability insurance limit of \$1 million or more (range \$1 million to \$10 million)
- Average general aggregate liability limit: \$2,344,361.

At the conclusion of the presentation on March 3, 2016, the PSSAB voted to approve the following recommendations:

1. Private security businesses shall be required to maintain comprehensive liability insurance in the amount of \$1 million in general aggregate liability insurance.
2. Independent contractors working for private security businesses shall be required to maintain comprehensive liability insurance in an amount equal to the insurance requirements for private security businesses.

The PSSAB made these recommendations to the CJSB, as did DCJS. March 24, 2016, the CJSB voted to approve the recommendations of the PSSAB.

Substance: The proposed amendments allow private security services businesses licensed by DCJS to independently contract with private investigators and personal protection specialists registered with DCJS. Additionally, the language will require that every registered personal protection specialist and private investigator hired as an independent contractor maintain \$1 million in general aggregate liability insurance and provide evidence of such insurance to the private security services business with which they are contracting. Private security businesses will be required to secure a surety bond in the amount of \$1 million or maintain \$1 million in general aggregate liability insurance.

Issues: The primary advantage to the public is ensuring an increased opportunity for civil recourse in the event that an individual is harmed as a result of interacting with private security businesses or private investigators and personal protection specialist that are independent contractors.

There are no significant advantages or disadvantages to the majority of private security businesses in Virginia. The research conducted by DCJS indicated that 93% of the private security businesses already carry general aggregate liability insurance in an amount greater than \$1 million, the amount identified in the proposed regulatory action.

The primary advantage to private security businesses not currently carrying \$1 million or more in general aggregate liability insurance and future private investigators and personal protection specialists who are independent contractors is increased liability protection against financial loss resulting from claims of injury or damage caused to the public. The primary disadvantage to a small percentage of private security businesses will be an increase in the cost of insurance.

The primary advantage to individuals wishing to work as independent contractors will be the ability to work in this capacity once the insurance requirements are addressed in the regulations using the standard three-stage regulatory process. The disadvantage is that completing the standard three-stage process to amend a regulation is a slow process that can take one to two years. Individuals are not able to work as independent contractors until the regulation is finalized and becomes effective.

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There are no disadvantages to the general public, agency, or the Commonwealth.

Department of Planning and Budget's Economic Impact Analysis:

Summary of the Proposed Amendments to Regulation. The Criminal Justice Services Board (Board) proposes to amend its regulations that govern private security businesses and their registered personnel to a) allow such businesses to hire registered personal protection specialists and private investigators as private contractors, b) set the amount of general liability insurance that private investigators and personal security specialists who are acting as private contractors are required to have and maintain at \$1,000,000 and c) require that private security businesses maintain a minimum general liability insurance, or surety bond, limit of \$1,000,000. The first two of these changes emanate from Chapter 202 of the 2015 Acts of the Assembly.¹

Result of Analysis. Benefits likely outweigh costs for one proposed change. There is insufficient information to ascertain whether benefits will outweigh costs for other proposed changes.

Estimated Economic Impact. In 2015, the General Assembly passed a bill which allows private security services firms to hire private investigators and personal protection specialists who are registered with the Department of Criminal Justice Services (DCJS) as private contractors. This legislation also stipulates that such private contractors maintain general liability insurance in an amount to be set by DCJS and that they present proof of insurance to the businesses with whom they contract. In response to this legislation, the Board now proposes to amend these regulations so to allow private security services businesses to privately contract with registered private investigators and personal security specialists so long as these individuals have at least \$1,000,000 in general liability insurance and the private security businesses contracting with them document that such insurance has been obtained. Currently, registered private investigators and personal security specialists would only have insurance if they were also licensed by DCJS as private security services businesses.

The insurance limits for such businesses are currently set at \$100,000 per incident and \$300,000 aggregate (lifetime). Alternately, these businesses can choose to have a surety bond in the amount of \$100,000. Private investigators and personal protection specialists who are currently licensed as private security services businesses and who choose to have a surety bond would not be able to increase the amount of that surety bond to \$1,000,000 and use it to meet the insurance requirement to be a private contractor. As mandated by the General Assembly, they would have to instead obtain general liability insurance in the amount required by DCJS. Private investigators and personal protection specialists who are licensed as businesses with DCJS and have insurance would incur costs to raise their insurance limits to one million

dollars (if they do not already have insurance that meets or exceeds that limit).

Private investigators and personal protection specialists who are not licensed as private security services businesses would newly be subject to an insurance requirement² and so would have to obtain \$1,000,000 in aggregate general liability insurance. Board staff reports that the required insurance in the amount of \$1,000,000 costs approximately \$500 to \$695 per year. Private investigators and personal protection specialist who would have to pay for this insurance would likely only choose to contract with private security services businesses if they expected the revenues from doing so to exceed their costs including insurance. Therefore, benefits will likely outweigh costs for allowing private security services businesses to hire private investigators and personal security specialists as private contractors.

As stated above, private security services businesses are currently required to have either a surety bond in the amount of \$100,000 or general liability insurance with limits of \$100,000 per incident and \$300,000 aggregate. DCJS's research division sampled 400 of the 1,804 private security businesses they license and found that 99% of the businesses sampled had more than \$100,000 worth of insurance and 93% had insurance limits at or greater than \$1,000,000. The Board now proposes to increase the amount of insurance or surety bonding that licensed private security services businesses must have to at least \$1,000,000. Board staff reports that this change is being proposed because most firms already have insurance in at least this amount. Board staff further reports that there have not been any incidences reported that would indicate that currently required insurance limits are inadequate.

Board staff estimates that the costs for \$1,000,000 of general liability insurance would likely range between \$500 and \$695 per year. Assuming that DCJS's survey is representative of the entire population of private security services firms, about seven percent of firms licensed (about 126 firms) would incur additional costs for insurance equal to the cost for \$1,000,000 of insurance minus their current insurance costs. One licensee who currently holds a surety bond estimates that increasing his bond from \$100,000 to \$1,000,000 will increase his costs for bonding from \$323 per year to \$1,200 per year.³ There is no information to measure the possible benefits of requiring greater insurance limits, so there is insufficient information to ascertain whether those benefits would outweigh the estimated costs.

Businesses and Entities Affected. These proposed regulatory changes will affect all private security services businesses, including private investigators and personal protection specialists who are licensed as private security services businesses. Board staff reports that there are 1,804 private security businesses licensed by the DCJS. Board staff further reports that there are currently 1,805 private investigators and 522 personal protection specialists registered with the DCJS.

Localities Particularly Affected. No localities will be particularly affected by these proposed regulatory changes.

Projected Impact on Employment. These proposed regulatory changes may lead to private investigators and personal protection specialists being hired by private security services businesses as private contractors. This may not affect total employment as private contracting will likely serve as a substitute for other types of employment in these businesses. Higher insurance costs may affect whether marginally profitable private security services businesses choose to remain licensed.

Effects on the Use and Value of Private Property. These proposed regulatory changes are unlikely to affect the use or value of private property in the Commonwealth.

Real Estate Development Costs. These proposed regulatory changes are unlikely to affect real estate development costs in the Commonwealth.

Small Businesses:

Definition. Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as "a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million."

Costs and Other Effects. Small business private security services firms, including private investigators and personal protection specialists, who do not already maintain liability insurance of at least \$1,000,000 will incur costs for increasing their insurance limits to that level. Board staff estimates, from a sample of 400 businesses, that 93% of private security services firms already have insurance that exceeds the proposed limit. Assuming that sample is representative, seven percent of the 1,804 private security firms licensed by the DCJS (about 126 firms) will incur additional costs for insurance. The additional costs incurred will equal the cost of the new, higher, limit for insurance minus the cost of these businesses' current insurance of less than \$1,000,000.

Alternative Method that Minimizes Adverse Impact. Since raising the insurance limits for private security services firms is a discretionary change based on information about what insurance these firms on average have, rather than what limits are minimally necessary to protect health and safety in the Commonwealth, the Board might further minimize additional costs by lowering the proposed insurance limits or leaving required insurance at current levels.

Adverse Impacts:

Businesses. Private security services firms, including private investigators and personal protection specialists, that do not already maintain liability insurance of at least \$1,000,000 will incur costs for increasing their insurance limits to that level. Board staff estimates, from a sample of 400 businesses, that 93% of private security services firms already have insurance that exceeds the proposed limit. Assuming that sample is representative, seven percent of the 1,804 private security

firms licensed by the DCJS (about 126 firms) will incur additional costs for insurance. The additional costs incurred will equal the cost of the new, higher, limit for insurance minus the cost of these businesses' current insurance of less than \$1,000,000.

Localities. Localities in the Commonwealth are unlikely to see any adverse impacts on account of these proposed regulatory changes.

Other Entities. No other entities are likely to be adversely affected by these proposed changes.

¹ <http://leg1.state.va.us/cgi-bin/legp504.exe?151+ful+CHAP0202>

² Chapter 202 of the 2015 Acts of Assembly requires that these individuals have general liability insurance "in a reasonable amount to be fixed by the Department." The amount of insurance that is proposed by DCJS is \$1,000,000.

³ From Board research findings, it appears that very few licensees (likely less than five statewide) choose to carry a surety bond rather than insurance. While the cost increases for increasing surety bonds is likely much higher, it would affect far fewer businesses.

Agency's Response to Economic Impact Analysis: The Department of Criminal Justice Services respectfully disagrees with several statements and conclusions contained within the economic impact analysis (EIA) drafted by the Department of Planning and Budget (DPB).

Summary of the Proposed Amendments to Regulation.

Chapter 202 of the 2015 Acts of Assembly authorizes private investigators and personal protection specialists to work as independent contractors provided they maintain a general liability insurance policy, in an amount determined by DCJS.¹

Independent of this new statutory change, the Code of Virginia authorizes private security service businesses to be licensed provided they maintain a general liability policy or surety or cash bond, in an amount to be determined by the Board.

Result of Analysis.

The EIA concludes that allowing private security businesses to hire registered personal protection specialists and private investigators as independent contractors will likely result in benefits outweighing potential costs. DCJS agrees with this conclusion as it is reasonable to expect that parties will only engage in independent contracts when it is profitable.

The EIA also concludes that insufficient information exists to ascertain whether the benefits outweigh the costs for (i) requiring registered personal protection specialists and private investigators who want to work as independent contractors to maintain a general liability insurance policy in the amount of \$1,000,000 and for (ii) requiring private security businesses to maintain a minimum general liability insurance policy or bond in the amount of \$1,000,000. DCJS disagrees with these two conclusions.

The benefits of requiring \$1,000,000 insurance for registered personal protection specialists and private investigators and for private security businesses: The General Assembly

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determined as early as 1976 that insurance is a necessary component for private security businesses. In 1998, the General Assembly enacted legislation requiring private security businesses to obtain a bond or liability insurance at the initial point of being licensed by DCJS. The General Assembly also added language specifically requiring the business to maintain the bonds or liability insurance for the duration of their licenses. By its very nature, insurance protects businesses from unforeseen events and accidents. Private security businesses that have insurance are shielded from potentially expensive claims and litigation costs. Insurance also provides the public a resource to obtain compensation for losses caused by businesses. The General Assembly also made the Criminal Justice Services Board (CJSB) responsible for determining the appropriate amount and type of insurance for private security businesses. The CJSB initially set the amount of insurance at \$100,000 more than 20 years ago. This amount had not been reviewed or revised until 2015.

In addition to requiring private security businesses to have insurance or bond, the General Assembly has also determined that a benefit and need exists for certain professionals to have insurance in order to be licensed by the state. The very nature of engaging in certain professions, such as doctors, lawyers, and law enforcement, includes exposure to risk and liability. The private security industry is no exception to risk exposure; in fact, the type of work conducted by private security businesses presents increased risks for their employees who are engaged in potentially dangerous activity and situations while securing and protecting property. Many of these professionals are licensed by DCJS to carry firearms in the performance of their duties. The General Assembly relied on the same reasoning as it did for other professionals when it authorized two types of private security professionals to act as independent contractors in 2015, provided they have the appropriate insurance coverage as determined by DCJS.

Given the General Assembly's directive to determine the amount of insurance necessary for private investigators and personal protection specialists to act as independent contractors, DCJS consulted with private security and insurance professionals, engaged the Private Security Services Advisory Board, and conducted evidence based research. DCJS staff spent a significant amount of time with DPB staff explaining the process the agency used to arrive at its decision.

DCJS utilized its Research Center to arrive at an informed, educated conclusion regarding the appropriate amount of insurance necessary for independent contractors and private security businesses. The Research Center is managed by a professional with a PhD, and the data was developed and analyzed using scientifically sound methods. Furthermore, the combined years of research experience of the two staff who participated in this project is approximately 45 years.

The DCJS Research Center selected a random sample of 400 private security businesses regulated by DCJS. The sample size of 400 was determined using a standard statistical formula to generate a sample size with a 95% confidence interval. In other words, by using a sample size of 400 businesses, the sample is 95% accurate in representing the entire private security business population. This standard statistical formula is widely used in the scientific research field.

Security Officer (sample size N=78)

Private Investigation (N=82)

Armored Car (N=15)

Security Canine Handling (N=15)

Personal Protection (N=52)

Electronic Security (N=86)

Locksmith (N=72)

The statistical research demonstrates that 99% of the private security businesses licensed by DCJS already have insurance policies that exceed the current requirement of \$100,000. In fact, 93% of these businesses have a general liability policy of \$1,000,000 or more. The average liability amount for private security businesses is \$1,160,250. This evidence suggests that the private security business industry has already determined that \$100,000 is inadequate to meet their business needs and that \$1,000,000 minimally meets that need. During this research process, it became clear to DCJS that a \$100,000 general liability insurance policy is woefully inadequate to meet and protect the needs of private security businesses and the public at large. It is insufficient for covering bodily injury, personal injury, property damage, advertising injury, and legal defense and judgments.

After discussions with staff from DPB who suggested that DCJS determine whether any claims have been filed against private security actors or remained unpaid due to current insurance requirements, DCJS looked into the matter. DCJS is not in a position to know whether any of its licensees have been sued or whether insurance claims have been filed and paid because these businesses are not required to report this type of data to DCJS. However, DCJS is aware of a 2014 case (*Pompey v. Palla*) in which a jury returned an \$8 million judgment against a security officer arising out of his excessive force and wrongful arrest of a citizen of the Commonwealth. This case demonstrates that lawsuits against private security actors can result in judgments exceeding \$1,000,000 and that \$100,000 is not sufficient insurance coverage.

DCJS strongly disagrees with the following statement in the EIA: "Board staff reports that this change is being proposed because most firms already have insurance in at least this amount." This statement does not accurately reflect the numerous and lengthy conversations that board staff had with DPB. There is a statutory requirement to determine the amount of general liability insurance for private investigators

and personal protection specialists. In the process of researching this issue, DCJS determined that the original amount of insurance required for private security businesses had not been reviewed or analyzed for approximately 20 years. DCJS would have been remiss in its duties as the regulatory agency for private security businesses had it not brought this issue before the board. DCJS regulates all private security businesses and determining the insurance requirements for two specific types without comprehensively researching this issue would have been inappropriate and possibly viewed in the eyes of the law as negligent supervision of regulatory duties. It would not be appropriate to set a general amount of the liability insurance requirement for two types of professionals that grossly exceeds the private security businesses' general liability insurance requirements.

Furthermore, DCJS has determined that the cost to purchase a general liability insurance policy that satisfies the current requirements (\$100,000/\$300,000 aggregate) is the same as the cost to purchase \$1,000,000 in coverage. DCJS's initial research indicates that it costs approximately \$500 to \$695 per year for \$1,000,000 of general liability insurance. Based on the issuance of the amended EIA, DCJS worked with staff from the Virginia Department of Treasury to determine the cost to purchase a \$100,000/\$300,000 aggregate general insurance policy, which ranges from \$500 a year for low-risk activity to \$1,000 to \$5,000 a year for higher risk activity. These estimates have also been validated by professionals serving on the Private Security Services Advisory Board who have previously communicated with the DCJS that it cost the same to purchase \$100,000 of coverage as it does \$1,000,000. It is important to note that the Private Security Services Advisory Board approved the \$1,000,000 insurance policy requirement for both independent contractors and private security businesses. It is for these reasons that DCJS believes that this regulatory action will have little to no fiscal impact on private security businesses or individuals who want to work as independent contractors.

DPB staff suggested that DCJS provide data demonstrating the number of legal judgments against private security businesses that were not paid as a result of insufficient or no insurance. DCJS appreciates the value of such data and will explore the possibility that private security businesses should be required to report unpaid judgments to DCJS as a new regulatory requirement.

Businesses and Entities Affected.

DCJS disagrees with DPB's conclusion that "all" private security businesses are affected by the regulatory package. As explained above, the research shows that 93% of security businesses already carry \$1,000,000 or more in general liability insurance. In other words, 93% of the private security businesses will not be impacted. Furthermore, the impact to the remaining businesses is minimal given the similarity in cost to purchase insurance coverage of \$100,000 or \$1,000,000. Not all private investigators and personal

protection specialists will choose to engage in independent contracting; not all private security businesses will choose to hire independent contractors. These businesses, by virtue of their statutory definition, already employ either or both private investigators or personal protection specialists as part of their corporate structure.

Further, there is no requirement that registered personal protection specialists and private investigators must engage in independent contracting in order to find gainful employment. Acting as an independent contractor is entirely discretionary on the part of an individual licensee and not mandatory. All registered personal protection specialists and private investigators must work for a licensed private security business in order to engage in the activity providing those services. This new law will only impact those professionals who wish to operate more like freelance employees, and presumably those professionals will consider all the pros and cons, to include financial costs and tax and other legal implications (independent contractors are typically viewed as self-employed under federal tax laws; respondeat superior relationship is not necessarily established when businesses contract with independent contractors). DCJS does not know how many of the currently registered personal protection specialists and private investigators wish to engage in independent contracting, nor will it know this data once the regulations become effective as there is no reporting requirement.

Costs and Other Effects.

DCJS also disagrees with the notion described in the EIA that existing private investigators and personal protection specialists who currently have business licenses and cash or surety bonds would be prohibited from working as independent contractors unless they obtain general liability insurance. Obtaining a private security business license entitles businesses to engage in contractual agreements. In other words, private security businesses already meet the statutory requirements regarding insurance, regardless of whether they are operated by one person or 100 people, and can still conduct business without having to switch from a bond to insurance.

Chapter 202 of the 2015 Acts of Assembly allows licensed private security businesses to contract with individuals who are registered as private investigators or personal protection specialists who are not licensed as businesses. The law does not impact or prevent a private security business that has general liability insurance from contracting with another private security business that has a surety or cash bond.

DCJS staff takes issue with the figures reported by DPB staff regarding the cost to obtain a surety bond. The EIA provides figures from one licensee who currently maintains a surety bond. DPB has included this figure referenced as an estimate but provides no information regarding the basis of the estimate. The cost of a surety bond is calculated not only based on the total amount of the bond but also the risk of the

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particular business and the risk of the individual applicant attempting to obtain the bond. The EIA does not state if the licensee consulted anyone to obtain the estimate nor does it specify if this individual has any additional risk factors influencing the cost of the bond. Additionally, board staff is concerned that the footnote included by DPB is misleading as it references board research findings but is attached to a statement that does not identify or reflect any research conducted by the DCJS Research Center. At best, the surety cost estimate cited in the EIA is spurious.

Effects on the Use and Value of Private Property.

DCJS believes that these regulatory changes will have absolutely no impact on the use or value of private property in the Commonwealth.

Alternative Methods that Minimizes Adverse Impact.

As stated, the cost to purchase a general liability insurance policy is the same regardless of whether the policy provides \$100,000 or \$1,000,000 in coverage.

The research conducted by the DCJS Research Center, the information gathered by DCJS staff to compile the agency background document, and the information in this response to the EIA supports the Governor's initiative to use evidence-based decision making in determining public policy that impacts public safety and citizens of the Commonwealth.

¹ For clarification, the statutory language uses the term "independent contractor" not private contractor, which is cited in the EIA. The term independent contractor has certain legal and tax implications, to include recognition by the Internal Revenue Service as self-employed.

Summary:

The proposed amendments (i) allow private security services businesses licensed by the Department of Criminal Justice Services (DCJS) to independently contract with private investigators and personal protection specialists registered with DCJS, (ii) require that every registered personal protection specialist and private investigator hired as an independent contractor maintain \$1 million in general aggregate liability insurance and provide evidence of such insurance to the private security services business with which they contract, and (iii) require that all private security businesses secure a surety bond in the amount of \$1 million or maintain \$1 million in general aggregate liability insurance.

Part I Definitions

6VAC20-172-10. Definitions.

In addition to the words and terms defined in § 9.1-138 of the Code of Virginia, the following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Administrative Process Act" means Chapter 40 (§ 2.2-4000 et seq.) of Title 2.2 of the Code of Virginia.

"Board" means the Criminal Justice Services Board or any successor board or agency.

"Date of hire" means the date any employee of a private security services business or training school performs services regulated or required to be regulated by the department.

"Department" or "DCJS" means the Department of Criminal Justice Services or any successor agency.

"Director" means the chief administrative officer of the department.

"Electronic images" means an acceptable method of maintaining required documentation through the scanning, storage, and maintenance of verifiable electronic copies of original documentation.

"Employee" means a natural person employed by a licensee to perform private security services that are regulated by the department.

"Firearms endorsement" means a method of regulation that identifies an individual registered as a private security registrant and has successfully completed the annual firearms training and has met the requirements as set forth in 6VAC20-174.

"Firm" means a business entity, regardless of method of organization, applying for an initial or renewal private security services business license or private security services training school certification.

"Incident" means an event that exceeds the normal extent of one's duties.

"Independent contractor" means a self-employed personal protection specialist or a private investigator who (i) maintains comprehensive liability insurance in an amount fixed by the department, (ii) has been issued a registration by the department, and (iii) enters into a contract to perform work for a private security business licensed to provide services within the Commonwealth.

"Intermediate weapon" means a tool not fundamentally designed to cause deadly force with conventional use. This would exclude all metal ammunition firearms or edged weapons. These weapons include but are not limited to baton/collapsible baton, chemical irritants, electronic restraining devices, projectiles, and other less lethal weapons as defined by the department.

"Licensed firm" means a business entity, regardless of method of organization, that holds a valid private security services business license issued by the department.

"Licensee" means a licensed private security services business.

"Official documentation" means personnel records; Certificate of Release or Discharge from Active Duty (DD214); copies of business licenses indicating ownership; law-enforcement transcripts; certificates of training completion; a signed letter provided directly by a current or

previous employer detailing dates of employment and job duties; college transcripts; letters of commendation; private security services registrations, certifications or licenses from other states; and other employment, training, or experience verification documents. A resume is not considered official documentation.

"On duty" means the time during which private security services business personnel receive or are entitled to receive compensation for employment for which a registration or certification is required.

"Performance of his duties" means on duty in the context of this chapter.

"Person" means any individual, group of individuals, firm, company, corporation, partnership, business, trust, association, or other legal entity.

"Physical address" means the location of the building that houses a private security services business or training school or the location where the individual principals of a business reside. A post office box is not a physical address.

"Principal" means any sole proprietor, individual listed as an officer or director with the Virginia State Corporation Commission, board member of the association, or partner of a licensed firm or applicant for licensure.

"Private security services business personnel" means each employee of a private security services business who is employed as an unarmed security officer, armed security officer/courier, armored car personnel, security canine handler, detector canine handler, private investigator, personal protection specialist, alarm respondent, a locksmith, central station dispatcher, electronic security employee, an electronic security sales representative, electronic security technician, or electronic security technician's assistant.

"Reciprocity" means the relation existing between Virginia and any other state, commonwealth, or province as established by agreements approved by the board.

"Recognition" means the relation of accepting various application requirements between Virginia and any other state, commonwealth, or province as established by agreements approved by the board.

"Related field" means any field with training requirements, job duties, and experience similar to those of the private security services field in which the applicant wishes to be licensed, certified, or registered. This term includes law enforcement and certain categories of the military.

"This chapter" means the Regulations Relating to Private Security Services Businesses (6VAC20-172).

Part IV

Business License Application Procedures; Administrative Requirements; Standards of Conduct

6VAC20-172-40. Initial business license application.

A. Prior to the issuance of a private security services business license, the applicant shall meet or exceed the

requirements of licensing and application submittal to the department as set forth in this section.

B. Each person seeking a license shall file a completed application provided by the department including:

1. For each principal and supervisor of the applying business and for each electronic security employee of an electronic security services business, his fingerprints pursuant to this chapter;

2. Documentation verifying that the applicant has secured a surety bond in the amount of ~~\$100,000~~ \$1 million executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, and showing a policy of comprehensive general liability insurance ~~with a in the~~ minimum coverage ~~amount~~ of ~~\$100,000 per individual occurrence and \$300,000~~ \$1 million of general aggregate liability insurance issued by an insurance company authorized to do business in Virginia.

a. Every personal protection specialist and private investigator who has been issued a registration by the department and is hired as an independent contractor by a licensed private security services business shall maintain comprehensive general liability insurance in the minimum coverage amount of \$1 million of general aggregate liability insurance; and

b. Documentation verifying the personal protection specialist or private investigator has obtained the required insurance shall be provided to the private security services business prior to the hiring of such independent contractor;

3. For each nonresident applicant for a license, on a form provided by the department, a completed irrevocable consent for the department to serve as service agent for all actions filed in any court in this Commonwealth;

4. For each applicant for a license except sole proprietor or partnership, the identification number issued by the Virginia State Corporation Commission for verification that the entity is authorized to conduct business in the Commonwealth;

5. A physical address in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical address;

6. On the license application, designation of at least one individual as compliance agent who is certified or eligible for certification;

7. The applicable, nonrefundable license application fee; and

8. Designation on the license application of the type of private security business license the applicant is seeking. The initial business license fee includes one category. A separate fee will be charged for each additional category. The separate categories are identified as follows: (i)

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security officers/couriers (armed and unarmed), (ii) private investigators, (iii) electronic security personnel, (iv) armored car personnel, (v) personal protection specialists, (vi) locksmiths, and (vii) detector canine handlers and security canine handlers. Alarm respondents crossover into both the security officer and electronic security category; therefore, if an applicant is licensed in either of these categories, he can provide these services without an additional category fee.

C. Upon completion of the initial license application requirements, the department may issue an initial license for a period not to exceed 24 months.

D. The department may issue a letter of temporary licensure to businesses seeking licensure under § 9.1-139 of the Code of Virginia for not more than 120 days while awaiting the results of the state and national fingerprint search conducted on the principals and compliance agent of the business, provided the applicant has met the necessary conditions and requirements.

E. A new license is required whenever there is any change in the ownership or type of organization of the licensed entity that results in the creation of a new legal entity. Such changes include but are not limited to:

1. Death of a sole proprietor;
2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and
3. Formation or dissolution of a corporation, a limited liability company, or an association or any other business entity recognized under the laws of the Commonwealth of Virginia.

F. Each license shall be issued to the legal business entity named on the application, whether it is a sole proprietorship, partnership, corporation, or other legal entity, and shall be valid only for the legal entity named on the license. No license shall be assigned or otherwise transferred to another legal entity.

G. Each licensee shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by applicable sections of the Code of Virginia and this chapter.

H. Each licensee shall be a United States citizen or legal resident alien of the United States.

6VAC20-172-50. Renewal business license application.

A. Applications for license renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the licensee. However, if a renewal notification is not received by the licensee, it is the responsibility of the licensee to ensure renewal requirements are filed with the department. License renewal applications must be received by the department and all license requirements must be completed prior to the expiration date

or shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees. Outstanding fees or monetary penalties owed to DCJS must be paid prior to issuance of said renewal.

B. Licenses will be renewed for a period not to exceed 24 months.

C. The department may renew a license when the following are received by the department:

1. A properly completed renewal application;
2. Documentation verifying that the applicant has secured and maintained a surety bond in the amount of ~~\$100,000~~ \$1 million executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, and showing a policy of comprehensive general liability insurance ~~with a in the minimum coverage amount of \$100,000 per individual occurrence and \$300,000~~ \$1 million general aggregate issued by an insurance company authorized to do business in Virginia.

a. Every personal protection specialist and private investigator who has been issued a registration by the department and is hired as an independent contractor by a licensed private security services business shall maintain comprehensive general liability insurance in the minimum coverage amount of \$1 million of general aggregate liability insurance; and

b. Documentation verifying the personal protection specialist or private investigator has obtained the required insurance shall be provided to the private security services business prior to the hiring of such independent contractor;

3. Fingerprint records for any new or additional principals submitted to the department within 30 days of their hire date provided, however, that any change in the ownership or type of organization of the licensed entity has not resulted in the creation of a new legal entity;

4. On the application, designation of at least one compliance agent who has satisfactorily completed all applicable training requirements;

5. The applicable, nonrefundable license renewal fee and applicable category of service fees; and

6. On the first day of employment, each new and additional supervisor's fingerprints submitted to the department pursuant to § 9.1-139 I of the Code of Virginia.

D. Each business applying for a license renewal shall be in good standing in every jurisdiction where licensed, registered, or certified in a private security services or related field. This subsection shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration, or certification.

E. Any renewal application received after the expiration date of a license shall be subject to the requirements set forth by the reinstatement provisions of this chapter.

F. On the renewal application the licensee must designate the type of private security business license he wishes to renew. The fee will be based upon the category or categories selected on the renewal application.

6VAC20-172-80. Business standards of conduct.

A licensee shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Ensure that all employees regulated or required to be regulated by the board conform to all application requirements, administrative requirements, and standards of conduct pursuant to the Code of Virginia, 6VAC20-174, and this chapter.
3. Not direct any employee regulated or required to be regulated by the board to engage in any acts prohibited by the Code of Virginia, 6VAC20-174, and this chapter.
4. Employ individuals regulated or required to be regulated as follows:
 - a. A licensee shall employ or otherwise utilize individuals possessing a valid registration issued by the department showing the registration categories required to perform duties requiring registration pursuant to the Code of Virginia;
 - b. A licensee shall not allow individuals requiring registration as armored car personnel, armed security officers/couriers, armed alarm respondents with firearm endorsement, private investigators, personal protection specialists, detector canine handlers, or security canine handlers to perform private security services until such time as the individual has been issued a registration by the department;
 - c. A licensee may employ individuals requiring registration as an unarmed alarm respondent, a locksmith, a central station dispatcher, an electronic security sales representative, an electronic security technician, an unarmed armored car driver, an unarmed security officer, or an electronic security technician's assistant for a period not to exceed 90 consecutive days in any registered category listed in this subdivision 4 c while completing the compulsory minimum training standards as set forth in 6VAC20-174 provided:
 - (1) The individual's fingerprint card has been submitted;
 - (2) The individual is not employed in excess of 120 days without having been issued a registration from the department; and
 - (3) The individual did not fail to timely complete the required training with a previous employer;
 - d. A licensee shall not employ any individual carrying or having access to a firearm in the performance of his

duties who has not obtained a valid registration and firearms endorsement from the department; and

e. A licensee shall maintain appropriate documentation to verify compliance with these requirements. A licensee shall maintain these documents after employment is terminated for a period of not less than three years.

5. Not contract or subcontract any private security services in the Commonwealth of Virginia to a person not licensed by the department. Verification of a contractor's or subcontractor's license issued by the department shall be maintained for a period of not less than three years.

6. Enter into contracts with self-employed personal protection specialists and private investigators to work as independent contractors in accordance with § 9.1-144 of the Code of Virginia and require documentation verifying the personal protection specialist or private investigator has obtained the required insurance in accordance with 6VAC20-172-40 and 6VAC20-172-50 prior to the hiring of such independent contractor.

~~6.~~ 7. Ensure that the compliance agent conforms to all applicable application requirements, administrative requirements, and standards of conduct pursuant to the Code of Virginia and this chapter.

~~7.~~ 8. Permit the department during regular business hours to inspect, review, or copy those documents, electronic images, business records, or training records that are required to be maintained by the Code of Virginia and this chapter.

~~8.~~ 9. Not violate or aid and abet others in violating the provisions of Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia, 6VAC20-173, 6VAC20-174, or this chapter.

~~9.~~ 10. Not commit any act or omission that results in a private security license or registration being suspended, revoked, or not renewed, or the licensee or registrant otherwise being disciplined in any jurisdiction.

~~10.~~ 11. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.

~~11.~~ 12. Not obtain or aid and abet others to obtain a license, license renewal, registration, registration renewal,

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certification, certification renewal, or firearms endorsement through any fraud or misrepresentation.

~~12.~~ 13. Include the business license number issued by the department on all business advertising materials pursuant to the Code of Virginia. Business advertising materials containing information regarding more than one licensee must contain the business license numbers of each licensee identified.

~~13.~~ 14. Not conduct a private security services business in such a manner as to endanger the public health, safety, and welfare.

~~14.~~ 15. Not falsify or aid and abet others in falsifying training records for the purpose of obtaining a license, registration, or certification.

~~15.~~ 16. Not represent as one's own a license issued to another private security services business.

~~16.~~ 17. When providing central station monitoring services, attempt to verify the legitimacy of a burglar alarm activation by calling the site of the alarm. If unable to make contact, call one additional number provided by the alarm user who has the authority to cancel the dispatch. This shall not apply if the alarm user has provided written authorization requesting immediate or one-call dispatch to both his local police department and his dealer of record. This shall not apply to duress or hold-up alarms.

~~17.~~ 18. Not perform any unlawful or negligent act resulting in loss, injury, or death to any person.

~~18.~~ 19. Utilize vehicles for private security services using or displaying an amber flashing light only as specifically authorized by § 46.2-1025 A 9 of the Code of Virginia.

~~19.~~ 20. Not use or display the state seal of Virginia or the seal of the Department of Criminal Justice Services, or any portion thereof, or the seal of any political subdivision of the Commonwealth, or any portion thereof, as a part of any logo, stationery, letter, training document, business card, badge, patch, insignia, or other form of identification or advertisement.

~~20.~~ 21. Not provide information obtained by the firm or its employees to any person other than the client who secured the services of the licensee without the client's prior written consent. Provision of information in response to official requests from law-enforcement agencies, the courts, or the department shall not constitute a violation of this chapter. Provision of information to law-enforcement agencies pertinent to criminal activity or to planned criminal activity shall not constitute a violation of this chapter.

~~21.~~ 22. Not engage in acts of unprofessional conduct in the practice of private security services.

~~22.~~ 23. Not engage in acts of negligent or incompetent private security services.

~~23.~~ 24. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.

~~24.~~ 25. Not violate any state or local ordinance.

~~25.~~ 26. Satisfy all judgments to include binding arbitrations related to private security services not provided.

~~26.~~ 27. Not publish or cause to be published any material relating to private security services that contains an assertion, representation, or statement of fact that is false, deceptive, or misleading.

~~27.~~ 28. Not conduct private security business under a fictitious or assumed name unless the name is on file with the Department of Criminal Justice Services. This does not apply to a private investigator conducting a "pretext," provided that the private investigator does not state that he is representing a private security business that does not exist or otherwise prohibited under federal law.

~~28.~~ 29. Not act as or be an ostensible licensee for undisclosed persons who do or will control directly or indirectly the operations of the licensee's business.

~~29.~~ 30. Not provide false or misleading information to representatives of the department.

~~30.~~ 31. Not provide materially incorrect, misleading, incomplete, or untrue information on any email, application, or other document filed with the department.

Part I Definitions

6VAC20-174-10. Definitions.

In addition to the words and terms defined in § 9.1-138 of the Code of Virginia, the following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Administrative Process Act" means Chapter 40 (§ 2.2-4000 et seq.) of Title 2.2 of the Code of Virginia.

"Board" means the Criminal Justice Services Board or any successor board or agency.

"Business advertising material" means display advertisements in telephone directories, on letterhead, on business cards, in local newspaper advertising, and in contracts.

"Certified training school" means a training school that is certified by the department for the specific purpose of training private security services business personnel in at least one category of the compulsory minimum training standards as set forth by the board.

"Class" means a block of instruction no less than 50 minutes in length on a particular subject.

"Classroom training" means instruction conducted in person by an instructor to students in an organized manner utilizing a lesson plan.

"Date of hire" means the date any employee of a private security services business or training school performs services regulated or required to be regulated by the department.

"Department" or "DCJS" means the Department of Criminal Justice Services or any successor agency.

"Director" means the chief administrative officer of the department.

"Electronic images" means an acceptable method of maintaining required documentation through the scanning, storage, and maintenance of verifiable electronic copies of original documentation.

"Employee" means a natural person employed by a licensee to perform private security services that are regulated by the department.

"End user" means any person who purchases or leases electronic security equipment for use in that person's home or business.

"Entry-level training" means the compulsory initial training for regulated categories and basic or intermediate firearms training standards adopted by the board for private security services business personnel who are either new registrants or failed to timely complete in-service training or firearms retraining within the prescribed time period.

"Firearms endorsement" means a method of regulation that identifies an individual registered as a private security registrant and has successfully completed the annual firearms training and has met the requirements as set forth in this chapter.

"Independent contractor" means a self-employed personal protection specialist or a private investigator who (i) maintains comprehensive liability insurance in an amount fixed by the department, (ii) has been issued a registration by the department, and (iii) enters into a contract to perform work for a private security business licensed to provide services within the Commonwealth.

"In-service training requirement" means the compulsory in-service training standards adopted by the Criminal Justice Services Board for private security services business personnel.

"Intermediate weapon" means a tool not fundamentally designed to cause deadly force with conventional use. This would exclude all metal ammunition firearms or edged weapons. These weapons include but are not limited to baton/collapsible baton, chemical irritants, electronic restraining devices, projectiles, and other less lethal weapons as defined by the department.

"Job-related training" means training specifically related to the daily job functions of a given category of registration or certification as defined in this chapter.

"Official documentation" means personnel records; Certificate of Release or Discharge from Active Duty

(DD214); copies of business licenses indicating ownership; law-enforcement transcripts; certificates of training completion; a signed letter provided directly by a current or previous employer detailing dates of employment and job duties; college transcripts; letters of commendation; private security services registrations, certifications, or licenses from other states; and other employment, training, or experience verification documents. A resume is not considered official documentation.

"On duty" means the time during which private security services business personnel receive or are entitled to receive compensation for employment for which a registration or certification is required.

"Online training" means training approved by the department and offered via the Internet or an Intranet for the purpose of remote access on-demand or distance training that meets all requirements for compulsory minimum training standards.

"Performance of his duties" means on duty in the context of this chapter.

"Person" means any individual, group of individuals, firm, company, corporation, partnership, business, trust, association, or other legal entity.

"Private security services business personnel" means each employee of a private security services business who is employed as an unarmed security officer, armed security officer/courier, armored car personnel, security canine handler, detector canine handler, private investigator, personal protection specialist, alarm respondent, locksmith, central station dispatcher, electronic security employee, electronic security sales representative, electronic security technician, or electronic security technician's assistant.

"Reciprocity" means the relation existing between Virginia and any other state, commonwealth, or province as established by agreements approved by the board.

"Recognition" means the relation of accepting various application requirements between Virginia and any other state, commonwealth, or province as established by agreements approved by the board.

"Related field" means any field with training requirements, job duties, and experience similar to those of the private security services field in which the applicant wishes to be licensed, certified, or registered. This term includes law enforcement and certain categories of the military.

"Session" means a group of classes comprising the total hours of mandated compulsory minimum training standards in any of the categories of licensure, registration, or certification in accordance with this part and in accordance with §§ 9.1-150.2, 9.1-185.2 and 9.1-186.2 of the Code of Virginia.

"This chapter" means the Regulations Relating to Private Security Services Registered Personnel (6VAC20-174).

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"Training certification" means verification of the successful completion of any training requirement established in this chapter.

"Training requirement" means any entry-level, in-service, or firearms training or retraining standard established in this chapter.

"Training school director" means a natural person designated by a principal of a certified private security services training school to assure the compliance of the private security services training school with all applicable requirements as provided in the Code of Virginia and this chapter.

"Uniform" means any clothing with a badge, patch, or lettering that clearly identifies persons to any observer as private security services business personnel, not law-enforcement officers.

6VAC20-174-150. Standards of conduct.

A registrant shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Not violate or aid and abet others in violating the provisions of Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
3. Not commit any act or omission that results in a private security license, registration, or certification being suspended, revoked, or not renewed or the licensee, registrant, or certificate holder otherwise being disciplined in any jurisdiction.
4. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.
5. Not obtain a license, license renewal, registration, registration renewal, certification, or certification renewal through any fraud or misrepresentation.
6. Not solicit or contract to provide any private security services without first having obtained a private security services business license with the department.
7. Maintain comprehensive general liability insurance in the minimum amount of \$1 million in general aggregate liability insurance when the registrant:

a. Is self employed;

b. Is a personal protection specialist or private investigator; and

c. Has entered into a contract with a licensed private security business to work as an independent contractor.

~~7.~~ 8. Carry a valid registration card or valid temporary registration letter at all times while on duty. Individuals requiring registration as an unarmed security officer, an alarm respondent, a locksmith, a central station dispatcher, an electronic security sales representative, or an electronic security technician may be employed for not more than 90 consecutive days in any category listed in this subdivision while completing the compulsory minimum training standards and may not be employed in excess of 120 days without having been issued a registration or an exception from the department and must carry a photo identification and authorization from their employer on a form provided by the department at all times while on duty.

~~8.~~ 9. Carry the private security state-issued registration card at all times while on duty once the authorization has been approved from the department, except those individuals operating outside the Commonwealth of Virginia who shall obtain the state-issued registration card prior to providing services when physically located in the Commonwealth.

~~9.~~ 10. Perform those duties authorized by his registration only while employed by a licensed private security services business and only for the clients of the licensee. This shall not be construed to prohibit an individual who is registered as an armed security officer from being employed by a nonlicensee as provided for in § 9.1-140 of the Code of Virginia.

~~10.~~ 11. Possess a valid firearms training endorsement if he carries or has access to firearms while on duty and then only those firearms by type of action and caliber to which he has been trained on and is qualified to carry. Carry or have access to a patrol rifle while on duty only with the expressed written authorization of the licensed private security services business employing the registrant.

~~11.~~ 12. Carry a firearm concealed while on duty only with the expressed written authorization of the licensed private security services business employing the registrant and only in compliance with Article 6.1 (§ 18.2-307.1 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia.

~~12.~~ 13. Transport, carry, and utilize firearms while on duty only in a manner that does not endanger the public health, safety, and welfare.

~~13.~~ 14. If authorized to make arrests, make arrests in full compliance with the law and using only the minimum force necessary to effect an arrest.

~~14.~~ 15. Engage in no conduct that shall mislead or misrepresent through word, deed, or appearance that a registrant is a law-enforcement officer or other government official.

~~15.~~ 16. Display one's registration or temporary registration along with a photo identification while on duty in response to the request of a law-enforcement officer, department personnel, or client. Individuals providing private security services as authorized pursuant to subdivision ~~7~~ 8 of this section who have not received their registration must display a state-issued photo identification and authorization while on duty in response to the request of a law-enforcement officer, department personnel, or a client.

~~16.~~ 17. Not perform any unlawful or negligent act resulting in a loss, injury, or death to any person.

~~17.~~ 18. If a uniform is required, wear the uniform required by his employer. If wearing a uniform while employed as an armed security officer, unarmed security officer, alarm respondent, or armored car personnel, that uniform must:

a. Include at least one insignia clearly identifying the name of the licensed firm employing the individual and, except armored car personnel, a nameplate or tape bearing, at a minimum, the individual's last name attached on the outermost garment, except rainwear worn only to protect from inclement weather; and

b. Include no patch or other writing (i) containing the word "police" or any other word suggesting a law-enforcement officer; (ii) containing the word "officer" unless used in conjunction with the word "security"; or (iii) resembling any uniform patch or insignia of any duly constituted law-enforcement agency of this Commonwealth, its political subdivisions, or the federal government.

~~18.~~ 19. When providing central station monitoring services, attempt to verify the legitimacy of a burglar alarm activation by calling the site of the alarm. If unable to make contact, call one additional number provided by the alarm user who has the authority to cancel the dispatch. This shall not apply if the alarm user has provided written authorization requesting immediate dispatch or one-call dispatch to both his local police department and his dealer of record. This shall not apply to duress or hold-up alarms.

~~19.~~ 20. Act only in such a manner that does not endanger the public health, safety, and welfare.

~~20.~~ 21. Not represent as one's own a registration issued to another individual.

~~21.~~ 22. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school director, or instructor.

~~22.~~ 23. Not provide information obtained by the registrant or his employing firm to any person other than the client who secured the services of the licensee without the client's prior written consent. Provision of information in response to official requests from law-enforcement agencies, the courts, or the department shall not constitute a violation of this chapter. Provision of information to law-enforcement

agencies pertinent to criminal activity or to planned criminal activity shall not constitute a violation of this chapter.

~~23.~~ 24. Not engage in acts of unprofessional conduct in the practice of private security services.

~~24.~~ 25. Not engage in acts of negligent or incompetent private security services.

~~25.~~ 26. Not make any misrepresentation or make a false promise to a private security services business client or potential private security services business client.

~~26.~~ 27. Satisfy all judgments to include binding arbitrations related to private security services not provided.

~~27.~~ 28. Not provide false or misleading information to representatives of the department.

~~28.~~ 29. Not provide materially incorrect, misleading, incomplete, or untrue information on a registration application, renewal application, or any other document filed with the department.

VA.R. Doc. No. R16-4548; Filed January 19, 2017, 2:23 p.m.

TITLE 8. EDUCATION

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

Final Regulation

REGISTRAR'S NOTICE: The State Council of Higher Education for Virginia is claiming an exemption from Article 2 of the Administrative Process Act in accordance with § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The State Council of Higher Education for Virginia will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **8VAC40-20. Regulations for the Senior Citizen Higher Education Program (amending 8VAC40-20-10, 8VAC40-20-60).**

Statutory Authority: §§ 23.1-203 and 23.1-640 of the Code of Virginia.

Effective Date: February 20, 2017.

Agency Contact: Melissa Wyatt, Senior Associate for Financial Aid, State Council of Higher Education for Virginia, 101 North 14th Street, 9th Floor, Richmond, VA 23219, telephone (804) 225-4113, FAX (804) 225-2604, or email melissacollumwyatt@schev.edu.

Summary:

The amendments update citations to reflect the recodification of Title 23 to Title 23.1 of the Code of

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Virginia and conform an introductory clause to Virginia Administrative Code style.

8VAC40-20-10. Definitions.

~~Section 23-38.55 of the Senior Citizens Higher Education Act defines several words and terms. Unless otherwise noted, they shall have the following meanings ascribed to them: The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:~~

"Course" means any course of study offered in any state institution of higher education including the regular curriculum of any department, or school, or subdivision of any such institution or any special course given for any purpose, including but not limited to, adult education.

"Full-time equivalent student (FTES)" means the statistic used for budgetary purposes by the Commonwealth. It is derived by calculating total credit hours generated by students at a particular level and dividing that number by the number of credit hours generally considered a full-time load at that level.

"Senior citizen" means any person who, before the beginning of any term, semester or quarter in which such person claims entitlement to the benefits of this chapter, (i) has reached 60 years of age, and (ii) has had his legal domicile in this Commonwealth for one year.

~~"Senior Citizens Higher Education Act" is set forth in Chapter 4.5 (§ 23-38.54 et seq.) of Title 23 Article 7 (§ 23.1-639 et seq.) of Chapter 6 of Title 23.1 of the Code of Virginia.~~

8VAC40-20-60. Notification to senior citizens.

As required in ~~§ 23-38.59~~ § 23.1-641 of the Code of Virginia, each state-supported institution shall prominently include in its catalogue a statement of the benefits available to senior citizens under this program.

V.A.R. Doc. No. R17-4846; Filed January 30, 2017, 10:03 a.m.

Final Regulation

REGISTRAR'S NOTICE: The State Council of Higher Education for Virginia is claiming an exemption from Article 2 of the Administrative Process Act in accordance with § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The State Council of Higher Education for Virginia will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **8VAC40-71. Virginia Tuition Assistance Grant Program Regulations (amending 8VAC40-71-10, 8VAC40-71-40, 8VAC40-71-50).**

Statutory Authority: § 23.1-629 of the Code of Virginia.

Effective Date: February 20, 2017.

Agency Contact: Lee Ann Rung, Manager, Executive and Council Affairs, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, 9th Floor, Richmond, VA 23219, telephone (804) 225-2602, FAX (804) 371-7911, or email leeanrung@schev.edu.

Summary:

The amendments update citations to reflect the recodification of Title 23 to Title 23.1 of the Code of Virginia.

8VAC40-71-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Academic year" means the enrollment period that normally extends from late August to May or early June and that is normally comprised of two semesters 15 to 16 weeks in length or three quarters 10 to 11 weeks in length.

"Accredited" means approved to confer degrees pursuant to the provisions of ~~Chapter 21.1 (§ 23-276.1 et seq.) of Title 23 Article 3 (§ 23.1-213 et seq.) of Chapter 2 of Title 23.1~~ of the Code of Virginia and requirements of the annual appropriation act, as the same are now constituted or hereafter amended. Unless otherwise provided by law, an institution must be accredited by a nationally recognized regional accrediting agency prior to participation in the program.

"Award" means a grant of Virginia Tuition Assistance Grant Program funds given during fall and spring terms at semester institutions and fall, winter, and spring terms at quarter institutions.

"Census date" means the time during a term when a count of enrolled students is made for reporting purposes. For all standard terms, the census date shall be the end of the program add/drop period. For nonstandard terms, the census date shall be determined by council on a program by program basis.

"Cost of attendance" means the sum of tuition, fees, room, board, books, supplies, and other education-related expenses, as determined by an eligible institution for purposes of calculating a student's financial need and awarding federal student aid funds.

"Council" means the State Council of Higher Education for Virginia or its designated staff.

"Domiciliary resident" means a student who is determined by the enrolling institution to be a domiciliary resident of Virginia or deemed as domiciled as specified by ~~§ 23-7.4~~ § 23.1-502 of the Code of Virginia and the council's guidelines for domiciliary status determinations. In cases where there are disputes between students and the enrolling institutions, the council shall make the final determinations (see 8VAC40-71-40 E).

"Eligible institution" means private nonprofit institutions of collegiate education in the Commonwealth whose primary

purpose is to provide collegiate, graduate, or professional education and not to provide religious training or theological education. Eligible institutions not admitted to this program before January 1, 2011, shall also:

1. Be formed, chartered, established, or incorporated within the Commonwealth;
2. Have their principal place of business within the Commonwealth;
3. Conduct their primary educational activity within the Commonwealth;
4. Be accredited by a nationally recognized regional accrediting agency; and
5. Comply with applicable reporting requirements as:
 - a. Found in the Code of Virginia or supporting administrative code for institutions operating in Virginia or participating in state financial aid programs; or
 - b. Identified by the council as necessary for the administration of the program.

"Eligible program" means a curriculum of courses at the undergraduate, graduate, or first professional level for those institutions eligible under the definition of eligible institution. For those institutions chartered under an act of Congress and admitted to this program prior to January 1, 2011, only a curriculum of courses offered at a campus located in the Commonwealth are eligible programs.

1. Undergraduate programs are those programs that lead to an associate's or baccalaureate degree and that require at least two academic years (minimum 60 semester hours or its equivalent in quarter hours) to complete or an undergraduate teacher certification program.
2. Graduate programs are those programs leading to a degree higher in level than the baccalaureate degree and that require at least one academic year (minimum 30 semester hours or its equivalent in quarter hours) to complete. Only graduate programs in a health-related professional program classified in the National Center for Education Statistics' Classification of Instructional Programs (CIP) Code 51-series programs are eligible graduate programs.
3. First-professional programs are those post-undergraduate programs leading to a degree in dentistry, medicine, veterinary medicine, or pharmacy. Only professional programs in a health-related professional program classified as CIP Code 51-series programs are eligible first-professional programs.
4. Programs that provide religious training or theological education, classified as CIP Code 39-series programs, are not eligible programs.
5. Students enrolled in a declared double-major that includes an ineligible degree program may receive an award only for those terms in which the student's enrollment includes an equal or greater number of courses

required for an eligible major or concentration than the number of courses enrolled for an ineligible major or concentration (excludes general education or elective courses). Exceptions may be made by council based on circumstances beyond the control of the student.

"First-professional student" means a student enrolled and program placed in any of the following post-undergraduate programs: dentistry, medicine, veterinary medicine, or pharmacy.

"Fiscal year" means the period extending from July 1 to June 30.

"Formed, chartered, established, or incorporated within the Commonwealth" means the institution is, and continues to be, recognized as a domestic or in-state institution under the council's certification to operate in Virginia and under state law.

"Full-time student" means a student who is enrolled for at least 12 credit hours per semester or its equivalent in quarter hours at the undergraduate level or nine credit hours per semester or its equivalent in quarter hours at the graduate or first-professional level. The total hours counted do not include courses taken for audit, but may include required developmental, remedial, or prerequisite courses and other elective for-credit courses that normally are not counted toward a degree at the institution. For students enrolled in:

1. Nonstandard terms: the full-time enrollment requirement, as approved by council, will be proportionate based on the length of the terms, the number of contact hours, or other measures of comparability with the institution's normal academic year.
2. Concurrent undergraduate, graduate, or first-professional courses: the full-time enrollment requirement may be met by a combination of the total credit hours, providing that the combination totals at least the minimum credit hours for full-time status, as described above, for the student's institutionally recognized student level.
3. Programs leading to a doctoral degree: the full-time enrollment requirement may be met by enrollment in nine credit hours per semester or its equivalent in quarter hours or the minimum full-time enrollment as defined by the institution, whichever is less.

"Graduate student" means a student enrolled and program-placed in a master's or doctoral program.

"Nonprofit institution" means an educational institution operated by one or more nonprofit corporations, and said institution's earnings are applied solely to the support of said institution and its educational programs and activities.

"Nonstandard degree program" means a degree program where the terms of the program do not conform to the standard terms of the institution's academic year. Nonstandard programs must be approved by council before students enrolled in the programs can receive awards.

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"Participating eligible institution" means an eligible institution that has been approved to participate in the program by council.

"Principle place of business" means the single state in which the natural persons who establish policy for the direction, control, and coordination of the operations of the institution as a whole primarily exercise that function considering the following factors:

1. The state in which the primary executive and administrative offices of the institution are located. The primary executive and administrative offices are those most often physically used in the performance of the executive and administrative functions of the institution;
2. The state in which the principal office of the chief executive officer of the institution is located. The principal office of the chief executive officer is the location that is most often physically occupied by the chief executive officer when in performance of official institution duties;
3. The state in which the board of trustees or similar governing person or persons of the institution conducts a majority of its meetings; and
4. The state from which the overall operations of the institution are directed in that the institution is not subject to control or directives from an office, agency, or board located within another state.

"Program" means the Virginia Tuition Assistance Grant Program.

"Term" means the fall semester or quarter, winter quarter, or the spring semester or quarter.

"Undergraduate student" means a student in a program leading to an associate's or baccalaureate degree or a student enrolled in an undergraduate teacher certification program.

8VAC40-71-40. Student eligibility.

A. Receipt of application.

1. Applications submitted in person, by facsimile, or by other electronic means, or postmarked by carrier mail by the applicable deadline (July 31, September 14, and December 1) of the academic year may be deemed as meeting the deadline.
2. If the deadline occurs on a weekend or nonbusiness day as recognized by the institution or carrier, the application will be deemed as meeting the respective deadline if the application is received by the institution by the first business day following the deadline or postmarked by carrier mail by the carrier's first business day following the deadline.
3. Students who submit an application to one institution but enroll into another may still be considered to have met the respective deadline if the initial institution can verify receipt of the application by the deadline.

B. Priority for award. Because funds may not be sufficient to award all eligible students, students are prioritized based on

prior eligibility (returning students) and date of application (new students). Below are descriptions of the students in priority order for receiving an award. Priority students will receive a full award before students in a subsequent priority order.

1. Category 1 and 2 students receive priority for an award.
 - a. Category 1 students: returning students who received an award in the previous fiscal year, including:
 - (1) Students returning to their original institution;
 - (2) Students transferring from another participating eligible institution; and
 - (3) Students moving from one degree level to another within an institution or from another participating eligible institution.
 - b. Category 2 students: students submitting a completed program application by July 31 of the fiscal year who were:
 - (1) New and readmitted students who were not enrolled in the previous fiscal year; or
 - (2) Returning students who met the domicile requirements in the previous fiscal year but did not receive an award due to insufficient funding (Category 3 and 4 students) or because they were not enrolled full time or otherwise did not meet other award criteria.
2. Category 3 students will be considered for an award if funds are available after Category 1 and 2 students are fully funded. Category 3 students are those who submit a completed application after July 31 but no later than September 14, including:
 - a. New and readmitted students who were not enrolled in the previous fiscal year; or
 - b. Students enrolled but who did not apply for an award in the previous fiscal year.
3. Category 4 students will be considered for an award if funds are available after Category 1, 2, and 3 students are fully funded.
 - a. Category 4 students are those who submit a completed program application after September 14 but no later than December 1 of the fiscal year and include new and readmitted students who were not enrolled in the previous fiscal year.
 - b. Category 4 students receive spring term only awards.
4. Exceptions are made for students who break enrollment for military purposes. Students reentering their degree program within one year of completion of military responsibilities shall be granted priority, along with Category 1 students. This exception is for priority purposes only as the student still must meet all eligibility criteria.

C. Eligibility criteria. In order to be eligible to receive an award, the student must:

1. Be a domiciliary resident of Virginia, as defined by ~~§ 23-7.4~~ § 23.1-502 of the Code of Virginia, for at least one year prior to the date of entitlement (first day of classes for the program in which the student is enrolled) or eligible under ~~§ 23-7.4~~ § 23.1-505 of the Code of Virginia.

2. Enroll in the academic year for which the award is to be received as a full-time student in an eligible program at a participating eligible institution.

a. A student's enrollment status shall be determined at the census date. If a student falls below full time by dropping or withdrawing from individual courses or withdraws from the institution after the census date, he shall receive a prorated award based on the tuition refund policy in effect at the institution.

b. A graduating student enrolled less than full time for a term in his final academic year may be eligible to receive an award if:

(1) The student was enrolled full time and accepted for or received an award in the immediate preceding academic year;

(2) The course credits available in the current term needed to complete degree requirements total less than a full-time course load; and

(3) The maximum number of years of eligibility has not been exceeded.

c. Exceptions to the full-time requirement due to a documented disability or other medical reasons, as applicable under the federal American's with Disabilities Act, will be considered on a case-by-case basis.

3. Have complied with federal selective service registration requirements unless the following apply:

a. The requirement to register has terminated or become inapplicable to the person; and

b. The person shows by preponderance of the evidence that failure to register was not a knowing and willful failure to register.

4. Complete and submit an application for an award by the published deadline.

5. Not participate in the Virginia Women's Institute for Leadership at Mary Baldwin College.

D. Limitations on awards. For administrative purposes, each academic year shall be comprised of six units of program eligibility; accordingly, a semester is equivalent to three units and a quarter is equivalent to two units.

1. If a student receives a partial payment for a semester or quarter, the student's total eligibility shall be reduced by one semester (three units) or quarter (two units).

2. Undergraduate students:

a. Students pursuing an associate's degree shall be limited to a maximum of two academic years (12 units), or its equivalent, of support.

b. Students pursuing degrees at the undergraduate level shall be limited to a combined life-time maximum of four academic years (24 units), or its equivalent, of support, inclusive of enrollment in any combination of associate's or baccalaureate degrees.

c. Students enrolled in teacher certification programs at the undergraduate level may receive awards if the student is enrolled full time and has not exhausted eligibility.

3. Post-undergraduate students:

a. Students pursuing degrees at the graduate level shall be limited to a combined life-time maximum of three academic years (18 units), or its equivalent, of support.

b. Students pursuing degrees at the first-professional level shall be limited to a life-time maximum of three academic years (18 units), or its equivalent, of support, except for students pursuing medical or pharmacy degrees who are limited to four academic years (24 units), or its equivalent, of support.

c. In no case should any combination of post-undergraduate programs exceed four years of support.

4. A student enrolled at multiple institutions may receive an award if:

a. The home institution is an eligible institution;

b. A formal consortium agreement is in place; and

c. The student's combined enrollment is full time.

If the consortium agreement includes a Virginia public institution, the award will be prorated based on the courses for the term not attempted at the Virginia public institution as a percentage of minimum full-time enrollment.

5. A student may receive an award under a study abroad program if:

a. The student is enrolled full time;

b. The student remains on record as an enrolled student in an otherwise eligible program at a participating eligible institution for the term in which the award is received;

c. The program funds are disbursed to the participating eligible institution; and

d. The overseas program is a formal agreement arranged by the participating eligible institution.

E. Appeals process.

1. The participating institution makes the student's initial eligibility determination. If the institution determines that the student does not meet the domicile requirements, the institution must notify the student in writing of the outcome and the availability of the appeals process.

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2. Council shall make final decisions on domicile eligibility disputes between students and the enrolling institutions. The appeal process for resolving eligibility disputes shall consist of a review of the institution's initial determination by a council staff member. Further student appeals are subject to a final review by a committee comprised of three council staff members. No person who serves at one level of the appeals process shall be eligible to serve at any other level of review. Timing for completion of the review is heavily dependent upon the response time to staff information requests for both the student and the institution, but typically council staff will respond within two weeks.

3. Student appeals must be filed in writing with the council within 30 days of the institution's written notification. If the outcome of the appeal upholds the institution's initial determination, the student may file a final appeal within 30 days of the council's written notification.

4. The appeals process is contained in this subsection and available to the institutions and students online or in print upon request.

8VAC40-71-50. Award amount.

A. Maximum annual award.

1. Section ~~23-38.14~~ 23.1-630 of the Code of Virginia specifies that no annual award shall exceed the annual average appropriation per full-time equivalent student for the previous year from the general fund for operating costs at two-year and four-year public institutions of collegiate education in Virginia.

2. Council determines the amount of the annual award based on the number of eligible students and available funds. In no event shall the actual annual award amount exceed the maximum limit set forth in the annual appropriation act or in ~~§ 23-38.14~~ § 23.1-630 of the Code of Virginia.

B. An award received by a student under the program shall not be reduced by the institution unless:

1. Council authorizes a uniform reduction of the award for all students because it is determined that the number of priority students multiplied by the projected annual award amount exceeds available funds.

2. The award, when combined with all other financial assistance from any source, including, but not limited to, a scholarship, grant, tuition waiver, veteran benefits, or employer reimbursement, exceeds the estimated cost of attendance at the institution the student attends.

3. The student is enrolled less than the minimum credit hours as defined under "full-time student" but falls under one of the following exceptions:

a. The individual student falls under the enrollment provisions listed under 8VAC40-71-40 C 2; or

b. The student is a doctoral student taking less than 9 credit hours but declared full-time via institutional policy.

4. In such cases as described in this subsection, the student would receive an award prorated on a percentage basis based on the student's actual tuition charges as compared to the tuition typically charged by the institution to a full-time student.

C. When a reduced award is appropriate, all awards should be rounded to the nearest whole dollar.

D. For purposes of calculating federal Chapter 33 (Post-9/11 GI Bill) veteran's benefits, this award is not considered to be solely for the purpose of defraying tuition and fees.

VA.R. Doc. No. R17-4847; Filed January 30, 2017, 10:04 a.m.

Final Regulation

REGISTRAR'S NOTICE: The State Council of Higher Education for Virginia is claiming an exemption from Article 2 of the Administrative Process Act in accordance with § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The State Council of Higher Education for Virginia will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **8VAC40-131. Virginia Student Financial Assistance Program Regulations (amending 8VAC40-131-10, 8VAC40-131-30, 8VAC40-131-50, 8VAC40-131-80, 8VAC40-131-110, 8VAC40-131-120, 8VAC40-131-230).**

Statutory Authority: § 23.1-636 of the Code of Virginia.

Effective Date: February 20, 2017.

Agency Contact: Lee Ann Rung, Manager, Executive and Council Affairs, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, 9th Floor, Richmond, VA 23219, telephone (804) 225-2602, FAX (804) 371-7911, or email leeanrung@schev.edu.

Summary:

The amendments update citations to reflect the recodification of Title 23 to Title 23.1 of the Code of Virginia.

Part I Definitions

8VAC40-131-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Academic period" or "semester" means a division of an academic year approximately 15 to 16 weeks in length from the first day of classes through the last day of exams for the fall or spring enrollment periods.

"Academic year" or "regular session" means a division of an award year that normally extends from late August to mid May, consists of the institution's fall and spring semesters, and is exclusive of the institution's summer session.

"Approved program" means a curriculum of courses in a certificate of undergraduate study, diploma, or degree program at the undergraduate, graduate, or first professional level.

"Award" means a grant from state funds appropriated within the item for student financial assistance in the annual Appropriation Act under Virginia Guaranteed Assistance Program or Commonwealth grant eligibility criteria.

"Award schedule" means the table or formula used by institutions to award program funds to full-time students for the academic year; awards for less than full-time students for the academic year shall be reviewed and adjusted according to the institution's awarding policies.

"Award year" means the 12-month enrollment period during which an institution holds classes, comprised of the regular session and the summer session.

"Book allowance" means the cost of attendance allowance for education-related book and supply expenses as determined by an institution.

"Census date" means the point at which a student's credit hour enrollment is locked for financial aid purposes. At this point in the term, credit hours are locked and financial aid for the term is adjusted to reflect the official number of enrolled credit hours.

"Commonwealth Award" means a grant from state funds appropriated within the item for student financial assistance in the annual Appropriation Act under Commonwealth grant eligibility criteria.

"Cost of attendance" means the sum of tuition, required fees, room, board, books, supplies, and other education related expenses, as determined by an institution for purposes of calculating a student's financial need and awarding federal student aid funds.

"Council" means the State Council of Higher Education for Virginia or its designated staff.

"Domicile Guidelines" means the Domicile Guidelines of the State Council of Higher Education, dated October 15, 2009, and including Addendum A, dated January 12, 2010, and Addendum B, dated October 15, 2009.

"Domiciliary resident of Virginia" means a student who is determined by an institution to meet the eligibility requirements specified by ~~§ 23-7.4~~ § 23.1-502 of the Code of Virginia and augmented by the Domicile Guidelines.

"Expected family contribution" or "EFC" means the amount a student and the student's family is expected to contribute toward the cost of attendance. A student's EFC will be determined by the federal aid need analysis method used for Title IV programs. The institution may exercise professional

judgment to adjust the student's EFC, as permitted under federal law, based on factors that affect the family's ability to pay. For students eligible for an award but ineligible to receive federal financial aid, the institution shall calculate the student's EFC using the appropriate federal EFC worksheet in cases where the federal processor has not calculated the student's EFC.

"Financial need" means any positive difference between a student's cost of attendance and the student's expected family contribution (see definition of "remaining need").

"Full-time study" means enrollment for at least 12 credit hours per term or its equivalent at the undergraduate level and enrollment for at least nine credit hours per term or its equivalent at the graduate or first professional level. The total hours counted will not include courses taken for audit, but may include required developmental or remedial courses and other elective courses that normally are not counted toward a degree at the institution. For students enrolled in a dual or concurrent undergraduate and graduate program, full-time study may be met through a combination of total credit hours, providing that the combination totals at least the minimum credit hours for full-time status for the student's institutionally recognized student level.

"Gift assistance" means financial aid in the form of scholarships, grants, and other sources that do not require work or repayment.

"Graduate student" means a student enrolled in an approved master's, doctoral, or first professional degree program.

"Half-time study" means enrollment for at least six credit hours per term or its equivalent at the undergraduate level. The total hours counted will not include courses taken for audit, but may include required developmental or remedial courses and other elective courses that normally are not counted toward a certificate, diploma, or degree at the institution. For undergraduate students enrolled in a dual or concurrent undergraduate and graduate program, half-time study may be met through a combination of total credit hours, providing that the combination totals at least the minimum credit hours for half-time status for the student's institutionally recognized student level.

"Institution" or "home institution" means any public institution of higher education in Virginia participating in the Virginia Student Financial Assistance Program.

"Program" or "VSFAP" means the Virginia Student Financial Assistance Program, a financial aid program authorized within the item for student financial assistance in the annual Appropriation Act.

"Remaining need" means any positive difference between a student's financial need and the sum of federal, state, and institutionally-controlled gift assistance known at the time of awarding.

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"Satisfactory academic progress" means:

1. Acceptable progress towards completion of an approved program, as defined by the institution for the purposes of eligibility for federal student financial aid under the Code of Federal Regulations (Subpart C, 34 CFR Part 668 - Student Assistance General Provisions); and
2. For a student receiving a Virginia Guaranteed Assistance Program award, acceptable progress towards completion of an approved program in which a student earns not less than 24 credit hours, which is the minimum number required for full-time standing in each award year and maintains a cumulative minimum grade point average of 2.0.

"Summer session" means a division of an award year that normally extends from late May to mid August and consists of one or more summer enrollment periods, exclusive of the institution's fall and spring semesters.

"Term" means an academic period or summer session.

"Undergraduate student" means a student enrolled in an approved program leading to a certificate of undergraduate study, diploma, associate's degree, or bachelor's degree.

"VGAP" means a grant from state funds appropriated for the Virginia Guaranteed Assistance Program, as authorized by the laws of the Commonwealth of Virginia including §§ ~~23-38.53:4, 23-38.53:5, and 23-38.53:6~~ §§ 23.1-636, 23.1-637, and 23.1-638 of the Code of Virginia.

8VAC40-131-30. Types of assistance.

A. Funds allocated to institutions within the item for student financial assistance in the annual Appropriation Act may be used for:

1. Awards to undergraduate students enrolled for at least half-time study;
2. Awards to graduate students enrolled for full-time study. No more than 50% of the institution's graduate grants shall be awarded to students not classified as a domiciliary resident of Virginia;
3. Awards to students enrolled for full-time study in a dual or concurrent undergraduate and graduate program;
4. Assistantships to graduate students, funds for which must be transferred to the education and general account;
5. Providing the required matching contribution to federal or private student grant aid programs, except for programs requiring work; and
6. Supporting institutional work-study programs, funds for which must be transferred to the education and general account.

B. A student may receive either a VGAP award, an undergraduate Commonwealth Award, or a graduate Commonwealth Award during any one term (i.e., a student may not receive two or more different types of awards during the same term).

C. The provisions of this chapter shall not apply to:

1. Soil scientist scholarships authorized by ~~§ 23-38.3~~ § 23.1-615 of the Code of Virginia;
2. Foster children grants authorized by ~~§ 23-7.4:5~~ § 23.1-601 of the Code of Virginia;
3. Nongeneral funds allocated to institutions within the item for student financial assistance in the annual Appropriation Act, except for the satisfactory academic progress requirement; or
4. General funds allocated to institutions within the item for student financial assistance in the annual Appropriation Act that are used to support a work-study program, except for the financial need requirement.

8VAC40-131-50. Award schedule and award amount restrictions.

A. Institutions shall construct award schedules to determine priority for and amount of awards, ensuring that the schedule conforms to the conditions and restrictions listed in this subsection.

1. The institution:
 - a. Must define its neediest students;
 - b. Must use the same award schedule for all students whose awards are packaged at the same time;
 - c. Must ensure that students eligible for Commonwealth Awards and students eligible for VGAP awards are packaged at the same time using the same award schedule;
 - d. Shall not include the assessed tuition and fee surcharge when calculating the remaining need and financial need of students exceeding 125% of their program length, pursuant to ~~subsection F of § 23-7.4~~ § 23.1-509 of the Code of Virginia;
 - e. For students enrolled at multiple institutions or in study abroad programs, shall include as the tuition and required fee component of the cost of attendance the lesser of the amount that would be charged by the home institution for the student's combined enrollment level and the sum of actual tuition and required fees assessed by each institution;
 - f. May include minimum award amounts for VGAP and Commonwealth Awards; and
 - g. May construct a new award schedule based on the time of packaging and available funds; however, for students whose awards are packaged at the same time, the same schedule shall be used.
2. Award amounts must be:
 - a. Based on remaining need; and
 - b. Proportional to remaining need (i.e., students with greater remaining need receive larger award amounts than students with lesser remaining need).

3. VGAP-eligible students:
 - a. Must receive award amounts greater than Commonwealth Award-eligible students with equivalent remaining need;
 - b. Who fall into the neediest category must receive an award amount of at least the tuition charged to the individual student; and
 - c. Who fall into the neediest category may receive an award amount of up to tuition, required fees, and book allowance.
4. Commonwealth Award-eligible students who fall into the neediest category may receive an award amount of up to tuition and required fees.
5. Two-year colleges electing to modify their award schedules must:
 - a. Define "remaining need" as (i) any positive difference between a student's cost of attendance and the student's expected family contribution or (ii) the financial need determined by the U.S. Department of Education and reflected in its payment schedule of EFC ranges for the Federal Pell Grant program;
 - b. Construct an award schedule that is based on remaining need and the combination of federal and state grant aid; and
 - c. Include a minimum award amount for the neediest VGAP-eligible student.

B. The following award amount restrictions apply to awards:

1. An award under the program, when combined with other gift assistance applied to the student's institutional account, shall not exceed the student's financial need. For purposes of the over financial need calculation, only the tuition and fee portion of veterans education benefits and national service education awards or post-service benefits (e.g., AmeriCorps) shall be included.
2. An undergraduate Commonwealth Award, when combined with tuition-only assistance such as a tuition waiver, tuition scholarship or grant, or employer tuition reimbursement, shall not exceed the student's actual charges for tuition and required fees; a VGAP award, when combined with tuition-only assistance such as a tuition waiver, tuition scholarship or grant, or employer tuition reimbursement, shall not exceed the student's actual charges for tuition, required fees, and standard book allowance.

Article 2
Commonwealth Awards

8VAC40-131-80. Undergraduate eligibility criteria for an initial award.

In order to participate, an undergraduate student shall:

1. Be enrolled for at least half-time study as of the term's census date;

2. Be a domiciliary resident of Virginia;
3. Be a United States citizen or eligible noncitizen as described in ~~§ 23-7.4~~ § 23.1-502 of the Code of Virginia and augmented by the Domicile Guidelines;
4. Demonstrate financial need for federal Title IV financial aid purposes; and
5. Have complied with federal selective service registration requirements, unless the following apply:
 - a. The requirement to register has terminated or become inapplicable to the student; and
 - b. The student shows by preponderance of the evidence that failure to register was not a knowing and willful failure to register.

Article 3

Virginia Guaranteed Assistance Program Awards

8VAC40-131-110. VGAP eligibility criteria for an initial award.

In order to participate, an undergraduate student shall:

1. Be enrolled for full-time study as of the term's census date. Exceptions to the full-time study requirement due to documented disability or other documented medical reasons, as applicable under the federal Americans with Disabilities Act, 42 USC § 12101 et seq., will be considered on a case-by-case basis by the institution; supporting documentation must include a physician's note specifying the full-time equivalent for the student. Such students shall receive an adjusted award amount determined according to the institution's awarding policies;
2. Be a domiciliary resident of Virginia;
3. Be a United States citizen or eligible noncitizen as described in ~~§ 23-7.4~~ § 23.1-502 of the Code of Virginia and augmented by the Domicile Guidelines;
4. Demonstrate financial need for federal Title IV financial aid purposes;
5. Be a graduate from a Virginia high school; students obtaining a General Educational Development (GED) certificate are not eligible. Exceptions are granted for students who:
 - a. Are dependent children of active-duty military personnel residing outside the Commonwealth of Virginia pursuant to military orders and claiming Virginia on their State of Legal Residence Certificate and satisfying the domicile requirements for such active duty military personnel pursuant to ~~subsection B of § 23-7.4~~ § 23.1-502 of the Code of Virginia;
 - b. Have completed a program of home school instruction in accordance with § 22.1-254.1 of the Code of Virginia; or
 - c. Have been excused from school attendance pursuant to subsection B of § 22.1-254 of the Code of Virginia.

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6. For a high school graduate, have at least a cumulative 2.5 grade point average (GPA) on a 4.0 scale, or its equivalent, at the time of admission to the institution or according to the latest available high school transcript. In the absence of a high school transcript indicating the grade point average, the institution must have on file a letter from the student's high school certifying the student's high school GPA;

7. For a student meeting the high school graduate exception in subdivision 5 b or 5 c of this subsection, have earned SAT math and verbal combined scores of 900 or above or have earned ACT composite scores of 19 or above;

8. Be classified as a dependent student for federal financial aid purposes; and

9. Have complied with federal selective service registration requirements, unless the following apply:

a. The requirement to register has terminated or become inapplicable to the student; and

b. The student shows by preponderance of the evidence that failure to register was not a knowing and willful failure to register.

8VAC40-131-120. Renewability of awards.

A. Awards for students attending two-year colleges may be renewed for one award year while awards for students attending four-year colleges may be renewed for three award years. Students shall be limited to a cumulative total of four award years of eligibility.

Awards may be renewed annually provided that the undergraduate student:

1. Continues to be enrolled for full-time study as of the term's census date;

2. Maintains domiciliary residency in Virginia;

3. Continues to be a United States citizen or eligible noncitizen as described in ~~§ 23-7.4~~ § 23.1-502 of the Code of Virginia and augmented by the Domicile Guidelines;

4. Demonstrates continued financial need for federal Title IV financial aid purposes;

5. Maintains at least a 2.0 grade point average on a 4.0 scale, or its equivalent;

6. Maintains satisfactory academic progress;

7. Maintains continuous enrollment from the time of receipt of the initial award unless granted an exception for cause by the council.

a. Continuous enrollment shall be recognized as enrollment for full-time study in each academic period; lack of enrollment in the summer session or other special sessions offered by the institution does not disqualify the student.

b. A student participating in a cooperative education program or internship that is part of his academic

program and a student whose college education is interrupted by a call to military service shall be deemed to have maintained continuous enrollment if he reenrolls no later than the following fall semester after completion of such employment or military service; and

8. Has complied with federal selective service registration requirements, unless the following apply:

a. The requirement to register has terminated or become inapplicable to the student; and

b. The student shows by preponderance of the evidence that failure to register was not a knowing and willful failure to register.

B. VGAP renewal awards are subject to the following special considerations:

1. Students who transfer to an institution shall be considered renewal students if they received or were eligible for an award during the prior academic period provided they meet renewal criteria.

2. Students who do not initially receive a VGAP award may be considered for renewal awards provided that they meet initial eligibility criteria and continue to meet renewal criteria. Once a student loses his classification as VGAP-eligible, the student cannot reestablish such eligibility. However, the student may qualify for a Commonwealth Award the following term.

8VAC40-131-230. Discontinuing student loan programs.

A. If any federal student loan program for which the institutional contribution was appropriated by the General Assembly is discontinued, the institutional share of the discontinued loan program shall be repaid to the fund from which the institutional share was derived unless other arrangements are recommended by the council and approved by the Department of Planning and Budget. Should the institution be permitted to retain the federal contributions to the program, the funds shall be used according to arrangements authorized by the council and approved by the Department of Planning and Budget.

B. An institution may discontinue its student loan program established pursuant to ~~Chapter 4.01 (§ 23-38.10:2 et seq.) of Title 23 §§ 23.1-618 through 23.1-621~~ of the Code of Virginia. The full amount of cash in the discontinued loan fund shall be paid into the state treasury into a nonrevertible nongeneral fund account. Prior to such payment, the State Comptroller shall verify its accuracy, including the fact that the cash held by the institution in the loan fund will be fully depleted by such payment. The loan fund shall not be reestablished for that institution.

C. The cash paid into the state treasury shall be used only for awards to undergraduate students in the Virginia Student Financial Assistance Program according to arrangements authorized by the council and approved by the Department of Planning and Budget. Payments of any promissory notes held by the discontinued loan fund shall continue to be received by

the institution and deposited to the nonrevertible nongeneral fund account and to be used for the VGAP awards and undergraduate Commonwealth Awards.

VA.R. Doc. No. R17-4848; Filed January 30, 2017, 10:04 a.m.

Final Regulation

REGISTRAR'S NOTICE: The State Council of Higher Education for Virginia is claiming an exemption from Article 2 of the Administrative Process Act in accordance with § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The State Council of Higher Education for Virginia will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **8VAC40-140. Virginia Vocational Incentive Scholarship Program for Shipyard Workers Regulations (amending 8VAC40-140-20, 8VAC40-140-40).**

Statutory Authority: § 23.1-2912 of the Code of Virginia.

Effective Date: February 20, 2017.

Agency Contact: Lee Ann Rung, Manager, Executive and Council Affairs, State Council of Higher Education for Virginia, James Monroe Building 101 North 14th Street, 9th Floor, Richmond, VA 23219, telephone (804) 225-2602, FAX (804) 371-7911, or email leannrung@schev.edu.

Summary:

The amendments update citations to reflect the recodification of Title 23 to Title 23.1 of the Code of Virginia.

8VAC40-140-20. Use of funds.

A. The college shall establish and maintain financial records that accurately reflect all program transactions as they occur. The college shall establish and maintain general ledger control accounts and related subsidiary accounts that identify each program transaction and separate those transactions from all other institutional financial activity.

B. Funds may be paid to the college on behalf of shipyard workers who have been awarded scholarships pursuant to ~~§ 23-220.04~~ § 23.1-2912 of the Code of Virginia and this chapter. Funds also may be used by the college for the implementation and administration of the program. Funds used by the college to implement and administer the program shall not exceed in any given year 5.0% of that year's allocation for the program.

8VAC40-140-40. Eligibility criteria for an initial scholarship.

In order to receive a scholarship, the student must be:

1. A domiciliary resident of Virginia as defined in ~~§ 23-7.4~~ § 23.1-502 of the Code of Virginia and determined by the college,
2. Employed full time as a shipyard worker, and

3. Enrolled full time or part time in an eligible course of study.

VA.R. Doc. No. R17-4849; Filed January 30, 2017, 10:04 a.m.

Final Regulation

REGISTRAR'S NOTICE: The State Council of Higher Education for Virginia is claiming an exemption from Article 2 of the Administrative Process Act in accordance with § 2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law where no agency discretion is involved. The State Council of Higher Education for Virginia will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **8VAC40-150. Virginia Two-Year College Transfer Grant Program Regulations (amending 8VAC40-150-10, 8VAC40-150-70).**

Statutory Authority: § 23.1-623 of the Code of Virginia.

Effective Date: February 20, 2017.

Agency Contact: Lee Ann Rung, Manager, Executive and Council Affairs, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, 9th Floor, Richmond, VA 23219, telephone (804) 225-2602, FAX (804) 371-7911, or email leannrung@schev.edu.

Summary:

The amendments update citations and remove the 70 attempted credit hours limitation for students renewing grant program awards to reflect changes made by the recodification of Title 23 to Title 23.1 of the Code of Virginia.

8VAC40-150-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Academic year" means the enrollment period that normally extends from late August to May or early June and that is normally comprised of two semesters (fall and spring) or three quarters (fall, winter, and spring).

"Accredited institution" means any institution approved to confer degrees pursuant to ~~Chapter 21.1 (§ 23-276.1 et seq.) of Title 23~~ Article 3 (§ 23.1-213 et seq.) of Chapter 2 of Title 23.1 of the Code of Virginia.

"Approved course of study" means a curriculum of courses at the undergraduate level leading to a first bachelor's degree. Programs in the 39.xxxx series, as classified in the National Center for Education Statistics' Classification of Instructional Programs (CIP), provide religious training or theological education and are not approved courses of study.

"Award" means a grant from state funds appropriated for the Virginia Two-Year College Transfer Grant Program (CTG).

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"Award year" means the 12-month enrollment period during which a college or university holds classes, normally comprised of (i) one fall semester, one spring semester, and a summer session or (ii) one fall quarter, one winter quarter, one spring quarter, and a summer session. For purposes of awarding funds for this program, the summer will be treated as a trailing term.

"Cost of attendance" means the sum of tuition, required fees, room, board, books and supplies, and other education-related expenses as determined by an institution for purposes of awarding federal Title IV student financial assistance.

"Council" means the State Council of Higher Education for Virginia or its designated staff.

"Domiciliary resident of Virginia" means a student who is determined by a participating institution to meet the eligibility requirements specified by ~~§ 23-7.4~~ § 23.1-502 of the Code of Virginia.

"Expected family contribution" or "EFC" means the amount a student and the student's family is expected to contribute toward the cost of college attendance. The EFC is calculated using information provided on the Free Application for Federal Student Aid. The institution may exercise professional judgment to adjust the student's EFC, as permitted under federal law, based on factors that affect the family's ability to pay.

"Financial need" means a maximum expected family contribution of \$8,000 based on a standard nine-month academic year. Beginning with students who are entering a participating institution as a two-year transfer student for the first time in the fall 2012 academic year, and who otherwise meet the eligibility criteria of ~~§ 23-38.10-10~~ § 23.1-624 of the Code of Virginia, the maximum EFC is raised to \$9,000. Beginning with students who are entering a participating institution as a two-year transfer student for the first time in the fall 2013 academic year, and who otherwise meet the eligibility criteria of ~~§ 23-38.10-10~~ § 23.1-624 of the Code of Virginia, the maximum EFC is raised to \$12,000.

"First-time entering freshman" means a student attending any institution for the first time at the undergraduate level. Includes students enrolled in the fall term who attended college for the first time in the immediate prior summer term. Also includes students who entered with advanced standing (college credits earned before high school graduation).

"Free Application for Federal Student Aid" or "FAFSA" means the needs analysis form provided by the United States Department of Education, which is completed annually by students applying for federal Title IV student financial assistance and need-based financial aid programs sponsored by the Commonwealth of Virginia and that results in the calculation of the expected family contribution.

"Full-time study" means enrollment for at least 12 credit hours per semester or its equivalent in quarter hours at the undergraduate level. The total hours counted will not include

courses taken for audit, but may include required developmental or remedial courses and other elective courses that normally are not counted toward a degree at the participating institution.

"Participating institution of higher education" or "participating institution" means a four-year public or private nonprofit accredited institution within the Commonwealth of Virginia whose primary purpose is to provide undergraduate collegiate education and not to provide religious training or theological education.

"Program" means the Virginia Two-Year College Transfer Grant.

"Quarter" means a division of an academic year approximately 10 to 11 weeks in length from the first day of classes through the last day of exams for the fall, winter, and spring enrollment periods.

"Satisfactory academic progress" means acceptable progress towards completion of an approved course of study as defined by the institution for the purposes of eligibility under § 668 of the Federal Compilation of Student Financial Aid Regulations.

"Semester" means a division of an academic year approximately 15 to 16 weeks in length from the first day of classes through the last day of exams for the fall and spring enrollment periods.

"Student" means an undergraduate student who is entitled to in-state tuition charges pursuant to ~~§ 23-7.4~~ § 23.1-502 of the Code of Virginia.

"Summer session" means a division of an award year consisting of one or more summer sessions normally extending from late May to August, exclusive of the participating institution's fall, winter, and spring terms.

"Term" means the fall semester or quarter, winter quarter, spring semester or quarter, or summer session.

8VAC40-150-70. Renewability of awards.

Awards may be renewed for a maximum of two award years. Students shall be limited to a total period of no more than three award years ~~or 70 attempted credit hours~~. Awards may be renewed provided that the student continues to be enrolled full-time in an approved course of study, maintains domicile in Virginia per ~~§ 23-7.4~~ § 23.1-502 of the Code of Virginia, and annually:

1. Applies for financial aid by completing the FAFSA by the institution's published deadline;
2. Demonstrates continued financial need;
3. Maintains a grade point average of at least 3.0 on a 4.0 scale; and
4. Maintains satisfactory academic progress.

Students transferring from one participating institution to another shall be considered renewal students if they received an award during the prior year provided they met renewal criteria.

Students who do not initially receive an award may be considered for renewal awards provided that they meet initial eligibility criteria and continue to meet renewal criteria.

Once a student loses his classification as CTG-eligible, the student cannot reestablish such eligibility.

V.A.R. Doc. No. R17-4850; Filed January 30, 2017, 10:05 a.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

Final Regulation

Title of Regulation: 12VAC5-412. **Regulations for Licensure of Abortion Facilities (amending 12VAC5-412-10, 12VAC5-412-80, 12VAC5-412-100, 12VAC5-412-130, 12VAC5-412-180, 12VAC5-412-190, 12VAC5-412-200, 12VAC5-412-220, 12VAC5-412-230, 12VAC5-412-240, 12VAC5-412-250, 12VAC5-412-280, 12VAC5-412-290, 12VAC5-412-300, 12VAC5-412-320, 12VAC5-412-330, 12VAC5-412-350, 12VAC5-412-370; repealing 12VAC5-412-30, 12VAC5-412-360).**

Statutory Authority: § 32.1-127 of the Code of Virginia.

Effective Date: March 22, 2017.

Agency Contact: Erik Bodin, Director, Office of Licensure and Certification, Department of Health, 9960 Mayland Drive, Suite 401, Richmond, VA 23233, telephone (804) 367-2109, FAX (804) 527-4502, or email erik.bodin@vdh.virginia.gov.

Summary:

The amendments (i) modify defined terms; (ii) add best practices for medical testing, laboratory services, and anesthesia services; (iii) align the emergency services requirements more specifically with medical best practices; (iv) modify the facility design and construction requirements; (v) make minor technical amendments; (vi) modify onsite inspection provisions; (vii) remove the reference to the Joint Commission Standards of Ambulatory Care for patient rights and responsibility protocols; (viii) remove the reference to certain federal guidelines for infection prevention plans; (ix) remove maintenance and firefighting equipment and systems requirements that are already addressed by existing legal requirements; (x) specify that all construction of new buildings and additions or major renovations to existing buildings for occupancy as an abortion facility shall conform to state and local codes and ordinances; (xi) conform allowable variance provisions to the hospital licensure regulations; (xii) prohibit removal of copies of personnel records from the facility unless redacted; (xiii) remove the requirement that a physician remain on the premises until the last patient is discharged and the requirement that the physician give a discharge order;

(xiv) amend the definition of first trimester of pregnancy; (xv) require facilities to offer screening for sexually transmitted diseases or at a minimum refer patients to clinics that provide such testing as well as requiring that facilities have policies and procedures for patient reevaluation in the event that tissue examination is insufficient to confirm termination of the pregnancy; (xvi) remove specific conditions for which emergency drugs must be available; (xvii) require health information records to include certain information if medically indicated; (xviii) remove the requirement to report incidents that are reported to malpractice insurance carriers or reported in compliance with the federal Safe Medical Devices Act; and (xix) remove the requirement that facilities have policies and procedures related to facility security and the dissemination of safety information.

Summary of Public Comments and Agency's Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

Part I

Definitions and Requirements for Licensure

12VAC5-412-10. Definitions.

The following words and terms when used in this regulation shall have the following meanings unless the context clearly indicates otherwise:

"Abortion" means the use of an instrument, medicine, drug, or other substance or device with the intent to terminate the pregnancy of a woman, known to be pregnant, for reasons other than a live birth or to remove a dead fetus. Spontaneous miscarriage is excluded from this definition.

"Abortion facility" means a facility in which five or more first trimester abortions per month are performed.

"Administrator" means the person appointed by the governing body as having responsibility for the overall management of the abortion facility. Job titles may include director, executive director, office manager, or business manager.

"Commissioner" means the State Health Commissioner.

"Department" means the Virginia Department of Health.

["~~First trimester~~" means the first 12 weeks from ~~conception~~] based on an appropriate clinical estimate by a licensed physician [~~as determined in compliance with § 18.2-76 of the Code of Virginia.~~]

"Informed written consent" means the knowing and voluntary written consent to abortion by a pregnant woman of any age in accordance with § 18.2-76 of the Code of Virginia.

"Licensee" means the person, partnership, corporation, association, organization, or professional entity who owns or on whom rests the ultimate responsibility and authority for the conduct of the abortion facility.

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~~["Medication induced abortion" means any abortion caused solely by the administration of any medication or medications given to a woman in the first trimester of pregnancy with the intent to produce abortion.]~~

"Minor" means a patient under the age of 18.

"Patient" means any person seeking or obtaining services at an abortion facility.

"Physician" means a person licensed to practice medicine in Virginia.

"Spontaneous miscarriage" means the expulsion or extraction of a product of human conception resulting in other than a live birth and which is not an abortion.

~~["Surgical abortion" means any abortion caused by any means other than solely by the administration of any medication or medications given to a woman in the first trimester of pregnancy with the intent to produce abortion.]~~

"Trimester" means a 12-week period of pregnancy.

12VAC5-412-30. Classification. (Repealed.)

~~Abortion facilities shall be classified as a category of hospital.~~

[12VAC5-412-80. Allowable variances.

~~A. The commissioner may authorize a temporary variance only to a specific provision of this chapter. In no event shall a temporary variance exceed the term of the license. An abortion facility may request a temporary variance to a particular standard or requirement contained in a particular provision of this chapter when the standard or requirement poses an impractical hardship unique to the abortion facility and when a temporary variance to it would not endanger the safety or well being of patients. The request for a temporary variance shall describe how compliance with the current standard or requirement constitutes an impractical hardship unique to the abortion facility. The request should include proposed alternatives, if any, to meet the purpose of the standard or requirement that will ensure the protection and well being of patients. At no time shall a temporary variance be extended to general applicability. The abortion facility may withdraw a request for a temporary variance at any time.~~

~~B. The commissioner may rescind or modify a temporary variance if: (i) conditions change; (ii) additional information becomes known that alters the basis for the original decision; (iii) the abortion facility fails to meet any conditions attached to the temporary variance; or (iv) results of the temporary variance jeopardize the safety or well being of patients.~~

~~C. Consideration of a temporary variance is initiated when a written request is submitted to the commissioner. The commissioner shall notify the abortion facility in writing of the receipt of the request for a temporary variance. The licensee shall be notified in writing of the commissioner's decision on the temporary variance request. If granted, the commissioner may attach conditions to a temporary variance to protect the safety and well being of patients.~~

~~D. If a temporary variance is denied, expires, or is rescinded, routine enforcement of the standard or requirement to which the temporary variance was granted shall be resumed.~~

~~A. Upon the finding that the enforcement of one or more of these regulations would be clearly impractical, the commissioner shall have the authority to waive, either temporarily or permanently, the enforcement of one or more of these regulations, provided safety and patient care and services are not adversely affected.~~

~~B. Modification of any individual standard herein for any purpose shall require advance written approval from the OLC.~~
12VAC5-412-100. On-site inspection.

A. An OLC representative shall make periodic unannounced on-site inspections of each abortion facility as necessary, but not less often than biennially. If the department finds, after inspection, noncompliance with any provision of this chapter, the abortion facility shall receive a written licensing report of such findings. The abortion facility shall submit a written plan of correction in accordance with provisions of 12VAC5-412-110.

B. The abortion facility shall make available to the OLC's representative any requested records and shall allow access to interview the agents, employees, contractors, and any person under the abortion facility's control, direction, or supervision. If copies of records are removed from the premises, patient names and addresses contained in such records shall be redacted by the abortion facility before removal.

~~C. If the OLC's representative arrives on the premises to conduct a survey and the administrator, the nursing director, or a person authorized to give access to patient records is not available on the premises, such person or the designated alternate shall be available on the premises within one hour of the surveyor's arrival. A list of patients receiving services on the day of the survey as well as a list of all of the abortion facility's patients for the previous 12 months shall be provided to the surveyor within two hours of arrival if requested. Failure to be available or to respond shall be grounds for penalties in accordance with § 32.1-27 of the Code of Virginia and denial, suspension, or revocation of the facility's license in accordance with 12VAC5-412-130.]~~

12VAC5-412-130. Violation of this chapter or applicable law; denial, revocation, or suspension of license.

A. When the department determines that an abortion facility is (i) in violation of ~~any provision of Article 1 (§ 32.1-123 et seq.) of Chapter 5 of Title 32.1 § 32.1-125.01, 32.1-125.4, [32.1-132, or] 32.1-135.2 [, or 32.1-137.01]~~ of the Code of Virginia or of any applicable regulation; or (ii) is permitting, aiding, or abetting the commission of any illegal act in the abortion facility, the department may deny, suspend, or revoke the license to operate an abortion facility in accordance with § 32.1-135 of the Code of Virginia.

B. If a license or certification is revoked as herein provided, a new license or certification may be issued by the

commissioner after satisfactory evidence is submitted to him that the conditions upon which revocation was based have been corrected and after proper inspection has been made and compliance with all provisions of Article 1 of Chapter 5 of Title 32.1 §§ 32.1-125.01, 32.1-125.4, [~~32.1-132,~~ and] 32.1-135.2 [~~, or 32.1-137.01~~] of the Code of Virginia and applicable state and federal law and regulations hereunder has been obtained.

C. Suspension of a license shall in all cases be for an indefinite time. The commissioner may restore a suspended license when he determines that the conditions upon which suspension was based have been corrected and that the interests of the public will not be jeopardized by resumption of operation. No additional fee shall be required for restoring such license.

D. The abortion facility has the right to contest the denial, revocation, or suspension of a license in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

[12VAC5-412-180. Personnel.

A. Each abortion facility shall have a staff that is adequately trained and capable of providing appropriate service and supervision to patients. The abortion facility shall develop, implement, and maintain policies and procedures to ensure and document appropriate staffing by licensed clinicians based on the level, intensity, and scope of services provided.

B. The abortion facility shall obtain written applications for employment from all staff. The abortion facility shall obtain and verify information on the application as to education, training, experience, and appropriate professional licensure, if applicable.

C. Each abortion facility shall obtain a criminal history record check pursuant to § 32.1-126.02 of the Code of Virginia on any compensated employee not licensed by the Board of Pharmacy, whose job duties provide access to controlled substances within the abortion facility.

D. The abortion facility shall develop, implement, and maintain policies and procedures to document that its staff participate in initial and ongoing training and education that is directly related to staff duties and appropriate to the level, intensity, and scope of services provided. This shall include documentation of annual participation in fire safety and infection prevention in-service training.

E. Job descriptions.

1. Written job descriptions that adequately describe the duties of every position shall be maintained.
2. Each job description shall include position title, authority, specific responsibilities, and minimum qualifications.
3. Job descriptions shall be reviewed at least annually, kept current, and given to each employee and volunteer when assigned to the position and when revised.

F. A personnel file shall be maintained for each staff member. The records shall be completely and accurately documented, readily available, including by electronic means and systematically organized to facilitate the compilation and retrieval of information. The file shall contain a current job description that reflects the individual's responsibilities and work assignments, and documentation of the person's in-service education, and professional licensure, if applicable.

G. Personnel policies and procedures shall include, but not be limited to:

1. Written job descriptions that specify authority, responsibility, and qualifications for each job classification;
2. Process for verifying current professional licensing or certification and training of employees or independent contractors;
3. Process for annually evaluating employee performance and competency;
4. Process for verifying that contractors and their employees meet the personnel qualifications of the abortion facility; and
5. Process for reporting licensed and certified health care practitioners for violations of their licensing or certification standards to the appropriate board within the Department of Health Professions.

H. A personnel file shall be maintained for each staff member. Personnel record information shall be safeguarded against loss and unauthorized use. Employee health related information shall be maintained separately within the employee's personnel file. Unless redacted, copies of personnel files shall not be removed from the premises.

12VAC5-412-190. Clinical staff.

A. Physicians and nonphysician health care practitioners shall constitute the clinical staff. Clinical privileges of physician and nonphysician health care practitioners shall be clearly defined.

B. Abortions shall be performed by physicians who are licensed to practice medicine in Virginia and who are qualified by training and experience to perform abortions. The abortion facility shall develop, implement, and maintain policies and procedures to ensure and document that abortions that occur in the abortion facility are only performed by physicians who are qualified by training and experience.

C. A physician shall remain on the premises until all patients are medically stable, ~~sign the discharge order, and be readily available and accessible until the last patient is discharged.~~ Licensed health care practitioners trained in post-procedure assessment shall remain on the premises until the last patient has been discharged. ~~The physician shall give a discharge order after assessing a patient or receiving a report from such trained health care practitioner indicating that a patient is safe for discharge.~~ The abortion facility shall develop, implement,

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and maintain policies and procedures that ensure there is an appropriate evaluation of medical stability prior to discharge of the patient and that ~~adequate~~ adequately trained health care practitioners remain with the patient until she is discharged from the abortion facility.

D. Licensed practical nurses, working under direct supervision and direction of a physician or a registered nurse, may be employed as components of the clinical staff.

12VAC5-412-200. Patients' rights.

A. Each abortion facility shall establish a protocol relating to the rights and responsibilities of patients ~~consistent with the current edition of the Joint Commission Standards of Ambulatory Care.~~ The protocol shall include a process reasonably designed to inform patients of their rights and responsibilities, in a language or manner they understand. Patients shall be given a copy of their rights and responsibilities upon admission.

B. The abortion facility shall establish and maintain complaint handling procedures which specify the:

1. System for logging receipt, investigation, and resolution of complaints; and
2. Format of the written record of the findings of each complaint investigated.

C. The abortion facility shall designate staff responsible for complaint resolution, including:

1. Complaint intake, including acknowledgment of complaints;
2. Investigation of the complaint;
3. Review of the investigation findings and resolution for the complaint; and
4. Notification to the complainant of the proposed resolution within 30 days from the date of receipt of the complaint.

D. Any patient seeking an abortion shall be given a copy of the complaint procedures, in a language or manner she understands, at the time of admission to service.

E. The abortion facility shall provide each patient or her designee with the name, mailing address, and telephone number of the:

1. Abortion facility contact person; and
2. OLC Complaint Unit, including the toll-free complaint hotline number. Patients may submit complaints anonymously to the OLC. The abortion facility shall display a copy of this information in a conspicuous place.

F. The abortion facility shall maintain documentation of all complaints received and the status of each complaint from date of receipt through its final resolution. Records shall be maintained for no less than three years.

12VAC5-412-220. Infection prevention.

A. The abortion facility shall have an infection prevention plan that encompasses the entire abortion facility and all

~~services provided, and which is consistent with the provisions of the current edition of "Guide to Infection Prevention in Outpatient Settings: Minimum Expectations for Safe Care," published by the U.S. Centers for Disease Control and Prevention.~~ An individual with training and expertise in infection prevention shall participate in the development of infection prevention policies and procedures and shall review them to assure they comply with applicable regulations and standards.

1. The process for development, implementation, and maintenance of infection prevention policies and procedures and the regulations or guidance documents on which they are based shall be documented.
2. All infection prevention policies and procedures shall be reviewed at least annually by the administrator and appropriate members of the clinical staff. The annual review process and recommendations for changes/updates shall be documented in writing.
3. A designated person in the abortion facility shall have received training in basic infection prevention, and shall also be involved in the annual review.

B. Written infection prevention policies and procedures shall include, but not be limited to:

1. Procedures for screening incoming patients and visitors for acute infectious illnesses and applying appropriate measures to prevent transmission of community-acquired infection within the abortion facility;
2. Training of all personnel in proper infection prevention techniques;
3. Correct hand-washing technique, including indications for use of soap and water and use of alcohol-based hand rubs;
4. Use of standard precautions;
5. Compliance with bloodborne pathogen requirements of the U.S. Occupational Safety and Health Administration;
6. Use of personal protective equipment;
7. Use of safe injection practices;
8. Plans for annual retraining of all personnel in infection prevention methods;
9. Procedures for monitoring staff adherence to recommended infection prevention practices; and
10. Procedures for documenting annual retraining of all staff in recommended infection prevention practices.

C. Written policies and procedures for the management of the abortion facility, equipment, and supplies shall address the following:

1. Access to hand-washing equipment and adequate supplies (e.g., soap, alcohol-based hand rubs, disposable towels or hot air driers);

2. Availability of utility sinks, cleaning supplies, and other materials for cleaning, disposal, storage, and transport of equipment and supplies;
3. Appropriate storage for cleaning agents (e.g., locked cabinets or rooms for chemicals used for cleaning) and product-specific instructions for use of cleaning agents (e.g., dilution, contact time, management of accidental exposures);
4. Procedures for handling, storing, and transporting clean linens, clean/sterile supplies, and equipment;
5. Procedures for handling/temporary storage/transport of soiled linens;
6. Procedures for handling, storing, processing, and transporting regulated medical waste in accordance with applicable regulations;
7. Procedures for the processing of each type of reusable medical equipment between uses on different patients. The procedure shall address: (i) the level of cleaning/disinfection/sterilization to be used for each type of equipment; (ii) the process (e.g., cleaning, chemical disinfection, heat sterilization); and (iii) the method for verifying that the recommended level of disinfection/sterilization has been achieved. The procedure shall reference the manufacturer's recommendations and any applicable state or national infection control guidelines;
8. Procedures for appropriate disposal of nonreusable equipment;
9. Policies and procedures for maintenance/repair of equipment in accordance with manufacturer recommendations;
10. Procedures for cleaning of environmental surfaces with appropriate cleaning products;
11. An effective pest control program, managed in accordance with local health and environmental regulations; and
12. Other infection prevention procedures necessary to prevent/control transmission of an infectious agent in the abortion facility as recommended or required by the department.

D. The abortion facility shall have an employee health program that includes:

1. Access to recommended vaccines;
2. Procedures for assuring that employees with communicable diseases are identified and prevented from work activities that could result in transmission to other personnel or patients;
3. An exposure control plan for bloodborne pathogens;
4. Documentation of screening and immunizations offered/received by employees in accordance with statute, regulation, or recommendations of public health

authorities, including documentation of screening for tuberculosis and access to hepatitis B vaccine; and

5. Compliance with requirements of the U.S. Occupational Safety and Health Administration for reporting of workplace-associated injuries or exposure to infection.

E. The abortion facility shall develop, implement, and maintain policies and procedures for the following patient education, follow up, and reporting activities:

1. A procedure for surveillance, documentation, and tracking of reported infections; and
2. Policies and procedures for reporting conditions to the local health department in accordance with the Regulations for Disease Reporting and Control (12VAC5-90), including outbreaks of disease.]

Part IV

Patient Care Management

12VAC5-412-230. Patient services; patient counseling.

A. Abortions performed in abortion facilities shall be performed only on patients who are within the first trimester of pregnancy ~~based on an appropriate clinical estimate by a licensed physician [as determined in compliance with § 18.2-76 of the Code of Virginia meaning 13 weeks and 6 days after last menstrual period or based on an appropriate clinical estimate by a licensed health care provider]~~.

B. No person may perform an abortion upon an unemancipated minor unless informed written consent is obtained from the minor and the minor's parent, guardian, or other authorized person. ~~[The informed written consent shall be notarized as required by § 16.1-241 of the Code of Virginia.]~~ If the unemancipated minor elects not to seek the informed written consent of an authorized person, a copy of the court order authorizing the abortion entered pursuant to § 16.1-241 of the Code of Virginia shall be obtained prior to the performance of the abortion.

C. A physician shall not perform an abortion without first obtaining the informed written consent of the patient pursuant to the provisions of § 18.2-76 of the Code of Virginia.

D. When abortions are being performed, a staff member currently certified to perform cardiopulmonary resuscitation shall be available on site for emergency care.

E. The abortion facility shall offer each patient seeking an abortion, in a language or manner she understands, appropriate counseling and instruction in the abortion procedure and shall develop, implement, and maintain policies and procedures for the provision of or referral for family planning and post-abortion counseling services to its patients.

F. There shall be an organized discharge planning process that includes ~~an evaluation of the patient's capacity for self-care and an assessment of a patient's safety for discharge and~~ discharge instructions for patients to include instructions to call or return if signs of infection develop.

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12VAC5-412-240. Medical testing and laboratory services.

A. Prior to the initiation of any abortion, a medical history and physical examination, including a confirmation of pregnancy, and completion of all the requirements of informed written consent pursuant to § 18.2-76 of the Code of Virginia, shall be completed for each patient.

~~1. Use of any additional medical testing shall be based on an assessment of patient risk. The clinical criteria for such additional testing and the actions to be taken if abnormal results are found shall be documented. Medical testing shall include a recognized method to confirm pregnancy and determination or documentation of Rh factor.~~

~~2. Medical testing shall include a recognized method to confirm pregnancy and determination or documentation of Rh factor. Use of any additional medical testing shall be based on an assessment of patient risk.~~

~~[3. The abortion facility shall develop, implement, and maintain policies and procedures for offering screening of sexually transmitted diseases consistent with current guidelines issued by the U.S. Centers for Disease Control and Prevention or at a minimum referring patients to clinics that provide such testing.] The policies and procedures shall address appropriate responses to a positive screening test.~~

~~[4. 3.] A written report of each laboratory test and examination shall be a part of the patient's record.~~

B. Laboratory services shall be provided on site or through arrangement with a laboratory certified to provide the required procedures under the Clinical Laboratory Improvement Amendments of 1988 (CLIA-88) (42 CFR Part 493).

1. Facilities for collecting specimens shall be available on site.

2. If laboratory services are provided on site they shall be directed by a person who qualifies as a director under CLIA-88 and shall be performed in compliance with CLIA-88 standards.

3. All laboratory supplies shall be monitored for expiration dates, if applicable, and disposed of properly.

~~C. [All tissues removed resulting from the abortion procedure shall be examined to verify that villi or fetal parts are present] if; [-If villi or fetal parts cannot be identified with certainty, the patient shall be notified that pregnancy tissue was not identified and the possibility of ectopic pregnancy shall be explained to the patient. In such cases, the patient shall be offered a pathologic examination of the tissue including a disclosure of the cost and should the patient desire, the tissue specimen shall be sent for further pathologic examination] and the patient alerted to the possibility of an ectopic pregnancy, and referred appropriately. [The abortion facility shall have policies and procedures for evaluation of all tissues removed during the abortion and for reevaluation of the patient in the event the evaluation of tissue is~~

~~insufficient to confirm termination of the pregnancy.] The facility shall track and log any specimens sent for further pathologic examination.~~

D. All tissues removed resulting from the abortion procedure shall be managed in accordance with requirements for medical waste pursuant to the Regulated Medical Waste Management Regulations (9VAC20-120).

12VAC5-412-250. Anesthesia service.

A. The anesthesia service shall comply with the office-based anesthesia provisions of the Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry, and Chiropractic (18VAC85-20-310 et seq.).

B. The anesthesia service shall be directed by and under the supervision of a physician licensed in Virginia [who is certified in advanced resuscitative techniques and has met the continuing education requirements].

C. When moderate sedation or conscious sedation is administered, the licensed health care practitioner who administers the anesthesia shall routinely monitor the patient according to procedures consistent with such administration. The administration of sedation and monitoring of the patient shall be documented in the patient's medical record.

D. An abortion facility administering moderate sedation/conscious sedation shall maintain the following equipment, supplies, and pharmacological agents as required by 18VAC85-20-360 B:

1. Appropriate equipment to manage airways;
2. Drugs and equipment to treat shock and anaphylactic reactions;
3. Precordial stethoscope;
4. Pulse oximeter with appropriate alarms or an equivalent method of measuring oxygen saturation;
5. Continuous electrocardiograph;
6. Devices for measuring blood pressure, heart rate, and respiratory rate;
7. Defibrillator; and
8. Accepted method of identifying and preventing the interchangeability of gases.

E. Elective general anesthesia shall not be used.

F. If deep sedation or a major conductive block is administered or if general anesthesia is administered in an emergent situation, the licensed health care practitioner who administers the anesthesia service shall remain present and available in the facility to monitor the patient until the patient meets the discharge criteria.

G. In addition to the requirements of subsection D of this section, an abortion facility administering deep sedation or a major conductive block, or administering general anesthesia in an emergent situation, shall maintain the following equipment, supplies, and pharmacological agents as required by 18VAC85-20-360 C:

1. Drugs to treat malignant hyperthermia, when triggering agents are used;
2. Peripheral nerve stimulator, if a muscle relaxant is used; and
3. If using an anesthesia machine, the following shall be included:
 - a. End-tidal carbon dioxide monitor (capnograph);
 - b. In-circuit oxygen analyzer designed to monitor oxygen concentration within breathing circuit by displaying oxygen percent of the total respiratory mixture;
 - c. Oxygen failure-protection devices (fail-safe system) that have the capacity to announce a reduction in oxygen pressure and, at lower levels of oxygen pressure, to discontinue other gases when the pressure of the supply of oxygen is reduced;
 - d. Vaporizer exclusion (interlock) system, which ensures that only one vaporizer, and therefore only a single anesthetic agent can be actualized on any anesthesia machine at one time;
 - e. Pressure-compensated anesthesia vaporizers, designed to administer a constant nonpulsatile output, which shall not be placed in the circuit downstream of the oxygen flush valve;
 - f. Flow meters and controllers, which can accurately gauge concentration of oxygen relative to the anesthetic agent being administered and prevent oxygen mixtures of less than 21% from being administered;
 - g. Alarm systems for high (disconnect), low (subatmospheric), and minimum ventilatory pressures in the breathing circuit for each patient under general anesthesia; and
 - h. A gas evacuation system.

H. The abortion facility shall develop, implement, and maintain policies and procedures outlining criteria for discharge from anesthesia care. Such criteria shall include stable vital signs, responsiveness and orientation, ability to move voluntarily, controlled pain, and minimal nausea and vomiting. Discharge from anesthesia care is the responsibility of the health care practitioner providing the anesthesia care and shall occur only when the patient has met specific physician-defined criteria, and those criteria have been documented within the patient's medical record.

[12VAC5-412-280. Emergency equipment and supplies.

An abortion facility shall maintain medical equipment, supplies, and drugs appropriate and adequate to manage potential emergencies based on the level, scope, and intensity of services provided. Such medical equipment, supplies, and drugs shall be determined by the physician and shall be consistent with the current edition of the American Heart Association's Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care. ~~Drugs shall include, at a minimum, those to treat the following conditions:~~

- ~~1. Cardiopulmonary arrest;~~
- ~~2. Seizure;~~
- ~~3. Respiratory distress;~~
- ~~4. Allergic reaction;~~
- ~~5. Narcotic toxicity;~~
- ~~6. Hypovolemic shock; and~~
- ~~7. Vasovagal shock.]~~

12VAC5-412-290. Emergency services.

A. An abortion facility shall provide ongoing urgent or emergent care and maintain on the premises adequate monitoring equipment, suction apparatus, oxygen, and related items for resuscitation and control of hemorrhage and other complications.

B. An abortion facility that performs abortions using intravenous sedation shall provide equipment and services to render emergency resuscitative and life-support procedures pending transfer of the patient to a hospital. Such medical equipment and services shall be consistent with the current edition of the American Heart Association's Guidelines for ~~Advanced~~ Cardiopulmonary Resuscitation and Emergency Cardiovascular Life Support Care.

C. ~~A written agreement shall be executed with a licensed general hospital to ensure that any patient of the abortion facility shall receive needed emergency treatment. The agreement shall be with a licensed general hospital capable of providing full surgical, anesthesia, clinical laboratory, and diagnostic radiology service on 30 minutes notice and which has a physician in the hospital and available for emergency service at all times.~~ When emergency transfer is necessary, the responsible physician at the abortion facility must provide direct communication to the ~~emergency department staff~~ appropriate receiving facility staff regarding the status of the patient, the procedure details, and the suspected complication. All patients must be provided with contact information for a representative of the abortion facility, so that an emergency department physician or treating provider may make contact with a provider of the facility if late complications arise.

[Part V

Support Services - Health Information Records and Reports

12VAC5-412-300. Health information records.

An accurate and complete clinical record or chart shall be maintained on each patient. The record or chart shall contain sufficient information to satisfy the diagnosis or need for the medical or surgical service. ~~It~~ If medically indicated, it shall include, but not be limited to the following:

1. Patient identification;
2. Admitting information, including patient history and physical examination;
3. Signed consent;
4. Confirmation of pregnancy;
5. Procedure report to include:

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- a. Physician orders;
 - b. Laboratory tests, pathologist's report of tissue, and radiologist's report of x-rays;
 - c. Anesthesia record;
 - d. Operative record;
 - e. Surgical medication and medical treatments;
 - f. Recovery room notes;
 - g. Physicians' and nurses' progress notes;
 - h. Condition at time of discharge;
 - i. Patient instructions (preoperative and postoperative); and
 - j. Names of referral physicians or agencies; and
6. Any other information required by law to be maintained in the health information record.

12VAC5-412-320. Required reporting.

A. Abortion facilities shall comply with the fetal death and induced termination of pregnancy reporting provisions in the Board of Health Regulations Governing Vital Records (12VAC5-550-120).

B. The abortion facility shall report the following events to OLC:

1. Any patient, staff, or visitor death;
2. Any serious injury to a patient;
3. Medication errors that necessitate a clinical intervention other than monitoring; and
4. A death or significant injury of a patient or staff member resulting from a physical assault that occurs within or on the abortion facility grounds; and
5. ~~Any other incident reported to the malpractice insurance carrier or in compliance with the federal Safe Medical Devices Act of 1990 (21 USC § 301 et seq. Pub. L. No. 101-629).~~

C. Notification of the events listed in subsection B of this section shall be required within 24 hours of occurrence. Each notice shall contain the:

1. Abortion facility name;
2. Type and circumstance of the event being reported;
3. Date of the event; and
4. Actions taken by the abortion facility to protect patient and staff safety and to prevent recurrence.

D. Compliance with this section does not relieve the abortion facility from complying with any other applicable reporting or notification requirements, such as those relating to law-enforcement or professional regulatory agencies.

E. Records that are confidential under federal or state law shall be maintained as confidential by the OLC and shall not be further disclosed by the OLC, except as required or permitted by law.

F. Abortion facilities shall ensure that employees mandated to report suspected child abuse or neglect under § 63.2-1509 of the Code of Virginia comply with the reporting requirements of § 63.2-1509 of the Code of Virginia.

Part VI

Functional Safety and Maintenance

12VAC5-412-330. Abortion facility security and safety.

The abortion facility shall develop, implement, and maintain policies and procedures to ensure safety within the abortion facility and on its grounds and to minimize hazards to all occupants. The policies and procedures shall include, but not be limited to:

1. ~~Abortion facility security;~~
2. ~~Safety safety rules and practices pertaining to personnel, equipment, gases, liquids, drugs, supplies, and services; and~~
3. ~~Provisions for disseminating safety related information to employees and users of the abortion facility.~~

12VAC5-412-350. Maintenance.

~~A. The abortion facility's structure, its component parts, and all equipment such as elevators, heating, cooling, ventilation, and emergency lighting, shall be kept in good repair and operating condition. Areas used by patients shall be maintained in good repair and kept free of hazards. All wooden surfaces shall be sealed with nonlead-based paint, lacquer, varnish, or shellac that will allow sanitization.~~

~~B. When patient monitoring equipment is utilized, a written preventive maintenance program shall be developed and implemented. This equipment shall be checked and/or tested in accordance with manufacturer's specifications at periodic intervals, not less than annually, to ensure proper operation and a state of good repair. After repairs and/or alterations are made to any equipment, the equipment shall be thoroughly tested for proper operation before it is returned to service. Records shall be maintained on each piece of equipment to indicate its history of testing and maintenance.~~

12VAC5-412-360. Firefighting equipment and systems. (Repealed.)

~~A. Each abortion facility shall establish a monitoring program for the internal enforcement of all applicable fire and safety laws and regulations and shall designate a responsible employee for the monitoring program.~~

~~B. All fire protection and alarm systems and other firefighting equipment shall be inspected and tested in accordance with the current edition of the Virginia Statewide Fire Prevention Code (§ 27-94 et seq. of the Code of Virginia) to maintain them in serviceable condition.~~

~~C. All corridors and other means of egress or exit from the building shall be maintained clear and free of obstructions in accordance with the current edition of the Virginia Statewide Fire Prevention Code (§ 27-94 et seq. of the Code of Virginia).]~~

Part VII

Design and Construction

12VAC5-412-370. Local and state codes and standards.

~~Abortion facilities [A.] All construction of new buildings and additions or major renovations to existing buildings for occupancy as an abortion facility shall [comply with conform to all applicable] state and local codes; and [zoning], and building ordinances [and the Virginia Uniform Statewide Building Code (13VAC5-63)]. In addition, abortion facilities [All construction of new buildings and additions or major renovations to existing buildings for occupancy as an abortion facility that perform only surgical abortions or a combination of surgical and medication induced abortions shall] comply [be designed and constructed consistent with Part 1 and] sections 3.1.1 through 3.1.8 and section 3.7 [section 3.8 of Part 3 of the] 2010 [Guidelines for Design and Construction of] Health Care [Hospitals and Outpatient Facilities] of the [, 2014 edition, The Facilities Guidelines Institute (2014 guidelines),] which shall take precedence over the Virginia Uniform Statewide Building Code [pursuant to § 32.1-127.001 of the Code of Virginia. Abortion facilities that perform only medication induced abortions shall be designed and constructed consistent with sections 1.1, 1.3, and 1.4 of Part 1 of the 2014 guidelines.]~~

Entities operating as of the effective date of this chapter as identified by the department through submission of Reports of Induced Termination of Pregnancy pursuant to 12VAC5-550-120 or other means and that are now subject to licensure may be licensed in their current buildings if such entities submit a plan with the application for licensure that will bring them into full compliance with this provision within two years from the date of licensure.

~~[Abortion procedures may take place in a procedure room, as detailed in section 3.8.3.1 of Part 3 of the 2014 guidelines, except that minimum square footage requirements for procedure rooms used for the provision of surgical abortion do not need to be greater than 120 square feet, with a minimum room dimension of 10 feet and a minimum clear dimension of three feet at each side and at the foot of the bed. Rooms designed in accordance with section 3.8.3.2 of Part 3 of the 2014 guidelines are not required for abortion facilities. Section 3.7.3.6.13.1(2) of Part 3 of the 2014 guidelines shall not apply to facilities that do not have a room designed in accordance with section 3.8.3.2.]~~

~~Architectural drawings and specifications for all new construction or for additions, alterations, or renovations to any existing building shall be dated, stamped with professional seal, and signed by the architect. The architect shall certify that the drawings and specifications were prepared to conform to the Virginia Uniform Statewide Building Code (13VAC5-63) and be consistent with the applicable sections of the 2014 guidelines. The certification shall be forwarded to the Office of Licensure and Certification of the Virginia Department of Health.~~

~~B. In order to determine whether the abortion] facility [facility's design and construction is] in compliance [consistent with] this provision [the applicable sections of the 2014 guidelines, the commissioner may obtain additional information from the facility or its architect] concerning the design and construction of the facility [.]~~

DOCUMENTS INCORPORATED BY REFERENCE (12VAC5-412)

~~[Guidelines for Design and Construction of] Health Care [Hospitals and Outpatient Facilities,] 2010 Edition [2014 edition,] Part 1 and Sections 3.1 through 3.1.8 and 3.7 of Part 3, [The Facilities Guidelines Institute] (formerly of the American Institute of Architects) [, Washington, D.C. (<http://www.fgiguideelines.org>)]~~

Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care [-Circulation, November 2, 2010, Volume 122, Issue 18 Suppl 3, 2015,] American Heart Association, 7272 Greenville Avenue, Dallas, TX 75231-4596

[(http://circ.ahajournals.org/content/vol122/18_suppl_3/). (<https://eccguidelines.heart.org/index.php/circulation/cpr-ecc-guidelines-2/>)]

Sexually Transmitted Diseases Treatment Guidelines, 2010, Centers for Disease Control and Prevention, U.S. Department of Health and Human Services

[[Sexually Transmitted Diseases Treatment Guidelines, 2015](#), Centers for Disease Control and Prevention, U.S. Department of Health and Human Services (<http://www.cdc.gov/std/tg2015/default.htm>)]

Guide to Infection Prevention for Outpatient Settings: Minimum Expectations for Safe Care, Centers for Disease Control and Prevention, U.S. Department of Health and Human Services (http://www.cdc.gov/HAI/prevent/prevent_pubs.html).

[[Guide to Infection Prevention for Outpatient Settings: Minimum Expectations for Safe Care, version 2.2, November 2015](#), Centers for Disease Control and Prevention, U.S. Department of Health and Human Services (http://www.cdc.gov/HAI/settings/outpatient/outpatient_care_guidelines.html)]

Standards for Ambulatory Care, Rights and Responsibilities of the Individual, 2011, [[2015 Standards for Ambulatory Care](#), The Joint Commission, 1515 W. 22nd Street, Suite 1300W, Oak Brook, IL 60523, telephone] 1-877-223-2866 [1-770-238-0454, email jercustomerservice@pbd.com.]

[Bloodborne Pathogens - OSHA's Bloodborne Pathogens Standard, OSHA Fact Sheet and Quick Reference Guide, 2011 U.S. Occupational Safety and Health Administration](#)

VA.R. Doc. No. R15-4258; Filed January 25, 2017, 8:41 a.m.

Regulations

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Emergency Regulation

Titles of Regulations: 12VAC30-10. State Plan under Title XIX of the Social Security Act Medical Assistance Program; General Provisions (amending 12VAC30-10-540).

12VAC30-50. Amount, Duration, and Scope of Medical and Remedial Care Services (amending 12VAC30-50-130).

12VAC30-60. Standards Established and Methods Used to Assure High Quality Care (amending 12VAC30-60-5, 12VAC30-60-50, 12VAC30-60-61).

12VAC30-130. Amount, Duration and Scope of Selected Services (amending 12VAC30-130-3000; repealing 12VAC30-130-850, 12VAC30-130-860, 12VAC30-130-870, 12VAC30-130-880, 12VAC30-130-890, 12VAC30-130-3020).

Statutory Authority: § 32.1-325 of the Code of Virginia; 42 USC § 1396 et seq.

Effective Dates: July 1, 2017, through December 31, 2018.

Agency Contact: Emily McClellan, Regulatory Supervisor, Policy Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 371-4300, FAX (804) 786-1680, or email emily.mcclellan@dmas.virginia.gov.

Preamble:

The psychiatric residential treatment service was implemented in 2001. The existing regulations are not adequate to ensure successful treatment outcomes are attained for the individuals who receive high cost high intensity residential treatment services. Since moving behavioral health services to Magellan (the DMAS behavioral health service administrator or BHSA) there has been enhanced supervision of these services. The enhanced supervision has led to an increased awareness of some safety challenges and administrative challenges in this high level of care. The proposed revisions will serve to better clarify policy interpretations that revise program standards to allow for more evidence-based service delivery, allow DMAS to implement more effective utilization management in collaboration with the BHSA, enhance individualized coordination of care, implement standardized coordination of individualized aftercare resources by ensuring access to medical and behavioral health service providers in the individual's home community, and support DMAS audit practices. The changes will move toward a service model that will reduce lengths of stay for and facilitate an evidence-based treatment approach to better support the individual's discharge into his home environment.

The emergency action, pursuant to § 2.2-4011 of the Code of Virginia, includes changes to the following areas: (i) provider qualifications including acceptable licensing standards, (ii) preadmission assessment requirements, (iii) program requirements, (iv) new discharge planning and care coordination requirements, and (iv) language enhancements for utilization review requirements to clarify program requirements and help providers avoid payment retractions. These changes are part of a review of the services to ensure that they are effectively delivered and utilized for individuals who meet the medical necessity criteria. For each individual seeking residential treatment their treatment needs will be assessed with enhanced requirements by the current independent certification teams who must coordinate clinical assessment information and assess local resources for each person requesting residential care to determine an appropriate level of care. The certification teams will also be more able to coordinate referrals for care to determine, in accordance with Department of Justice requirements, whether or not the individual seeking services can be safely served using community-based services in the least restrictive setting. Independent team certifications will be conducted prior to the onset of specified services, as required by Centers for Medicare and Medicaid Services guidelines, by the DMAS behavioral health services administrator.

The proposal includes changes to program requirements that ensure that effective levels of care coordination and discharge planning occurs for each individual during his residential stay by enhancing program rules and utilization management principles that facilitate effective discharge planning and establish community-based services prior to the individual's discharge from residential care. The proposal requires enhanced care coordination to provide the necessary, objective evaluations of treatment progress and to facilitate evidence-based practices during the treatment to reduce the length of stay by ensuring that medical necessity indicates the correct level of care and that appropriate and effective care is delivered in a person-centered manner. The proposal requires that service providers and local systems will use standardized preadmission and discharge processes to ensure effective services are delivered.

This emergency action is in compliance with provisions of Item 301 OO and Item 301 PP of Chapter 665 of the 2015 Acts of Assembly, as follows:

Item 301 OO c 7, 8, 9, 14, 15, 16, 17, and 18 directed that DMAS shall develop a blueprint for a care coordination model for individuals in need of behavioral health services that includes the following principles:

"7. Develops direct linkages between medical and behavioral services in order to make it easier for

consumers to obtain timely access to care and services, which could include up to full integration.

8. Builds upon current best practices in the delivery of behavioral health services.

9. Accounts for local services and reflects familiarity with the community where services are provided.

...

14. Achieves cost savings through decreasing avoidable episodes of care and hospitalizations, strengthening the discharge planning process, improving adherence to medication regimens, and utilizing community alternatives to hospitalizations and institutionalization.

15. Simplifies the administration of acute psychiatric, community and mental health rehabilitation, and medical health services for the coordinating entity, providers, and consumers.

16. Requires standardized data collection, outcome measures, customer satisfaction surveys, and reports to track costs, utilization of services, and outcomes. Performance data should be explicit, benchmarked, standardized, publicly available, and validated.

17. Provides actionable data and feedback to providers.

18. In accordance with federal and state regulations, includes provisions for effective and timely grievances and appeals for consumers."

Item 301 OO d states:

"The department may seek the necessary waiver(s) or State Plan authorization under Titles XIX and XXI of the Social Security Act to develop and implement a care coordination model ... This model may be applied to individuals on a mandatory basis. The department shall have authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act."

Item 301 PP states:

"The Department of Medical Assistance Services shall make programmatic changes in the provision of Residential Treatment Facility (Level C) and Levels A and B residential services (group homes) for children with serious emotional disturbances in order [to] ensure appropriate utilization and cost efficiency. The department shall consider all available options including, but not limited to, prior authorization, utilization review and provider qualifications. The department shall have authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this act."

In response to Item 301 OO c 14, DMAS is proposing new requirements to ensure that comprehensive discharge planning begins at admission to a therapeutic group home or residential treatment facility so that the individual can

return to the community setting with appropriate supports at the soonest possible time.

DMAS is responding to the legislative mandates in Item 301 OO c 7 through 9, 14, and 15 by sunsetting the Virginia Independent Assessment Program (VICAP) regulation at 12VAC30-130-3020. The VICAP program is no longer needed, as the BHSA is now conducting thorough reviews of medical necessity for each requested service, and the funds allocated to the VICAP program can be more effectively used elsewhere.

DMAS is responding to the legislative mandates in Item 301 OO c 16 through 18 by creating a single point of contact at the BHSA for families and caregivers who will increase timely access to residential behavioral health services, promote effective service delivery, and decrease wait times for medical necessity and placement decisions that previously have been managed by local family assessment and planning teams (FAPT). The FAPTs are not DMAS-enrolled service providers, and the individuals who must use the FAPT process to gain access to Medicaid covered residential treatment are not subject to the established Medicaid grievance process and choice options as mandated by CMS. The enhanced interaction of the families and the BHSA will enable more thorough data collection to ensure freedom of choice in service providers, and to measure locality trends, service provider trends, and population trends to facilitate evidence-based decisions in both the clinical service delivery and administration of the program. The enhanced family interaction will enable the BHSA to complete individual family surveys and monitor care more effectively after discharge from services to assess the family and individual perspective on service delivery and enable DMAS to more effectively manage evidence-based residential treatment services.

Since 2001, when residential treatment services were implemented by DMAS, individuals have not had access to standardized methods of effective care coordination upon entry into residential treatment due to locality influence and DMAS reimbursement limitations. This has resulted in a fragmented coordination approach for these individuals who are at risk for high levels of care and remain at risk of repeated placements at this level of care. The residential treatment prior authorization and utilization management structures require an enhanced care coordination model to support the individuals who receive this level of service to ensure an effective return to the family or caregiver home environment with follow-up services to facilitate ongoing treatment progress in the least restrictive environment. The added coordination is required to navigate a very complex service environment for the individual as the individual returns to a community setting to establish an effective aftercare environment that involves service providers who may be contracted with a variety of entities such as DMAS contracted managed care organizations (MCOs), BHSA

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enrolled providers, the local FAPT, local school divisions, and the local community services board (CSB). This regulation will allow DMAS to implement a contracted care coordination team that will focus on attaining specific clinical outcomes for all residential care episodes and provide a new single liaison who will ensure coordination of care in a complex service environment for individuals upon discharge from residential treatment and prior to the time when they will enroll in an MCO. During this transition period the individual is very vulnerable to repeated admissions to residential or inpatient care and must also be supported in the fee for service (FFS) environment with resources from the local CSB and BHSA enrolled services providers and requires ongoing support and coordination with the local FAPT to provide aftercare services consisting of post-discharge follow-up and transition services provided by the BHSA coordination team.

The care coordination team will (i) provide increased standardization of preadmission assessment activity, (ii) provide facilitation of an effective independent certification team process, (iii) ensure that MCO and medical home resources are used to provide accurate psychosocial assessment and clinical/medical history to the certification team and BHSA, (iv) facilitate accurate authorization decisions and consider community-based service options prior to any out-of-home placement, (v) facilitate high levels of family involvement, (vi) provide aggressive discharge planning that ensures smooth transition into community-based services and MCO-funded health services, and (vii) provide meaningful, coordinated post-discharge follow-up for up to 90 days after discharge with the youth and family.

The residential care coordination team will ensure meaningful communication across all parts of the Comprehensive Services Act, Department of Behavioral Health and Developmental Services, MCO, and FFS service systems to maximize efficiency of activities, eliminate duplicative or conflicting efforts, and ensure established timelines are met (e.g., regular assessment of progress).

These enclosed proposed utilization control requirements are recommended consistent with the federal requirements at 42 CFR Part 456 Utilization Control. Specifically, 42 CFR 456.3, "Statewide surveillance and utilization control program" provides: "The Medicaid agency must implement a statewide surveillance and utilization control program that—

- (a) Safeguards against unnecessary or inappropriate use of Medicaid services and against excess payments;
- (b) Assesses the quality of those services;
- (c) Provides for the control of the utilization of all services provided under the plan in accordance with subpart B of this part, and

(d) Provides for the control of the utilization of inpatient services in accordance with subparts C through I of this part."

The Code of Federal Regulations also provides, at 42 CFR 430.10, "...The State plan contains all information necessary for CMS to determine whether the plan can be approved to serve as a basis for Federal financial participation (FFP) in the State program." FFP is the federal matching funds that DMAS receives from the Centers for Medicare and Medicaid Services. Not performing utilization control of the services affected by these proposed regulations, as well as all Medicaid covered services, could subject DMAS' federal matching funds to a CMS recovery action.

Purpose. This regulatory action is essential to protect the health, safety, or welfare of individuals with Medicaid who require behavioral health services. In addition, these proposed changes are intended to promote improved quality of Medicaid-covered behavioral health services provided to individuals.

This regulatory action is also essential to ensure that Medicaid individuals and their families are well informed about their behavioral health condition and service options prior to receiving these services. This ensures the services are medically necessary for the individual and are rendered by providers who use evidence-based treatment approaches.

While residential treatment is not a service that should be approved with great frequency for a large number of individuals, it is a service that should be accessible to the families and individuals who require that level of care. The current service model has significant operational layers that must be navigated to access residential services. The current program processes involve coordination of care by local FAPT teams who have, over time, demonstrated some influence on determining an individual's eligibility for FAPT funded services. The local influence on the program's administration causes limitations on individualized freedom of provider choice and inconsistent authorization of funding for persons deemed to need psychiatric care out of the home setting. This local administration of the primary referral source for residential treatment lies outside the purview of DMAS and this situation produces outcomes that are inadequate to meet CMS requirements on ensuring the individual freedom of choice of providers. In addition, local FAPT administrators do not enforce the Department of Justice settlement requirements in a uniform manner.

DMAS has added content to program requirements and covered services portions of the regulations to better clarify the benefit coverage and utilization criteria. The emergency regulations allow the use of additional information collection to better assess ways to reduce the average length of stay for individuals in residential care,

and to better coordinate educational funding for those who require medically necessary services in a psychiatric treatment setting by using enhanced Medicaid supports.

The goal is that individuals receive the correct level of service at the correct time for the treatment (service) needs related to the individual's medical/psychiatric condition. Residential treatment services consist of behavioral health interventions and are intended to provide high intensity clinical treatment that should be provided for a short duration. Stakeholder feedback supported DMAS observations of lengthy durations of stay for many individuals. Residential treatment services will benefit from clarification of the service definition and eligibility requirements to ensure that residential treatment does not evolve into a long-term level of support instead of the high intensity psychiatric treatment modality that defines this level of care.

Substance. The sections of the State Plan for Medical Assistance that are affected by this action are 12VAC30-10-540 (Inspection of care in intermediate care facilities); 12VAC30-50-130 (Skilled nursing facility services, EPSDT, school health services, and family planning); 12VAC30-60-5 (Applicability of utilization review requirements); 12VAC30-60-50 (Utilization control: Intermediate Care Facilities for the Mentally Retarded (ICF/MR) and Institutions for Mental Disease (IMD); 12VAC30-60-61 (Services related to the Early and Periodic Screening, Diagnosis and Treatment Program (EPSDT); community mental health services for children). The state-only regulations that are affected by this action are 12VAC30-130-850 through 12VAC30-130-890 (Part XIV - Residential Psychiatric Treatment for Children and Adolescents).

12VAC30-10-540. Inspection of care in intermediate care facilities for ~~the mentally retarded persons with intellectual and developmental disabilities~~, facilities providing inpatient psychiatric services for individuals under 21, and mental hospitals.

All applicable requirements of 42 CFR 456, Subpart I, are met with respect to periodic inspections of care and services.⊘

~~Inpatient psychiatric services for individuals under age 21 are not provided under this plan.~~

⊘Inspection of ~~Care~~ care (IOC) in ~~Intermediate Care Facilities~~ intermediate care facilities for ~~the Mentally Retarded and Institutions for Mental Diseases~~ are persons with intellectual and developmental disabilities is completed through contractual arrangements with the Virginia Department of Health.

12VAC30-50-130. Skilled nursing facility services, EPSDT, school health services, and family planning.

A. Skilled nursing facility services (other than services in an institution for mental diseases) for individuals 21 years of age or older.

Service must be ordered or prescribed and directed or performed within the scope of a license of the practitioner of the healing arts.

B. Early and periodic screening ~~and~~ diagnosis and treatment (EPSDT) of individuals under 21 years of age, and treatment of conditions found - general provisions.

1. Payment of medical assistance services shall be made on behalf of individuals under 21 years of age, who are Medicaid eligible, for medically necessary stays in acute care facilities, and the accompanying attendant physician care, in excess of 21 days per admission when such services are rendered for the purpose of diagnosis and treatment of health conditions identified through a physical examination.

2. Routine physicals and immunizations (except as provided through EPSDT) are not covered except that well-child examinations in a private physician's office are covered for foster children of the local social services departments on specific referral from those departments.

3. Orthoptics services shall only be reimbursed if medically necessary to correct a visual defect identified by an EPSDT examination or evaluation. The department shall place appropriate utilization controls upon this service.

4. Consistent with the Omnibus Budget Reconciliation Act of 1989 § 6403, early and periodic screening, diagnostic, and treatment services means the following services: screening services, vision services, dental services, hearing services, and such other necessary health care, diagnostic services, treatment, and other measures described in Social Security Act § 1905(a) to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services and which are medically necessary, whether or not such services are covered under the State Plan and notwithstanding the limitations, applicable to recipients ages 21 and over, provided for by the Act § 1905(a).

~~5. Community~~ C. Early and periodic screening diagnosis and treatment (EPSDT) of individuals younger than 21 years of age - community mental health services. These services in order to be covered (i) shall meet medical necessity criteria based upon diagnoses made by LMHPs who are practicing within the scope of their licenses and (ii) are reflected in provider records and on ~~providers'~~ provider claims for services by recognized diagnosis codes that support and are consistent with the requested professional services.

a. 1. Definitions. The following words and terms when used in this section shall have the following meanings unless the context clearly indicates otherwise:

~~"Activities of daily living" means personal care activities and includes bathing, dressing, transferring, toileting, feeding, and eating.~~

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"Adolescent ~~or child~~" means the individual receiving the services described in this section. For the purpose of the use of ~~these terms~~ this term, adolescent means an individual 12-20 years of age; ~~a child means an individual from birth up to 12 years of age.~~

"Behavioral health services administrator" or "BHSA" means an entity that manages or directs a behavioral health benefits program under contract with DMAS.

"Care coordination" means collaboration and sharing of information among health care providers, who are involved with an individual's health care, to improve the care.

~~"Certified prescriber" means an employee of the local community services board or behavioral health authority, or its designee, who is skilled in the assessment and treatment of mental illness and has completed a certification program approved by the Department of Behavioral Health and Developmental Services.~~

~~"Clinical experience" means providing direct behavioral health services on a full time basis or equivalent hours of part time work to children and adolescents who have diagnoses of mental illness and includes supervised internships, supervised practicums, and supervised field experience for the purpose of Medicaid reimbursement of (i) intensive in home services, (ii) day treatment for children and adolescents, (iii) community based residential services for children and adolescents who are younger than 21 years of age (Level A), or (iv) therapeutic behavioral services (Level B). Experience shall not include unsupervised internships, unsupervised practicums, and unsupervised field experience. The equivalency of part-time hours to full time hours for the purpose of this requirement shall be as established by DBHDS in the document entitled Human Services and Related Fields Approved Degrees/Experience, issued March 12, 2013, revised May 3, 2013.~~

"Child" means the individual receiving the services described in this section; an individual from birth up to 12 years of age.

"DBHDS" means the Department of Behavioral Health and Developmental Services.

"DMAS" means the Department of Medical Assistance Services and its contractor or contractors.

~~"Human services field" means the same as the term is defined by DBHDS in the document entitled Human Services and Related Fields Approved Degrees/Experience, issued March 12, 2013, revised May 3, 2013.~~

"Individual service plan" or "ISP" means the same as the term is defined in 12VAC30-50-226.

"Licensed mental health professional" or "LMHP" means a licensed physician, licensed clinical psychologist, licensed professional counselor, licensed clinical social worker, licensed substance abuse treatment practitioner, licensed

~~marriage and family therapist, or certified psychiatric clinical nurse specialist the same as defined in 12VAC35-105-20.~~

"LMHP-resident" or "LMHP-R" means the same as "resident" as defined in (i) 18VAC115-20-10 for licensed professional counselors; (ii) 18VAC115-50-10 for licensed marriage and family therapists; or (iii) 18VAC115-60-10 for licensed substance abuse treatment practitioners. An LMHP-resident shall be in continuous compliance with the regulatory requirements of the applicable counseling profession for supervised practice and shall not perform the functions of the LMHP-R or be considered a "resident" until the supervision for specific clinical duties at a specific site has been preapproved in writing by the Virginia Board of Counseling. ~~For purposes of Medicaid reimbursement to their supervisors for services provided by such residents, they shall use the title "Resident" in connection with the applicable profession after their signatures to indicate such status.~~

"LMHP-resident in psychology" or "LMHP-RP" means the same as an individual in a residency, as that term is defined in 18VAC125-20-10, program for clinical psychologists. An LMHP-resident in psychology shall be in continuous compliance with the regulatory requirements for supervised experience as found in 18VAC125-20-65 and shall not perform the functions of the LMHP-RP or be considered a "resident" until the supervision for specific clinical duties at a specific site has been preapproved in writing by the Virginia Board of Psychology. ~~For purposes of Medicaid reimbursement by supervisors for services provided by such residents, they shall use the title "Resident in Psychology" after their signatures to indicate such status.~~

"LMHP-supervisee in social work," "LMHP-supervisee," or "LMHP-S" means the same as "supervisee" as defined in 18VAC140-20-10 for licensed clinical social workers. An LMHP-supervisee in social work shall be in continuous compliance with the regulatory requirements for supervised practice as found in 18VAC140-20-50 and shall not perform the functions of the LMHP-S or be considered a "supervisee" until the supervision for specific clinical duties at a specific site is preapproved in writing by the Virginia Board of Social Work. For purposes of Medicaid reimbursement to their supervisors for services provided by supervisees, these persons shall use the title "Supervisee in Social Work" after their signatures to indicate such status.

~~"Progress notes" means individual specific documentation that contains the unique differences particular to the individual's circumstances, treatment, and progress that is also signed and contemporaneously dated by the provider's professional staff who have prepared the notes. Individualized and member specific progress notes are part of the minimum documentation requirements and shall~~

~~convey the individual's status, staff interventions, and, as appropriate, the individual's progress, or lack of progress, toward goals and objectives in the ISP. The progress notes shall also include, at a minimum, the name of the service rendered, the date of the service rendered, the signature and credentials of the person who rendered the service, the setting in which the service was rendered, and the amount of time or units/hours required to deliver the service. The content of each progress note shall corroborate the time/units billed. Progress notes shall be documented for each service that is billed.~~

"Psychoeducation" means (i) a specific form of education aimed at helping individuals who have mental illness and their family members or caregivers to access clear and concise information about mental illness and (ii) a way of accessing and learning strategies to deal with mental illness and its effects in order to design effective treatment plans and strategies.

~~"Psychoeducational activities" means systematic interventions based on supportive and cognitive behavior therapy that emphasizes an individual's and his family's needs and focuses on increasing the individual's and family's knowledge about mental disorders, adjusting to mental illness, communicating and facilitating problem solving and increasing coping skills.~~

"Qualified mental health professional-child" or "QMHP-C" means the same as the term is defined in 12VAC35-105-20.

"Qualified mental health professional-eligible" or "QMHP-E" means the same as the term is defined in 12VAC35-105-20 and consistent with the requirements of 12VAC35-105-590.

~~"Qualified paraprofessional in mental health" or "QPPMH" means the same as the term is defined in 12VAC35-105-20 and consistent with the requirements of 12VAC35-105-1370.~~

"Service-specific provider intake" means the face-to-face interaction in which the provider obtains information from the child or adolescent, and parent or other family member or members, as appropriate, about the child's or adolescent's mental health status. It includes documented history of the severity, intensity, and duration of mental health care problems and issues and shall contain all of the following elements: (i) the presenting issue/reason for referral, (ii) mental health history/hospitalizations, (iii) previous interventions by providers and timeframes and response to treatment, (iv) medical profile, (v) developmental history including history of abuse, if appropriate, (vi) educational/vocational status, (vii) current living situation and family history and relationships, (viii) legal status, (ix) drug and alcohol profile, (x) resources and strengths, (xi) mental status exam and profile, (xii) diagnosis, (xiii) professional summary and clinical formulation, (xiv) recommended care and treatment goals,

and (xv) the dated signature of the LMHP, LMHP-supervisee, LMHP-resident, or LMHP-RP.

~~b. 2.~~ Intensive in-home services (IIH) to children and adolescents under age 21 shall be time-limited interventions provided in the individual's residence and when clinically necessary in community settings. All interventions and the settings of the intervention shall be defined in the Individual Service Plan. All IIH services shall be designed to specifically improve family dynamics, provide modeling, and the clinically necessary interventions that increase functional and therapeutic interpersonal relations between family members in the home. IIH services are designed to promote psychoeducational benefits in the home setting of an individual who is at risk of being moved into an out-of-home placement or who is being transitioned to home from an out-of-home placement due to a documented medical need of the individual. These services provide crisis treatment; individual and family counseling; communication skills (e.g., counseling to assist the individual and his parents or guardians, as appropriate, to understand and practice appropriate problem solving, anger management, and interpersonal interaction, etc.); care coordination with other required services; and 24-hour emergency response.

~~(1) These services shall be limited annually to 26 weeks.~~

~~a.~~ Service authorization shall be required for Medicaid reimbursement prior to the onset of services. Services rendered before the date of authorization shall not be reimbursed.

~~(2) b.~~ Service authorization shall be required for services to continue beyond the initial 26 weeks.

~~(3) c.~~ Service-specific provider intakes shall be required at the onset of services and ISPs shall be required during the entire duration of services. Services based upon incomplete, missing, or outdated service-specific provider intakes or ISPs shall be denied reimbursement. Requirements for service-specific provider intakes and ISPs are set out in this section.

~~(4) d.~~ These services ~~may~~ shall only be rendered by an LMHP, LMHP-supervisee, LMHP-resident, LMHP-RP, a QMHP-C, or a QMHP-E.

~~e. 3.~~ Therapeutic day treatment (TDT) shall be provided two or more hours per day in order to provide therapeutic interventions. Day treatment programs, limited annually to 780 units, (a unit is defined in 12VAC30-60-61 D 11) provide evaluation; medication education and management; opportunities to learn and use daily living skills and to enhance social and interpersonal skills (e.g., problem solving, anger management, community responsibility, increased impulse control, and appropriate peer relations, etc.); and individual, group and family counseling.

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(1) a. Service authorization shall be required for Medicaid reimbursement.

(2) b. Service-specific provider intakes shall be required at the onset of services and ISPs shall be required during the entire duration of services. Services based upon incomplete, missing, or outdated service-specific provider intakes or ISPs shall be denied reimbursement. Requirements for service-specific provider intakes and ISPs are set out in this section.

(3) c. These services may shall be rendered only by an LMHP, LMHP-supervisee, LMHP-resident, LMHP-RP, a QMHP-C, or a QMHP-E.

d. Community based services for children and adolescents under 21 years of age (Level A).

(1) Such services shall be a combination of therapeutic services rendered in a residential setting. The residential services will provide structure for daily activities, psychoeducation, therapeutic supervision, care coordination, and psychiatric treatment to ensure the attainment of therapeutic mental health goals as identified in the individual service plan (plan of care). Individuals qualifying for this service must demonstrate medical necessity for the service arising from a condition due to mental, behavioral or emotional illness that results in significant functional impairments in major life activities in the home, school, at work, or in the community. The service must reasonably be expected to improve the child's condition or prevent regression so that the services will no longer be needed. The application of a national standardized set of medical necessity criteria in use in the industry, such as McKesson InterQual[®] Criteria or an equivalent standard authorized in advance by DMAS, shall be required for this service.

(2) In addition to the residential services, the child must receive, at least weekly, individual psychotherapy that is provided by an LMHP, LMHP supervisee, LMHP-resident, or LMHP RP.

(3) Individuals shall be discharged from this service when other less intensive services may achieve stabilization.

(4) Authorization shall be required for Medicaid reimbursement. Services that were rendered before the date of service authorization shall not be reimbursed.

(5) Room and board costs shall not be reimbursed. DMAS shall reimburse only for services provided in facilities or programs with no more than 16 beds.

(6) These residential providers must be licensed by the Department of Social Services, Department of Juvenile Justice, or Department of Behavioral Health and Developmental Services under the Standards for Licensed Children's Residential Facilities (22VAC40-151), Standards for Interim Regulation of Children's

Residential Facilities (6VAC35-51), or Regulations for Children's Residential Facilities (12VAC35-46).

(7) Daily progress notes shall document a minimum of seven psychoeducational activities per week. Psychoeducational programming must include, but is not limited to, development or maintenance of daily living skills, anger management, social skills, family living skills, communication skills, stress management, and any care coordination activities.

(8) The facility/group home must coordinate services with other providers. Such care coordination shall be documented in the individual's medical record. The documentation shall include who was contacted, when the contact occurred, and what information was transmitted.

(9) Service-specific provider intakes shall be required at the onset of services and ISPs shall be required during the entire duration of services. Services based upon incomplete, missing, or outdated service specific provider intakes or ISPs shall be denied reimbursement. Requirements for intakes and ISPs are set out in 12VAC30-60-61.

(10) These services may only be rendered by an LMHP, LMHP supervisee, LMHP resident, LMHP RP, a QMHP C, a QMHP E, or a QPPMH.

D. Early and periodic screening diagnosis and treatment (EPSDT) of individuals younger than 21 years of age - therapeutic group home services and residential treatment services.

1. Definitions. The following words and terms when used in this subsection shall have the following meanings:

"Active treatment" means implementation of an initial plan of care (IPOC) and comprehensive individual plan of care (CIPOC) that shall be developed, supervised, and approved by the family or legally authorized representative, treating physician, psychiatrist, or LMHP responsible for the overall supervision of the CIPOC. Each plan of care shall be designed to improve the individual's condition and to achieve the individual's safe discharge from residential care at the earliest possible time.

"Assessment" means a service conducted within seven calendar days of admission by an LMHP, LMHP-R, LMHP-RP, or LMHP-S utilizing a tool or series of tools to provide a comprehensive evaluation and review of an individual's current mental health status in order to make recommendations; provide diagnosis; identify strengths, needs, and risk level; and describe the severity of symptoms.

"Behavioral health services administrator" or "BHSA" means an entity that manages or directs a behavioral health benefits program under contract with DMAS.

"Certificate of need" or "CON" means a written statement by an independent certification team that services in a residential treatment facility are or were needed.

"Combined treatment services" means a structured, therapeutic milieu and planned interventions that promote (i) the development or restoration of adaptive functioning, self-care, and social skills; (ii) community integrated activities and community living skills that each individual requires to live in less restrictive environments; (iii) behavioral consultation; (iv) individual and group therapy; (v) recreation therapy, (vi) family education and family therapy; and (vii) individualized treatment planning.

"Comprehensive individual plan of care" or "CIPOC" means a person-centered plan of care that meets all of the requirements of this subsection and is specific to the individual's unique treatment needs and acuity levels as identified in the clinical assessment and information gathered during the referral process.

"Crisis" means a deteriorating or unstable situation, often developing suddenly that produces an acute, heightened emotional, mental, physical, medical, or behavioral event.

"Crisis management" means immediately provided activities and interventions designed to rapidly manage a crisis.

"Daily supervision" means the supervision provided in a residential treatment facility through a resident-to-staff ratio approved by the Office of Licensure at the Department of Behavioral Health and Developmental Services with documented supervision checks every 15 minutes throughout the 24-hour period.

"Discharge planning" means family and locality-based care coordination that begins upon admission to a residential treatment facility or therapeutic group home with the goal of transitioning the individual out of the residential treatment facility or therapeutic group home to a less restrictive care setting with continued, clinically-appropriate, and possibly intensive, services as soon as possible upon discharge. Discharge plans shall be recommended by the treating physician, psychiatrist, or treating LMHP responsible for the overall supervision of the CIPOC and shall be approved by the BHSA.

"DSM-5" means the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, copyright 2013, American Psychiatric Association.

"Emergency admissions" means those admissions that are made when, pending a review for the certificate of need, it appears that the individual is in need of an immediate admission to group home or residential treatment and likely does not meet the medical necessity criteria to receive crisis intervention, crisis stabilization, or acute psychiatric inpatient services.

"Emergency services" means unscheduled and sometimes scheduled crisis intervention, stabilization, acute

psychiatric inpatient services, and referral assistance provided over the telephone or face-to-face if indicated, and available 24 hours a day, seven days per week.

"Family engagement" means a family-centered and strengths-based approach to partnering with families in making decisions, setting goals, achieving desired outcomes, and promoting safety, permanency, and well-being for children, youth, and families. Family engagement requires ongoing opportunities for an individual to build and maintain meaningful relationships with family members, for example, frequent, unscheduled, and noncontingent phone calls and visits between an individual and family members. Family engagement may also include enhancing or facilitating the development of the individual's relationship with other family members and supportive adults responsible for the individual's care and well-being upon discharge.

"Family engagement activity" means an intervention consisting of family psychoeducational training or coaching, transition planning with the family, family and independent living skills, and training on accessing community supports as identified in the IPOC and CIPOC. Family engagement activity does not include and is not the same as family therapy.

"Independent certification team" means a team that has competence in diagnosis and treatment of mental illness, preferably in child psychiatry; has knowledge of the individual's situation; and is composed of at least one physician and one LMHP. The independent certification team shall be a DMAS-authorized contractor with contractual or employment relationships with the required team members.

"Individual" means the child or adolescent younger than 21 years of age who is receiving therapeutic group home or residential treatment facility services.

"Initial plan of care" or "IPOC" means a person-centered plan of care established at admission that meets all of the requirements of this subsection and is specific to the individual's unique treatment needs and acuity levels as identified in the clinical assessment and information gathered during the referral process.

"Intervention" means scheduled therapeutic treatment such as individual or group psychoeducation; psychoeducational activities with specific topics focused to address individualized needs; structured behavior support and training activities; recreation, art, and music therapies; community integration activities that promote or assist in the youth's ability to acquire coping and functional or self-regulating behavior skills; day and overnight passes; and family engagement activities. Interventions shall not include individual, group, and family therapy, medical, or dental appointments, physician services, medication evaluation or management provided by a licensed clinician or physician and shall not include school attendance.

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Interventions shall be provided in the therapeutic group home or residential treatment facility and, when clinically necessary, in a community setting or as part of a therapeutic leave activity. All interventions and settings of the intervention shall be established in the CIPOC.

"Physician" means an individual licensed to practice medicine or osteopathic medicine in Virginia, as defined in § 54.1-2900 of the Code of Virginia.

"Psychoeducational activities" means systematic interventions based on supportive and cognitive behavior therapy that emphasizes an individual's and his family's needs and focuses on increasing the individual's and family's knowledge about mental disorders, adjusting to mental illness, communicating and facilitating problem solving, and increasing coping skills.

"Recertification" means a certification for each applicant or recipient for whom residential treatment facility services are needed.

"Residential case management" means providing care coordination, maintaining records, making calls, sending emails, compiling monthly reports, scheduling meetings, and performing other administrative tasks related to the individual. Residential case management is a component of the combined treatment services provided in a group home setting or residential treatment facility.

"Residential medical supervision" means around-the-clock nursing and medical care through onsite nurses and onsite or on-call physicians, as well as nurse and physician attendance at each treatment planning meeting. Residential medical supervision is a component of the combined treatment services provided in a congregate residential care facility and is included in the reimbursement for residential services.

"Residential supplemental therapies" means a specified minimum of daily interventions and other professional therapies. Residential supplemental therapies are a component of the combined treatment services provided in a congregate residential care facility and are included in the reimbursement for residential services. Residential providers shall not bill other payment sources in addition to DMAS for these covered services as part of a residential stay.

"Residential treatment facility" means the same as defined in 42 CFR 483.352 and is a 24-hour, supervised, clinically and medically necessary, out-of-home active treatment program designed to provide necessary support and address mental health, behavioral, substance abuse, cognitive, and training needs of an individual younger than 21 years of age in order to prevent or minimize the need for more intensive inpatient treatment.

"Room and board" means a component of the total daily cost for placement in a licensed residential treatment facility. Residential room and board costs are maintenance

costs associated with placement in a licensed residential treatment facility and include a semi-private room, three meals and two snacks per day, and personal care items. Room and board costs are reimbursed only for residential treatment settings.

"Therapeutic group home" means a congregate residential service providing 24-hour supervision in a community-based home having eight or fewer residents.

"Therapeutic leave" and "therapeutic passes" mean time at home or time with family consisting of partial or entire days of time away from the group home or treatment facility with identified goals as approved by the treating physician, psychiatrist, or LMHP responsible for the overall supervision of the CIPOC and documented in the CIPOC that facilitate or measure treatment progress, facilitate aftercare designed to promote family/community engagement, connection and permanency, and provide for goal-directed family engagement.

e. 2. Therapeutic behavioral group home services (Level B).

~~(1) Such services must be therapeutic services rendered in a residential setting that provides structure for daily activities, psychoeducation, therapeutic supervision, care coordination, and psychiatric treatment to ensure the attainment of therapeutic mental health goals as identified in the individual service plan (plan of care). Individuals qualifying for this service must demonstrate medical necessity for the service arising from a condition due to mental, behavioral or emotional illness that results in significant functional impairments in major life activities in the home, school, at work, or in the community. The service must reasonably be expected to improve the child's condition or prevent regression so that the services will no longer be needed. The application of a national standardized set of medical necessity criteria in use in the industry, such as McKesson InterQual[®] Criteria, or an equivalent standard authorized in advance by DMAS shall be required for this service.~~

a. Therapeutic group home services for children and adolescents younger than the age of 21 years are combined treatment services. The combination of therapeutic services rendered in a residential setting provides a therapeutic structure of daily psychoeducational activities, therapeutic supervision, behavioral modification, and mental health care to ensure the attainment of therapeutic goals. The therapeutic group home shall provide therapeutic services to restore, develop, or maintain appropriate skills necessary to promote prosocial behavior and healthy living to include the development of coping skills, family living and health awareness, interpersonal skills, communication skills, and stress management skills. Treatment for substance use disorders shall be addressed as clinically

indicated. The program shall include individualized activities provided in accordance with the IPOC and CIPOC including a minimum of one intervention per 24-hour period in addition to individual, group, and family therapies. Daily interventions are not required when there is documentation to justify clinical or medical reasons for the individual's deviations from the service plan. Interventions shall be documented on a progress note and shall be outlined in and aligned with the treatment goals and objectives in the IPOC and CIPOC. Any deviation from the IPOC or CIPOC shall be documented along with a clinical or medical justification for the deviation.

b. Medical necessity criteria for admission to a therapeutic group home. The following requirements for severity of need and intensity and quality of service shall be met to satisfy the medical necessity criteria for admission.

(1) Admission - severity of need. The following criteria shall be met to satisfy the criteria for severity of need:

(a) The individual's behavioral health condition can only be safely and effectively treated in a 24-hour therapeutic milieu with onsite behavioral health therapy due to significant impairments in home, school, and community functioning caused by current mental health symptoms consistent with a DSM-5 diagnosis.

(b) The certificate of need must demonstrate all of the following: (i) ambulatory care resources (all available modalities of treatment less restrictive than inpatient treatment) available in the community do not meet the treatment needs of the individual; (ii) proper treatment of the individual's psychiatric condition requires services on an inpatient basis under the direction of a physician; and (iii) the services can reasonably be expected to improve the individual's condition or prevent further regression so that the services will no longer be needed.

(c) An assessment that demonstrates at least two areas of moderate impairment in major life activities. A moderate impairment is defined as a major or persistent disruption in major life activities. The state uniform assessment tool must be completed. A moderate impairment is evidenced by, but not limited to (i) frequent conflict in the family setting such as credible threats of physical harm. "Frequent" is defined as more than expected for the individual's age and developmental level; (ii) frequent inability to accept age-appropriate direction and supervision from caretakers, from family members, at school, or in the home or community; (iii) severely limited involvement in social support, which means significant avoidance of appropriate social interaction, deterioration of existing relationships, or refusal to participate in therapeutic interventions; (iv) impaired ability to form a trusting relationship with at least one caretaker in the home, school, or community; (v) limited ability to consider the effect of one's inappropriate

conduct on others; and (vi) interactions consistently involving conflict, which may include impulsive or abusive behaviors.

(d) Less restrictive community-based services have been given a fully adequate trial and were unsuccessful or, if not attempted, have been considered, but in either situation were determined to be to be unable to meet the individual's treatment needs and the reasons for that are discussed in the application.

(e) The individual's symptoms, or the need for treatment in a 24 hours a day, seven days a week level of care (LOC), are not primarily due to any of the following: (i) intellectual disability, developmental disability, or autistic spectrum disorder; (ii) organic mental disorders, traumatic brain injury, or other medical condition; or (iii) the individual does not require a more intensive level of care.

(f) The individual does not require primary medical or surgical treatment.

(2) Admission - intensity and quality of service. All of the following criteria shall be met to satisfy the criteria for intensity and quality of service.

(a) The therapeutic group home service has been prescribed by a psychiatrist, psychologist, or other LMHP who has documented that a residential setting is the least restrictive clinically appropriate service that can meet the specifically identified treatment needs of the individual

(b) Therapeutic group home is not being used for clinically inappropriate reasons, including: (i) an alternative to incarceration, and/or preventative detention; (ii) an alternative to parents', guardian's or agency's capacity to provide a place of residence for the individual; or, (iii) a treatment intervention, when other less restrictive alternatives are available.

(c) The individual's treatment goals are included in the service specific provider intake and include behaviorally defined objectives that require, and can reasonably be achieved within, a therapeutic group home setting.

(d) The therapeutic group home is required to coordinate with the individual's community resources, including schools, with the goal of transitioning the individual out of the program to a less restrictive care setting for continued, sometimes intensive, services as soon as possible and appropriate.

(e) The therapeutic group home program must incorporate nationally established, evidence-based, trauma informed services and supports that promote recovery and resiliency.

(f) Discharge planning begins upon admission, with concrete plans for the individual to transition back into the community beginning within the first week of

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admission, with clear action steps and target dates outlined in the treatment plan.

(3) Continued stay criteria. The following criteria shall be met in order to satisfy the criteria for continued stay:

(a) All of the admission guidelines continue to be met and this is supported by the written clinical documentation.

(b) The individual shall meet one of the following: (i) the desired outcome or level of functioning has not been restored or improved in the timeframe outlined in the individual's CIPOC or the individual continues to be at risk for relapse based on history or (ii) the tenuous nature of the functional gains and use of less intensive services will not achieve stabilization.

(c) The individual shall meet one of the following: (i) the individual has achieved initial CIPOC goals but additional goals are indicated that cannot be met at a lower level of care; (ii) the individual is making satisfactory progress toward meeting goals but has not attained CIPOC goals, and the goals cannot be addressed at a lower level of care; (iii) the individual is not making progress, and the CIPOC has been modified to identify more effective interventions; or (iv) there are current indications that the individual requires this level of treatment to maintain level of functioning as evidenced by failure to achieve goals identified for therapeutic visits or stays in a nontreatment residential setting or in a lower level of residential treatment.

(d) There is a written, up-to-date discharge plan that (i) identifies the custodial parent or custodial caregiver at discharge; (ii) identifies the school the individual will attend at discharge; (iii) includes individualized education program (IEP) recommendations, if necessary; (iv) outlines the aftercare treatment plan (discharge to another residential LOC is not an acceptable discharge goal); and (v) lists barriers to community reintegration and progress made on resolving these barriers since last review.

(e) The active treatment plan includes structure for daily activities, psychoeducation, and therapeutic supervision and activities to ensure the attainment of therapeutic mental health goals as identified in the treatment plan. In addition to the daily therapeutic residential services, the child/adolescent must also receive psychotherapy services, care coordination, family-based discharge planning, and locality-based transition activities. Intensive family interventions, with a recommended frequency of one family therapy session per week, although twice per month is minimally acceptable. Family involvement begins immediately upon admission to therapeutic group home. If the minimum requirement cannot be met, the reasons must be reported, and continued efforts to involve family members must also be documented. Under certain circumstances an alternate

plan, aimed at enhancing the individual's connections with other family members and/or supportive adults may be an appropriate substitute.

(f) Less restrictive treatment options have been considered, but cannot yet meet the individual's treatment needs. There is sufficient current clinical documentation/evidence to show that therapeutic group home LOC continues to be the least restrictive level of care that can meet the individual's mental health treatment needs.

(4) Discharge criteria are as follows:

(a) Medicaid reimbursement is not available when other less intensive services may achieve stabilization.

(b) Reimbursement shall not be made for this level of care if any of the following applies: (i) the level of functioning has improved with respect to the goals outlined in the CIPOC and the individual can reasonably be expected to maintain these gains at a lower level of treatment or (ii) the individual no longer benefits from service as evidenced by absence of progress toward CIPOC goals for a period of 60 days.

c. The following clinical interventions shall be required for each therapeutic group home resident:

(1) Preadmission service-specific provider intake shall be performed by an LMHP, LMHP-R, LMHP-RP, or LMHP-S.

(2) A face-to-face behavioral health assessment shall be performed by an LMHP, LMHP-R, LMHP-RP, or LMHP-S within 30 days prior to admission and shall document a DSM-5/ICD-10 diagnosis.

(3) A certificate of need shall be completed by an independent certification team according to the requirements of 12VAC30-50-130 D 4. Recertification shall occur at least every 60 days by a LMHP, LMHP-R, LMHP-RP, or LMHP-S acting within their scope of practice.

(4) An initial plan of care shall be completed on the day of admission by an LMHP, LMHP-R, LMHP-RP, or LMHP-S and shall be signed by the LMHP, LMHP-R, LMHP-RP, or LMHP-S and the individual and a family member or legally authorized representative. The initial plan of care shall include all of the following:

(a) Individual and family strengths and personal traits that would facilitate recovery and opportunities to develop motivational strategies and treatment alliance;

(b) Diagnoses, symptoms, complaints, and complications indicating the need for admission;

(c) A description of the functional level of the individual;

(d) Treatment objectives with short-term and long-term goals;

(e) Orders for medications, psychiatric, medical, dental, and any special health care needs whether or not

provided in the facilities, treatments, restorative and rehabilitative services, activities, therapies, social services, community integration, diet, and special procedures recommended for the health and safety of the individual;

(f) Plans for continuing care, including review and modification to the plan of care; and

(g) Plans for discharge.

(5) The CIPOC shall be completed no later than 14 calendar days after admission and shall meet all of the following criteria:

(a) Be based on a diagnostic evaluation that includes examination of the medical, psychological, social, behavioral, and developmental aspects of the individual's situation and shall reflect the need for therapeutic group home care;

(b) Be based on input from school, home, other health care providers, the individual, and the family or legal guardian;

(c) Shall state treatment objectives that include measurable short-term and long-term goals and objectives, with target dates for achievement;

(d) Prescribe an integrated program of therapies, activities, and experiences designed to meet the treatment objectives related to the diagnosis; and

(e) Include a comprehensive discharge plan with necessary, clinically appropriate community services to ensure continuity of care upon discharge with the child's family, school, and community.

(6) The CIPOC shall be reviewed, signed, and dated every 30 calendar days by the LMHP, LMHP-R, LMHP-RP, or LMHP-S and the individual or a family member or primary caregiver. Updates shall be signed and dated by the LMHP, LMHP-R, LMHP-RP, or LMHP-S and the individual or a family member or legally authorized representative. The review shall include all of the following:

(a) The individual's response to the services provided;

(b) Recommended changes in the plan as indicated by the individual's overall response to the CIPOC interventions; and

(c) Determinations regarding whether the services being provided continue to be required.

(7) Crisis management, clinical assessment, and individualized therapy shall be provided as indicated in the IPOC and CIPOC to address intermittent crises and challenges within the group home setting or community settings as defined in the plan of care and to avoid a higher level of care.

(8) Care coordination shall be provided with medical, educational, and other behavioral health providers and

other entities involved in the care and discharge planning for the individual as included in the IPOC and CIPOC.

(9) Weekly individual therapy shall be provided in the therapeutic group home, or other settings as appropriate for the individual's needs, by an LMHP, LMHP-R, LMHP-RP, or LMHP-S, which shall be documented in progress notes in accordance with the requirements in 12VAC30-60-61.

(10) Weekly (or more frequently if clinically indicated) group therapy shall be provided by an LMHP, LMHP-R, LMHP-RP, or LMHP-S, which shall be documented in progress notes in accordance with the requirements in 12VAC30-60-61 and as planned and documented in the IPOC or CIPOC.

(11) Family treatment shall be provided as clinically indicated, provided by an LMHP, LMHP-R, LMHP-RP, or LMHP-S, which shall be documented in progress notes in accordance with the requirements in 12VAC30-60-61 and as planned and documented in the IPOC or CIPOC.

(12) Family engagement activities shall be provided in addition to family therapy/counseling. Family engagement activities shall be provided at least weekly as outlined in the IPOC and CIPOC, and daily communication with the family or legally authorized representative shall be part of the family engagement strategies in the IPOC or CIPOC. For each service authorization period when family engagement is not possible, the therapeutic group home shall identify and document the specific barriers to the individual's engagement with his family or legally authorized representatives. The therapeutic group home shall document on a weekly basis the reasons why family engagement is not occurring as required. The therapeutic group home shall document alternative family engagement strategies to be used as part of the interventions in the IPOC or CIPOC and request approval of the revised IPOC or CIPOC by DMAS or its contractor. When family engagement is not possible, the therapeutic group home shall collaborate with DMAS or its contractor on a weekly basis to develop individualized family engagement strategies and document the revised strategies in the IPOC or CIPOC.

(13) Therapeutic passes shall be provided as clinically indicated and as paired with facility-based and community-based interventions and combined treatment services to promote discharge planning, community integration, and family engagement activities. Twenty-four therapeutic passes shall be permitted per individual, per admission, without authorization as approved by the treating LMHP and documented in the CIPOC. Additional therapeutic leave passes shall require service authorization. Any unauthorized therapeutic leave passes shall result in retraction for those days of service.

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(14) Discharge planning. Beginning at admission and continuing throughout the individual's stay at the therapeutic group home, the family or guardian, the community services board (CSB), the family assessment and planning team (FAPT) case manager, and either the managed care organization (MCO) or BHSA care manager shall be involved in treatment planning and shall identify the anticipated needs of the individual and family upon discharge and available services in the community. Prior to discharge, the therapeutic group home shall submit an active and viable discharge plan to the BHSA for review. Once the BHSA approves the discharge plan, the provider shall begin actively collaborating with the family or legally authorized representative and the treatment team to identify behavioral health and medical providers and schedule appointments for service-specific provider intakes as needed. The therapeutic group home shall request permission from the parent or legally authorized representative to share treatment information with these providers and shall share information pursuant to a valid release. The therapeutic group home shall request information from post-discharge providers to establish that the planning of pending services and transition planning activities have begun, shall establish that active transition planning has begun, shall establish that the individual has been enrolled in school, and shall provide IEP recommendations to the school if necessary. The therapeutic group home shall inform the BHSA of all scheduled appointments within 30 days of discharge and shall notify the BHSA within one business day of the individual's discharge date from the therapeutic group home.

~~(2) Authorization is required for Medicaid reimbursement. Services that are rendered before the date of service authorization shall not be reimbursed.~~

~~(3) (15) Room and board costs shall not be reimbursed. Facilities that only provide independent living services or nonclinical services that do not meet the requirements of this subsection are not reimbursed eligible for reimbursement. DMAS shall reimburse only for services provided in facilities or programs with no more than 16 beds.~~

~~(4) These residential (16) Therapeutic group home services providers must shall be licensed by the Department of Behavioral Health and Developmental Services (DBHDS) under the Regulations for Children's Residential Facilities (12VAC35-46).~~

~~(5) Daily progress notes shall document that a minimum of seven psychoeducational activities per week occurs. Psychoeducational programming must include, but is not limited to, development or maintenance of daily living skills, anger management, social skills, family living skills, communication skills, and stress management.~~

~~This service may be provided in a program setting or a community based group home.~~

~~(6) The individual must receive, at least weekly, individual psychotherapy and, at least weekly, group psychotherapy that is provided as part of the program.~~

~~(7) (17) Individuals shall be discharged from this service when treatment goals are met or other less intensive services may achieve stabilization.~~

~~(8) Service specific provider intakes shall be required at the onset of services and ISPs shall be required during the entire duration of services. (18) Services that are based upon incomplete, missing, or outdated service-specific provider intakes or ISPs CIPOCs shall be denied reimbursement. Requirements for intakes and ISPs are set out in 12VAC30-60-61.~~

~~(9) These (19) Therapeutic group home services may only be rendered by an LMHP, LMHP-supervisee, LMHP-resident, LMHP-RP, a QMHP-C, a QMHP-E, or a QPPMH qualified paraprofessional in mental health.~~

~~(10) (20) The facility / or group home shall coordinate necessary services and discharge planning with other providers as medically and clinically necessary. Documentation of this care coordination shall be maintained by the facility / or group home in the individual's record. The documentation shall include who was contacted, when the contact occurred, and what information was transmitted, and recommended next steps.~~

~~(21) Failure to perform any of the items described in this subsection shall result in a retraction of the per diem for each day of noncompliance.~~

~~6. Inpatient psychiatric 3. Residential treatment facility services shall are a 24-hour, supervised, clinically and medically necessary out-of-home program designed to provide necessary support and address mental health, behavioral, substance use, cognitive, or other treatment needs of an individual younger than the age of 21 years in order to prevent or minimize the need for more intensive inpatient treatment. Active treatment and comprehensive discharge planning shall begin prior to admission. In order to be covered for individuals younger than age 21 for medically necessary stays for the purpose of diagnosis and treatment of mental health and behavioral disorders identified under EPSDT when such services are rendered by: these services shall (i) meet DMAS-approved psychiatric medical necessity criteria or be approved as an EPSDT service based upon a diagnosis made by an LMHP, LMHP-R, LMHP-RP, or LMHP-S who is practicing within the scope of his license and (ii) be reflected in provider records and on the provider's claims for services by recognized diagnosis codes that support and are consistent with the requested professional services.~~

~~a. A psychiatric hospital or an inpatient psychiatric program in a hospital accredited by the Joint Commission on Accreditation of Healthcare Organizations; or a psychiatric facility that is accredited by the Joint Commission on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, the Council on Accreditation of Services for Families and Children or the Council on Quality and Leadership.~~

~~b. Inpatient psychiatric hospital admissions at general acute care hospitals and freestanding psychiatric hospitals shall also be subject to the requirements of 12VAC30-50-100, 12VAC30-50-105, and 12VAC30-60-25. Inpatient psychiatric admissions to residential treatment facilities shall also be subject to the requirements of Part XIV (12VAC30-130-850 et seq.) of Amount, Duration and Scope of Selected Services.~~

~~e. Inpatient psychiatric services are reimbursable only when the treatment program is fully in compliance with 42 CFR Part 441 Subpart D, as contained in 42 CFR 441.151 (a) and (b) and 441.152 through 441.156. Each admission must be preauthorized and the treatment must meet DMAS requirements for clinical necessity.~~

a. Residential treatment facility services shall be covered for the purpose of diagnosis and treatment of mental health and behavioral disorders when such services are rendered by:

(1) A psychiatric hospital or an inpatient psychiatric program in a hospital accredited by the Joint Commission; or a psychiatric facility that is accredited by the Joint Commission, the Commission on Accreditation of Rehabilitation Facilities, the Council on Accreditation of Services for Families and Children, or the Council on Quality and Leadership. Providers of residential treatment facility services shall be licensed by DBHDS.

(2) Inpatient psychiatric hospital admissions at general acute care hospitals and freestanding psychiatric hospitals shall also be subject to the requirements of 12VAC30-50-100, 12VAC30-50-105, and 12VAC30-60-25. Inpatient psychiatric admissions to residential treatment facilities shall also be subject to the requirements of 12VAC30-130 (Amount, Duration and Scope of Selected Services).

(3) Residential treatment facility services are reimbursable only when the treatment program is fully in compliance with (i) the Code of Federal Regulations at 42 CFR Part 441 Subpart D, specifically 42 CFR 441.151 (a) and (b) and 42 CFR 441.152 through 42 CFR 441.156 and (ii) the Conditions of Participation in 42 CFR Part 483 Subpart G. Each admission must be preauthorized and the treatment must meet DMAS requirements for clinical necessity.

b. Residential treatment facility services shall include assessment and re-assessment; room and board; daily

supervision; combined treatment services; individual, family, and group therapy; residential care coordination; interventions; general or special education; medical treatment (including medication, coordination of necessary medical services, and 24-hour onsite nursing); specialty services; and discharge planning that meets the medical and clinical needs of the individual.

c. Medical necessity criteria for admission to a psychiatric residential treatment facility. The following requirements for severity of need and intensity and quality of service shall be met to satisfy the medical necessity criteria for admission:

(1) Admission - severity of need. The following criteria shall be met to satisfy the criteria for severity of need:

(a) There is clinical evidence that the patient has a DSM-5 disorder that is amenable to active psychiatric treatment.

(b) There is a high degree of potential of the condition leading to acute psychiatric hospitalization in the absence of residential treatment.

(c) Either (i) there is clinical evidence that the individual would be a risk to self or others if he were not in a residential treatment program or (ii) as a result of the individual's mental disorder, there is an inability to adequately care for one's physical needs, and caretakers/guardians/family members are unable to safely fulfill these needs, representing potential serious harm to self.

(d) The individual requires supervision seven days per week, 24 hours per day to develop skills necessary for daily living; to assist with planning and arranging access to a range of educational, therapeutic, and aftercare services; and to develop the adaptive and functional behavior that will allow him to live outside of a residential setting.

(e) The individual's current living environment does not provide the support and access to therapeutic services needed.

(f) The individual is medically stable and does not require the 24-hour medical or nursing monitoring or procedures provided in a hospital level of care.

(2) Admission - intensity and quality of service. The following criteria shall be met to satisfy the criteria for intensity and quality of service:

(a) The evaluation and assignment of a DSM-5 diagnosis must result from a face-to-face psychiatric evaluation.

(b) The program provides supervision seven days per week, 24 hours per day to assist with the development of skills necessary for daily living; to assist with planning and arranging access to a range of educational, therapeutic, and aftercare services; and to assist with the development of the adaptive and functional behavior that

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will allow the patient to live outside of a residential setting.

(c) An individualized plan of active psychiatric treatment and residential living support is provided in a timely manner. This treatment must be medically monitored, with 24-hour medical availability and 24-hour nursing services availability. This plan includes (i) at least once-a-week psychiatric reassessments; (ii) intensive family and/or support system involvement occurring at least once per week, or identifies valid reasons why such a plan is not clinically appropriate or feasible; (iii) psychotropic medications, when used, are to be used with specific target symptoms identified; (iv) evaluation for current medical problems; (v) evaluation for concomitant substance use issues; (vi) linkage and/or coordination with the patient's community resources with the goal of returning the patient to his regular social environment as soon as possible, unless contraindicated. School contact should address an individualized educational plan as appropriate.

(d) A urine drug screen is considered at the time of admission, when progress is not occurring, when substance misuse is suspected, or when substance use and medications may have a potential adverse interaction. After a positive screen, additional random screens are considered and referral to a substance use disorder provider is considered.

(3) Criteria for continued stay. The following criteria shall be met to satisfy the criteria for continued stay:

(a) Despite reasonable therapeutic efforts, clinical evidence indicates at least one of the following: (i) the persistence of problems that caused the admission to a degree that continues to meet the admission criteria (both severity of need and intensity of service needs); (ii) the emergence of additional problems that meet the admission criteria (both severity of need and intensity of service needs); (iii) that disposition planning and/or attempts at therapeutic re-entry into the community have resulted in or would result in exacerbation of the psychiatric illness to the degree that would necessitate continued residential treatment. Subjective opinions without objective clinical information or evidence are not sufficient to meet severity of need based on justifying the expectation that there would be a decompensation.

(b) There is evidence of objective, measurable, and time-limited therapeutic clinical goals that must be met before the patient can return to a new or previous living situation. There is evidence that attempts are being made to secure timely access to treatment resources and housing in anticipation of discharge, with alternative housing contingency plans also being addressed.

(c) There is evidence that the treatment plan is focused on the alleviation of psychiatric symptoms and precipitating psychosocial stressors that are interfering

with the patient's ability to return to a less-intensive level of care.

(d) The current or revised treatment plan can be reasonably expected to bring about significant improvement in the problems meeting the criteria in subdivision 3 c (3) (a) of this subsection, and this is documented in weekly progress notes written and signed by the provider.

(e) There is evidence of intensive family and/or support system involvement occurring at least once per week, unless there is an identified, valid reason why it is not clinically appropriate or feasible.

(f) A discharge plan is formulated that is directly linked to the behaviors and/or symptoms that resulted in admission, and begins to identify appropriate post-residential treatment resources.

(g) All applicable elements in admission-intensity and quality of service criteria are applied as related to assessment and treatment if clinically relevant and appropriate.

d. The following clinical activities shall be required for each residential treatment facility resident:

(1) A face-to-face assessment shall be performed by an LMHP, LMHP-R, LMHP-RS, or LMHP-S within 30 days prior to admission and weekly thereafter and shall document a DSM-5/ICD-10 diagnosis.

(2) A certificate of need shall be completed by an independent certification team according to the requirements of 12VAC30-50-130 D 4. Recertification shall occur at least every 30 days by a physician acting within his scope of practice.

(3) The initial plan of care (IPOC) shall be completed within 24 hours of admission by the treatment team. The initial plan of care shall include:

(a) Individual and family strengths and personal traits that would facilitate recovery and opportunities to develop motivational strategies and treatment alliance;

(b) Diagnoses, symptoms, complaints, and complications indicating the need for admission;

(c) A description of the functional level of the individual;

(d) Treatment objectives with short-term and long-term goals;

(e) Any orders for medications, psychiatric, medical, dental, and any special health care needs, whether or not provided in the facility, education or special education, treatments, interventions, restorative and rehabilitative services, activities, therapies, social services, diet, and special procedures recommended for the health and safety of the individual;

(f) Plans for continuing care, including review and modification to the plan of care;

(g) Plans for discharge; and

(h) Signature and date by the individual, parent, or legally authorized representative, a physician, and treatment team members.

(4) The CIPOC shall be completed no later than 14 calendar days after admission by the treatment team. The residential treatment facility shall request authorizations from families to release confidential information to collect information from medical and behavioral health treatment providers, schools, social services, court services, and other relevant parties. This information shall be used when considering changes and updating the CIPOC. The CIPOC shall meet all of the following criteria:

(a) Be based on a diagnostic evaluation that includes examination of the medical, psychological, social, behavioral, and developmental aspects of the individual's situation and must reflect the need for residential treatment facility care;

(b) Be developed by an interdisciplinary team of physicians and other personnel specified in this subdivision 3 d of this subsection who are employed by or provide services to the individual in the facility in consultation with the individual, family member, or legally authorized representative, or appropriate others into whose care the individual will be released after discharge;

(c) Shall state treatment objectives that shall include measurable, evidence-based, short-term and long-term goals and objectives; family engagement activities; and the design of community-based aftercare with target dates for achievement;

(d) Prescribe an integrated program of therapies, interventions, activities, and experiences designed to meet the treatment objectives related to the individual and family treatment needs; and

(e) Describe comprehensive transition plans and coordination of current care and post-discharge plans with related community services to ensure continuity of care upon discharge with the recipient's family, school, and community.

(5) The CIPOC shall be reviewed every 30 calendar days by the team specified in this subdivision 3 d of this subsection to determine that services being provided are or were required from a residential treatment facility and to recommend changes in the plan as indicated by the individual's overall adjustment during the time away from home. The CIPOC shall include the signature and date from the individual, parent, or legally authorized representative, a physician, and treatment team members.

(6) Individual therapy shall be provided three times per week (or more frequently based upon the individual's needs) provided by an LMHP, LMHP-R, LMHP-RP, or LMHP-S and shall be documented in the IPOC, CIPOC,

and progress notes in accordance with the requirements in this subsection.

(7) Group therapy shall be provided as clinically indicated by an LMHP, LMHP-R, LMHP-RP, or LMHP-S and shall be documented in the IPOC, CIPOC, and progress notes in accordance with the requirements in this subsection.

(8) Family therapy shall be provided as clinically indicated by an LMHP, LMHP-R, LMHP-RP, or LMHP-S and shall be documented in the IPOC, CIPOC, and progress notes in accordance with the individual and family or legally authorized representative's goals and the requirements in this subsection.

(9) Family engagement shall be provided in addition to family therapy/counseling. Family engagement shall be provided at least weekly as outlined in the IPOC and CIPOC, and daily communication with the family or legally authorized representative shall be part of the family engagement strategies in the IPOC and CIPOC. For each service authorization period when family engagement is not possible, the psychiatric residential treatment facility shall identify and document the specific barriers to the individual's engagement with his family or legally authorized representatives. The psychiatric residential treatment facility shall document on a weekly basis, the reasons that family engagement is not occurring as required. The psychiatric residential treatment facility shall document alternate family engagement strategies to be used as part of the interventions in the IPOC or CIPOC and request approval of the revised IPOC or CIPOC by DMAS or its contractor. When family engagement is not possible, the psychiatric residential treatment facility shall collaborate with DMAS or its contractor on a weekly basis to develop individualized family engagement strategies and document the revised strategies in the IPOC or CIPOC.

(10) Three interventions shall be provided per 24-hour period including nights and weekends. Family engagement activities are considered to be an intervention and shall occur based on the treatment and visitation goals and scheduling needs of the family or legally authorized representative. Interventions shall be documented on a progress note and shall be outlined in and aligned with the treatment goals and objectives in the IPOC and CIPOC. Any deviation from the IPOC or CIPOC shall be documented along with a clinical or medical justification for the deviation based on the needs of the individual.

(11) Therapeutic passes shall be provided as clinically indicated and as paired with community and facility-based interventions and combined treatment services to promote discharge planning, community integration, and family engagement. Twenty-four therapeutic passes shall be permitted per individual, per admission, without

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authorization as approved by the treating physician and documented in the CIPOC. Additional therapeutic leave passes shall require service authorization. Any unauthorized therapeutic leave passes shall result in retraction for those days of service.

(12) Discharge planning. Beginning at admission and continuing throughout the individual's placement at the residential treatment facility, the parent or legally authorized representative, the community services board (CSB), the family assessment planning team (FAPT) case manager, if appropriate, and either the managed care organization (MCO) or BHSA care manager shall be involved in treatment planning and shall identify the anticipated needs of the individual and family upon discharge and identify the available services in the community. Prior to discharge, the residential treatment facility shall submit an active discharge plan to the BHSA for review. Once the BHSA approves the discharge plan, the provider shall begin collaborating with the parent or legally authorized representative and the treatment team to identify behavioral health and medical providers and schedule appointments for service-specific provider intakes as needed. The residential treatment facility shall request written permission from the parent or legally authorized representative to share treatment information with these providers and shall share information pursuant to a valid release. The residential treatment facility shall request information from post-discharge providers to establish that the planning of services and activities has begun, shall establish that the individual has been enrolled in school, and shall provide individualized education program (IEP) recommendations to the school if necessary. The residential treatment facility shall inform the BHSA of all scheduled appointments within 30 calendar days of discharge and shall notify the BHSA within one business day of the individual's discharge date from the residential treatment facility.

(13) Failure to perform any of the items as described in subdivisions 3 d (1) through 3 d (12) of this subsection up until the discharge of the individual shall result in a retraction of the per diem and all other contracted and coordinated service payments for each day of noncompliance.

e. The team developing the CIPOC shall meet the following requirements:

(1) At least one member of the team must have expertise in pediatric behavioral health. Based on education and experience, preferably including competence in child/adolescent psychiatry, the team must be capable of all of the following: assessing the individual's immediate and long-range therapeutic needs, developmental priorities, and personal strengths and liabilities; assessing the potential resources of the individual's family or

legally authorized representative; setting treatment objectives; and prescribing therapeutic modalities to achieve the plan's objectives.

(2) The team shall include either:

(a) A board-eligible or board-certified psychiatrist;

(b) A licensed clinical psychologist and a physician licensed to practice medicine or osteopathy; or

(c) A physician licensed to practice medicine or osteopathy with specialized training and experience in the diagnosis and treatment of mental diseases and a licensed clinical psychologist.

(3) The team shall also include one of the following: an LMHP, LMHP-supervisee, LMHP-resident, or LMHP-RP.

4. Requirements applicable to both therapeutic group homes and residential treatment facilities: independent certification teams.

a. The independent certification team shall certify the need for residential treatment or therapeutic group home services and issue a certificate of need document within the process and timeliness standards as approved by DMAS under contractual agreement with the BHSA.

b. The independent certification team shall be approved by DMAS through a memorandum of understanding with a locality or be approved under contractual agreement with the BHSA. The team shall initiate and coordinate referral to the family assessment and planning team (FAPT) as defined in §§ 2.2-5207 and 2.2-5208 of the Code of Virginia to facilitate care coordination and for consideration of educational coverage and other supports not covered by DMAS.

c. The independent certification team shall assess the individual's and family's strengths and needs in addition to diagnoses, behaviors, and symptoms that indicate the need for behavioral health treatment and also consider whether local resources and community-based care are sufficient to meet the individual's treatment needs, as presented within the previous 30 calendar days, within the least restrictive environment.

d. The LMHP, LMHP-supervisee, LMHP-resident, or LMHP-RP, as part of the independent certification team, shall meet with an individual and his parent or legally authorized representative within two business days from a request to assess the individual's needs and begin the process to certify the need for an out-of-home placement.

e. The independent certification team shall meet with an individual and his parent or legally authorized representative within 10 business days from a request to certify the need for an out-of-home placement.

f. The independent certification team shall assess the treatment needs of the individual to issue a certificate of need (CON) for the most appropriate medically-

necessary services. The certification shall include the dated signature and credentials for each of the team members who rendered the certification. Referring or treatment providers shall not actively participate during the certification process but may provide supporting clinical documentation to the certification team.

g. The CON shall be effective for 30 calendar days prior to admission.

h. The independent certification team shall provide the completed CON to the facility within one calendar day of completing the CON.

i. The individual and his parent or legally authorized representative shall have the right to freedom of choice of service providers.

j. If the individual or his parent or legally authorized representative disagrees with the independent certification team's recommendation, the parent or legally authorized representative may appeal the recommendation in accordance with 12VAC30-110-10.

k. If the LMHP, as part of the independent certification team, determines that the individual is in immediate need of treatment, the LMHP shall refer the individual to an appropriate Medicaid-enrolled emergency services provider in accordance with 12VAC30-50-226 or shall refer the individual for emergency admission to a residential treatment facility or therapeutic group home under subdivision 4 m of this subsection, and shall also alert the individual's managed care organization.

l. For individuals who are already eligible for Medicaid at the time of admission, the independent certification team shall be a DMAS-authorized contractor with competence in the diagnosis and treatment of mental illness, preferably in child psychiatry, and have knowledge of the individual's situation and service availability in the individual's local service area. The team shall be composed of at least one physician and one LMHP, including LMHP-S, LMHP-R, and LMHP-RP. An individual's parent or legally authorized representative shall be included in the certification process.

m. For emergency admissions, an assessment must be made by the team responsible for the comprehensive individual plan of care (CIPOC). Reimbursement shall only occur when a certificate of need is issued by the team responsible for the comprehensive individual plan of care within 14 days after admission. The certification shall cover any period of time after admission and before for which claims are made for reimbursement by Medicaid. After processing an emergency admission the residential treatment facility or institution for mental diseases (IMD) shall notify the BHSA of the individual's status as being under the care of the facility within five days.

n. For all individuals who apply and become eligible for Medicaid while an inpatient in a facility or program, the certification team shall refer the case to the DMAS-contracted BHSA for referral to the local FAPT to facilitate care coordination and consideration of educational coverage and other supports not covered by DMAS.

o. For individuals who apply and become eligible for Medicaid while an inpatient in the facility or program, the certification shall be made by the team responsible for the comprehensive individual plan of care and shall cover any period of time before the application for Medicaid eligibility for which claims are made for reimbursement by Medicaid. Upon the individual's enrollment into the Medicaid program, the residential treatment facility or IMD shall notify the BHSA of the individual's status as being under the care of the facility within five days of the individual becoming eligible for Medicaid benefits.

5. Requirements applicable to both therapeutic group homes and residential treatment facilities - service authorization.

a. Authorization shall be required and shall be conducted by DMAS, its behavioral health services administrator, or its utilization management contractor using medical necessity criteria specified in this subsection.

b. An individual shall have a valid psychiatric diagnosis and meet the medical necessity criteria as defined in this subsection to satisfy the criteria for admission. The diagnosis shall be current, as documented within the past 12 months. If a current diagnosis is not available, the individual will require a mental health evaluation by an LMHP employed or contracted with the independent certification team to establish a diagnosis, and recommend and coordinate referral to the available treatment options.

c. At authorization, an initial length of stay shall be agreed upon by the individual and parent or legally authorized representative with the treating provider, and the treating provider shall be responsible for evaluating and documenting evidence of treatment progress, assessing the need for ongoing out-of-home placement, and obtaining authorization for continued stay.

d. Information that is required to obtain authorization for these services shall include:

(1) A completed state-designated uniform assessment instrument approved by DMAS;

(2) A certificate of need completed by an independent certification team specifying all of the following:

(a) The ambulatory care and Medicaid or FAPT-funded services available in the community do not meet the specific treatment needs of the individual;

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(b) Alternative community-based care was not successful;

(c) Proper treatment of the individual's psychiatric condition requires services in a 24-hour supervised setting under the direction of a physician; and

(d) The services can reasonably be expected to improve the individual's condition or prevent further regression so that a more intensive level of care will not be needed;

(3) Diagnosis as defined in the DSM-5 and based on (i) an evaluation by a psychiatrist or LMHP that has been completed within 30 days of admission or (ii) a diagnosis confirmed in writing by an LMHP after review of a previous evaluation completed within one year of admission;

(4) A description of the individual's behavior during the seven days immediately prior to admission;

(5) A description of alternate placements and community mental health and rehabilitation services and traditional behavioral health services pursued and attempted and the outcomes of each service.

(6) The individual's level of functioning and clinical stability.

(7) The level of family involvement and supports available.

(8) The initial plan of care (IPOC).

6. Requirements applicable to both therapeutic group homes and residential treatment facilities - continued stay criteria. For a continued stay authorization or a reauthorization to occur, the individual shall meet the medical necessity criteria as defined in this subsection to satisfy the criteria for continuing care. The length of the authorized stay shall be determined by DMAS, the behavioral health services administrator, or the utilization management contractor. A current CIPOC and a current (within 30 days) summary of progress related to the goals and objectives of the CIPOC shall be submitted to DMAS, the behavioral health services administrator, or the utilization management contractor for continuation of the service. The service provider shall also submit:

a. A state uniform assessment instrument, completed no more than 30 business days prior to the date of submission;

b. Documentation that the required services have been provided as defined in the CIPOC;

c. Current (within the last 14 days) information on progress related to the achievement of all treatment and discharge-related goals; and

d. A description of the individual's continued impairment and treatment needs, problem behaviors, family engagement activities, community-based discharge planning and care coordination, and need for a residential level of care.

7. Requirements applicable to therapeutic group homes and residential treatment facilities - EPSDT services. EPSDT services may involve service modalities not available to other individuals, such as applied behavioral analysis and neuro-rehabilitative services. Individualized services to address specific clinical needs identified in an EPSDT screening shall require authorization by DMAS, a DMAS contractor, or the BHSA. In unique EPSDT cases, DMAS, the DMAS contractor, or the BHSA may authorize specialized services beyond the standard therapeutic group home or residential treatment medical necessity criteria and program requirements, as medically and clinically indicated to ensure the most appropriate treatment is available to each individual. Treating service providers authorized to deliver medically necessary EPSDT services in inpatient settings, therapeutic group homes, and residential treatment facilities on behalf of a Medicaid-enrolled individual shall adhere to the individualized interventions and evidence-based progress measurement criteria described in the CIPOC and approved for reimbursement by DMAS, the DMAS contractor, or the BHSA. All documentation, independent certification team, family engagement activity, therapeutic pass, and discharge planning requirements shall apply to cases approved as EPSDT inpatient, residential treatment, or therapeutic group home service.

7. 8. Hearing aids shall be reimbursed for individuals younger than 21 years of age according to medical necessity when provided by practitioners licensed to engage in the practice of fitting or dealing in hearing aids under the Code of Virginia.

6. E. School health services.

1. School health assistant services are repealed effective July 1, 2006.

2. School divisions may provide routine well-child screening services under the State Plan. Diagnostic and treatment services that are otherwise covered under early and periodic screening, diagnosis and treatment services, shall not be covered for school divisions. School divisions to receive reimbursement for the screenings shall be enrolled with DMAS as clinic providers.

a. Children enrolled in managed care organizations shall receive screenings from those organizations. School divisions shall not receive reimbursement for screenings from DMAS for these children.

b. School-based services are listed in a recipient's individualized education program (IEP) and covered under one or more of the service categories described in § 1905(a) of the Social Security Act. These services are necessary to correct or ameliorate defects of physical or mental illnesses or conditions.

3. Service providers shall be licensed under the applicable state practice act or comparable licensing criteria by the Virginia Department of Education, and shall meet

applicable qualifications under 42 CFR Part 440. Identification of defects, illnesses or conditions and services necessary to correct or ameliorate them shall be performed by practitioners qualified to make those determinations within their licensed scope of practice, either as a member of the IEP team or by a qualified practitioner outside the IEP team.

- a. Service providers shall be employed by the school division or under contract to the school division.
- b. Supervision of services by providers recognized in subdivision 4 of this subsection shall occur as allowed under federal regulations and consistent with Virginia law, regulations, and DMAS provider manuals.
- c. The services described in subdivision 4 of this subsection shall be delivered by school providers, but may also be available in the community from other providers.
- d. Services in this subsection are subject to utilization control as provided under 42 CFR Parts 455 and 456.
- e. The IEP shall determine whether or not the services described in subdivision 4 of this subsection are medically necessary and that the treatment prescribed is in accordance with standards of medical practice. Medical necessity is defined as services ordered by IEP providers. The IEP providers are qualified Medicaid providers to make the medical necessity determination in accordance with their scope of practice. The services must be described as to the amount, duration and scope.

4. Covered services include:

- a. Physical therapy, occupational therapy and services for individuals with speech, hearing, and language disorders, performed by, or under the direction of, providers who meet the qualifications set forth at 42 CFR 440.110. This coverage includes audiology services.
- b. Skilled nursing services are covered under 42 CFR 440.60. These services are to be rendered in accordance to the licensing standards and criteria of the Virginia Board of Nursing. Nursing services are to be provided by licensed registered nurses or licensed practical nurses but may be delegated by licensed registered nurses in accordance with the regulations of the Virginia Board of Nursing, especially the section on delegation of nursing tasks and procedures. The licensed practical nurse is under the supervision of a registered nurse.

(1) The coverage of skilled nursing services shall be of a level of complexity and sophistication (based on assessment, planning, implementation and evaluation) that is consistent with skilled nursing services when performed by a licensed registered nurse or a licensed practical nurse. These skilled nursing services shall include, but not necessarily be limited to dressing changes, maintaining patent airways, medication administration/monitoring and urinary catheterizations.

(2) Skilled nursing services shall be directly and specifically related to an active, written plan of care developed by a registered nurse that is based on a written order from a physician, physician assistant or nurse practitioner for skilled nursing services. This order shall be recertified on an annual basis.

c. Psychiatric and psychological services performed by licensed practitioners within the scope of practice are defined under state law or regulations and covered as physicians' services under 42 CFR 440.50 or medical or other remedial care under 42 CFR 440.60. These outpatient services include individual medical psychotherapy, group medical psychotherapy coverage, and family medical psychotherapy. Psychological and neuropsychological testing are allowed when done for purposes other than educational diagnosis, school admission, evaluation of an individual with intellectual or developmental disability prior to admission to a nursing facility, or any placement issue. These services are covered in the nonschool settings also. School providers who may render these services when licensed by the state include psychiatrists, licensed clinical psychologists, school psychologists, licensed clinical social workers, professional counselors, psychiatric clinical nurse specialist, marriage and family therapists, and school social workers.

d. Personal care services are covered under 42 CFR 440.167 and performed by persons qualified under this subsection. The personal care assistant is supervised by a DMAS recognized school-based health professional who is acting within the scope of licensure. This practitioner develops a written plan for meeting the needs of the child, which is implemented by the assistant. The assistant must have qualifications comparable to those for other personal care aides recognized by the Virginia Department of Medical Assistance Services. The assistant performs services such as assisting with toileting, ambulation, and eating. The assistant may serve as an aide on a specially adapted school vehicle that enables transportation to or from the school or school contracted provider on days when the student is receiving a Medicaid-covered service under the IEP. Children requiring an aide during transportation on a specially adapted vehicle shall have this stated in the IEP.

e. Medical evaluation services are covered as physicians' services under 42 CFR 440.50 or as medical or other remedial care under 42 CFR 440.60. Persons performing these services shall be licensed physicians, physician assistants, or nurse practitioners. These practitioners shall identify the nature or extent of a child's medical or other health related condition.

f. Transportation is covered as allowed under 42 CFR 431.53 and described at State Plan Attachment 3.1-D. Transportation shall be rendered only by school division

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personnel or contractors. Transportation is covered for a child who requires transportation on a specially adapted school vehicle that enables transportation to or from the school or school contracted provider on days when the student is receiving a Medicaid-covered service under the IEP. Transportation shall be listed in the child's IEP. Children requiring an aide during transportation on a specially adapted vehicle shall have this stated in the IEP.

g. Assessments are covered as necessary to assess or reassess the need for medical services in a child's IEP and shall be performed by any of the above licensed practitioners within the scope of practice. Assessments and reassessments not tied to medical needs of the child shall not be covered.

5. DMAS will ensure through quality management review that duplication of services will be monitored. School divisions have a responsibility to ensure that if a child is receiving additional therapy outside of the school, that there will be coordination of services to avoid duplication of service.

~~D.~~ **E.** Family planning services and supplies for individuals of child-bearing age.

1. Service must be ordered or prescribed and directed or performed within the scope of the license of a practitioner of the healing arts.

2. Family planning services shall be defined as those services that delay or prevent pregnancy. Coverage of such services shall not include services to treat infertility nor services to promote fertility.

12VAC30-60-5. Applicability of utilization review requirements.

A. These utilization requirements shall apply to all Medicaid covered services unless otherwise specified.

B. Some Medicaid covered services require an approved service authorization prior to service delivery in order for reimbursement to occur.

1. To obtain service authorization, all providers' information supplied to the Department of Medical Assistance Services (DMAS), service authorization contractor, or the behavioral health service authorization contractor shall be fully substantiated throughout individuals' medical records.

2. Providers shall be required to maintain documentation detailing all relevant information about the Medicaid individuals who are in providers' care. Such documentation shall fully disclose the extent of services provided in order to support providers' claims for reimbursement for services rendered. This documentation shall be written, signed, and dated at the time the services are rendered ~~unless specified otherwise.~~

C. DMAS, or its designee, shall perform reviews of the utilization of all Medicaid covered services pursuant to 42 CFR 440.260 and 42 CFR Part 456.

D. DMAS shall recover expenditures made for covered services when providers' documentation does not comport with standards specified in all applicable regulations.

E. Providers who are determined not to be in compliance with DMAS requirements shall be subject to 12VAC30-80-130 for the repayment of those overpayments to DMAS.

F. Utilization review requirements specific to community mental health services, as set out in 12VAC30-50-130 and 12VAC30-50-226, shall be as follows:

1. To apply to be reimbursed as a Medicaid provider, the required Department of Behavioral Health and Developmental Services (DBHDS) license shall be either a full, annual, triennial, or conditional license. Providers must be enrolled with DMAS or the ~~BHSA~~ behavioral health services administrator (BHSA) to be reimbursed. Once a health care entity has been enrolled as a provider, it shall maintain, and update periodically as DMAS requires, a current Provider Enrollment Agreement for each Medicaid service that the provider offers.

2. Health care entities with provisional licenses shall not be reimbursed as Medicaid providers of community mental health services.

3. Payments shall not be permitted to health care entities that either hold provisional licenses or fail to enter into a Medicaid Provider Enrollment Agreement including a BHSA contract for a service prior to rendering that service.

4. The ~~DMAS-contracted behavioral health service authorization contractor~~ services administrator shall apply a national standardized set of medical necessity criteria in use in the industry, ~~such as McKesson InterQual Criteria,~~ or an equivalent standard authorized in advance by DMAS. Services that fail to meet medical necessity criteria shall be denied service authorization.

5. For purposes of Medicaid reimbursement for services provided by staff in residency, the following terms shall be used after their signatures to indicate such status:

a. LMHP-Rs shall use the term "Resident" after their signatures.

b. LMHP-RPs shall use the term "Resident in Psychology" after their signatures.

c. LMHP-Ss shall use the term "Supervisee in Social Work" after their signatures.

12VAC30-60-50. Utilization control: Intermediate Care Facilities care facilities for the ~~Mentally Retarded (ICF/MR)~~ persons with intellectual and developmental disabilities and ~~Institutions institutions for Mental Disease~~ mental disease (IMD).

A. "Institution for mental disease" or "IMD" means the same as that term is defined in the Social Security Act, § 1905(i).

~~A.~~ B. With respect to each Medicaid-eligible resident in an ICF/MR intermediate care facility for persons with intellectual and developmental disabilities (ICF/ID) or IMD

in Virginia, a written plan of care must be developed prior to admission to or authorization of benefits in such facility, and a regular program of independent professional review (including a medical evaluation) shall be completed periodically for such services. The purpose of the review is to determine: the adequacy of the services available to meet his current health needs and promote his maximum physical well being; the necessity and desirability of his continued placement in the facility; and the feasibility of meeting his health care needs through alternative institutional or noninstitutional services. Long-term care of residents in such facilities will be provided in accordance with federal law that is based on the resident's medical and social needs and requirements.

~~B.~~ C. With respect to each ~~ICF/MR~~ ICF/ID or IMD, periodic ~~on-site~~ onsite inspections of the care being provided to each person receiving medical assistance, by one or more independent professional review teams (composed of a physician or registered nurse and other appropriate health and social service personnel), shall be conducted. The review shall include, with respect to each recipient, a determination of the adequacy of the services available to meet his current health needs and promote his maximum physical well-being, the necessity and desirability of continued placement in the facility, and the feasibility of meeting his health care needs through alternative institutional or noninstitutional services. Full reports shall be made to the state agency by the review team of the findings of each inspection, together with any recommendations.

~~C.~~ D. In order for reimbursement to be made to a facility for ~~the mentally retarded persons with intellectual and developmental disabilities~~, the resident must meet criteria for placement in such facility as described in 12VAC30-60-360 and the facility must provide active treatment for ~~mental retardation~~ intellectual or developmental disabilities.

~~D.~~ E. In each case for which payment for nursing facility services for ~~the mentally retarded persons with intellectual or developmental disabilities~~ or institution for mental disease services is made under the State Plan:

1. ~~A physician must certify for each applicant or recipient that inpatient care is needed in a facility for the mentally retarded or an institution for mental disease. A certificate of need shall be completed by an independent certification team according to the requirements of 12VAC30-50-130 D~~ 5. Recertification shall occur at least every 60 days by a physician, or by a physician assistant or nurse practitioner acting within their scope of practice as defined by state law and under the supervision of a physician. The certification must be made at the time of admission or, if an individual applies for assistance while in the facility, before the Medicaid agency authorizes payment; and
2. A physician, or physician assistant or nurse practitioner acting within the scope of the practice as defined by state law and under the supervision of a physician, must

recertify for each applicant at least every ~~365~~ 60 days that services are needed in a facility for ~~the mentally retarded persons with intellectual disability~~ or institution for mental disease.

~~E.~~ F. When a resident no longer meets criteria for facilities for ~~the mentally retarded persons with intellectual or developmental disabilities~~, or an institution for mental disease or no longer requires active treatment in a facility for ~~the mentally retarded persons with intellectual or developmental disabilities~~, then the resident ~~must~~ shall be discharged.

~~F.~~ G. All services provided in an ~~IMD and in an ICF/MR ICF/ID~~ shall be provided in accordance with guidelines found in the Virginia Medicaid Nursing Home Manual.

H. All services provided in an IMD shall be provided with the applicable provider agreement and all documents referenced therein.

I. Psychiatric services in IMDs shall only be covered for eligible individuals younger than 21 years of age.

J. IMD services provided without service authorization shall not be covered.

K. Absence of any of the required IMD documentation shall result in denial or retraction of reimbursement.

L. In each case for which payment for IMD services is made under the State Plan:

1. A physician shall certify at the time of admission, or at the time the IMD is notified of an individuals' retroactive eligibility status, that the individual requires or required inpatient services in an IMD consistent with 42 CFR 456.160.
2. The physician or physician assistant or nurse practitioner acting within the scope of practice as defined by state law and under the supervision of a physician, shall recertify at least every 60 days that the individual continues to require inpatient services in an IMD.
3. Before admission to an IMD or before authorization for payment, the attending physician or staff physician shall perform a medical evaluation of the individual, and appropriate personnel shall complete a psychiatric and social evaluation as described in 42 CFR 456.170.
4. Before admission to a residential treatment facility or before authorization for payment, the attending physician or staff physician shall establish a written plan of care for each individual as described in 42 CFR 441.155 and 42 CFR 456.180.

M. It shall be documented that the individual requiring admission to an IMD is younger than 21 years of age, that treatment is medically necessary, and that the necessity was identified as a result of an independent certification of need team review. Required documentation shall include the following:

1. Diagnosis, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition 2013, American

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Psychiatric Association, and based on an evaluation by a psychiatrist completed within 30 days of admission or if the diagnosis is confirmed, in writing, by a previous evaluation completed within one year within admission.

2. A certification of the need for services as defined in 42 CFR 441.152 by an interdisciplinary team meeting the requirements of 42 CFR 441.153 or 42 CFR 441.156 and the Psychiatric Treatment of Minors Act (§ 16.1-335 et seq. of the Code of Virginia).

N. The use of seclusion and restraint in an IMD shall be in accordance with 42 CFR 483.350 through 42 CFR 483.376. Each use of a seclusion or restraint, as defined in 42 CFR 483.350 through 42 CFR 483.376, shall be reported by the service provider to DMAS or the BHSVA within one calendar day of the incident.

12VAC30-60-61. Services related to the Early and Periodic Screening, Diagnosis and Treatment Program (EPSDT); community mental health services for children.

A. Definitions. The following words and terms when used in this section shall have the following meanings unless the context indicates otherwise:

"At risk" means one or more of the following: (i) within the two weeks before the intake, the individual shall be screened by an LMHP for escalating behaviors that have put either the individual or others at immediate risk of physical injury; (ii) the parent/guardian is unable to manage the individual's mental, behavioral, or emotional problems in the home and is actively, within the past two to four weeks, seeking an out-of-home placement; (iii) a representative of either a juvenile justice agency, a department of social services (either the state agency or local agency), a community services board/behavioral health authority, the Department of Education, or an LMHP, as defined in 12VAC35-105-20, and who is neither an employee of nor consultant to the intensive in-home (IIH) services or therapeutic day treatment (TDT) provider, has recommended an out-of-home placement absent an immediate change of behaviors and when unsuccessful mental health services are evident; (iv) the individual has a history of unsuccessful services (either crisis intervention, crisis stabilization, outpatient psychotherapy, outpatient substance abuse services, or mental health support) within the past 30 days; (v) the treatment team or family assessment planning team (FAPT) recommends IIH services or TDT for an individual currently who is either: (a) transitioning out of residential treatment facility ~~Level C~~ services, (b) transitioning out of a therapeutic group home ~~Level A or B services~~, (c) transitioning out of acute psychiatric hospitalization, or (d) transitioning between foster homes, mental health case management, crisis intervention, crisis stabilization, outpatient psychotherapy, or outpatient substance abuse services.

"Clinical experience" means providing direct behavioral health services on a full-time basis or equivalent hours of part-time work to children and adolescents who have

diagnoses of mental illness and includes supervised internships, supervised practicums, and supervised field experience for the purpose of Medicaid reimbursement of (i) intensive in-home services, (ii) therapeutic day treatment for children and adolescents, and (iii) therapeutic group homes. Experience shall not include unsupervised internships, unsupervised practicums, or unsupervised field experience. The equivalency of part-time hours to full-time hours for the purpose of this requirement shall be as established by DBHDS in the document entitled "Human Services and Related Fields Approved Degrees/Experience" issued March 12, 2013, revised May 3, 2013.

"Failed services" or "unsuccessful services" means, as measured by ongoing behavioral, mental, or physical distress, that the service or services did not treat or resolve the individual's mental health or behavioral issues.

"Individual" means the Medicaid-eligible person receiving these services and for the purpose of this section includes children from birth up to 12 years of age or adolescents ages 12 through 20 years.

"New service" means a community mental health rehabilitation service for which the individual does not have a current service authorization in effect as of July 17, 2011.

"Out-of-home placement" means placement in one or more of the following: (i) ~~either a Level A or Level B~~ therapeutic group home; (ii) regular foster home if the individual is currently residing with his biological family and, due to his behavior problems, is at risk of being placed in the custody of the local department of social services; (iii) treatment foster care if the individual is currently residing with his biological family or a regular foster care family and, due to the individual's behavioral problems, is at risk of removal to a higher level of care; (iv) ~~Level C~~ residential treatment facility; (v) emergency shelter for the individual only due either to his mental health or behavior or both; (vi) psychiatric hospitalization; or (vii) juvenile justice system or incarceration.

"Progress notes" means individual-specific documentation that contains the unique differences particular to the individual's circumstances, treatment, and progress that is also signed and contemporaneously dated by the provider's professional staff who have prepared the notes. Individualized and individual-specific progress notes are part of the minimum documentation requirements and shall convey the individual's status, staff interventions, and, as appropriate, the individual's progress or lack of progress toward goals and objectives in the ISP. The progress notes shall also include, at a minimum, the name of the service rendered, the date of the service rendered, the signature and credentials of the person who rendered the service, the setting in which the service was rendered, and the amount of time or units/hours required to deliver the service. The content of each progress note shall corroborate the time/units billed. Progress notes shall be documented for each service that is billed.

"Service-specific provider intake" means the evaluation that is conducted according to the Department of Medical Assistance Services (DMAS) intake definition set out in 12VAC30-50-130.

B. The services described in this section shall be rendered consistent with the definitions, service limits, and requirements described in this section and in 12VAC30-50-130.

C. Intensive in-home (IIH) services for children and adolescents.

1. The service definition for intensive in-home (IIH) services is contained in 12VAC30-50-130.

2. Individuals qualifying for this service shall demonstrate a clinical necessity for the service arising from mental, behavioral or emotional illness which results in significant functional impairments in major life activities. Individuals must meet at least two of the following criteria on a continuing or intermittent basis to be authorized for these services:

- a. Have difficulty in establishing or maintaining normal interpersonal relationships to such a degree that they are at risk of hospitalization or out-of-home placement because of conflicts with family or community.
- b. Exhibit such inappropriate behavior that documented, repeated interventions by the mental health, social services or judicial system are or have been necessary.
- c. Exhibit difficulty in cognitive ability such that they are unable to recognize personal danger or recognize significantly inappropriate social behavior.

3. Prior to admission, an appropriate service-specific provider intake, as defined in 12VAC30-50-130, shall be conducted by the licensed mental health professional (LMHP), LMHP-supervisee, LMHP-resident, or LMHP-RP, documenting the individual's diagnosis and describing how service needs can best be met through intervention provided typically but not solely in the individual's residence. The service-specific provider intake shall describe how the individual's clinical needs put the individual at risk of out-of-home placement and shall be conducted face-to-face in the individual's residence. Claims for services that are based upon service-specific provider intakes that are incomplete, outdated (more than 12 months old), or missing shall not be reimbursed.

4. An individual service plan (ISP) shall be fully completed, signed, and dated by either an LMHP, LMHP-supervisee, LMHP-resident, LMHP-RP, a QMHP-C, or a QMHP-E and the individual and individual's parent/guardian within 30 days of initiation of services. The ISP shall meet all of the requirements as defined in 12VAC30-50-226.

5. DMAS shall not reimburse for dates of services in which the progress notes are not individualized and child-specific. Duplicated progress notes shall not constitute the required

child-specific individualized progress notes. Each progress note shall demonstrate unique differences particular to the individual's circumstances, treatment, and progress. Claim payments shall be retracted for services that are supported by documentation that does not demonstrate unique differences particular to the individual.

6. Services shall be directed toward the treatment of the eligible individual and delivered primarily in the family's residence with the individual present. As clinically indicated, the services may be rendered in the community if there is documentation, on that date of service, of the necessity of providing services in the community. The documentation shall describe how the alternative community service location supports the identified clinical needs of the individual and describe how it facilitates the implementation of the ISP. For services provided outside of the home, there shall be documentation reflecting therapeutic treatment as set forth in the ISP provided for that date of service in the appropriately signed and dated progress notes.

7. These services shall be provided when the clinical needs of the individual put him at risk for out-of-home placement, as these terms are defined in this section:

- a. When services that are far more intensive than outpatient clinic care are required to stabilize the individual in the family situation, or
- b. When the individual's residence as the setting for services is more likely to be successful than a clinic.

The service-specific provider intake shall describe how the individual meets either subdivision a or b of this subdivision.

8. Services shall not be provided if the individual is no longer a resident of the home.

9. Services shall also be used to facilitate the transition to home from an out-of-home placement when services more intensive than outpatient clinic care are required for the transition to be successful. The individual and responsible parent/guardian shall be available and in agreement to participate in the transition.

10. At least one parent/legal guardian or responsible adult with whom the individual is living must be willing to participate in the intensive in-home services with the goal of keeping the individual with the family. In the instance of this service, a responsible adult shall be an adult who lives in the same household with the child and is responsible for engaging in therapy and service-related activities to benefit the individual.

11. The enrolled service provider shall be licensed by the Department of Behavioral Health and Developmental Services (DBHDS) as a provider of intensive in-home services. The provider shall also have a provider enrollment agreement with DMAS or its contractor in

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effect prior to the delivery of this service that indicates that the provider will offer intensive in-home services.

12. Services must only be provided by an LMHP, LMHP-supervisee, LMHP-resident, LMHP-RP, QMHP-C, or QMHP-E. Reimbursement shall not be provided for such services when they have been rendered by a QPPMH as defined in 12VAC35-105-20.

13. The billing unit for intensive in-home service shall be one hour. Although the pattern of service delivery may vary, intensive in-home services is an intensive service provided to individuals for whom there is an ISP in effect which demonstrates the need for a minimum of three hours a week of intensive in-home service, and includes a plan for service provision of a minimum of three hours of service delivery per individual/family per week in the initial phase of treatment. It is expected that the pattern of service provision may show more intensive services and more frequent contact with the individual and family initially with a lessening or tapering off of intensity toward the latter weeks of service. Service plans shall incorporate an individualized discharge plan that describes transition from intensive in-home to less intensive or nonhome based services.

14. The ISP, as defined in 12VAC30-50-226, shall be updated as the individual's needs and progress changes and signed by either the parent or legal guardian and the individual. Documentation shall be provided if the individual, who is a minor child, is unable or unwilling to sign the ISP. If there is a lapse in services that is greater than 31 consecutive calendar days without any communications from family members/legal guardian or the individual with the service provider, the provider shall discharge the individual. If the individual continues to need services, then a new intake/admission shall be documented and a new service authorization shall be required.

15. The provider shall ensure that the maximum staff-to-caseload ratio fully meets the needs of the individual.

16. If an individual receiving services is also receiving case management services pursuant to 12VAC30-50-420 or 12VAC30-50-430, the service provider shall contact the case manager and provide notification of the provision of services. In addition, the provider shall send monthly updates to the case manager on the individual's status. A discharge summary shall be sent to the case manager within 30 days of the service discontinuation date. Service providers and case managers who are using the same electronic health record for the individual shall meet requirements for delivery of the notification, monthly updates, and discharge summary upon entry of the information in the electronic health records.

17. Emergency assistance shall be available 24 hours per day, seven days a week.

18. Providers shall comply with DMAS marketing requirements at 12VAC30-130-2000. Providers that

DMAS determines violate these marketing requirements shall be terminated as a Medicaid provider pursuant to 12VAC30-130-2000 E.

19. The provider shall determine who the primary care provider is and, upon receiving written consent from the individual or guardian, shall inform him of the individual's receipt of IHH services. The documentation shall include who was contacted, when the contact occurred, and what information was transmitted.

D. Therapeutic day treatment for children and adolescents.

1. The service definition for therapeutic day treatment (TDT) for children and adolescents is contained in 12VAC30-50-130.

2. Therapeutic day treatment is appropriate for children and adolescents who meet one of the following:

a. Children and adolescents who require year-round treatment in order to sustain behavior or emotional gains.

b. Children and adolescents whose behavior and emotional problems are so severe they cannot be handled in self-contained or resource emotionally disturbed (ED) classrooms without:

(1) This programming during the school day; or

(2) This programming to supplement the school day or school year.

c. Children and adolescents who would otherwise be placed on homebound instruction because of severe emotional/behavior problems that interfere with learning.

d. Children and adolescents who (i) have deficits in social skills, peer relations or dealing with authority; (ii) are hyperactive; (iii) have poor impulse control; (iv) are extremely depressed or marginally connected with reality.

e. Children in preschool enrichment and early intervention programs when the children's emotional/behavioral problems are so severe that they cannot function in these programs without additional services.

3. The service-specific provider intake shall document the individual's behavior and describe how the individual meets these specific service criteria in subdivision 2 of this subsection.

4. Prior to admission to this service, a service-specific provider intake shall be conducted by the LMHP as defined in 12VAC35-105-20.

5. An ISP shall be fully completed, signed, and dated by an LMHP, LMHP-supervisee, LMHP-resident, LMHP-RP, a QMHP-C, or QMHP-E and by the individual or the parent/guardian within 30 days of initiation of services and shall meet all requirements of an ISP as defined in 12VAC30-50-226. Individual progress notes shall be required for each contact with the individual and shall meet

all of the requirements as defined in ~~12VAC30-50-130~~ 12VAC30-60-61.

6. Such services shall not duplicate those services provided by the school.

7. Individuals qualifying for this service shall demonstrate a clinical necessity for the service arising from a condition due to mental, behavioral or emotional illness which results in significant functional impairments in major life activities. Individuals shall meet at least two of the following criteria on a continuing or intermittent basis:

- a. Have difficulty in establishing or maintaining normal interpersonal relationships to such a degree that they are at risk of hospitalization or out-of-home placement because of conflicts with family or community.
- b. Exhibit such inappropriate behavior that documented, repeated interventions by the mental health, social services, or judicial system are or have been necessary.
- c. Exhibit difficulty in cognitive ability such that they are unable to recognize personal danger or recognize significantly inappropriate social behavior.

8. The enrolled provider of therapeutic day treatment for child and adolescent services shall be licensed by DBHDS to provide day support services. The provider shall also have a provider enrollment agreement in effect with DMAS prior to the delivery of this service that indicates that the provider offers therapeutic day treatment services for children and adolescents.

9. Services shall be provided by an LMHP, LMHP-supervisee, LMHP-resident, LMHP-RP, QMHP-C or QMHP-E.

10. The minimum staff-to-individual ratio as defined by DBHDS licensing requirements shall ensure that adequate staff is available to meet the needs of the individual identified on the ISP.

11. The program shall operate a minimum of two hours per day and may offer flexible program hours (i.e., before or after school or during the summer). One unit of service shall be defined as a minimum of two hours but less than three hours in a given day. Two units of service shall be defined as a minimum of three but less than five hours in a given day. Three units of service shall be defined as five or more hours of service in a given day.

12. Time required for academic instruction when no treatment activity is going on shall not be included in the billing unit.

13. Services shall be provided following a service-specific provider intake that is conducted by an LMHP, LMHP-supervisee, LMHP-resident, or LMHP-RP. An LMHP, LMHP-supervisee, or LMHP-resident shall make and document the diagnosis. The service-specific provider intake shall include the elements as defined in 12VAC30-50-130.

14. If an individual receiving services is also receiving case management services pursuant to 12VAC30-50-420 or 12VAC30-50-430, the provider shall collaborate with the case manager and provide notification of the provision of services. In addition, the provider shall send monthly updates to the case manager on the individual's status. A discharge summary shall be sent to the case manager within 30 days of the service discontinuation date. Service providers and case managers using the same electronic health record for the individual shall meet requirements for delivery of the notification, monthly updates, and discharge summary upon entry of this documentation into the electronic health record.

15. The provider shall determine who the primary care provider is and, upon receiving written consent from the individual or parent/legal guardian, shall inform him of the child's receipt of community mental health rehabilitative services. The documentation shall include who was contacted, when the contact occurred, and what information was transmitted. The parent/legal guardian shall be required to give written consent that this provider has permission to inform the primary care provider of the child's or adolescent's receipt of community mental health rehabilitative services.

16. Providers shall comply with DMAS marketing requirements as set out in 12VAC30-130-2000. Providers that DMAS determines have violated these marketing requirements shall be terminated as a Medicaid provider pursuant to 12VAC30-130-2000 E.

17. If there is a lapse in services greater than 31 consecutive calendar days, the provider shall discharge the individual. If the individual continues to need services, a new intake/admission documentation shall be prepared and a new service authorization shall be required.

~~E. Community based services for children and adolescents under 21 years of age (Level A).~~

~~1. The staff ratio must be at least 1 to 6 during the day and at least 1 to 10 between 11 p.m. and 7 a.m. The program director supervising the program/group home must be, at minimum, a QMHP C or QMHP E (as defined in 12VAC35 105 20). The program director must be employed full time.~~

~~2. In order for Medicaid reimbursement to be approved, at least 50% of the provider's direct care staff at the group home must meet DBHDS paraprofessional staff criteria, defined in 12VAC35 105 20.~~

~~3. Authorization is required for Medicaid reimbursement. All community based services for children and adolescents under 21 (Level A) require authorization prior to reimbursement for these services. Reimbursement shall not be made for this service when other less intensive services may achieve stabilization.~~

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~~4. Services must be provided in accordance with an individual service plan (ISP), which must be fully completed within 30 days of authorization for Medicaid reimbursement.~~

~~5. Prior to admission, a service specific provider intake shall be conducted according to DMAS specifications described in 12VAC30-50-130.~~

~~6. Such service specific provider intakes shall be performed by an LMHP, an LMHP supervisee, LMHP-resident, or LMHP-RP.~~

~~7. If an individual receiving community based services for children and adolescents under 21 (Level A) is also receiving case management services, the provider shall collaborate with the case manager by notifying the case manager of the provision of Level A services and shall send monthly updates on the individual's progress. When the individual is discharged from Level A services, a discharge summary shall be sent to the case manager within 30 days of the service discontinuation date. Service providers and case managers who are using the same electronic health record for the individual shall meet requirements for the delivery of the notification, monthly updates, and discharge summary upon entry of this documentation into the electronic health record.~~

F. ~~E. Therapeutic behavioral services group home for children and adolescents under 21 years of age (Level B).~~

~~1. The staff ratio must be at least 1 to 4 during the day and at least 1 to 8 between 11 p.m. and 7 a.m. approved by the Office of Licensure at the Department of Behavioral Health and Developmental Services. The clinical director must shall be a licensed mental health professional. The caseload of the clinical director must not exceed 16 individuals including all sites for which the same clinical director is responsible.~~

~~2. The program director must shall be full time and be a QMHP-C or QMHP-E with a bachelor's degree and at least one year's clinical experience.~~

~~3. For Medicaid reimbursement to be approved, at least 50% of the provider's direct care staff at the therapeutic group home shall meet DBHDS paraprofessional staff qualified paraprofessional in mental health (QPPMH) criteria, as defined in 12VAC35-105-20. The program/group therapeutic group home must shall coordinate services with other providers.~~

~~4. All therapeutic behavioral group home services (Level B) shall be authorized prior to reimbursement for these services. Services rendered without such prior authorization shall not be covered.~~

~~5. Services must be provided in accordance with an ISP at CIPOC, as defined in 12VAC30-50-130, which shall be fully completed within 30 days of authorization for Medicaid reimbursement.~~

6. Prior to admission, a service-specific provider intake shall be performed using all elements specified by DMAS in 12VAC30-50-130.

7. Such service-specific provider intakes shall be performed by an LMHP, an LMHP-supervisee, LMHP-resident, or LMHP-RP.

8. If an individual receiving therapeutic behavioral group home services for children and adolescents under 21 (Level B) is also receiving case management services, the therapeutic behavioral group home services provider must collaborate with the care coordinator/case manager by notifying him of the provision of Level B therapeutic group home services and the Level B therapeutic group home services provider shall send monthly updates on the individual's treatment status. When the individual is discharged from Level B services, a discharge summary shall be sent to the care coordinator/case manager within 30 days of the discontinuation date.

9. The provider shall determine who the primary care provider is and, upon receiving written consent from the individual or parent/legal guardian parent or legally authorized representative, shall inform him of the individual's receipt of these Level B therapeutic group home services. The documentation shall include who was contacted, when the contact occurred, and what information was transmitted. If these individuals are children or adolescents, then the parent/legal guardian parent or legally authorized representative shall be required to give written consent that this provider has permission to inform the primary care provider of the individual's receipt of community mental health rehabilitative services.

~~G. Utilization review. Utilization reviews for community-based therapeutic group home services for children and adolescents under 21 years of age (Level A) and therapeutic behavioral services for children and adolescents under 21 years of age (Level B) shall include determinations whether providers meet all DMAS requirements, including compliance with DMAS marketing requirements. Providers that DMAS determines have violated the DMAS marketing requirements shall be terminated as a Medicaid provider pursuant to 12VAC30-130-2000 E.~~

DOCUMENTS INCORPORATED BY REFERENCE (12VAC30-60)

Department of Medical Assistance Services Provider Manuals

(<https://www.virginiamedicaid.dmas.virginia.gov/wps/portal/ProviderManuals>):

Virginia Medicaid Nursing Home Manual

Virginia Medicaid Rehabilitation Manual

Virginia Medicaid Hospice Manual

Virginia Medicaid School Division Manual

[Development of Special Criteria for the Purposes of Pre-Admission Screening, Medicaid Memo, October 3, 2012, Department of Medical Assistance Services](#)

Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV-TR), copyright 2000, American Psychiatric Association

Patient Placement Criteria for the Treatment of Substance-Related Disorders (ASAM PPC-2R), Second Edition, copyright 2001, American Society on Addiction Medicine, Inc.

[Medicaid Special Memo, Subject: New Service Authorization Requirement for an Independent Clinical Assessment for Medicaid and FAMIS Children's Community Mental Health Rehabilitative Services, dated June 16, 2011, Department of Medical Assistance Services](#)

[Medicaid Special Memo, Subject: Changes to Children Community Mental Health Rehabilitative Services - Children's Services, July 1, 2010 & September 1, 2010, dated July 23, 2010, Department of Medical Assistance Services](#)

[Medicaid Special Memo, Subject: Changes to Community Mental Health Rehabilitative Services - Adult-Oriented Services, July 1, 2010 & September 1, 2010, dated July 23, 2010, Department of Medical Assistance Services](#)

[Human Services and Related Fields Approved Degrees/Experience, updated May 3, 2013, Department of Behavioral Health and Human Services](#)

Part XIV

Residential Psychiatric Treatment for Children and Adolescents **(Repealed)**

12VAC30-130-850. Definitions. (Repealed.)

The following words and terms when used in this part shall have the following meanings, unless the context clearly indicates otherwise:

"Active treatment" means implementation of a professionally developed and supervised individual plan of care that must be designed to achieve the recipient's discharge from inpatient status at the earliest possible time.

"Certification" means a statement signed by a physician that inpatient services in a residential treatment facility are or were needed. The certification must be made at the time of admission, or, if an individual applies for assistance while in a mental hospital or residential treatment facility, before the Medicaid agency authorizes payment.

"Comprehensive individual plan of care" or "CIPOC" means a written plan developed for each recipient in accordance with 12VAC30-130-890 to improve his condition to the extent that inpatient care is no longer necessary.

"Initial plan of care" means a plan of care established at admission, signed by the attending physician or staff physician, that meets the requirements in 12VAC30-130-890.

"Recertification" means a certification for each applicant or recipient that inpatient services in a residential treatment

facility are needed. Recertification must be made at least every 60 days by a physician, or physician assistant or nurse practitioner acting within the scope of practice as defined by state law and under the supervision of a physician.

"Recipient" or "recipients" means the child or adolescent younger than 21 years of age receiving this covered service.

12VAC30-130-860. Service coverage; eligible individuals; service certification. (Repealed.)

A. Residential treatment programs (Level C) shall be 24-hour, supervised, medically necessary, out of home programs designed to provide necessary support and address the special mental health and behavioral needs of a child or adolescent in order to prevent or minimize the need for more intensive inpatient treatment. Services must include, but shall not be limited to, assessment and evaluation, medical treatment (including drugs), individual and group counseling, and family therapy necessary to treat the child.

B. Residential treatment programs (Level C) shall provide a total, 24 hours per day, specialized form of highly organized, intensive and planned therapeutic interventions that shall be utilized to treat some of the most severe mental, emotional, and behavioral disorders. Residential treatment is a definitive therapeutic modality designed to deliver specified results for a defined group of problems for children or adolescents for whom outpatient day treatment or other less intrusive levels of care are not appropriate, and for whom a protected, structured milieu is medically necessary for an extended period of time.

C. Therapeutic Behavioral Services for Children and Adolescents under 21 (Level B) and Community Based Services for Children and Adolescents under 21 (Level A) must be therapeutic services rendered in a residential type setting such as a group home or program that provides structure for daily activities, psychoeducation, therapeutic supervision and mental health care to ensure the attainment of therapeutic mental health goals as identified in the individual service plan (plan of care). The child or adolescent must have a medical need for the service arising from a condition due to mental, behavioral or emotional illness that results in significant functional impairments in major life activities.

D. Active treatment shall be required. Residential Treatment, Therapeutic Behavioral and Community Based Services for Children and Adolescents under age 21 shall be designed to serve the mental health needs of children. In order to be reimbursed for Residential Treatment (Level C), Therapeutic Behavioral Services for Children and Adolescents under 21 (Level B), and Community Based Services for Children and Adolescents under 21 (Level A), the facility must provide active mental health treatment beginning at admission and it must be related to the recipient's principle diagnosis and admitting symptoms. To the extent that any recipient needs mental health treatment and his needs meet the medical necessity criteria for the service, he will be approved for these services. These services

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do not include interventions and activities designed only to meet the supportive nonmental health special needs, including but not limited to personal care, habilitation or academic educational needs of the recipients.

E. An individual eligible for Residential Treatment Services (Level C) is a recipient under the age of 21 years whose treatment needs cannot be met by ambulatory care resources available in the community, for whom proper treatment of his psychiatric condition requires services on an inpatient basis under the direction of a physician.

An individual eligible for Therapeutic Behavioral Services for Children and Adolescents under 21 (Level B) is a child, under the age of 21 years, for whom proper treatment of his psychiatric condition requires less intensive treatment in a structured, therapeutic residential program under the direction of a Licensed Mental Health Professional.

An individual eligible for Community Based Services for Children and Adolescents under 21 (Level A) is a child, under the age of 21 years, for whom proper treatment of his psychiatric condition requires less intensive treatment in a structured, therapeutic residential program under the direction of a qualified mental health professional. The services for all three levels can reasonably be expected to improve the child's or adolescent's condition or prevent regression so that the services will no longer be needed.

F. In order for Medicaid to reimburse for Residential Treatment (Level C), Therapeutic Behavioral Services for Children and Adolescents under 21 (Level B), and Community Based Services for Children and Adolescents under 21 (Level A), the need for the service must be certified according to the standards and requirements set forth in subdivisions 1 and 2 of this subsection. At least one member of the independent certifying team must have pediatric mental health expertise.

1. For an individual who is already a Medicaid recipient when he is admitted to a facility or program, certification must:

a. Be made by an independent certifying team that includes a licensed physician who:

(1) Has competence in diagnosis and treatment of pediatric mental illness; and

(2) Has knowledge of the recipient's mental health history and current situation.

b. Be signed and dated by a physician and the team.

2. For a recipient who applies for Medicaid while an inpatient in the facility or program, the certification must:

a. Be made by the team responsible for the plan of care;

b. Cover any period of time before the application for Medicaid eligibility for which claims for reimbursement by Medicaid are made; and

c. Be signed and dated by a physician and the team.

12VAC30-130-870. Preauthorization. (Repealed.)

A. Authorization for Residential Treatment (Level C) shall be required within 24 hours of admission and shall be conducted by DMAS or its utilization management contractor using medical necessity criteria specified by DMAS. At preauthorization, an initial length of stay shall be assigned and the residential treatment provider shall be responsible for obtaining authorization for continued stay.

B. DMAS will not pay for admission to or continued stay in residential facilities (Level C) that were not authorized by DMAS.

C. Information that is required in order to obtain admission preauthorization for Medicaid payment shall include:

1. A completed state designated uniform assessment instrument approved by the department.

2. A certification of the need for this service by the team described in 12VAC30-130-860 that:

a. The ambulatory care resources available in the community do not meet the specific treatment needs of the recipient;

b. Proper treatment of the recipient's psychiatric condition requires services on an inpatient basis under the direction of a physician; and

c. The services can reasonably be expected to improve the recipient's condition or prevent further regression so that the services will not be needed.

3. Additional required written documentation shall include all of the following:

a. Diagnosis, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV, effective October 1, 1996), including Axis I (Clinical Disorders), Axis II (Personality Disorders/Mental Retardation), Axis III (General Medical Conditions), Axis IV (Psychosocial and Environmental Problems), and Axis V (Global Assessment of Functioning);

b. A description of the child's behavior during the seven days immediately prior to admission;

c. A description of alternative placements tried or explored and the outcomes of each placement;

d. The child's functional level and clinical stability;

e. The level of family support available; and

f. The initial plan of care as defined and specified at 12VAC30-130-890.

D. Continued stay criteria for Residential Treatment (Level C): information for continued stay authorization (Level C) for Medicaid payment must include:

1. A state uniform assessment instrument, completed no more than 90 days prior to the date of submission;

2. Documentation that the required services are provided as indicated;

3. Current (within the last 30 days) information on progress related to the achievement of treatment goals. The treatment goals must address the reasons for admission, including a description of any new symptoms amenable to treatment;

4. Description of continued impairment, problem behaviors, and need for Residential Treatment level of care.

~~E. Denial of service may be appealed by the recipient consistent with 12VAC30-110-10 et seq.; denial of reimbursement may be appealed by the provider consistent with the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).~~

~~F. DMAS will not pay for services for Therapeutic Behavioral Services for Children and Adolescents under 21 (Level B), and Community-Based Services for Children and Adolescents under 21 (Level A) that are not prior authorized by DMAS.~~

~~G. Authorization for Level A and Level B residential treatment shall be required within three business days of admission. Authorization for services shall be based upon the medical necessity criteria described in 12VAC30-50-130. The authorized length of stay must not exceed six months and may be reauthorized. The provider shall be responsible for documenting the need for a continued stay and providing supporting documentation.~~

~~H. Information that is required in order to obtain admission authorization for Medicaid payment must include:~~

~~1. A current completed state designated uniform assessment instrument approved by the department. The state designated uniform assessment instrument must indicate at least two areas of moderate impairment for Level B and two areas of moderate impairment for Level A. A moderate impairment is evidenced by, but not limited to:~~

- ~~a. Frequent conflict in the family setting, for example, credible threats of physical harm.~~
- ~~b. Frequent inability to accept age appropriate direction and supervision from caretakers, family members, at school, or in the home or community.~~
- ~~c. Severely limited involvement in social support; which means significant avoidance of appropriate social interaction, deterioration of existing relationships, or refusal to participate in therapeutic interventions.~~
- ~~d. Impaired ability to form a trusting relationship with at least one caretaker in the home, school or community.~~
- ~~e. Limited ability to consider the effect of one's inappropriate conduct on others, interactions consistently involving conflict, which may include impulsive or abusive behaviors.~~

~~2. A certification of the need for the service by the team described in 12VAC30-130-860 that:~~

~~a. The ambulatory care resources available in the community do not meet the specific treatment needs of the child;~~

~~b. Proper treatment of the child's psychiatric condition requires services in a community based residential program; and~~

~~c. The services can reasonably be expected to improve the child's condition or prevent regression so that the services will not be needed.~~

~~3. Additional required written documentation must include all of the following:~~

~~a. Diagnosis, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM IV, effective October 1, 1996), including Axis I (Clinical Disorders), Axis II (Personality Disorders/Mental Retardation), Axis III (General Medical Conditions), Axis IV (Psychosocial and Environmental Problems), and Axis V (Global Assessment of Functioning);~~

~~b. A description of the child's behavior during the 30 days immediately prior to admission;~~

~~c. A description of alternative placements tried or explored and the outcomes of each placement;~~

~~d. The child's functional level and clinical stability;~~

~~e. The level of family support available; and~~

~~f. The initial plan of care as defined and specified at 12VAC30-130-890.~~

~~I. Denial of service may be appealed by the child consistent with 12VAC30-110; denial of reimbursement may be appealed by the provider consistent with the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).~~

~~J. Continued stay criteria for Levels A and B:~~

~~1. The length of the authorized stay shall be determined by DMAS or its contractor.~~

~~2. A current Individual Service Plan (ISP) (plan of care) and a current (within 30 days) summary of progress related to the goals and objectives on the ISP (plan of care) must be submitted for continuation of the service.~~

~~3. For reauthorization to occur, the desired outcome or level of functioning has not been restored or improved, over the time frame outlined in the child's ISP (plan of care) or the child continues to be at risk for relapse based on history or the tenuous nature of the functional gains and use of less intensive services will not achieve stabilization. Any one of the following must apply:~~

~~a. The child has achieved initial service plan (plan of care) goals but additional goals are indicated that cannot be met at a lower level of care.~~

~~b. The child is making satisfactory progress toward meeting goals but has not attained ISP goals, and the goals cannot be addressed at a lower level of care.~~

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e. The child is not making progress, and the service plan (plan of care) has been modified to identify more effective interventions.

d. There are current indications that the child requires this level of treatment to maintain level of functioning as evidenced by failure to achieve goals identified for therapeutic visits or stays in a nontreatment residential setting or in a lower level of residential treatment.

~~K. Discharge criteria for Levels A and B.~~

~~1. Reimbursement shall not be made for this level of care if either of the following applies:~~

~~a. The level of functioning has improved with respect to the goals outlined in the service plan (plan of care) and the child can reasonably be expected to maintain these gains at a lower level of treatment; or~~

~~b. The child no longer benefits from service as evidenced by absence of progress toward service plan goals for a period of 60 days.~~

12VAC30-130-880. Provider qualifications. (Repealed.)

~~A. Providers must provide all Residential Treatment Services (Level C) as defined within this part and set forth in 42 CFR Part 441 Subpart D.~~

~~B. Providers of Residential Treatment Services (Level C) must be:~~

~~1. A residential treatment program for children and adolescents licensed by DMHMRSAS that is located in a psychiatric hospital accredited by the Joint Commission on Accreditation of Healthcare Organizations;~~

~~2. A residential treatment program for children and adolescents licensed by DMHMRSAS that is located in a psychiatric unit of an acute general hospital accredited by the Joint Commission on Accreditation of Healthcare Organizations; or~~

~~3. A psychiatric facility that is (i) accredited by the Joint Commission on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, the Council on Quality and Leadership in Supports for People with Disabilities, or the Council on Accreditation of Services for Families and Children and (ii) licensed by DMHMRSAS as a residential treatment program for children and adolescents.~~

~~C. Providers of Community Based Services for Children and Adolescents under 21 (Level A) must be licensed by the Department of Social Services, Department of Juvenile Justice, or Department of Education under the Standards for Interdepartmental Regulation of Children's Residential Facilities (22VAC42-10).~~

~~D. Providers of Therapeutic Behavioral Services (Level B) must be licensed by the Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS) under the Standards for Interdepartmental Regulation of Children's Residential Facilities (22VAC42-10).~~

12VAC30-130-890. Plans of care; review of plans of care. (Repealed.)

~~A. For Residential Treatment Services (Level C), an initial plan of care must be completed at admission and a Comprehensive Individual Plan of Care (CIPOC) must be completed no later than 14 days after admission.~~

~~B. Initial plan of care (Level C) must include:~~

~~1. Diagnoses, symptoms, complaints, and complications indicating the need for admission;~~

~~2. A description of the functional level of the recipient;~~

~~3. Treatment objectives with short term and long term goals;~~

~~4. Any orders for medications, treatments, restorative and rehabilitative services, activities, therapies, social services, diet, and special procedures recommended for the health and safety of the patient;~~

~~5. Plans for continuing care, including review and modification to the plan of care;~~

~~6. Plans for discharge; and~~

~~7. Signature and date by the physician.~~

~~C. The CIPOC for Level C must meet all of the following criteria:~~

~~1. Be based on a diagnostic evaluation that includes examination of the medical, psychological, social, behavioral, and developmental aspects of the recipient's situation and must reflect the need for inpatient psychiatric care;~~

~~2. Be developed by an interdisciplinary team of physicians and other personnel specified under subsection F of this section, who are employed by, or provide services to, patients in the facility in consultation with the recipient and his parents, legal guardians, or appropriate others in whose care he will be released after discharge;~~

~~3. State treatment objectives that must include measurable short term and long term goals and objectives, with target dates for achievement;~~

~~4. Prescribe an integrated program of therapies, activities, and experiences designed to meet the treatment objectives related to the diagnosis; and~~

~~5. Describe comprehensive discharge plans and coordination of inpatient services and post discharge plans with related community services to ensure continuity of care upon discharge with the recipient's family, school, and community.~~

~~D. Review of the CIPOC for Level C. The CIPOC must be reviewed every 30 days by the team specified in subsection F of this section to:~~

~~1. Determine that services being provided are or were required on an inpatient basis; and~~

~~2. Recommend changes in the plan as indicated by the recipient's overall adjustment as an inpatient.~~

E. The development and review of the plan of care for Level C as specified in this section satisfies the facility's utilization control requirements for recertification and establishment and periodic review of the plan of care, as required in 42 CFR 456.160 and 456.180.

F. Team developing the CIPOC for Level C. The following requirements must be met:

1. At least one member of the team must have expertise in pediatric mental health. Based on education and experience, preferably including competence in child psychiatry, the team must be capable of all of the following:
 - a. Assessing the recipient's immediate and long range therapeutic needs, developmental priorities, and personal strengths and liabilities;
 - b. Assessing the potential resources of the recipient's family;
 - c. Setting treatment objectives; and
 - d. Prescribing therapeutic modalities to achieve the plan's objectives.
2. The team must include, at a minimum, either:
 - a. A board-eligible or board-certified psychiatrist;
 - b. A clinical psychologist who has a doctoral degree and a physician licensed to practice medicine or osteopathy; or
 - c. A physician licensed to practice medicine or osteopathy with specialized training and experience in the diagnosis and treatment of mental diseases, and a psychologist who has a master's degree in clinical psychology or who has been certified by the state or by the state psychological association.
3. The team must also include one of the following:
 - a. A psychiatric social worker;
 - b. A registered nurse with specialized training or one year's experience in treating mentally ill individuals;
 - c. An occupational therapist who is licensed, if required by the state, and who has specialized training or one year of experience in treating mentally ill individuals; or
 - d. A psychologist who has a master's degree in clinical psychology or who has been certified by the state or by the state psychological association.

G. All Medicaid services are subject to utilization review. Absence of any of the required documentation may result in denial or retraction of any reimbursement.

H. For Therapeutic Behavioral Services for Children and Adolescents under 21 (Level B), the initial plan of care must be completed at admission by the licensed mental health professional (LMHP) and a CIPOC must be completed by the LMHP no later than 30 days after admission. The assessment must be signed and dated by the LMHP.

I. For Community Based Services for Children and Adolescents under 21 (Level A), the initial plan of care must be completed at admission by the QMHP and a CIPOC must be completed by the QMHP no later than 30 days after admission. The individualized plan of care must be signed and dated by the program director.

J. Initial plan of care for Levels A and B must include:

1. Diagnoses, symptoms, complaints, and complications indicating the need for admission;
2. A description of the functional level of the child;
3. Treatment objectives with short term and long term goals;
4. Any orders for medications, treatments, restorative and rehabilitative services, activities, therapies, social services, diet, and special procedures recommended for the health and safety of the patient;
5. Plans for continuing care, including review and modification to the plan of care; and
6. Plans for discharge.

K. The CIPOC for Levels A and B must meet all of the following criteria:

1. Be based on a diagnostic evaluation that includes examination of the medical, psychological, social, behavioral, and developmental aspects of the child's situation and must reflect the need for residential psychiatric care;
2. The CIPOC for both levels must be based on input from school, home, other healthcare providers, the child and family (or legal guardian);
3. State treatment objectives that include measurable short-term and long term goals and objectives, with target dates for achievement;
4. Prescribe an integrated program of therapies, activities, and experiences designed to meet the treatment objectives related to the diagnosis; and
5. Describe comprehensive discharge plans with related community services to ensure continuity of care upon discharge with the child's family, school, and community.

L. Review of the CIPOC for Levels A and B. The CIPOC must be reviewed, signed, and dated every 30 days by the QMHP for Level A and by the LMHP for Level B. The review must include:

1. The response to services provided;
2. Recommended changes in the plan as indicated by the child's overall response to the plan of care interventions; and
3. Determinations regarding whether the services being provided continue to be required.

Updates must be signed and dated by the service provider.

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M. All Medicaid services are subject to utilization review. Absence of any of the required documentation may result in denial or retraction of any reimbursement.

Part XVIII
Behavioral Health Services

12VAC30-130-3000. Behavioral health services.

A. Behavioral health services that shall be covered only for individuals from birth through 21 years of age are set out in 12VAC30-50-130 B-5 and include: (i) intensive in-home services (IIH), (ii) therapeutic day treatment (TDT), (iii) ~~community based services for children and adolescents (Level A)~~ therapeutic group homes, and (iv) ~~therapeutic behavioral services (Level B)~~ psychiatric residential treatment facilities.

B. Behavioral health services that shall be covered for individuals regardless of age are set out in 12VAC30-50-226 and include: (i) day treatment/partial hospitalization, (ii) psychosocial rehabilitation, (iii) crisis intervention, (iv) case management as set out in 12VAC30-50-420 and 12VAC30-50-430, (v) intensive community treatment (ICT), (vi) crisis stabilization services, and (vii) mental health support services (MHSS).

12VAC30-130-3020. Independent clinical assessment requirements; behavioral health level of care determinations and service eligibility. (Repealed.)

A. The independent clinical assessment (ICA), as set forth in the Virginia Independent Assessment Program (VICAP 001) form, shall contain the Medicaid individual specific elements of information and data that shall be required for an individual younger than the age of 21 to be approved for intensive in home (IIH) services, therapeutic day treatment (TDT), or mental health support services (MHSS) or any combination thereof. Eligibility requirements for IIH are in 12VAC30-50-130 B-5 b. Eligibility requirements for TDT are in 12VAC30-50-130 B-5 c. Eligibility requirements for MHSS are in 12VAC30-50-226 B-8.

1. The required elements in the ICA shall be specified in the VICAP form with either the BHSA or CSBs/BHAs and DMAS.

2. Service recommendations set out in the ICA shall not be subject to appeal.

B. Independent clinical assessment requirements.

1. Effective July 18, 2011, an ICA shall be required as a part of the service authorization process for Medicaid and Family Access to Medical Insurance Security (FAMIS) intensive in home (IIH) services, therapeutic day treatment (TDT), or mental health support services (MHSS) for individuals up to the age of 21. This ICA shall be performed prior to the request for service authorization and initiation of treatment for individuals who are not currently receiving or authorized for services. The ICA shall be completed prior to the service provider conducting an intake or providing treatment.

a. Each individual shall have at least one ICA prior to the initiation of either IIH or TDT, or MHSS for individuals up to the age of 21.

b. For individuals who are already receiving IIH services or TDT, or MHSS, as of July 18, 2011, the requirement for a completed ICA shall be effective for service reauthorizations for dates of services on and after September 1, 2011.

c. ~~Individuals who are being discharged from residential treatment (DMAS service Levels A, B, or C) or inpatient psychiatric hospitalization do not need an ICA prior to receiving community IIH services or TDT, or MHSS. They shall be required, however, to have an ICA as part of the first subsequent service reauthorization for IIH services, TDT, MHSS, or any combination thereof.~~

2. ~~The ICA shall be completed and submitted to DMAS or its service authorization contractor by the independent assessor prior to the service provider submitting the service authorization or reauthorization request to the DMAS service authorization contractor. Failure to meet these requirements shall result in the provider's service authorization or reauthorization request being returned to the provider.~~

3. ~~A copy of the ICA shall be retained in the service provider's individual's file.~~

4. ~~If a service provider receives a request from parents or legal guardians to provide IIH services, TDT, or MHSS for individuals who are younger than 21 years of age, the service provider shall refer the parent or legal guardian to the BHSA or the local CSB/BHA to obtain the ICA prior to providing services.~~

a. ~~In order to provide services, the service provider shall be required to conduct a service specific provider intake as defined in 12VAC30-50-130.~~

b. ~~If the selected service provider concurs that the child meets criteria for the service recommended by the independent assessor, the selected service provider shall submit a service authorization request to DMAS service authorization contractor. The service specific provider's intake for IIH services, TDT, or MHSS shall not occur prior to the completion of the ICA by the BHSA or CSB/BHA, or its subcontractor.~~

c. ~~If within 30 days after the ICA a service provider identifies the need for services that were not recommended by the ICA, the service provider shall contact the independent assessor and request a modification. The request for a modification shall be based on a significant change in the individual's life that occurred after the ICA was conducted. Examples of a significant change may include, but shall not be limited to, hospitalization; school suspension or expulsion; death of a significant other; or hospitalization or incarceration of a parent or legal guardian.~~

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d. If the independent assessment is greater than 30 days old, a new ICA must be obtained prior to the initiation of IHH services, TDT, or MHSS for individuals younger than 21 years of age.

e. If the parent or legal guardian disagrees with the ICA recommendation, the parent or legal guardian may appeal the recommendation in accordance with Part I (12VAC30-110-10 et seq.) In the alternative, the parent or legal guardian may request that a service provider perform his own evaluation. If after conducting a service specific provider intake the service provider identifies additional documentation previously not submitted for the ICA that demonstrates the service is medically necessary and clinically indicated, the service provider may submit the supplemental information with a service authorization request to the DMAS service authorization contractor. The DMAS service authorization contractor will review the service authorization submission and the ICA and make a determination. If the determination results in a service denial, the individual, parent or legal guardian, and service provider will be notified of the decision and their appeal rights pursuant to Part I (12VAC30-110-10 et seq.).

5. If the individual is in immediate need of treatment, the independent clinical assessor shall refer the individual to the appropriate enrolled Medicaid emergency services providers in accordance with 12VAC30-50-226 and shall also alert the individual's managed care organization.

C. Requirements for behavioral health services administrator and community services boards/behavioral health authorities.

1. When the BHSA, CSB, or BHA has been contacted by the parent or legal guardian, the ICA appointment shall be offered within five business days of a request for IHH services and within 10 business days for a request for TDT or MHSS, or both. The appointment may be scheduled beyond the respective time frame at the documented request of the parent or legal guardian.

2. The independent assessor shall conduct the ICA with the individual and the parent or legal guardian using the VICAP-001 form and make a recommendation for the most appropriate medically necessary services, if indicated. Referring or treating providers shall not be present during the assessment but may submit supporting clinical documentation to the assessor.

3. The ICA shall be effective for a 30-day period.

4. The independent assessor shall enter the findings of the ICA into the DMAS service authorization contractor's web portal within one business day of conducting the assessment. The independent clinical assessment form (VICAP-001) shall be completed by the independent assessor within three business days of completing the ICA.

D. The individual or his parent or legal guardian shall have the right to freedom of choice of service providers.

VA.R. Doc. No. R17-4495; Filed January 31, 2017, 4:07 p.m.

REGISTRAR'S NOTICE: The Board of Housing and Community Development is claiming an exemption from Article 2 of the Administrative Process Act pursuant to § 2.2-4006 A 12 of the Code of Virginia, which excludes regulations adopted by the Board of Housing and Community Development pursuant to the Statewide Fire Prevention Code (§ 27-94 et seq.), the Industrialized Building Safety Law (§ 36-70 et seq.), the Uniform Statewide Building Code (§ 36-97 et seq.), and § 36-98.3 of the Code of Virginia, provided the board (i) provides a Notice of Intended Regulatory Action in conformance with the provisions of § 2.2-4007.01, (ii) publishes the proposed regulation and provides an opportunity for oral and written comments as provided in § 2.2-4007.03, and (iii) conducts at least one public hearing as provided in §§ 2.2-4009 and 36-100 prior to the publishing of the proposed regulations.

Title of Regulation: **13VAC5-31. Virginia Amusement Device Regulations (amending 13VAC5-31-40, 13VAC5-31-50).**

Statutory Authority: § 36-98.3 of the Code of Virginia.

Public Hearing Information:

May 15, 2017 - 10 a.m. - Virginia Housing Development Authority Virginia Housing Center, 4224 Cox Road, Glen Allen, VA 23060

Public Comment Deadline: April 21, 2017.

Agency Contact: Elizabeth O. Rafferty, Policy and Legislative Director, Department of Housing and Community Development, Main Street Centre, 600 East Main Street, Suite 300, Richmond, VA 23219, telephone (804) 371-7011, FAX (804) 371-7090, TTY (804) 371-7089, or email elizabeth.rafferty@dhcd.virginia.gov.

Background: The Virginia Amusement Device Regulations (VADR) governs the construction and operation of amusement devices, which are by statutory definition devices or structures open to the public by which persons are conveyed or moved in an unusual manner for diversion and passenger tramways. The regulations are closely related to the Uniform Statewide Building Code (13VAC5-63) (USBC) and under state law the USBC applies to amusement devices to the extent that the VADR does not set out differing requirements. Both regulations utilize nationally recognized model building codes and standards to provide the technical requirements for the actual construction of the regulated buildings. Every three years, new editions of the model codes become available. At that time, the Board of Housing and Community Development initiates a regulatory action to incorporate the newest editions of the model codes into the

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regulation and accepts proposals for changes to the regulation from affected client groups and the public. The Department of Housing and Community Development staff maintains mailing lists for workgroups involving different subject areas of regulation and conducts workgroup meetings to develop consensus recommendations, when possible, concerning submitted proposals. The department uses an online program incorporating the provisions of the regulation and the model codes and standards to facilitate the submittal of proposals. A public hearing is held during the workgroup meeting stage of the process and a comment period established. Once workgroup meetings are completed, the board holds series of meetings to consider each proposal, and the approved proposals are incorporated into the proposed regulation. After publication of the proposed regulations, the board establishes a comment period for the acceptance of comments on amendments reflected in the proposed regulation, and an additional public hearing is held. The board then meets to consider proposals and public comments and develops a final regulation to complete the regulatory process.

Summary:

The proposed amendments to the VADR in this regulatory action are as follows:

13VAC5-31-40 A 2: Update the referenced standards for amusement devices to the latest editions available.

13VAC5-31-50: The Virginia Certification Standards (13VAC5-21) (VCS), also a regulation under the authority of the board, was amended and became effective in September of 2014. It sets out periodic training and continuing education requirements for maintaining inspector certificates issued by the board. Prior to the amendments to the VCS, the VADR contained those requirements. Now that the VCS contains the requirements, those requirements are being deleted from the VADR, and a reference to the VCS is added in place of the requirements.

13VAC5-31-40. Incorporated standards.

A. The following standards are hereby incorporated by reference for use as part of this chapter:

1. American National Standards Institute (ANSI) Standard No. B77.1-2011 for the regulation of passenger tramways; and
2. American Society for Testing and Materials (ASTM) Standard Nos. ~~F698-94~~, ~~F747-06~~, ~~F747-15~~, ~~F770-11~~, ~~F770-15~~, ~~F846-92~~ (2009), ~~F853-05~~, ~~F893-10~~, ~~F1159-11~~, ~~F1159-15b~~, ~~F1193-06~~, ~~F1193-16~~, ~~F1957-99~~ (2011), ~~F2007-12~~, ~~F2137-11~~, ~~F2137-16~~, ~~F2291-11~~, ~~F2291-15~~, ~~F2374-10~~, ~~F2375-09~~, ~~F2376-08~~, ~~F2376-13~~, ~~F2460-11~~, and ~~F2959-12~~ ~~F2959-16~~, and ~~F2974-15~~ for the regulation of amusement devices.

The standards referenced above may be procured from:

ANSI
25 W 43rd Street
New York, NY 10036

ASTM
100 Barr Harbor Dr.
West Conshohocken, PA
19428-2959

B. The provisions of this chapter govern where they are in conflict with any provisions of the standards incorporated by reference in this chapter.

C. The following requirements supplement the provisions of the ASTM standards incorporated by reference in this chapter:

1. The operator of an amusement device shall be at least 16 years of age, except when the person is under the supervision of a parent or guardian and engaged in activities determined not to be hazardous by the Commissioner of the Virginia Department of Labor and Industry;
2. The amusement device shall be attended by an operator at all times during operation except that (i) one operator is permitted to operate two or more amusement devices provided they are within the sight of the operator and operated by a common control panel or station and (ii) one operator is permitted to operate two small mechanical rides with separate controls provided the distance between controls is no more than 35 feet and the controls are equipped with a positive pressure switch; and
3. The operator of an amusement device shall not be (i) under the influence of any drugs which may affect the operator's judgment or ability to assure the safety of the public or (ii) under the influence of alcohol.

D. Where an amusement device was manufactured under previous editions of the standards incorporated by reference in this chapter, the previous editions shall apply to the extent that they are different from the current standards.

13VAC5-31-50. Certification of amusement device inspectors.

~~A.~~ Any person, including local building department personnel, inspecting an amusement device relative to a certificate of inspection shall possess certification as an amusement device inspector in accordance with the Virginia Certification Standards (13VAC5-21).

~~B.~~ ~~Local building department personnel enforcing this chapter and private inspectors shall attend periodic maintenance training as designated by DHCD. In addition to the periodic maintenance training required above, local building department personnel and private inspectors shall attend 16 hours of continuing education every two years as approved by DHCD. If local building department personnel or private inspectors possess more than one BHCD certificate, the 16 hours shall satisfy the continuing education requirement for all BHCD certificates.~~

Note: Continuing education and periodic training requirements for DHCD certifications are set out in the Virginia Certification Standards (13VAC5-21).

DOCUMENTS INCORPORATED BY REFERENCE (13VAC5-31)

ANSI B77.1-2011, Passenger Ropeways – Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements, American National Standards Institute (ANSI), 25 West 43rd Street, 4th Floor, New York, NY 10036 (<http://www.ansi.org/>)

American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959; (<http://www.astm.org/>):

~~ASTM F698-94, Standard Specification for Physical Information to be Provided for Amusement Rides and Devices~~

~~ASTM F747-06 F747-15, Standard Terminology Relating to Amusement Rides and Devices~~

~~ASTM F770-11 F770-15, Standard Practice for Ownership, and Operation, Maintenance, and Inspection of Amusement Rides and Devices~~

~~ASTM F846-92 (2009), Standard Guide for Testing Performance of Amusement Rides and Devices~~

~~ASTM F853-05, Standard Practice for Maintenance Procedures for Amusement Rides and Devices~~

~~ASTM F893-10, Standard Guide for Inspection of Amusement Rides and Devices~~

~~ASTM F1159-11 F1159-15b, Standard Practice for Design and Manufacture of Patron Directed, Artificial Climbing Walls, Dry Slide, Coin Operated and Purposeful Water Immersion of Amusement Rides and Devices and Air-Supported Structures that are Outside the Purview of Other F24 Design Standards~~

~~ASTM F1193-06 F1193-16, Standard Practice for Quality, Manufacture, and Construction of Amusement Rides and Devices~~

~~ASTM F1957-99 (2011), Standard Test Method for Composite Foam Hardness-Durometer Hardness~~

~~ASTM F2007-12, Standard Practice for Classification, Design, Manufacture, and Operation of Concession Go-Karts and Facilities~~

~~ASTM F2137-11 F2137-16, Standard Practice for Measuring the Dynamic Characteristics of Amusement Rides and Devices~~

~~ASTM F2291-11 F2291-15, Standard Practice for Design of Amusement Rides and Devices~~

~~ASTM F2374-10, Standard Practice for Design, Manufacture, Operation, and Maintenance of Inflatable Amusement Devices~~

~~ASTM F2375-09, Standard Practice for Design, Manufacture, Installation and Testing of Climbing Nets~~

and Netting/Mesh used in Amusement Rides, Devices, Play Areas and Attractions

~~ASTM F2376-08 F2376-13, Standard Practice for Classification, Design, Manufacture, Construction, and Operation of Water Slide Systems~~

~~ASTM F2460-11, Standard Practice for Special Requirements for Bumper Boats~~

~~ASTM F2959-12 F2959-16, Standard Practice for Special Requirements for Aerial Adventure Courses~~

ASTM F2974-15, Standard Guide for Auditing Amusement Rides and Devices

VA.R. Doc. No. R16-4667; Filed January 20, 2017, 2:38 p.m.

Proposed Regulation

REGISTRAR'S NOTICE: The Board of Housing and Community Development is claiming an exemption from Article 2 of the Administrative Process Act pursuant to § 2.2-4006 A 12 of the Code of Virginia, which excludes regulations adopted by the Board of Housing and Community Development pursuant to the Statewide Fire Prevention Code (§ 27-94 et seq.), the Industrialized Building Safety Law (§ 36-70 et seq.), the Uniform Statewide Building Code (§ 36-97 et seq.), and § 36-98.3 of the Code of Virginia, provided the board (i) provides a Notice of Intended Regulatory Action in conformance with the provisions of § 2.2-4007.01, (ii) publishes the proposed regulation and provides an opportunity for oral and written comments as provided in § 2.2-4007.03, and (iii) conducts at least one public hearing as provided in §§ 2.2-4009 and 36-100 prior to the publishing of the proposed regulations.

Title of Regulation: 13VAC5-51. Virginia Statewide Fire Prevention Code (amending 13VAC5-51-11 through 13VAC5-51-155; adding 13VAC5-51-144.8; repealing 13VAC5-51-146).

Statutory Authority: § 27-97 of the Code of Virginia.

Public Hearing Information:

May 15, 2017 - 10 a.m. - Virginia Housing Development Authority Virginia Housing Center, 4224 Cox Road, Glen Allen, VA 23060

Public Comment Deadline: April 21, 2017.

Agency Contact: Elizabeth O. Rafferty, Policy and Legislative Director, Department of Housing and Community Development, Main Street Centre, 600 East Main Street, Suite 300, Richmond, VA 23219, telephone (804) 371-7011, FAX (804) 371-7090, TTY (804) 371-7089, or email elizabeth.rafferty@dhcd.virginia.gov.

Background: The Statewide Fire Prevention Code (SFPC) is a regulation governing the maintenance of the fire protection aspects of existing structures and operational functions relating to fire safety wherever located, including the regulation of the use of explosives and blasting and fireworks displays. The SFPC uses a nationally recognized model code produced by the International Code Council as the basis for

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the technical provisions of the regulation. Every three years, a new edition of the model code becomes available. At that time, the Board of Housing and Community Development initiates a regulatory action to incorporate the newest edition of the model code into the regulation as well as accepting proposals for changes to the regulation from affected client groups and the public. The Department of Housing and Community Development staff maintains mailing lists for workgroups involving different subject areas of regulation and conducts workgroup meetings to develop consensus recommendations, when possible, concerning submitted proposals. The department uses an online program incorporating the provisions of the regulation and the model code to facilitate the submittal of proposals. A public hearing is held during the workgroup meeting stage of the process and a comment period established. Once workgroup meetings are completed, the board holds a series of meetings to consider each proposal, and the approved proposals are incorporated into the proposed regulation. After publication of the proposed regulation, the board establishes a comment period for the acceptance of comments on amendments reflected in the proposed regulation, and an additional public hearing is held. The board then meets to consider proposals and public comments and develops a final regulation to complete the regulatory process.

Summary:

The proposed amendments to the SFPC in this regulatory action are as follows:

13VAC5-51-31 A: The 2015 edition of the International Fire Code (IFC) is incorporated by reference to replace the 2012 edition of the IFC.

13VAC5-51-51 K: The Virginia Certification Standards (13VAC5-21) (VCS), also a regulation under the authority of the BHCD, was amended and became effective in September 2014. It sets out periodic training and continuing education requirements for maintaining inspector certificates issued by the BHCD. Prior to the amendments to the VCS, the SFPC contained those requirements. Now that the VCS has the requirements, they are deleted in the SFPC and replaced with a reference the VCS.

13VAC5-51-81 K: Add language from § 27-98 of the Code of Virginia, regarding local fees from the 2012 Acts of Assembly.

13VAC5-51-121 B: Amend the requirement for local government appeals boards to meet annually even if there are no appeals. The Virginia Uniform Statewide Building Code (13VAC5-63) (USBC) was amended by a proposal from the State Building Code Technical Review Board to permit the local appeals boards to meet only when necessary to conduct business. This amendment provides consistent language with the USBC.

13VAC5-51-130: Add new definitions necessary for substantive amendments to the technical requirements of

the code addressing college research laboratories in 13VAC5-51-145.

13VAC5-51-131 C, G, and K: Delete provisions addressing sky lanterns and unoccupied tenant spaces in malls since comparable provisions are in the 2015 edition of the IFC being incorporated into the code in 13VAC5-51-31 A.

13VAC5-51-132: When the current SFPC was developed in 2013-2014, the 2015 edition of the IFC was already in process at the International Code Council (ICC) hearings and while the language was not finalized until 2015, many proposals had already been approved in the ICC process. The fire services community submitted a proposal to use the new language, which it was believed would be contained in the 2015 IFC for the SFPC at that time. Now that the 2015 IFC is being incorporated into the SFPC in this action, the language in the SFPC is no longer necessary since it is already in the 2015 edition of the IFC. Therefore the language is deleted from the SFPC. The subject matter of the language is emergency planning and preparedness, and the requirements address the use of emergency evacuation plans and the use of crowd managers for large events. There are no substantive changes to address since all requirements that are being deleted are contained in the 2015 IFC; however, since much existing language is being stricken, this summary is necessary as readers of the proposed regulations not familiar with the 2015 IFC would see much stricken text and not necessarily know that the requirements are not actually changing.

13VAC5-51-133 through 13VAC5-51-140: As explained in the summary of changes to 13VAC5-51-132, the changes in these sections are not substantive, but are simply to delete amendments made in the last regulatory process adopting text that proponents of the proposals were confident would be in the 2015 edition of the IFC being developed through the ICC process. That in fact did happen, and now the changes to the SFPC may be deleted since the language is already in the 2015 IFC, and the 2015 IFC is being incorporated into the SFPC in 13VAC5-51-31 A.

13VAC5-51-144.8: This amendment changes the IFC language for permits to reference the appropriate permit section in the SFPC. The permit sections in all other chapters of the IFC were addressed in the previous regulatory process for the SFPC, but this chapter (Chapter 37 Combustible Fibers) was inadvertently omitted. This amendment corrects the omission and makes all the permit requirements in the IFC consistent.

13VAC5- 51-145 E: In the previous regulatory process for the SFPC, where the 2012 edition of the IFC was incorporated, a proposal was approved to change the table in the IFC addressing the quantities of consumer fireworks that could be stored in a building based on whether the building had a sprinkler system. The 2012 IFC permitted a

100% increase in the amounts stored if there was a sprinkler system present, and that allowance was permitted through the use of a footnote "d" in the table that was referenced in the consumer fireworks entry in the table. A proposal approved during that regulatory process deleted the reference to the footnote for consumer fireworks, but left the reference to the footnote for permissible fireworks (a subset of consumer fireworks that do not lift from the ground when used). The 2015 edition of the IFC does not have the reference to footnote "d" in the table, therefore it is no longer necessary to show consumer fireworks entry in the table changed in the SFPC. The reference to the footnote remains for permissible fireworks.

13VAC5-51-145 F: Add comprehensive new requirements for the safe use of hazardous materials in college research laboratories. DHCD staffed a workgroup of affected parties to develop these requirements, which in conjunction with changes to the USBC, addressing the safe use of materials in the constantly changing field of educational research laboratories. The requirements are consistent with a proposal developed in the ICC process for the 2018 IFC.

13VAC5-51-145 G: Add a reference in the provisions of the SFPC addressing petroleum spills to the Virginia Petroleum Storage Tank Fund (§ 62.1-44.34:11 et seq. of the Code of Virginia).

13VAC5-51-155: Add nationally recognized standards to the IFC that are used in the new provisions for college research laboratories in 13VAC5- 51-145 F.

Part I
General Regulations

13VAC5-51-11. Chapter 1, Administration; Section 101-0. 101 Scope.

A. 101.1- Title: These regulations shall be known as the Virginia Statewide Fire Prevention Code (SFPC), hereinafter referred to as "this code" or "SFPC." The term "chapter" means a chapter in the SFPC. The SFPC was cooperatively developed by the Virginia Fire Services Board and the Virginia Board of Housing and Community Development.

B. 101.2- Scope: The SFPC prescribes regulations affecting or relating to maintenance of structures, processes and premises and safeguards to be complied with for the protection of life and property from the hazards of fire or explosion and for the handling, storage and use of fireworks, explosives or blasting agents, and provides for the administration and enforcement of such regulations. The SFPC also establishes regulations for obtaining permits for the manufacturing, storage, handling, use, or sales of explosives. Inspections under the SFPC are a governmental responsibility.

C. 101.3- Purpose: The purposes of the SFPC are to provide for statewide standards to safeguard life and property from the hazards of fire or explosion arising from the improper

maintenance of life safety and fire prevention and protection materials, devices, systems and structures, and the unsafe storage, handling, and use of substances, materials and devices, including explosives and blasting agents, wherever located.

D. 101.4- Validity: To the extent that any provisions of the SFPC or the referenced codes or standards are not within the scope of this chapter, those provisions are considered to be invalid. When any provision of the SFPC is found to be in conflict with the USBC, OSHA, or statute, that provision of the SFPC shall become invalid.

E. 101.5- Local regulations: Any local governing body may adopt fire prevention regulations that are more restrictive or more extensive in scope than the SFPC provided such regulations do not affect the manner of construction or materials to be used in the erection, alteration, repair, or use of a building or structure, as provided in the USBC, including the voluntary installation of smoke alarms and regulation and inspections thereof in commercial buildings where such smoke alarms are not required under the provisions of the SFPC.

F. 101.6- Nonresidential farm structures: Farm structures not used for residential purposes are exempt from the SFPC except when the inspection and enforcement provisions of the code are exercised by a warrant issued under the authority of §§ 27-98.2 through 27-98.5 of the Code of Virginia.

13VAC5-51-21. Section 102-0. 102 Applicability.

A. 102.1- General: The provisions of the SFPC shall apply to all matters affecting or relating to structures, processes and premises as set forth in Section 101-0. The SFPC shall supersede any fire prevention regulations previously adopted by a local government or other political subdivision.

B. 102.1.1- Changes: No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group of occupancies, unless such structure is made to comply with the requirements of this code and the USBC.

C. 102.2- Application to pre-1973 buildings and structures: Buildings and structures constructed prior to the USBC (1973) shall comply with the maintenance requirements of the SFPC to the extent that equipment, systems, devices, and safeguards which were provided and approved when constructed shall be maintained. Such buildings and structures, if subject to the state fire and public building regulations (Virginia Public Building Safety Regulations, VR 394-01-05) in effect prior to March 31, 1986, shall also be maintained in accordance with those regulations.

D. 102.3- Application to post-1973 buildings and structures: Buildings and structures constructed under any edition of the USBC shall comply with the maintenance requirements of the SFPC to the extent that equipment, systems, devices, and safeguards which were provided and approved when constructed shall be maintained.

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E. 102.4- Referenced codes and standards: The codes and standards referenced in the IFC shall be those listed in Chapter 80 and considered part of the requirements of the SFPC to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

F. 102.5- State-owned buildings and structures: The SFPC shall be applicable to all state-owned buildings and structures in the manner and extent described in § 27-99 of the Code of Virginia and the State Fire Marshal shall have the authority to enforce this code in state-owned buildings and structures as is prescribed in §§ 27-98 and 27-99 of the Code of Virginia.

G. 102.6- Relationship to USBC: In accordance with §§ 27-34.4, 36-105.1 and 36-119.1 of the Code of Virginia, the USBC does not supersede the provisions of this code that prescribe standards to be complied with in existing buildings and structures, provided that this code shall not impose requirements that are more restrictive than those of the USBC under which the buildings or structures were constructed. Subsequent alteration, enlargement, rehabilitation, repair or conversion of the occupancy classification of such buildings and structures shall be subject to the construction and rehabilitation provisions of the USBC. Inspection of buildings other than state-owned buildings under construction and the review and approval of building plans for these structures for enforcement of the USBC shall be the sole responsibility of the appropriate local building inspectors.

Upon completion of such structures, responsibility for fire safety protection shall pass to the local fire marshal or official designated by the locality to enforce this code in those localities that enforce the SFPC or to the State Fire Marshal in those localities that do not enforce this code.

H. 102.7- Inspections for USBC requirements: The fire official shall require that existing structures subject to the requirements of the applicable retrofitting provisions relating to the fire protection equipment and system requirements of the USBC, Part I, Construction, Section 103.7, comply with the provisions located therein.

13VAC5-51-31. Section ~~103.0~~. 103 Incorporation by reference.

A. 103.1- General: The following document is adopted and incorporated by reference to be an enforceable part of the SFPC:

The International Fire Code -- ~~2012~~ 2015 Edition, hereinafter referred to as "IFC," published by the International Code Council, Inc., 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070, 1-888 422-7233.

B. 103.1.1- Deletion: Delete IFC Chapter 1.

C. 103.1.2- Appendices: The appendices in the IFC are not considered part of the IFC for the purposes of Section 103.1.

Note: Section 101.5 references authority contained in the Code of Virginia for local fire prevention regulations that

may be evaluated by localities to determine whether provisions in the IFC appendices may be considered for local fire prevention regulations.

D. 103.2- Amendments: All requirements of the referenced codes and standards that relate to fees, non-operational permits not specifically required by Section 107.2, unsafe notices, disputes, condemnation, inspections, scope of enforcement and all other procedural, and administrative matters are deleted and replaced by the provisions of Chapter 1 of the SFPC.

Exception: The scope of referenced codes and standards referenced by the SFPC that relate to the maintenance, testing and inspection requirements or limitations shall be enforceable.

E. 103.2.1- Other amendments: The SFPC contains provisions adopted by the Virginia Board of Housing and Community Development (BHCD), some of which delete, change or amend provisions of the IFC and referenced standards. Where conflicts occur between such changed provisions and the unchanged provisions of the IFC and referenced standards, the provisions changed by the BHCD shall govern.

Note: The IFC and its referenced standards contain some areas of regulation outside of the scope of the SFPC, as established by the BHCD and under state law. Where conflicts have been readily noted, changes have been made to the IFC and its referenced standards to bring it within the scope of authority; however, in some areas, judgment will have to be made as to whether the provisions of the IFC and its referenced standards are fully applicable.

F. 103.3- International Fire Code. Retroactive fire protection system requirements contained in the IFC shall not be enforced unless specified by the USBC.

13VAC5-51-41. Section ~~104.0~~. 104 Enforcement.

A. 104.1- Local enforcement: Any local government may enforce the SFPC following official action by such body. The official action shall (i) require compliance with the provisions of the SFPC in its entirety or with respect only to those provisions of the SFPC relating to open burning, fire lanes, fireworks, and hazardous materials and (ii) assign enforcement responsibility to the local agency or agencies of its choice. Any local governing body may establish such procedures or requirements as may be necessary for the administration and enforcement of this code. If a local governing body elects to enforce only those provisions of the SFPC relating to open burning, it may do so in all or in any designated geographic areas of its jurisdiction. The terms "enforcing agency" and "fire official" are intended to apply to the agency or agencies to which responsibility for enforcement of the SFPC has been assigned. The terms "building official" or "building department" are intended to apply only to the local building official or local building department.

B. 104.1.1- Enforcement of fireworks provisions by law-enforcement officers. In accordance with § 27-100.1 of the Code of Virginia, law-enforcement officers who are otherwise authorized to enforce certain provisions of this code shall not be subject to the certification requirements of Section 105.2 or 105.3.2.

C. 104.2- State enforcement. In accordance with § 27-98 of the Code of Virginia, the State Fire Marshal shall also have the authority, in cooperation with any local governing body, to enforce the SFPC. The State Fire Marshal shall also have authority to enforce the SFPC in those jurisdictions in which the local governments do not enforce the SFPC and may establish such procedures or requirements as may be necessary for the administration and enforcement of the SFPC in such jurisdictions.

D. 104.3- State structures. Every agency, commission or institution of this Commonwealth, including all institutions of higher education, shall permit, at all reasonable hours, the fire official reasonable access to existing structures or a structure under construction or renovation, for the purpose of performing an informational and advisory fire safety inspection. The fire official is permitted to submit, subsequent to performing such inspection, his findings and recommendations, including a list of corrective actions necessary to ensure that such structure is reasonably safe from the hazards of fire, to the appropriate official of such agency, commission, or institution and the State Fire Marshal. Such agency, commission or institution shall notify, within 60 days of receipt of such findings and recommendations, the State Fire Marshal and the fire official of the corrective measures taken to eliminate the hazards reported by the fire official. The State Fire Marshal shall have the same power in the enforcement of this section as is provided for in § 27-98 of the Code of Virginia. The State Fire Marshal may enter into an agreement as is provided for in § 9.1-208 of the Code of Virginia with any local enforcement agency that enforces the SFPC to enforce this section and to take immediate enforcement action upon verification of a complaint of an imminent hazard such as a chained or blocked exit door, improper storage of flammable liquids, use of decorative materials, and overcrowding.

13VAC5-51-51. Section ~~105.0~~ 105 Enforcing agency.

A. 105.1- Fire official. Each enforcing agency shall have an executive official in charge, hereinafter referred to as the "fire official."

Note: Fire officials are subject to sanctions in accordance with the Virginia Certification Standards (13VAC5-21).

B. 105.1.1- Appointment. The fire official shall be appointed in a manner selected by the local government having jurisdiction. After permanent appointment, the fire official shall not be removed from office except for cause after having been afforded a full opportunity to be heard on specific and relevant charges by and before the appointing authority.

C. 105.1.2- Notification of appointment. The appointing authority of the local governing body shall notify the Department of Housing and Community Development (DHCD) and the State Fire Marshal's Office (SFMO) within 30 days of the appointment or release of the permanent or acting fire official.

D. 105.1.3- Qualifications. The fire official shall have at least five years of fire-related experience as a firefighter, fire officer, licensed professional engineer or architect, fire or building inspector, contractor or superintendent of fire protection-related or building construction or at least five years of fire-related experience after obtaining a degree in architecture or engineering, with at least three years in responsible charge of work. Any combination of education and experience that would confer equivalent knowledge and ability shall be deemed to satisfy this requirement. The fire official shall have general knowledge of sound engineering practice with respect to the design and construction of structures, the basic principles of fire prevention and protection, the accepted requirements for means of egress and the installation of elevators and other service equipment necessary for the health, safety and general welfare of the occupants and the public. The local governing body may establish additional qualification requirements.

E. 105.2- Certification. The permanent or acting fire official shall obtain certification from the BHCD in accordance with the Virginia Certification Standards (13VAC5-21) within one year after permanent or acting appointment.

Exception: A fire official appointed prior to April 1, 1994, continuously employed by the same local governing body as the fire official shall comply with required DHCD training under the Virginia Certification Standards (13VAC5-21).

F. 105.2.1- Noncertified fire official. Except for a fire official exempt from certification under the exception to Section 105.2, any acting or permanent fire official who is not certified as a fire official in accordance with the Virginia Certification Standards (13VAC5-21) shall attend the core module of the Virginia Building Code Academy or an equivalent course in an individual or regional code academy accredited by DHCD within 180 days of appointment. This requirement is in addition to meeting the certification requirement in Section 105.2.

G. 105.3- Technical assistant. The local governing body or its designee may utilize one or more technical assistants who, in the absence of the fire official, shall have the powers and perform the duties of the fire official.

Note: Technical assistants are subject to sanctions in accordance with the Virginia Certification Standards (13VAC5-21).

H. 105.3.1- Notification. The fire official shall notify the DHCD within 60 days of the employment, contract or termination of all technical assistants for enforcement of the SFPC.

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I. 105.3.2- Qualifications: A technical assistant shall have at least three years of experience and general knowledge in at least one of the following areas: fire protection, firefighting, electrical, building, plumbing or mechanical trades. Any combination of education and experience that would confer equivalent knowledge and ability shall be deemed to satisfy this requirement. The locality may establish additional qualification requirements.

J. 105.3.3- Certification: All technical assistants employed by or under contract to an enforcing agency for enforcing the SFPC shall be certified in the appropriate subject area in accordance with the Virginia Certification Standards (13VAC5-21) within one and one-half years after permanent or acting appointment. When required by a locality to have two or more certifications, the remaining certifications shall be obtained within three years from the date of such requirement.

Exception: Any technical assistant continuously employed by or continuously under contract to the same enforcing agency for enforcing the SFPC since before April 1, 1994, shall be exempt from the provisions of this section; however, such exempt technical assistant shall comply with required DHCD training under Virginia Certification Standards (13VAC5-21).

Note: Continuing education and periodic training requirements for DHCD certifications are set out in the Virginia Certification Standards (13VAC5-21).

~~K. 105.4- Continuing education: Fire officials and technical assistants enforcing the SFPC shall attend periodic training courses as designated by the DHCD.~~

~~L. 105.5- K. 105.4~~ Control of conflict of interest: The standards of conduct for officials and employees of the enforcing agency shall be in accordance with the provisions of the State and Local Government Conflict of Interests Act, Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2 of the Code of Virginia.

13VAC5-51-61. Section ~~106.0~~. 106 Duties and powers of the fire official.

A. 106.1- General: The fire official shall enforce the provisions of the SFPC as provided herein and as interpreted by the State ~~Building Code Technical Review Board (TRB)~~ in accordance with § 36-118 of the Code of Virginia.

B. 106.2- Delegation of duties and powers: The fire official may delegate duties and powers subject to any limitations imposed by the local governing body. The fire official shall be responsible that any powers and duties delegated are carried out in accordance with this code.

C. 106.3- Inspections: The fire official is authorized to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of this code and to approve reports of inspection by approved agencies or individuals in accordance with the fire official's written policy. All reports of such inspections by approved

agencies or individuals shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such approved agency or by the responsible individual. The fire official is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues in accordance with local policies.

D. 106.3.1- Observations: When, during an inspection, the fire official or an authorized representative observes an apparent or actual violation of another law, ordinance or code not within the official's authority to enforce, such official shall report the findings to the official having jurisdiction in order that such official may institute the necessary measures.

E. 106.4- Alternatives: The SFPC provisions are not intended to prevent the use of any safeguards used to protect life and property from the hazards of fire or explosion that are not specifically prescribed by the SFPC, provided that such alternative safeguards comply with the intent of the SFPC. The alternative safeguard offered shall be, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

F. 106.5- Modifications: The fire official may grant modifications to any provision of the SFPC upon application by the owner or the owner's agent provided the spirit and intent of the SFPC are observed and public health, welfare, and safety are assured.

Note: The current editions of many nationally recognized model codes and standards are referenced by the SFPC. Future amendments to such codes and standards do not automatically become part of the SFPC; however, the fire official should consider such amendments in deciding whether a modification request should be granted.

G. 106.5.1- Supporting data: The fire official shall require that sufficient technical data be submitted to substantiate the proposed use of any alternative. If it is determined that the evidence presented is satisfactory proof of performance for the use intended, the fire official shall approve the use of such alternative subject to the requirements of this code. The fire official may require and consider a statement from a professional engineer, architect or other competent person as to the equivalency of the proposed modification.

H. 106.5.2- Decision: The application for modification and the final decision of the fire official shall be in writing and shall be recorded in the permanent records of the local enforcing agency.

I. 106.6- Notices and orders: The fire official shall issue all necessary notices or orders to ensure compliance with the SFPC.

J. 106.7- Department records: The fire official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in

the official records or disposed of in accordance with General Schedule Number Ten available from The Library of Virginia.

13VAC5-51-81. Section 107.0: 107 Permits and fees.

A. 107.1: Prior notification. The fire official may require notification prior to (i) activities involving the handling, storage or use of substances, materials or devices regulated by the SFPC; (ii) conducting processes which produce conditions hazardous to life or property; or (iii) establishing a place of assembly.

B. 107.2: Permits required. Operational permits may be required by the fire official as permitted under the SFPC in

C. Add Table 107.2 as follows:

accordance with Table 107.2, except that the fire official shall require permits for the manufacturing, storage, handling, use, and sale of explosives. In accordance with Section 5601.2.3.1, an application for a permit to manufacture, store, handle, use, or sell explosives shall only be made by a designated individual.

Exception: Such permits shall not be required for the storage of explosives or blasting agents by the Virginia Department of State Police provided notification to the fire official is made annually by the Chief Arson Investigator listing all storage locations.

Table 107.2. OPERATIONAL PERMIT REQUIREMENTS (to be filled in by local jurisdiction).			
Description	Permit Required (yes or no)	Permit Fee	Inspection Fee
Aerosol products. An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight.			
Amusement buildings. An operational permit is required to operate a special amusement building.			
Aviation facilities. An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.			
Carnivals and fairs. An operational permit is required to conduct a carnival or fair.			
Cellulose nitrate film. An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.			
Combustible dust-producing operations. An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.			
Combustible fibers. An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (2.8 m ³). Exception: An operational permit is not required for agricultural storage.			
Compressed gas. An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed below. Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.			

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Permit Amounts for Compressed Gases					
Type of Gas	Amount (cubic feet at NTP)				
Corrosive	200				
Flammable (except cryogenic fluids and liquefied petroleum gases)	200				
Highly toxic	Any Amount				
Inert and simple asphyxiant	6,000				
Oxidizing (including oxygen)	504				
Pyrophoric	Any Amount				
Toxic	Any Amount				
For SI: 1 cubic foot = 0.02832 m ³ .					
Covered and open mall buildings. An operational permit is required for:					
1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.					
2. The display of liquid-fired or gas-fired equipment in the mall.					
3. The use of open-flame or flame-producing equipment in the mall.					
Cryogenic fluids. An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed below.					
Exception: Operational permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.					
Permit Amounts for Cryogenic Fluids					
Type of Cryogenic Fluid	Inside Building (gallons)	Outside Building (gallons)			
Flammable	More than 1	60			
Inert	60	500			
Oxidizing (includes oxygen)	10	50			
Physical or health hazard not indicated above	Any Amount	Any Amount			
For SI: 1 gallon = 3.785 L.					
Cutting and welding. An operational permit is required to conduct cutting or welding operations within the jurisdiction.					
Dry cleaning plants. An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.					
Exhibits and trade shows. An operational permit is required to operate exhibits and trade shows.					

<p>Explosives, fireworks, and pyrotechnics. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosive, explosive materials, fireworks, pyrotechnic special effects, or pyrotechnic special effects material within the scope of Chapter 56.</p> <p>Exception: Storage in Group R-3 or R-5 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale, and in accordance with the quantity limitations and conditions set forth in Section 5601.1, exception numbers four and 12.</p>			
<p>Fire hydrants and valves. An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes that are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public.</p> <p>Exception: An operational permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.</p>			
<p>Flammable and combustible liquids. An operational permit is required:</p> <ol style="list-style-type: none"> 1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the offsite transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems. 2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following: <ol style="list-style-type: none"> 2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the fire official, would cause an unsafe condition. 2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days. 3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment. 4. To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes. 5. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used. 6. To install, alter, remove, abandon, place temporarily out of service (for more than 90 days) or otherwise dispose of an underground, protected above-ground or above-ground flammable or combustible liquid tank. 7. To change the type of contents stored in a flammable or combustible liquid tank to a material that poses a greater hazard than that for which the tank was designed and constructed. 8. To manufacture, process, blend or refine flammable or combustible liquids. 			

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<p>Floor finishing. An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet (33 m²) using Class I or Class II liquids.</p>																																																			
<p>Fruit and crop ripening. An operational permit is required to operate a fruit- ripening or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.</p>																																																			
<p>Fumigation, thermal, and insecticidal fogging. An operational permit is required to operate a business of fumigation, thermal, or insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.</p>																																																			
<p>Hazardous materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed below.</p> <p style="text-align: center;">Permit Amounts for Hazardous Materials</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Type of Material</th> <th style="text-align: left;">Amount</th> </tr> </thead> <tbody> <tr> <td>Combustible liquids</td> <td>See flammable and combustible liquids</td> </tr> <tr> <td>Corrosive materials</td> <td></td> </tr> <tr> <td> Gases</td> <td>See compressed gases</td> </tr> <tr> <td> Liquids</td> <td>55 gallons</td> </tr> <tr> <td> Solids</td> <td>1000 pounds</td> </tr> <tr> <td>Explosive materials</td> <td>See explosives</td> </tr> <tr> <td>Flammable materials</td> <td></td> </tr> <tr> <td> Gases</td> <td>See compressed gases</td> </tr> <tr> <td> Liquids</td> <td>See flammable and combustible liquids</td> </tr> <tr> <td> Solids</td> <td>100 pounds</td> </tr> <tr> <td>Highly toxic materials</td> <td></td> </tr> <tr> <td> Gases</td> <td>See compressed gases</td> </tr> <tr> <td> Liquids</td> <td>Any amount</td> </tr> <tr> <td> Solids</td> <td>Any amount</td> </tr> <tr> <td>Oxidizing materials</td> <td></td> </tr> <tr> <td> Gases</td> <td>See compressed gases</td> </tr> <tr> <td> Liquids</td> <td></td> </tr> <tr> <td> Class 4</td> <td>Any amount</td> </tr> <tr> <td> Class 3</td> <td>1 gallon ^a</td> </tr> <tr> <td> Class 2</td> <td>10 gallons</td> </tr> <tr> <td> Class 1</td> <td>55 gallons</td> </tr> <tr> <td> Solids</td> <td></td> </tr> <tr> <td> Class 4</td> <td>Any amount</td> </tr> </tbody> </table>	Type of Material	Amount	Combustible liquids	See flammable and combustible liquids	Corrosive materials		Gases	See compressed gases	Liquids	55 gallons	Solids	1000 pounds	Explosive materials	See explosives	Flammable materials		Gases	See compressed gases	Liquids	See flammable and combustible liquids	Solids	100 pounds	Highly toxic materials		Gases	See compressed gases	Liquids	Any amount	Solids	Any amount	Oxidizing materials		Gases	See compressed gases	Liquids		Class 4	Any amount	Class 3	1 gallon ^a	Class 2	10 gallons	Class 1	55 gallons	Solids		Class 4	Any amount			
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Combustible liquids	See flammable and combustible liquids																																																		
Corrosive materials																																																			
Gases	See compressed gases																																																		
Liquids	55 gallons																																																		
Solids	1000 pounds																																																		
Explosive materials	See explosives																																																		
Flammable materials																																																			
Gases	See compressed gases																																																		
Liquids	See flammable and combustible liquids																																																		
Solids	100 pounds																																																		
Highly toxic materials																																																			
Gases	See compressed gases																																																		
Liquids	Any amount																																																		
Solids	Any amount																																																		
Oxidizing materials																																																			
Gases	See compressed gases																																																		
Liquids																																																			
Class 4	Any amount																																																		
Class 3	1 gallon ^a																																																		
Class 2	10 gallons																																																		
Class 1	55 gallons																																																		
Solids																																																			
Class 4	Any amount																																																		

Class 3	10 pounds ^b			
Class 2	100 pounds			
Class 1	500 pounds			
Organic peroxides				
Liquids				
Class I	Any amount			
Class II	Any amount			
Class III	1 gallon			
Class IV	2 gallons			
Class V	No permit required			
Solids				
Class I	Any amount			
Class II	Any amount			
Class III	10 pounds			
Class IV	20 pounds			
Class V	No permit required			
Pyrophoric materials				
Gases	See compressed gases			
Liquids	Any amount			
Solids	Any amount			
Toxic materials				
Gases	See compressed gases			
Liquids	10 gallons			
Solids	100 pounds			
Unstable (reactive) materials				
Liquids				
Class 4	Any amount			
Class 3	Any amount			
Class 2	5 gallons			
Class 1	10 gallons			
Solids				
Class 4	Any amount			
Class 3	Any amount			
Class 2	50 pounds			
Class 1	100 pounds			

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<p>Water reactive materials</p> <p>Liquids</p> <p>Class 3 Any amount</p> <p>Class 2 5 gallons</p> <p>Class 1 55 gallons</p> <p>Solids</p> <p>Class 3 Any amount</p> <p>Class 2 50 pounds</p> <p>Class 1 500 pounds</p> <p>For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg.</p> <p>a. Twenty gallons when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 20 gallons or less.</p> <p>b. Two hundred pounds when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 200 pounds or less.</p>			
<p>HPM facilities. An operational permit is required to store, handle or use hazardous production materials.</p>			
<p>High piled storage. An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m²).</p>			
<p>Hot work operations. An operational permit is required for hot work including, but not limited to:</p> <ol style="list-style-type: none"> 1. Public exhibitions and demonstrations where hot work is conducted. 2. Use of portable hot work equipment inside a structure. <p>Exception: Work that is conducted under a construction permit.</p> <ol style="list-style-type: none"> 3. Fixed-site hot work equipment such as welding booths. 4. Hot work conducted within a hazardous fire area. 5. Application of roof coverings with the use of an open-flame device. 6. When approved, the fire official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in this chapter. These permits shall be issued only to their employees or hot work operations under their supervision. 			
<p>Industrial ovens. An operational permit is required for operation of industrial ovens regulated by Chapter 30.</p>			
<p>Lumber yards and woodworking plants. An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft³) (236 m³).</p>			

<p>Liquid-fueled or gas-fueled vehicles or equipment in assembly buildings. An operational permit is required to display, operate or demonstrate liquid-fueled or gas-fueled vehicles or equipment in assembly buildings.</p>			
<p>LP-gas. An operational permit is required for:</p> <p>1. Storage and use of LP-gas.</p> <p>Exception: An operational permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3.</p> <p>2. Operation of cargo tankers that transport LP-gas.</p>			
<p>Magnesium. An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.</p>			
<p>Miscellaneous combustible storage. An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.</p>			
<p>Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.</p> <p>Exception: Recreational fires.</p>			
<p>Open flames and candles. An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.</p>			
<p>Open flames and torches. An operational permit is required to remove paint with a torch, or to use a torch or open-flame device in a wildfire risk area.</p>			
<p>Organic coatings. An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.</p>			
<p>Places of assembly. An operational permit is required to operate a place of assembly.</p>			
<p>Private fire hydrants. An operational permit is required for the removal from service, use or operation of private fire hydrants.</p> <p>Exception: An operational permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.</p>			
<p>Pyrotechnic special effects material. An operational permit is required for use and handling of pyrotechnic special effects material.</p>			
<p>Pyroxylin plastics. An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics.</p>			
<p>Refrigeration equipment. An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.</p>			

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Repair garages and service stations. An operational permit is required for operation of repair garages and automotive, marine and fleet service stations.			
Rooftop heliports. An operational permit is required for the operation of a rooftop heliport.			
Spraying or dipping. An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 24.			
Storage of scrap tires and tire byproducts. An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m ³) of total volume of scrap tires and for indoor storage of tires and tire byproducts.			
Temporary membrane structures and tents. An operational permit is required to operate an air-supported temporary membrane structure or a tent. Exceptions: 1. Tents used exclusively for recreational camping purposes. 2. Tents and air-supported structures that cover an area of 900 square feet (84 m ²) or less, including all connecting areas or spaces with a common means of egress or entrance and with an occupant load of 50 or less persons.			
Tire-rebuilding plants. An operational permit is required for the operation and maintenance of a tire-rebuilding plant.			
Waste handling. An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.			
Wood products. An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m ³).			

D. 107.3- Application for permit: Application for a permit shall be made on forms prescribed by the fire official.

E. 107.4- Issuance of permits: Before a permit is issued, the fire official shall make such inspections or tests as are necessary to assure that the use and activities for which application is made comply with the provisions of this code.

F. 107.5- Conditions of permit: A permit shall constitute permission to store or handle materials or to conduct processes in accordance with the SFPC, and shall not be construed as authority to omit or amend any of the provisions of this code. Permits shall remain in effect until revoked or for such period as specified on the permit. Permits are not transferable.

G. 107.6- Annual: The enforcing agency may issue annual permits for the manufacturing, storage, handling, use, or sales of explosives to any state regulated public utility.

H. 107.7- Approved plans: Plans approved by the fire official are approved with the intent that they comply in all respects to this code. Any omissions or errors on the plans do not relieve the applicant of complying with all applicable requirements of this code.

I. 107.8- Posting: Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire official.

J. 107.9- Suspension of permit: A permit shall become invalid if the authorized activity is not commenced within six months after issuance of the permit, or if the authorized activity is suspended or abandoned for a period of six months after the time of commencement.

K. 107.10- Local fees: In accordance with § ~~27-97~~ 27-98 of the Code of Virginia, fees may be levied by the local governing body in order to defray the cost of enforcement and appeals under the SFPC. However, for the city of Chesapeake no fee charged for the inspection of any place of religious worship designated as Assembly Group A-3 shall exceed \$50. For purposes of this section, "defray the cost" may include the fair and reasonable costs incurred for such enforcement during normal business hours but shall not include overtime costs, unless conducted outside of the normal working hours established by the locality. A schedule of such costs shall be adopted by the local governing body in a local ordinance. A locality shall not charge an overtime rate for inspections conducted during the normal business hours established by

the locality. Nothing herein shall be construed to prohibit a private entity from conducting such inspections, provided the private entity has been approved to perform such inspections in accordance with the written policy of the fire official for the locality.

L. 107.11- State Fire Marshal's office permit fees for explosives, blasting agents, theatrical flame effects, and fireworks. Except as modified herein, applications for firework or pyrotechnic displays shall be submitted to and received by the State Fire Marshal's office not less than 15 days prior to the planned event. State Fire Marshal's Office permit fees shall be as follows:

1. \$150 per year per magazine to store explosives and blasting agents.
2. \$250 per year per city or county to use explosives and blasting agents.
3. \$200 per year to sell explosives and blasting agents.
4. \$250 per year to manufacture explosives, blasting agents and fireworks.
5. \$350 the first day of fireworks, pyrotechnics or proximate audience displays conducted in any state-owned building and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than 15 days prior to the planned event, the permit fee shall be \$550 the first day and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than seven days prior to the planned event, the permit fee shall be \$650 the first day and \$150 per day for each consecutive day for identical multi-day events.
6. \$250 the first day of fireworks, pyrotechnics or proximate audience displays conducted out-of-doors on any state-owned property and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than 15 days prior to the planned event, the permit fee shall be \$550 the first day and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than seven days prior to the planned event, the permit fee shall be \$650 the first day and \$150 per day for each consecutive day for identical multi-day events.
7. \$100 per nonrenewable permit, valid for one week from the date of issuance, for the use of explosives in special operations or emergency conditions.
8. \$300 the first day for flame effects conducted in accordance with Section 308.3.2 indoors of any state-owned building or outdoors on state-owned property and \$200 per day for each consecutive day for identical multi-day events, or, if conducted as part of a firework (pyrotechnic) display, \$150 the first day and \$125 per day for each consecutive day for identical multi-day events. If

an application for flame effects is received by the State Fire Marshal's office less than 15 days prior to the planned event, the permit fee shall be \$550 the first day and \$200 per day for each consecutive day for identical multi-day events or, if conducted as part of a firework (pyrotechnic) display, \$200 the first day and \$100 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than seven days prior to the planned event, the permit fee shall be \$650 the first day and \$150 per day for each consecutive day for identical multi-day events or, if conducted as part of a firework (pyrotechnic) display, \$300 the first day and \$125 per day for each consecutive day for identical multi-day events.

Exception: Permits shall not be required for the storage of explosives or blasting agents by the Virginia Department of State Police provided notification to the State Fire Marshal is made annually by the Chief Arson Investigator listing all storage locations within areas where enforcement is provided by the State Fire Marshal's office.

M. 107.12- State annual compliance inspection fees. Fees for compliance inspections performed by the State Fire Marshal's office shall be as follows:

1. Nightclubs.
 - 1.1. \$350 for occupant load of 100 or less.
 - 1.2. \$450 for occupant load of 101 to 200.
 - 1.3. \$500 for occupant load of 201 to 300.
 - 1.4. \$500 plus \$50 for each 100 occupants where occupant loads exceed 300.
2. Private college dormitories with or without assembly areas. If containing assembly areas, such assembly areas are not included in the computation of square footage.
 - 2.1. \$150 for 3500 square feet or less.
 - 2.2. \$200 for greater than 3500 square feet up to 7000 square feet.
 - 2.3. \$250 for greater than 7000 square feet up to 10,000 square feet.
 - 2.4. \$250 plus \$50 for each additional 3000 square feet where square footage exceeds 10,000.
3. Assembly areas that are part of private college dormitories.
 - 3.1. \$50 for 10,000 square feet or less provided the assembly area is within or attached to a dormitory building.
 - 3.2. \$100 for greater than 10,000 square feet up to 25,000 square feet provided the assembly area is within or attached to a dormitory building, such as gymnasiums, auditoriums or cafeterias.
 - 3.3. \$100 for up to 25,000 square feet provided the assembly area is in a separate or separate buildings such as gymnasiums, auditoriums or cafeterias.

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3.4. \$150 for greater than 25,000 square feet for assembly areas within or attached to a dormitory building or in a separate or separate buildings such as gymnasiums, auditoriums or cafeterias.

4. Hospitals.

4.1. \$300 for 1 to 50 beds.

4.2. \$400 for 51 to 100 beds.

4.3. \$500 for 101 to 150 beds.

4.4. \$600 for 151 to 200 beds.

4.5. \$600 plus \$100 for each additional 100 beds where the number of beds exceeds 200.

5. Facilities licensed by the Virginia Department of Social Services based on licensed capacity as follows:

5.1. \$50 for 1 to 8.

5.2. \$75 for 9 to 20.

5.3. \$100 for 21 to 50.

5.4. \$200 for 51 to 100.

5.5. \$300 for 101 to 150.

5.6. \$400 for 151 to 200.

5.7. \$500 for 201 or more.

Exception: Annual compliance inspection fees for any building or groups of buildings on the same site may not exceed \$2500.

6. Registered complaints.

6.1. No charge for first visit (initial complaint), and if violations are found.

6.2. \$51 per hour for each State Fire Marshal's office staff for all subsequent visits.

7. Bonfires (small and large) on state-owned property.

7.1. For a small bonfire pile with a total fuel area more than 3 feet in diameter and more than 2 feet in height, but not more than 9 feet in diameter and not more than 6 feet in height, the permit fee is \$50. If an application for a bonfire permit is received by the State Fire Marshal's office less than 15 days prior to the planned event, the permit fee shall be \$100. If an application for a bonfire permit is received by the State Fire Marshal's office less than seven days prior to the planned event, the permit fee shall be \$150.

7.2. For a large bonfire pile with a total fuel area more than 9 feet in diameter and more than 6 feet in height, the permit fee is \$150. If an application for a bonfire permit is received by the State Fire Marshal's office less than 15 days prior to the planned event, the permit fee shall be \$300. If an application for a bonfire permit is received by the State Fire Marshal's office less than seven days prior to the planned event, the permit fee shall be \$450.

N. 107.13- Fee schedule. The local governing body may establish a fee schedule. The schedule shall incorporate unit

rates, which may be based on square footage, cubic footage, estimated cost of inspection or other appropriate criteria.

O. 107.14- Payment of fees. A permit shall not be issued until the designated fees have been paid.

Exception: The fire official may authorize delayed payment of fees.

P. 107.14.1- State Fire Marshal's office certification and permit fees not refundable. No refund of any part of the amount paid as a permit or certification fee will be made where the applicant, permit or certification holder, for any reason, discontinued an activity, changed conditions, or changed circumstances for which the permit or certification was issued. However, the permit or certification fee submitted with an application will be refunded if the permit or certification is canceled, revoked, or suspended subsequent to having been issued through administrative error, or if a permit being applied for is to be obtained from a locally appointed fire official.

13VAC5-51-85. Section ~~108.0~~ 108 Operational permits.

A. 108.1- General. Operational permits shall be in accordance with Section 108. The fire official may require notification prior to (i) activities involving the handling, storage or use of substances, materials or devices regulated by the SFPC; (ii) conducting processes which produce conditions hazardous to life or property; or (iii) establishing a place of assembly.

B. 108.1.1- Permits required. Operational permits may be required by the fire official in accordance with Table 107.2. The fire official shall require operational permits for the manufacturing, storage, handling, use and sale of explosives. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire official.

Exceptions:

1. Operational permits will not be required by the State Fire Marshal except for the manufacturing, storage, handling, use and sale of explosives in localities not enforcing the SFPC.

2. Operational permits will not be required for the manufacturing, storage, handling or use of explosives or blasting agents by the Virginia Department of State Police provided notification to the fire official is made annually by the Chief Arson Investigator listing all storage locations.

C. 108.1.2- Duration of operational permits.

An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 108.1.1 for either:

1. A prescribed period.

2. Until renewed, suspended, or revoked.

D. 108.1.3- Operational permits for the same location. When more than one operational permit is required for the same

location, the fire official is authorized to consolidate such permits into a single permit provided that each provision is listed in the permit.

E. 108.2- Application. Application for an operational permit required by this code shall be made to the fire official in such form and detail as prescribed by the fire official. Applications for permits shall be accompanied by such plans as prescribed by the fire official.

F. 108.2.1- Refusal to issue permit. If the application for an operational permit describes a use that does not conform to the requirements of this code and other pertinent laws and ordinances, the fire official shall not issue a permit, but shall return the application to the applicant with the refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reasons for refusal.

G. 108.2.2- Inspection authorized. Before a new operational permit is approved, the fire official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with this code or any operational constraints required.

H. 108.2.3- Time limitation of application. An application for an operational permit for any proposed work or operation shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the fire official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each if there is reasonable cause.

I. 108.2.4- Action on application. The fire official shall examine or cause to be examined applications for operational permits and amendments thereto within a reasonable time after filing. If the application does not conform to the requirements of pertinent laws, the fire official shall reject such application in writing, stating the reasons. If the fire official is satisfied that the proposed work or operation conforms to the requirements of this code and laws and ordinances applicable thereto, the fire official shall issue a permit as soon as practicable.

J. 108.3- Conditions of a permit. An operational permit shall constitute permission to maintain, store or handle materials; or to conduct processes in accordance with the SFPC, and shall not be construed as authority to omit or amend any of the provisions of this code.

Note: The building official issues permits to install equipment utilized in connection with such activities or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification.

K. 108.3.1- Expiration. An operational permit shall remain in effect until reissued, renewed, or revoked for such a period of time as specified in the permit. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.

L. 108.3.2- Extensions. A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The fire official is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 90 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.

M. 108.3.3- Annual. The enforcing agency may issue annual operational permits for the manufacturing, storage, handling, use, or sales of explosives to any state regulated public utility.

N. 108.3.4- Suspension of permit. An operational permit shall become invalid if the authorized activity is not commenced within six months after issuance of the permit, or if the authorized activity is suspended or abandoned for a period of six months after the time of commencement.

O. 108.3.5- Posting. Issued operational permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire official.

P. 108.3.6- Compliance with code. The issuance or granting of an operational permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Operational permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on other data shall not prevent the fire official from requiring the correction of errors in the provided documents and other data. Any addition to or alteration of approved provided documents shall be approved in advance by the fire official, as evidenced by the issuance of a new or amended permit.

Q. 108.3.7- Information on the permit. The fire official shall issue all operational permits required by this code on an approved form furnished for that purpose. The operational permit shall contain a general description of the operation or occupancy and its location and any other information required by the fire official. Issued permits shall bear the original or electronic signature of the fire official or other designee approved by the fire official.

R. 108.4- Revocation. The fire official is authorized to revoke an operational permit issued under the provisions of this code when it is found by inspection or otherwise that there has been a false statement or misrepresentation as to the material facts in the application or documents on which the permit or approval was based including, but not limited to, any one of the following:

1. The permit is used for a location or establishment other than that for which it was issued.
2. The permit is used for a condition or activity other than that listed in the permit.

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3. Conditions and limitations set forth in the permit have been violated.
4. Inclusion of any false statements or misrepresentations as to a material fact in the application for permit or plans submitted or a condition of the permit.
5. The permit is used by a different person or firm than the person or firm for which it was issued.
6. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.
7. The permit was issued in error or in violation of an ordinance, a regulation, or this code.

13VAC5-51-91. Section ~~109.0~~, 109 Inspection.

A. 109.1- Inspection: The fire official may inspect all structures and premises for the purposes of ascertaining and causing to be corrected any conditions liable to cause fire, contribute to the spread of fire, interfere with firefighting operations, endanger life, or any violations of the provisions or intent of the SFPC.

Exception: Single family dwellings and dwelling units in two family and multiple family dwellings and farm structures shall be exempt from routine inspections. This exemption shall not preclude the fire official from conducting routine inspections in Group R-3 or Group R-5 occupancies operating as a commercial bed and breakfast as outlined in Section 310.3 of the USBC or inspecting under § 27-98.2 of the Code of Virginia for hazardous conditions relating to explosives, flammable and combustible conditions, and hazardous materials.

B. 109.1.1- Right to entry: The fire official may enter any structure or premises at any reasonable time to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the fire official may pursue recourse as provided by law.

Note: Specific authorization and procedures for inspections and issuing warrants are set out in §§ 27-98.1 through 27-98.5 of the Code of Virginia and shall be taken into consideration.

C. 109.1.2- Credentials: The fire official and technical assistants shall carry proper credentials of office when inspecting in the performance of their duties under the SFPC.

D. 109.2- Coordinated inspections: The fire official shall coordinate inspections and administrative orders with any other state and local agencies having related inspection authority, and shall coordinate those inspections required by the USBC for new construction when involving provisions of the amended IFC, so that the owners and occupants will not be subjected to numerous inspections or conflicting orders.

Note: The USBC requires the building official to coordinate such inspections with the fire official.

E. 109.3- Other inspections: In accordance with § 9.1-207 of the Code of Virginia, the State Fire Marshal, upon presenting proper credentials, shall make annual inspections

for hazards incident to fire in all (i) residential care facilities operated by any state agency, (ii) assisted living facilities licensed or subject to licensure pursuant to Chapter 18 (§ 63.2-1800 et seq.) of Title 63.2 of the Code of Virginia which are not inspected by a local fire marshal, (iii) student-residence facilities owned or operated by the public institutions of higher education in the Commonwealth, and (iv) public schools in the Commonwealth which are not inspected by a local fire marshal. In the event that any such facility or residence is found to be nonconforming to the SFPC, the State Fire Marshal or local fire marshal may petition any court of competent jurisdiction for the issuance of an injunction.

13VAC5-51-101. Section ~~110.0~~, 110 Unsafe conditions.

A. 110.1- General: The fire official shall order the following dangerous or hazardous conditions or materials to be removed or remedied in accordance with the SFPC:

1. Dangerous conditions which are liable to cause or contribute to the spread of fire in or on said premises, building or structure, or to endanger the occupants thereof.
2. Conditions which would interfere with the efficiency and use of any fire protection equipment.
3. Obstructions to or on fire escapes, stairs, passageways, doors or windows, which are liable to interfere with the egress of occupants or the operation of the fire department in case of fire.
4. Accumulations of dust or waste material in air conditioning or ventilating systems or grease in kitchen or other exhaust ducts.
5. Accumulations of grease on kitchen cooking equipment, or oil, grease or dirt upon, under or around any mechanical equipment.
6. Accumulations of rubbish, waste, paper, boxes, shavings, or other combustible materials, or excessive storage of any combustible material.
7. Hazardous conditions arising from defective or improperly used or installed electrical wiring, equipment or appliances.
8. Hazardous conditions arising from defective or improperly used or installed equipment for handling or using combustible, explosive or otherwise hazardous materials.
9. Dangerous or unlawful amounts of combustible, explosive or otherwise hazardous materials.
10. All equipment, materials, processes or operations which are in violation of the provisions and intent of this code.

B. 110.2- Maintenance: The owner shall be responsible for the safe and proper maintenance of any structure, premises or lot. In all structures, the fire protection equipment, means of egress, alarms, devices and safeguards shall be maintained in

a safe and proper operating condition as required by the SFPC and applicable referenced standards.

C. 110.3- Occupant responsibility: If a building occupant creates conditions in violation of this code, by virtue of storage, handling and use of substances, materials, devices and appliances, such occupant shall be held responsible for the abatement of said hazardous conditions.

D. 110.4- Unsafe structures: All structures that are or shall hereafter become unsafe or deficient in adequate exit facilities or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or by reason of illegal or improper use, occupancy or maintenance or which have sustained structural damage by reason of fire, explosion, or natural disaster shall be deemed unsafe structures. A vacant structure, or portion of a structure, unguarded or open at door or window shall be deemed a fire hazard and unsafe within the meaning of this code. Unsafe structures shall be reported to the building official or building maintenance official who shall take appropriate action under the provisions of the USBC to secure abatement. Subsequently, the fire official may request the legal counsel of the local governing body to institute the appropriate proceedings for an injunction against the continued use and occupancy of the structure until such time as conditions have been remedied.

E. 110.5- Evacuation: When, in the fire official's opinion, there is actual and potential danger to the occupants or those in the proximity of any structure or premises because of unsafe structural conditions, or inadequacy of any means of egress, the presence of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials, the fire official may order the immediate evacuation of the structure or premises. All notified occupants shall immediately leave the structure or premises and no person shall enter until authorized by the fire official.

F. 110.6- Unlawful continuance: Any person who refuses to leave, interferes with the evacuation of other occupants or continues any operation after having been given an evacuation order shall be in violation of this code.

Exception: Any person performing work directed by the fire official to be performed to remove an alleged violation or unsafe condition.

13VAC5-51-111. Section ~~111.0~~, 111 Violations.

A. 111.1- Notice: When the fire official discovers an alleged violation of a provision of the SFPC or other codes or ordinances under the fire official's jurisdiction, the fire official shall prepare a written notice citing the section allegedly violated, describing the condition deemed unsafe and specifying time limitations for the required abatements to be made to render the structure or premises safe and secure.

B. 111.1.1- Right of appeal: Notices of violation issued under Section 111.1 shall indicate the right of appeal by referencing the appeals section of this code.

Exceptions:

1. Summons issued in lieu of a notice of violation in accordance with Section 111.5 of this code.

2. Documents reflecting uncorrected violations in subsequent inspections to verify compliance.

C. 111.2- Service: The written notice of violation of this code shall be served upon the owner, a duly authorized agent or upon the occupant or other person responsible for the conditions under violation. Such notice shall be served either by delivering a copy of same to such persons by mail to the last known post office address, by delivering in person or by delivering it to and leaving it in the possession of any person in charge of the premises, or, in the case such person is not found upon the premises, by affixing a copy thereof in a conspicuous place at the entrance door or avenue of access. Such procedure shall be deemed the equivalent of personal notice.

D. 111.3- Failure to correct violations: If the notice of violation is not complied with within the time specified, the fire official shall request the legal counsel of the local governing body to institute the appropriate legal proceedings to restrain, correct, or abate such alleged violation.

E. 111.4- Penalty: Penalties upon conviction of violating the SFPC shall be as set out in § 27-100 of the Code of Virginia.

F. 111.5- Summons: When authorized and certified in accordance with § 27-34.2 of the Code of Virginia, the fire official may, subject to any limitations imposed by the local governing body, issue a summons in lieu of a notice of violation. Fire officials not certified in accordance with § 27-34.2 of the Code of Virginia may request the law-enforcement agency of the local governing body to make arrests for any alleged violations of the SFPC or orders affecting the immediate public safety.

13VAC5-51-121. Section ~~112.0~~, 112 Appeals.

A. 112.1- Local Board of Fire Prevention Code Appeals (~~BFFPCA~~): (LBFFPCA). Each local governing body which enforces the SFPC shall have a ~~BFFPCA~~ LBFFPCA to hear appeals as authorized herein or it shall enter into an agreement with the governing body of another county or municipality, with some other agency, or with a state agency approved by the DHCD to act on appeals. An appeal case decided by some other approved agency shall constitute an appeal in accordance with this section and shall be final unless appealed to the State ~~Building Code Technical Review Board (TRB)~~.

B. 112.2- Membership: The ~~BFFPCA~~ LBFFPCA shall consist of at least five members appointed by the local governing body and having terms of office established by written policy. Alternate members may be appointed to serve in the absence of any regular members and, as such, shall have the full power and authority of the regular members. Regular and alternate members may be reappointed. Written records of current membership, including a record of the current

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chairman and secretary shall be maintained in the office of the local governing body. In order to provide continuity, the terms of the members may be of different length so that less than half will expire in any one-year period. The ~~BFP~~LBFP shall meet ~~at least once annually as necessary~~ to assure a duly constituted board, appoint officers as necessary and receive such training on the code as may be appropriate or necessary from staff of the locality.

C. 112.2.1- Chairman: The ~~BFP~~LBFP shall annually select one of its regular members to serve as chairman. In case of the absence of the chairman at a hearing, the members present shall select an acting chairman.

D. 112.2.2- Secretary: The local governing body shall appoint a secretary to the ~~BFP~~LBFP to maintain a detailed record of all proceedings.

E. 112.3- Qualifications of members: ~~BFP~~LBFP members shall be selected by the local governing body on the basis of their ability to render fair and competent decisions regarding application of the SFPC and shall, to the extent possible, represent different occupational or professional fields relating to building construction or fire prevention. At least one member should be an experienced builder and one member a licensed professional engineer or architect. Employees or officials of the local governing body shall not serve as members of the ~~BFP~~LBFP.

F. 112.4- Disqualification of members: A member shall not hear an appeal in which that member has conflict of interest in accordance with the State and Local Government Conflict of Interests Act, Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2 of the Code of Virginia.

G. 112.5- Application for appeal: The owner of a structure, the owner's agent or any other person involved in the design, construction or maintenance of the structure may appeal a decision of the fire official concerning the application of the SFPC or the fire official's refusal to grant modification under Section 106.5 to the provisions of the SFPC. The appeal shall first lie to the ~~local board of fire prevention code appeals (BFP)~~LBFP and then to the ~~TRB~~State Review Board except that appeals concerning the application of the SFPC or refusal to grant modifications by the State Fire Marshal shall be made directly to the ~~TRB~~State Review Board. The appeal shall be submitted to the ~~BFP~~LBFP within 14 calendar days of the application of the SFPC. The application shall contain the name and address of the owner of the structure and the person appealing if not the owner. A copy of the written decision of the fire official shall be submitted along with the application for appeal and maintained as part of the record. The application shall be stamped or otherwise marked by the ~~BFP~~LBFP to indicate the date received. Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of the fire official's decision.

Note: In accordance with § 27-98 of the Code of Virginia, any local fire code may provide for an appeal to a local board

of appeals. If no local board of appeals exists, the ~~TRB~~State Review Board shall hear appeals of any local fire code violation.

H. 112.6- Notice of meeting: The ~~BFP~~LBFP shall meet within 30 calendar days after the date of receipt of the application for appeal. Notice indicating the time and place of the hearing shall be sent to the parties in writing to the addresses listed on the application at least 14 calendar days prior to the date of the hearing. Less notice may be given if agreed upon by the applicant.

I. 112.7- Hearing procedures: All hearings before the ~~BFP~~LBFP shall be open to the public. The appellant, the appellant's representative, the local governing body's representative and any person whose interests are affected shall be given an opportunity to be heard. The chairman shall have the power and duty to direct the hearing, rule upon the acceptance of evidence and oversee the record of all proceedings.

J. 112.7.1- Postponement: When a quorum of the ~~BFP~~LBFP is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing. The ~~BFP~~LBFP shall reschedule the appeal within 30 calendar days of the postponement.

K. 112.8- Decision: The ~~BFP~~LBFP shall have the power to uphold, reverse or modify the decision of the fire official by a concurring vote of a majority of those present. Decisions of the ~~BFP~~LBFP shall be final if no appeal is made therefrom and the appellant and the fire official shall act accordingly.

L. 112.8.1- Resolution: The ~~BFP's~~LBFP's decision shall be by resolution signed by the chairman and retained as part of the record by the ~~BFP~~LBFP. The following wording shall be part of the resolution: "Any person who was a party to the appeal may appeal to the State Building Code Technical Review Board (~~TRB~~) (State Review Board) by submitting an application to the ~~TRB~~State Review Board within 21 calendar days upon receipt by certified mail of this resolution. Application forms are available from the Office of the ~~TRB~~State Review Board, 600 East Main Street, Richmond, Virginia 23219, (804) 371-7150." Copies of the resolution shall be furnished to all parties.

M. 112.9- Appeal to the ~~TRB~~State Review Board. After final determination by the ~~BFP~~LBFP, any person who was a party to the local appeal may appeal to the ~~TRB~~State Review Board. Application shall be made to the ~~TRB~~State Review Board within 21 calendar days of receipt of the decision to be appealed. Application for appeal to the ~~TRB~~State Review Board arising from the SFMO's enforcement of the code or from any local fire code violation if no local board of appeals exists shall be made to the ~~TRB~~State Review Board within 14 calendar days of receipt of the decision to be appealed and shall be accompanied by copies of the inspection reports and other relevant information.

Failure to submit an application for appeal within the time limit established by this section shall constitute an acceptance of the ~~BFFPCA's~~ LBFPCA's resolution or fire official's decision.

N. 112.9.1- Information to be submitted: Copies of the fire official's decision and the resolution of the ~~BFFPCA~~ LBFPCA shall be submitted with the application for appeal. Upon request by the office of the ~~TRB~~ State Review Board, the ~~BFFPCA~~ LBFPCA shall submit a copy of all inspection reports and all pertinent information from the record of the ~~BFFPCA~~ LBFPCA.

O. 112.9.2- Decision of ~~TRB~~ State Review Board. Procedures of the ~~TRB~~ State Review Board are in accordance with Article 2 (§ 36-108 et seq.) of Chapter 6 of Title 36 of the Code of Virginia. Decisions of the ~~TRB~~ State Review Board shall be final if no appeal is made therefrom and the appellant and the code official shall act accordingly.

13VAC5-51-130. IFC Section ~~202.0~~ 202 Definitions.

A. Add the following definitions to read:

Background clearance card or BCC: An identification card issued to an individual who is not a certified blaster or pyrotechnician and is responsible management or an employee of a company, corporation, firm, or other entity, solely for the purpose of submitting an application to the fire official for a permit to manufacture, use, handle, store, or sell explosive materials; or conduct a fireworks display. A person to whom a BCC has been issued can fulfill the role of a designated individual on an application for a permit to manufacture, use, handle, store, or sell explosive materials; or on an application for a permit to design, setup, and conduct a fireworks display.

Blaster, restricted: Any person engaging in the use of explosives or blasting agents utilizing five pounds (2.25 kg) or less per blasting operation and using instantaneous detonators. A certified restricted blaster can fulfill the role of a designated individual on an application for permit to manufacture, use, handle, store, or sell explosive materials.

Blaster, unrestricted: Any person engaging in the use of explosives or blasting agents without the limit to the amount of explosives or blasting agents or type of detonator. A certified unrestricted blaster can fulfill the role of a designated individual on an application for permit to manufacture, use, handle, store, or sell explosive materials.

Chemical fume hood. A ventilated enclosure designed to contain and exhaust fumes, gases, vapors, mists, and particulate matter generated within the hood.

Design: For the purposes of a fireworks display, either inside a building or structure or outdoors, it shall mean the pyrotechnician who will be in attendance and makes the final artistic determination for the placement of fireworks and ground display pieces suitable for the display site.

Designated individual: A person who is in possession of a BCC issued by the SFMO, certified by the SFMO as a pyrotechnician, or a restricted or unrestricted blaster, any of whom are responsible for ensuring compliance with state law and regulations relating to blasting agents and explosives and applying for explosives or firework permits; is at least 21 years of age; and demonstrates the capability to effectively communicate safety messages verbally and in writing in the English language.

DHCD: The Virginia Department of Housing and Community Development.

Laboratory suite. A fire-rated enclosed laboratory area that will provide one or more laboratory spaces, within a Group B educational occupancy, that are permitted to include ancillary uses such as offices, bathrooms, and corridors that are contiguous with the laboratory area and are constructed in accordance with Section 430.3 of the USBC, Part I, Construction.

LBFPCA. Local Board of Fire Prevention Code Appeals.

Local government, local governing body or locality: The governing body of any county, city, or town, other political subdivision and state agency in this Commonwealth charged with the enforcement of the SFPC under state law.

Night club: Any building or portion thereof in which the main use is a place of public assembly that provides exhibition, performance or other forms or entertainment; serves alcoholic beverages; and provides music and space for dancing.

Permissible fireworks: Any sparklers, fountains, Pharaoh's serpents, caps for pistols, or pinwheels commonly known as whirligigs or spinning jennies.

Pyrotechnician (firework operator): Any person supervising or engaged in the design, setup, or conducting of any fireworks display, either inside a building or outdoors. A certified pyrotechnician can fulfill the role of a designated individual on an application for a permit for a fireworks display.

Pyrotechnician, aerial: A person supervising or engaged in the design, setup, or conducting of an outdoor aerial fireworks display performed in accordance with the regulations as set forth in this code and NFPA 1123, a referenced standard for fireworks displays.

Pyrotechnician, proximate: A person supervising or engaged in the design, setup, or conducting of a fireworks display, either inside a building or outdoors, performed in accordance with the regulations as set forth in this code and NFPA 1126, a referenced standard for the use of pyrotechnics before a proximate audience.

Responsible management: A person who is any of the following:

1. The sole proprietor of a sole proprietorship.
2. The partners of a general partnership.

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3. The managing partners of a limited partnership.
4. The officers or directors of a corporation.
5. The managers or members of a limited liability company.
6. The managers, officers or directors of an association.
7. Individuals in other business entities recognized under the laws of the Commonwealth as having a fiduciary responsibility to the firm.

~~Sky lantern: An unmanned device with a fuel source that incorporates an open flame in order to make the device airborne.~~

Sole proprietor: A person or individual, not a corporation, who is trading under his own name or under an assumed or fictitious name pursuant to the provisions of §§ 59.1-69 through 59.1-76 of the Code of Virginia.

Special expert. An individual who has demonstrated qualifications in a specific area, outside the practice of architecture or engineering, through education, training, and experience.

State Fire Marshal: The State Fire Marshal as provided for by § 9.1-206 of the Code of Virginia.

State Regulated Care Facility (SRCF): A building with an occupancy in Group R-2, R-3, R-4, or R-5 occupied by persons in the care of others where program oversight is provided by the Virginia Department of Social Services, the Virginia Department of Behavioral Health and Developmental Services, the Virginia Department of Education or the Virginia Department of Juvenile Justice.

State Review Board. The Virginia State Building Code Technical Review Board as established under § 36-108 of the Code of Virginia.

Teaching and research laboratory. A building or portion of a building where hazardous materials are stored, used, and handled for the purpose of testing, analysis, teaching, research, or developmental activities on a nonproduction basis rather than in a manufacturing process.

Technical Assistant: Any person employed by or under an extended contract to a local enforcing agency for enforcing the SFPC. For the purposes of this definition, an extended contract shall be a contract with an aggregate term of 18 months or longer.

~~TRB: The Virginia State Building Code Technical Review Board.~~

USBC: The Virginia Uniform Statewide Building Code (13VAC5-63).

B. Add the following definition under the term "Occupancy Classification--Residential Group R" to read:

Residential Group R-5. Detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures.

The terms "R-5" and "one and two-family dwelling" where used in this code shall be interchangeable.

C. Change the following definitions to read:

Automatic fire-extinguishing system: An approved system of devices and equipment that automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of a fire. Such system shall include an automatic sprinkler system, unless otherwise expressly stated.

Fire code official: The officer or other designated authority charged with administration and enforcement of this code, or a duly authorized representative. For the purpose of this code, the terms "code official" and "fire official" shall have the same meaning as the term "fire code official" and, in addition, such official shall have the powers outlined in § 27-98.1 of the Code of Virginia.

Fireworks: Any firecracker, torpedo, skyrocket, or other substance or object, of whatever form or construction, that contains any explosive or inflammable compound or substance, and is intended, or commonly known, as fireworks and that explodes, rises into the air or travels laterally, or fires projectiles into the air. Fireworks shall not include automobile flares, paper caps containing not more than the average of 0.25 grain (16 mg) of explosive content per cap or toy pistols, toy canes, toy guns, or other devices utilizing such caps and items commonly known as party poppers, pop rocks, and snap-n-pops. Fireworks may be further delineated and referred to as:

Fireworks, 1.4G (formerly known as Class C, Common Fireworks): Small fireworks devices containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion. Such 1.4G fireworks that comply with the construction, chemical composition, and labeling regulations of the DOTn for Fireworks, UN0336, and the U.S. Consumer Product Safety Commission as set forth in CPSC 16 CFR Parts 1500 and 1507, are not explosive materials for the purpose of this code.

Fireworks, 1.3G (formerly Class B, Special Fireworks): Large fireworks devices, which are explosive materials, intended for the use in fireworks displays and designed to produce audible or visible effects by combustion, deflagration, or detonation. Such 1.3G fireworks include, but are not limited to, firecrackers containing more than 130 milligrams (2 grains) of explosive composition, aerial shells containing more than 40 grams of pyrotechnic composition, and other display pieces that exceed the limits for classification as 1.4G fireworks. Such 1.3G fireworks are also described as Fireworks, UN0335 by the DOTn.

Smokeless propellants: Solid propellants, commonly referred to as smokeless powders or any propellant classified by DOTn as a smokeless propellant in accordance with NA3178, Smokeless Powder for Small

Arms, used in small arms ammunition, firearms, cannons, rockets, propellant-actuated devices, and similar articles.

13VAC5-51-131. IFC Chapter 3- General Requirements.

A. Change Section 301.2 to read:

301.2- Permits. Permits shall be required as set forth in Section 107.2 for the activities or uses regulated by Sections 306, 307, 308, and 315.

B. Add Section 301.3 to read:

301.3- Occupancy. The occupancy of a structure shall be continued as originally permitted under and in full compliance with the codes in force at the time of construction or alteration. The occupancy of a structure shall not change to another occupancy that will subject the structure to any special provisions of this code or the USBC without the approval of the building official.

~~C. Add the following to the list of definitions in Section 302.1:~~

~~Sky lantern.~~

~~D. C.~~ Change Section 304.3.2 to read:

304.3.2- Capacity exceeding 5.88 cubic feet. Containers with a capacity exceeding 5.88 cubic feet (44 gallons) (0.17 m³) shall be provided with lids. Containers and lids shall be constructed of noncombustible materials or approved combustible materials.

~~E. D.~~ Add an exception to Section 307.1 to read:

Exception: Approved outdoor live fire training using equipment or appliances accessible or available to the general public, and that complies with Section 307.4.

~~F. E.~~ Change Section 307.2 to read:

307.2- Permit required. A permit shall be obtained from the fire code official in accordance with Section 107.2 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

~~G. Add Section 308.1.6.3 to read:~~

~~308.1.6.3. Sky lanterns. No person shall release or cause to be released an untethered sky lantern.~~

~~H. F.~~ Change Section 308.2 to read:

308.2- Permits required. Permits shall be obtained from the fire code official in accordance with Section 107.2 prior to engaging in the following activities involving open flame, fire, and burning:

1. Use of a torch or flame-producing device to remove paint from a structure.
2. Use of open flame, fire, or burning in connection with Group A or E occupancies.

3. Use or operation of torches and other devices, machines, or processes liable to start or cause fire in or upon wildfire risk areas.

~~I. G.~~ Change Section 311.1 to read:

311.1- General. Temporarily unoccupied buildings, structures, premises, or portions thereof, including tenant spaces, shall be safeguarded and maintained in accordance with Sections 311.1.1 through ~~311.5.6~~ 311.6.

~~J. H.~~ Add Section 311.5.6 to read:

311.5.6- Removal. Removal of placards posted in accordance with this section without the approval of the fire official shall be a violation of this code.

~~K. Add Section 311.6 to read:~~

~~311.6. Unoccupied tenant spaces in mall buildings. Unoccupied tenant spaces in covered and open mall buildings shall be:~~

- ~~1. Kept free from the storage of any materials.~~
- ~~2. Separated from the remainder of the building by partitions of at least 0.5 inch thick (12.7 mm) gypsum board or an approved equivalent to the underside of the ceiling of the adjoining tenant spaces.~~
- ~~3. Without doors or other access openings other than one door that shall be kept key locked in the closed position except during that time when opened for inspection.~~
- ~~4. Kept free from combustible waste and be broom swept clean.~~

~~L. I.~~ Change Section 314.1 to read:

314.1- General. Indoor displays constructed within any building or structure shall comply with Sections 314.2 through 314.5.

~~M. J.~~ Add Section 314.5 to read:

314.5- Smokeless powder and small arms primers. Venders shall not store, display, or sell smokeless powder or small arms primers during trade shows inside exhibition halls except as follows:

1. The amount of smokeless powder displayed by each vender is limited to the amount established in Section 5606.5.1.1.
2. The amount of smokeless powder each vender may store is limited to the storage arrangements and storage amounts established in Section 5606.5.2.1. Smokeless powder shall remain in the manufacturer's original sealed container, and the container shall remain sealed while inside the building. The repackaging of smokeless powder shall not be performed inside the building. Damaged containers shall not be repackaged inside the building and shall be immediately removed from the building in such manner to avoid spilling any powder.
3. There shall be at least 50 feet separation between venders and 20 feet from any exit.

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4. Small arms primers shall be displayed and stored in the manufacturer's original packaging and in accordance with the requirements of Section 5606.5.2.3.

~~N. K.~~ Change Section 315.2 to read:

315.2. Permit required. A permit for miscellaneous combustible storage shall be required as set forth in Section 107.2.

~~O. L.~~ Change Section 315.4 to read:

315.4. Outside storage. Outside storage of combustible materials shall not be located within 10 feet (3048 mm) of a property line or other building on the site.

Exceptions:

1. The separation distance is allowed to be reduced to 3 feet (914 mm) for storage not exceeding 6 feet (1829 mm) in height.
2. The separation distance is allowed to be reduced when the fire official determines that no hazard to the adjoining property exists.

~~P. M.~~ Change Section 315.4.1 to read:

315.4.1. Storage beneath overhead projections from buildings. To the extent required by the code the building was constructed under, when buildings are required to be protected by automatic sprinklers, the outdoor storage, display, and handling of combustible materials under eaves, canopies, or other projections or overhangs is prohibited except where automatic sprinklers are installed under such eaves, canopies, or other projections or overhangs.

13VAC5-51-132. IFC Chapter 4: Emergency Planning and Preparedness.

A. Add Section 401.1.1 to read:

401.1.1. State Regulated Care Facilities. When a state license is required by the Virginia Department of Social Services; Virginia Department of Behavioral Health and Developmental Services; Virginia Department of Education; or Virginia Department of Juvenile Justice to operate, SRCF shall comply with this section and the provisions of Section 404.0 ~~404~~.

B. ~~Change~~ Add Section 403 ~~403.1.1~~ to read:

~~Section 403.~~

~~Emergency Preparedness Requirements.~~

~~403.1. General. In addition to the requirements of Section 401, occupancies, uses and outdoor locations shall comply with the emergency preparedness requirements set forth in Sections 403.2 through 403.11. Where a fire safety and evacuation plan is required by Sections 403.2 through 403.11, evacuation drills shall be in accordance with Section 405 and employee training shall be in accordance with Section 406.~~

~~403.1.1. Maintaining occupant load posting. Occupant load postings required by the building code are required to be maintained.~~

~~403.2. Group A occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group A occupancies, other than those occupancies used exclusively for purposes of religious worship with an occupant load less than 2,000, and for buildings containing both a Group A occupancy and an atrium. Group A occupancies shall also comply with Sections 403.2.1 through 403.2.4.~~

~~403.2.1. Seating plan. In addition to the requirements of Section 404.2, the fire safety and evacuation plans for assembly occupancies shall include a detailed seating plan, occupant load and occupant load limit. Deviations from the approved plans shall be allowed provided the occupant load limit for the occupancy is not exceeded and the aisles and exit accessways remain unobstructed.~~

~~403.2.2. Announcements. In theaters, motion picture theaters, auditoriums and similar assembly occupancies in Group A used for noncontinuous programs, an audible announcement shall be made not more than 10 minutes prior to the start of each program to notify the occupants of the location of the exits to be used in the event of a fire or other emergency.~~

~~Exception: In motion picture theaters, the announcement is allowed to be projected upon the screen in a manner approved by the fire code official.~~

C. Add Sections 403.2.2.1, 403.2.2.1.1, and 403.2.2.1.2 to read:

403.2.2.1. Night clubs. Night clubs shall comply with Sections 403.2.2.1.1 and 403.2.2.1.2.

403.2.2.1.1. Audible announcements. Audible announcements shall be made to the occupants no longer than 10 minutes prior to the start of the entertainment and at each intermission to notify the occupants of the location of the exits to be used in the event of a fire or other emergency.

403.2.2.1.2. Occupant load count. Upon request of the fire code official, the owner or operator, or both, will be required to keep a running count of the occupant load to provide to the fire code official during performance hours of operation, entertainment hours of operation, or both.

~~403.2.3. Fire watch personnel. Fire watch personnel shall be provided where required by Section 403.11.1.~~

~~403.2.4. Crowd managers. Crowd managers shall be provided where required by Section 403.11.3.~~

~~403.3. Group B occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for buildings containing a Group B occupancy where the Group B occupancy has an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.~~

~~403.4. Group E occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. Group E occupancies shall also comply with Section 403.4.1.~~

~~403.4.1. Group E occupancies. Group E occupancies shall comply with 403.4.1.1 through 403.4.1.3.~~

~~403.4.1.1. First emergency evacuation drill. The first emergency evacuation drill of each school year shall be conducted within 10 days of the beginning of classes.~~

~~403.4.1.2. Time of day. Emergency evacuation drills shall be conducted at different hours of the day or evening, during the changing of classes, when the school is at assembly, during the recess or gymnastic periods, or during other times to avoid distinction between drills and actual fires.~~

~~403.4.1.3. Assembly points. Outdoor assembly areas shall be designated and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals.~~

~~403.5. Group F occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for buildings containing a Group F occupancy where the Group F occupancy has an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.~~

~~403.6. Group H occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group H occupancies. Group H 5 occupancies shall also comply with Section 403.6.1.~~

~~403.6.1. Group H 5 occupancies. Group H 5 occupancies shall comply with Sections 403.6.1.1 through 403.6.1.4.~~

~~403.6.1.1. Plans and diagrams. In addition to the requirements of Section 404 and Section 407.6, plans and diagrams shall be maintained in approved locations indicating the approximate plan for each area; the amount and type of HPM stored, handled and used; locations of shutoff valves for HPM supply piping; emergency telephone locations; and locations of exits.~~

~~403.6.1.2. Plan updating. The plans and diagrams required by Section 404, 403.6.1.1 and 407.6 shall be maintained up to date and the fire code official and fire department shall be informed of major changes.~~

~~403.6.1.3. Emergency response team. Responsible persons shall be designated as an on-site emergency response team and trained to be liaison personnel for the fire department. These persons shall aid the fire department in preplanning emergency responses; identifying locations where HPM is stored, handled and used; and be familiar with the chemical~~

~~nature of such material. An adequate number of personnel for each work shift shall be designated.~~

~~403.6.1.4. Emergency drills. Emergency drills of the on-site emergency response team shall be conducted on a regular basis but not less than once every three months. Records of drills conducted shall be maintained.~~

~~403.7. Group I occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group I occupancies. Group I occupancies shall also comply with Sections 403.7.1 through 403.7.3.~~

~~403.7.1. Group I 1 occupancies. Group I 1 occupancies shall comply with Sections 403.7.1.1 through 403.7.1.6.~~

~~403.7.1.1. Fire safety and evacuation plan. The fire safety and evacuation plan required by Section 404 shall include special employee actions, including fire protection procedures necessary for residents, and shall be amended or revised upon admission of any resident with unusual needs.~~

~~403.7.1.2. Employee training. Employees shall be periodically instructed and kept informed of their duties and responsibilities under the plan. Such instruction shall be reviewed by employees at intervals not exceeding two months. A copy of the plan shall be readily available at all times within the facility.~~

~~403.7.1.3. Resident training. Residents capable of assisting in their own evacuation shall be trained in the proper actions to take in the event of a fire. The training shall include actions to take if the primary escape route is blocked. Where the resident is given rehabilitation or habilitation training, training in fire prevention and actions to take in the event of a fire shall be a part of the rehabilitation training program. Residents shall be trained to assist each other in case of fire to the extent their physical and mental abilities permit them to do so without additional personal risk.~~

~~403.7.1.4. Drill frequency. Emergency evacuation drills shall be conducted at least six times per year, two times per year on each shift. Twelve drills shall be conducted in the first year of operation.~~

~~403.7.1.5. Drill times. Drills times are not required to comply with Section 405.4.~~

~~403.7.1.6. Resident participation in drills. Emergency evacuation drills shall involve the actual evacuation of residents to a selected assembly point.~~

~~403.7.2. Group I 2 occupancies. Group I 2 occupancies shall comply with Sections 403.7.2.1 through 403.7.2.3.~~

~~403.7.2.1. Drill times. Drill times are not required to comply with Section 405.4.~~

~~403.7.2.2. Evacuation not required. During emergency evacuation drills, the movement of patients to safe areas or to the exterior of the building is not required.~~

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~~403.7.2.3. Coded alarm signal. When emergency evacuation drills are conducted after visiting hours or when patients or residents are expected to be asleep, a coded announcement is allowed instead of audible alarms.~~

~~403.7.3. Group I 3 occupancies. Group I 3 occupancies shall comply with Sections 403.7.3.1 through 403.7.3.4.~~

~~403.7.3.1. Employee training. Employees shall be instructed in the proper use of portable fire extinguishers and other manual fire suppression equipment. Training of new employees shall be provided promptly upon entrance on duty. Refresher training shall be provided at least annually.~~

~~403.7.3.2. Employee staffing. Group I 3 occupancies shall be provided with 24 hour staffing. An employee shall be within three floors or 300 feet (91 440 mm) horizontal distance of the access door of each resident housing area. In Conditions 3, 4 and 5, as defined in "Occupancy Classification - Institutional Group I 3" in Chapter 2, the arrangement shall be such that the employee involved can start release of locks necessary for emergency evacuation or rescue and initiate other necessary emergency actions within 2 minutes of an alarm.~~

~~Exception: An employee shall not be required to be within three floors or 300 feet (9144 mm) in areas in which all locks are unlocked remotely and automatically in accordance with Section 408.4 of the International Building Code.~~

~~403.7.3.3. Notification. Provisions shall be made for residents in Conditions 3, 4 and 5, as defined in "Occupancy Classification - Institutional Group I 3" in Chapter 2, to readily notify an employee of an emergency.~~

~~403.7.3.4. Keys. Keys necessary for unlocking doors installed in a means of egress shall be individually identifiable by both touch and sight.~~

~~403.8. Group M occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for buildings containing a Group M occupancy, where the Group M occupancy has an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge, and for buildings containing both a Group M occupancy and an atrium.~~

D. Change Section 403.10 to read:

~~403.9. 403.10 Group R occupancies. Group R occupancies shall comply with the provisions of this section applicable to the type of Group R occupancy Sections 403.10.1 through 403.10.4.~~

~~403.9.1. Group R 1 occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group R 1 occupancies. Group R 1 occupancies shall also comply with Sections 403.9.1.1 through 403.9.1.3.~~

~~403.9.1.1. Evacuation diagrams. A diagram depicting two evacuation routes shall be posted on or immediately adjacent to every required egress door from each hotel or motel sleeping unit.~~

~~403.9.1.2. Emergency duties. Upon discovery of a fire or suspected fire, hotel and motel employees shall perform the following duties:~~

- ~~1. Activate the fire alarm system, where provided.~~
- ~~2. Notify the public fire department.~~
- ~~3. Take other action as previously instructed.~~

~~403.9.1.3. Fire safety and evacuation instructions. Information shall be provided in the fire safety and evacuation plan required by Section 404 to allow guests to decide whether to evacuate to the outside, evacuate to an area of refuge, remain in place, or any combination of the three.~~

~~403.9.2. Group R 2 occupancies. Group R 2 occupancies shall comply with Sections 403.9.2.1 through 403.9.2.3.~~

~~403.9.2.1. College and university buildings. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group R 2 college and university buildings. Group R 2 college and university buildings shall also comply with Sections 403.9.2.1.1 and 403.9.2.1.2.~~

~~403.9.2.1.1. First emergency evacuation drill. The first emergency evacuation drill of each school year shall be conducted within 10 days of the beginning of classes.~~

~~403.9.2.1.2. Time of day. Emergency evacuation drills shall be conducted at different hours of the day or evening, during the changing of classes, when the school is at assembly, during the recess or gymnastic periods, or during other times to avoid distinction between drills and actual fires. One required drill shall be held during hours after sunset or before sunrise.~~

~~403.9.2.2. Emergency guide. Fire emergency guides shall be provided for Group R 2 occupancies. Guide contents, maintenance and distribution shall comply with Sections 403.9.2.2.1 through 403.9.2.2.3.~~

~~403.9.2.2.1. Guide contents. Fire emergency guides shall describe the location, function and use of fire protection equipment and appliances accessible to residents, including fire alarm systems, smoke alarms, and portable fire extinguishers. Guides shall also include an emergency evacuation plan for each dwelling unit.~~

~~403.9.2.2.2. Emergency guide maintenance. Emergency guides shall be reviewed and approved by the fire code official.~~

~~403.9.2.2.3. Emergency guide distribution. A copy of the emergency guide shall be given to each tenant prior to initial occupancy.~~

~~403.9.2.3. Evacuation diagrams for dormitories. A diagram depicting two evacuation routes shall be posted on or~~

immediately adjacent to every required egress door from each dormitory sleeping unit. Evacuation diagrams shall be reviewed and updated as needed to maintain accuracy.

~~403.9.3. Group R-4 occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group R-4 occupancies. Group R-4 occupancies shall also comply with Sections 403.9.3.1 through 403.9.3.6.~~

~~403.9.3.1. Fire safety and evacuation plan. The fire safety and evacuation plan required by Section 404 shall include special employee actions, including fire protection procedures necessary for residents, and shall be amended or revised upon admission of a resident with unusual needs.~~

~~403.9.3.2. Employee training. Employees shall be periodically instructed and kept informed of their duties and responsibilities under the plan. Such instruction shall be reviewed by employees at intervals not exceeding two months. A copy of the plan shall be readily available at all times within the facility.~~

~~403.9.3.3. Resident training. Residents capable of assisting in their own evacuation shall be trained in the proper actions to take in the event of a fire. The training shall include actions to take if the primary escape route is blocked. Where the resident is given rehabilitation or habilitation training, training in fire prevention and actions to take in the event of a fire shall be a part of the rehabilitation training program. Residents shall be trained to assist each other in case of fire to the extent their physical and mental abilities permit them to do so without additional personal risk.~~

~~403.9.3.4. Drill frequency. Emergency evacuation drills shall be conducted at least six times per year, two times per year on each shift. Twelve drills shall be conducted in the first year of operation.~~

~~403.9.3.5. Drill times. Drills are not required to comply with Section 405.4.~~

~~403.9.3.6. Resident participation in drills. Emergency evacuation drills shall involve the actual evacuation of residents to a selected assembly point and shall provide residents with experience in exiting through all required exits. All required exits shall be used during emergency evacuation drills.~~

~~Exception: Actual exiting from windows shall not be required. Opening the window and signaling for help shall be an acceptable alternative.~~

E. Add Section 403.10.4 to read:

~~403.9.4. 403.10.4 Group R-3 and R-5 lodging facilities. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group R-3 and R-5 bed and breakfast and other transient boarding facilities that are either proprietor or non-proprietor occupied.~~

F. Change Section 403.11 to read:

~~403.10. 403.11 Special uses. Special uses shall comply with the provisions of this section applicable to the type of special use be in accordance with Sections 403.11.1 through 403.11.5.~~

~~403.10.1. Covered and open mall buildings. Covered and open mall buildings shall comply with the requirements of Sections 403.10.1.1 through 403.10.1.6.~~

~~403.10.1.1. Malls and mall buildings exceeding 50,000 square feet. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for covered malls exceeding 50,000 square feet (4645 m²) in aggregate floor area and for open mall buildings exceeding 50,000 square feet (4645 m²) in aggregate area within perimeter line.~~

~~403.10.1.2. Lease plan. In addition to the requirements of Section 404.2.2, a lease plan that includes the following information shall be prepared for each covered and open mall building:~~

- ~~1. Each occupancy, including identification of tenant.~~
- ~~2. Exits from each tenant space.~~
- ~~3. Fire protection features, including the following:

 - ~~3.1. Fire department connections.~~
 - ~~3.2. Fire command center.~~
 - ~~3.3. Smoke management system controls.~~
 - ~~3.4. Elevators, elevator machine rooms and controls.~~
 - ~~3.5. Hose valve outlets.~~
 - ~~3.6. Sprinkler and standpipe control valves.~~
 - ~~3.7. Automatic fire extinguishing system areas.~~
 - ~~3.8. Automatic fire detector zones.~~
 - ~~3.9. Fire barriers.~~~~

~~403.10.1.3. Lease plan approval. The lease plan shall be submitted to the fire code official for approval, and shall be maintained on site for immediate reference by responding fire service personnel.~~

~~403.10.1.4. Lease plan revisions. The lease plans shall be revised annually or as often as necessary to keep them current. Modifications or changes in tenants or occupancies shall not be made without prior approval of the fire code official and building official.~~

~~403.10.1.5. Tenant identification. Tenant identification shall be provided for secondary exits from occupied tenant spaces that lead to an exit corridor or directly to the exterior of the building. Tenant identification shall be posted on the exterior side of the exit or exit access door and shall identify the business name or address, or both, using plainly legible letters and numbers that contrast with their background.~~

~~Exception: Tenant identification is not required for anchor stores.~~

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~~403.10.1.6. Unoccupied tenant spaces. The fire safety and evacuation plan shall provide for compliance with the requirements for unoccupied tenant spaces in Section 311.~~

~~403.10.2. High rise buildings. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for high rise buildings.~~

~~403.10.3. Underground buildings. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for underground buildings.~~

G. Add Section 403.11.5 to read:

~~403.10.4. 403.11.5 SRCF. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for SRCFs.~~

~~403.11. Special requirements for public safety. Special requirements for public safety shall be as required in this section.~~

~~403.11.1. Fire watch personnel. When, in the opinion of the fire code official, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall provide one or more fire watch personnel, as required and approved. Fire watch personnel shall comply with Sections 403.11.1.1 and 403.11.1.2.~~

~~403.11.1.1. Duty times. Fire watch personnel shall remain on duty during the times places requiring a fire watch are open to the public, or when an activity requiring a fire watch is being conducted.~~

~~403.11.1.2. Duties. On duty fire watch personnel shall have the following duties:~~

- ~~1. Keep diligent watch for fires, obstructions to means of egress and other hazards.~~
- ~~2. Take prompt measures for remediation of hazards and extinguishment of fires that occur.~~
- ~~3. Take prompt measures to assist in the evacuation of the public from the structures.~~

~~403.11.2. Public safety plan for gatherings. In other than Group A or E occupancies, where the fire code official determines that an indoor or outdoor gathering of persons has an adverse impact on public safety through diminished access to buildings, structures, fire hydrants and fire apparatus access roads or where such gatherings adversely affect public safety services of any kind, the fire code official shall have the authority to order the development of or prescribe a public safety plan that provides an approved level of public safety and addresses the following items:~~

- ~~1. Emergency vehicle ingress and egress.~~
- ~~2. Fire protection.~~
- ~~3. Emergency egress or escape routes.~~

~~4. Emergency medical services.~~

~~5. Public assembly areas.~~

~~6. The directing of both attendees and vehicles, including the parking of vehicles.~~

~~7. Vendor and food concession distribution.~~

~~8. The need for the presence of law enforcement.~~

~~9. The need for fire and emergency medical services personnel.~~

~~403.11.3. Crowd managers for gatherings exceeding 1,000 people. Where facilities or events involve a gathering of more than 1,000 people, crowd managers shall be provided in accordance with Section 403.11.3.1.~~

~~403.11.3.1. Number of crowd managers. The minimum number of crowd managers shall be established at a ratio of one crowd manager for every 250 persons.~~

~~Exception: Where approved by the fire code official, the number of crowd managers shall be permitted to be reduced where the facility is equipped throughout with an approved automatic sprinkler system or based upon the nature of the event.~~

~~403.11.3.2. Duties. The duties of crowd managers shall include, but not be limited to:~~

- ~~1. Conduct an inspection of the area of responsibility and identify and address any egress barriers.~~
- ~~2. Conduct an inspection of the area of responsibility and identify and mitigate any fire hazards.~~
- ~~3. Verify compliance with all permit conditions, including those governing pyrotechnics and other special effects.~~
- ~~4. Direct and assist the event attendees in evacuation during an emergency.~~
- ~~5. Assist emergency response personnel where requested.~~
- ~~6. Other duties required by the fire code official.~~
- ~~7. Other duties as specified in the fire safety plan.~~

~~403.11.3.3. Training. Training for crowd managers shall be approved.~~

C. Change Section 404 to read:

Section 404.

Fire Safety, Evacuation and Lockdown Plans.

~~404.1. General. Where required by Section 403, fire safety, evacuation and lockdown plans shall comply with Sections 404.2 through 404.4.1.~~

~~404.2. Contents. Fire safety and evacuation plan contents shall be in accordance with Sections 404.2.1 and 404.2.2.~~

~~404.2.1. Fire evacuation plans. Fire evacuation plans shall include the following:~~

- ~~1. Emergency egress or escape routes and whether evacuation of the building is to be complete or, where approved, by selected floors or areas only.~~

~~2. Procedures for employees who must remain to operate critical equipment before evacuating.~~

~~3. Procedures for assisted rescue for persons unable to use the general means of egress unassisted.~~

~~4. Procedures for accounting for employees and occupants after evacuation has been completed.~~

~~5. Identification and assignment of personnel responsible for rescue or emergency medical aid.~~

~~6. The preferred and any alternative means of notifying occupants of a fire or emergency.~~

~~7. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.~~

~~8. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.~~

~~9. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.~~

~~404.2.2. Fire safety plans. Fire safety plans shall include the following:~~

~~1. The procedure for reporting a fire or other emergency.~~

~~2. The life safety strategy and procedures for notifying, relocating or evacuating occupants, including occupants who need assistance.~~

~~3. Site plans indicating the following:~~

~~3.1. The occupancy assembly point.~~

~~3.2. The locations of fire hydrants.~~

~~3.3. The normal routes of fire department vehicle access.~~

~~4. Floor plans identifying the locations of the following:~~

~~4.1. Exits.~~

~~4.2. Primary evacuation routes.~~

~~4.3. Secondary evacuation routes.~~

~~4.4. Accessible egress routes.~~

~~4.5. Areas of refuge.~~

~~4.6. Exterior areas for assisted rescue.~~

~~4.7. Manual fire alarm boxes.~~

~~4.8. Portable fire extinguishers.~~

~~4.9. Occupant use hose stations.~~

~~4.10. Fire alarm annunciators and controls.~~

~~5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.~~

~~6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.~~

~~7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.~~

~~404.2.3. Lockdown plans. Where facilities develop a lockdown plan, the lockdown plan shall be in accordance with Sections 404.2.3.1 through 404.2.3.3.~~

~~404.2.3.1. Lockdown plan contents. Lockdown plans shall be approved by the fire code official and shall include the following:~~

~~1. Initiation. The plan shall include instructions for reporting an emergency that requires a lockdown.~~

~~2. Accountability. The plan shall include accountability procedures for staff to report the presence or absence of occupants.~~

~~3. Recall. The plan shall include a prearranged signal for returning to normal activity.~~

~~4. Communication and coordination. The plan shall include an approved means of two way communication between a central location and each secured area.~~

~~404.2.3.2. Training frequency. The training frequency shall be included in the lockdown plan. The lockdown drills shall not substitute for any of the fire and evacuation drills required in Section 405.2.~~

~~404.2.3.3. Lockdown notification. The method of notifying building occupants of a lockdown shall be included in the plan. The method of notification shall be separate and distinct from the fire alarm signal.~~

~~404.3. Maintenance. Fire safety and evacuation plans shall be reviewed or updated annually or as necessitated by changes in staff assignments, occupancy or the physical arrangement of the building.~~

~~404.4. Availability. Fire safety and evacuation plans shall be available in the workplace for reference and review by employees, and copies shall be furnished to the fire code official for review upon request.~~

H. Change Section 404.4.1 to read:

404.4.1- Distribution. The fire safety and evacuation plans shall be distributed to the tenants and building service employees by the owner or owner's agent. Tenants shall distribute to their employees applicable parts of the fire safety plan affecting the employees' actions in the event of a fire or other emergency. Fire safety and evacuation plans shall be made available by the proprietor of Group R-3 and R-5 bed and breakfast and other transient boarding facilities to transient guests upon their arrival or are present in each transient guest room.

D. I. Change Section 405.1 to read:

405.1- General. Emergency evacuation drills complying with Sections 405.2 through 405.9 shall be conducted at least annually where fire safety and evacuation plans are required by Section 403 or when required by the fire code

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official. Drills shall be designed in cooperation with the local authorities.

Exception: Emergency evacuation drills shall not be conducted in school buildings during periods of mandatory testing required by the Virginia Board of Education.

~~E. Delete the "High-rise buildings" row in Table 405.2; add J. Add the following row to Table 405.2; and change footnotes "a," "b," and "d" of Table 405.2 to read:~~

Group or Occupancy	Frequency	Participation
SRCF	Monthly	All occupants
^a-In severe climates, the fire code official shall have the authority to modify the emergency evacuation drill frequency. ^b-Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises in accordance with Section 403.9.3.6. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program. ^d-Applicable to Group R-2 college and university buildings in accordance with Section 403.9.2.1.		

~~F. K. Add Section 405.2.1 to read:~~

~~405.2.1. High-rise buildings. Fire exit drills shall be conducted annually by building staff personnel or the owner of the building in accordance with the fire safety plan and shall not affect other current occupants.~~

~~G. Change Item 4 of Section 405.5 to read:~~

~~4. Employees on duty and participating.~~

~~H. Change Section 406.1 to read:~~

~~406.1. General. Where fire safety and evacuation plans are required by Section 403, employees shall be trained in fire emergency procedures based on plans prepared in accordance with Section 404.~~

~~I. Change Section 406.3.3 to read:~~

~~406.3.3. Fire safety training. Employees assigned firefighting duties shall be trained to know the locations and proper use of portable fire extinguishers or other manual firefighting equipment and the protective clothing or equipment required for its safe and proper use.~~

~~J. Delete Section 406.3.4.~~

~~K. Add Section 406.4 to read:~~

~~406.4. Emergency lockdown training. Where a facility has a lockdown plan, employees shall be trained on their assigned duties and procedures in the event of an emergency lockdown.~~

~~L. Delete Section 408 in its entirety.~~

13VAC5-51-133. IFC Chapter 5: Fire Service Features.

A. Change Section 501.2 to read:

501.2. Permits. A permit shall be required as set forth in Section 107.2.

B. Delete Section 501.4.

C. Add exceptions to Section 503.1 to read:

Exceptions:

1. Fire apparatus access roads shall be permitted to be provided and maintained in accordance with written policy that establish fire apparatus access road requirements and such requirements shall be identified to the owner or his agent prior to the building official's approval of the building permit.

2. On construction and demolition sites fire apparatus access roads shall be permitted to be provided and maintained in accordance with Section 3310.1.

D. Add exception to Section 503.2.1 to read:

Exception: Fire apparatus access roads exclusively serving single family dwelling or townhouse developments that are fully sprinklered as provided for in Sections R313.1 or R313.2 of the International Residential Code shall have an unobstructed width of not less than 18 feet (5486 mm), exclusive of shoulders.

E. Add Section 503.7 to read:

503.7. Fire lanes for existing buildings. The fire code official is authorized to designate public and private fire lanes as deemed necessary for the efficient and effective operation of fire apparatus. Fire lanes shall comply with Sections 503.2 through 503.6.

F. Add ~~Sections Section~~ 507.3.1 and 507.3.2 to read:

507.3.1. Fire flow requirements for fully sprinklered residential developments. Notwithstanding Section 103.1.2, the fire flow requirements in Table ~~B105.1~~ B105.1(1) of Appendix B of the IFC, as ~~modified by Section 507.3.2~~, shall be permitted to be used for determining fire flow in single family dwelling and townhouse developments which are fully sprinklered as provided for in Sections R313.1 or R313.2 of the International Residential Code.

507.3.2. Modifications to Table B105.1. The first six rows of columns five and six of Table B105.1 of Appendix B of the IFC shall be modified as shown below for the use of Table B105.1 in Section 507.3.1.

Type 5-B	Fire flow (gallons per minute)
0-5000	1000
5001-7200	1250
7201-8200	1500
8201-9500	1750

9501-11300	2000
11301-13000	2250

G. Change Section 507.5.1 to read:

507.5.1- Where required. Fire hydrant systems shall be located and installed as directed by the fire department. Fire hydrant systems shall conform to the written standards of the jurisdiction and the fire department.

H. Add Section 507.5.1.2 to read:

507.5.1.2- Fire hydrant requirements for fully sprinklered residential developments. Notwithstanding Section 103.1.2, the number and distribution of fire hydrants in Table ~~C105.1~~ C102.1 of Appendix C of the IFC shall be permitted to be used in single family dwelling and townhouse developments which are fully sprinklered as provided for in Sections R313.1 or R313.2 of the International Residential Code, with the spacing and distances of fire hydrants indicated in Table ~~C105.1~~ C102.1 increased by 100%.

I. Change Section 510 to read:

Section 510.

Maintenance of In-Building Emergency Communication Equipment.

510.1- General. In-building emergency communication equipment shall be maintained in accordance with USBC and the provisions of this section.

510.2- Additional in-building emergency communications installations. If it is determined by the locality that increased amplification of their emergency communication system is needed, the building owner shall allow the locality access as well as provide appropriate space within the building to install and maintain necessary additional communication equipment by the locality. If the building owner denies the locality access or appropriate space, or both, the building owner shall be responsible for the installation and maintenance of these additional systems.

510.3- Field tests. After providing reasonable notice to the owner or ~~their~~ the owner's representative, the fire official, police chief, or their agents shall have the right during normal business hours, or other mutually agreed upon time, to enter onto the property to conduct field tests to verify that the required level of radio coverage is present at no cost to the owner.

13VAC5-51-133.5. IFC Chapter 6- Building Services and Systems.

A. Change Section 601.2 to read:

601.2- Permits. Permits shall be obtained for refrigeration systems, battery systems and solar photovoltaic power systems as set forth in Section 107.2.

B. Add a note to Section 603.7 to read:

Note: The fire code official may request a copy of the latest certificate of inspection from the Virginia

Department of Labor and Industry for boilers and pressure vessels subject to such requirements. When the certificate is not available, the fire code official shall notify the Department of Labor and Industry to ensure that the required maintenance and testing is performed in accordance the Virginia Boiler and Pressure Vessel Regulations (16VAC25-50).

C. Add Section ~~604.7~~ 604.8 to read:

~~604.7.~~ 604.8 Testing of battery powered emergency lights and exit signs. Required emergency lighting utilizing battery powered emergency lights or exit signs, or both, shall be tested annually. The emergency lights and exit signs shall be tested for proper operation for the time period established in the building code in effect when the equipment was installed. Written records of tests shall be retained by the owner of the building for a minimum of two years after the test is conducted and shall be made available to the fire code official upon request.

D. Change Section 605.10.1 to read:

605.10.1- Listed and labeled. Only portable electric space heaters listed and labeled in accordance with UL 1278 shall be used.

E. Change Section 607.1 to read:

607.1- Operation. Existing elevators with a travel distance of 25 feet (7620 mm) or more shall comply with the requirements of Section 607.5 and the USBC, Part III, Maintenance.

F. Change Section 609.3.3.3 ~~and add Section 609.3.3.3.1~~ to read:

609.3.3.3- Records. Records for inspections shall state the individual and company performing the inspection, a description of the inspection, and when the inspection took place. Records for cleanings shall state the individual and company performing the cleaning and when the cleaning took place. Such records shall be completed after each inspection or cleaning and maintained for a minimum of three years and be copied to the fire code official upon request.

~~609.3.3.3.1. Tags. Where a commercial kitchen hood or duct system is cleaned, a tag containing the service provider name, address, telephone number, and date of service shall be provided in a conspicuous location. Prior tags shall be covered or removed.~~

G. Add an exception to Section 609.3.3.3.1 to read:

Exception: Where records required by Section 609.3.3.3 are maintained on the premises.

13VAC5-51-133.8. IFC Chapter 7- ~~Fire-Resistance-Rated Construction~~ Fire and Smoke Protection Features.

Change Section 704.1 to read:

704.1- Enclosure. New floor openings in existing buildings shall comply with the International Building Code.

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13VAC5-51-134. IFC Chapter 8: Interior Finish, Decorative Materials and Furnishings.

A. Add exception 3 to Section 806.1.1 to read:

3. Trees shall be permitted in places of worship in Group A occupancies.

B. Change exception 2 in Section ~~807.1~~ 807.3 to read:

~~807.1. General requirements. In occupancies in Groups A, E, I and R-1 and dormitories in Group R-2, curtains, draperies, hangings and other decorative materials suspended from walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 806.2 or be noncombustible.~~

~~Exception:~~

2. In dwelling units or sleeping rooms in Group R-2 dormitories, the permissible amount of decorative material suspended from or attached to the walls shall not exceed 50% of the aggregate area of the walls where the building has an approved automatic sprinkler system or 20% of the aggregate area of the walls where approved smoke alarms are provided and in the corridors of such buildings, the permissible amount of decorative material suspended from or attached to the walls shall not exceed 10% of the aggregate area of the walls.

~~In Groups I-1 and I-2, combustible decorative materials shall meet the flame propagation criteria of NFPA 701 unless the decorative materials, including, but not limited to, photographs and paintings, are of such limited quantities that a hazard of fire development or spread is not present. In Group I-3, combustible decorative materials are prohibited.~~

~~Fixed or movable walls and partitions, paneling, wall pads and crash pads, applied structurally or for decoration, acoustical correction, surface insulation or other purposes, shall be considered interior finish if they cover 10% or more of the wall or of the ceiling area, and shall not be considered decorative materials or furnishings.~~

~~In Group B and M occupancies, fabric partitions suspended from the ceiling and not supported by the floor shall meet the flame propagation performance criteria in accordance with Section 807.2 and NFPA 701 or shall be noncombustible.~~

13VAC5-51-135. IFC Chapter 9: Fire Protection Systems.

A. Change Section 901.3 to read:

901.3. Permits. Permits shall be required as set forth in Section 107.2.

B. Change Section 901.4.2 to read:

901.4.2. Nonrequired fire protection systems. Nonrequired fire protection systems shall be maintained to function as originally installed. If any such systems are to be reduced in function or discontinued, approval shall be obtained from the building official in accordance with Section 103.8.1 of Part I of the USBC.

C. Delete Section 901.4.4.

D. Change Section 901.6 to read:

901.6. Inspection, testing and maintenance. To the extent that equipment, systems, devices, and safeguards, such as fire detection, alarm and extinguishing systems, which were provided and approved by the building official when constructed, shall be maintained in an operative condition at all times. And where such equipment, systems, devices, and safeguards are found not to be in an operative condition, the fire official shall order all such equipment to be rendered safe in accordance with the USBC.

E. Add Section 901.11 to read:

901.11. Defective equipment. When the fire official determines through investigation or testing or reports by a nationally recognized testing agency that specific, required water sprinkler or water-spray extinguishing equipment has been identified as failing to perform or operate through not less than 30 randomly selected sprinkler heads at four or more building sites anywhere in the nation, the fire official shall order all such equipment to be rendered safe.

F. Change Section 903.6 to read:

903.6. Where required in existing buildings and structures. An automatic sprinkler system shall be provided in existing buildings and structures in accordance with Section 102.7 of this code.

G. Delete Section 905.11.

H. Change Item 1 in Section 906.1 to read:

1. In Group A, B, E, F, H, I, M, R-1, R-4 and S occupancies.

Exceptions:

1. In Groups A, B, and E occupancies equipped throughout with quick response sprinklers, portable fire extinguishers shall be required only in locations specified in Items 2 through 6.

2. In Group I-3 occupancies, portable fire extinguishers shall be permitted to be located at staff locations and the access to such extinguishers shall be permitted to be locked.

I. Add a note to Section 906.1 to read:

Note: In existing buildings, whether fire extinguishers are needed is determined by the USBC or other code in effect when such buildings were constructed.

J. Change Section 907.1 to read:

907.1. General. This section covers the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of Section 907.2 are applicable to new buildings and structures.

K. Change Section 907.8.2 to read:

907.8.2. Testing. Testing shall be performed in accordance with the schedules in Chapter 10 of NFPA 72 or more

frequently where required by the fire code official. Where automatic testing is performed at least weekly by a remotely monitored fire alarm control unit specifically listed for the application, the manual testing frequency shall be permitted to be extended to annual. In Group R-1 occupancies, battery-powered single station smoke detectors shall be tested and inspected at one-month intervals.

Exception: Devices or equipment that are inaccessible for safety considerations shall be tested during scheduled shutdowns where approved by the fire code official, but not less than every 18 months.

L. Change Section 907.8.5 to read:

907.8.5- Maintenance, inspection and testing. The building owner shall be responsible for maintaining the fire and life safety systems in an operable condition at all times. Service personnel shall meet the qualification requirements of NFPA 72 for maintaining, inspecting and testing such systems. A written record shall be maintained and shall be made available to the fire code official. In addition to all applicable information contained in Figure 14.6.2.2 of NFPA 72, the written record of inspections, testing and maintenance shall contain the following minimum information:

1. Date, name and address of property.
2. Name of person performing inspection, maintenance and tests, or combination thereof, and affiliation, business address and telephone number.
3. Name, address and representative of approving agency or agencies.
4. Test frequency.
5. Designation of the detector or detectors tested (for example, "Test performed in accordance with Section _____").
6. Physical location (for example, "Heat detector in main kitchen; horn-strobe in Room 115.") and a list of all initiating and notification devices and appliances tested.
7. Functional list of detectors and required sequence of operations.
8. Check of all smoke detectors.
9. Loop resistance for all fixed-temperature, line-type detectors.
10. Other tests as required by either the equipment manufacturer's published instructions or the authority having jurisdiction.
11. Signature of tester and approved authority representative.
12. Disposition of problems identified during test (examples, "Owner notified," "Problem corrected or successfully retested, or both," "Device abandoned in place.").

M. Delete Section 907.9.

N. Change Section 908.7 to read:

908.7- Carbon monoxide alarms. Carbon monoxide alarms shall be maintained as approved.

O. Delete Section 908.7.1.

13VAC5-51-135.5. IFC Chapter 10- Means of Egress.

A. Add Section 1001.3 to read:

1001.3- Overcrowding. Overcrowding, admittance of any person beyond the approved occupant load established by the USBC or other building code under which the building was constructed, or obstructing aisles, passageways, or any part of the means of egress shall not be allowed. The fire code official, upon finding any condition that constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

B. Change Section ~~1029.4~~ 1030.4 to read:

~~1029.4.~~ 1030.4 Operational constraints. Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates, or similar devices are permitted to be placed over emergency escape and rescue openings provided (i) the minimum net clear opening size complies with Section ~~1029.2~~ 1030.2, (ii) such devices shall be releasable or removable from the inside without the use of a key, tool, or force greater than that which is required for normal operation of the escape and rescue opening, and (iii) where smoke alarms are installed in accordance with Section 907.2.11 and approved by the building official regardless of the valuation of the alteration.

13VAC5-51-138. IFC Chapter 11- Construction Requirements for Existing Buildings.

Delete Chapter 11 in its entirety.

13VAC5-51-138.4. IFC Chapter 20- Aviation Facilities.

Change Section 2001.3 to read:

2001.3- Permits. For permits to operate aircraft-refueling vehicles, application of flammable or combustible finishes and hot work, see Section 107.2.

13VAC5-51-138.8. IFC Chapter 21- Dry Cleaning.

Change Section 2101.2 to read:

2101.2- Permit required. Permits shall be required as set forth in Section 107.2.

13VAC5-51-139. IFC Chapter 22- Combustible Dust-Producing Operations.

Change Section 2201.2 to read:

2201.2- Permits. Permits shall be required for combustible dust-producing operations as set forth in Section 107.2.

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13VAC5-51-140. IFC Chapter 23: Motor Fuel-Dispensing Facilities and Repair Garages.

A. Change Section 2301.2 to read:

2301.2- Permits. Permits shall be required as set forth in Section 107.2.

B. Change Section 2305.4 to read:

2305.4- Sources of ignition. Smoking and open flames shall be prohibited within 20 feet (6096 mm) of a fuel dispensing device. The engines of vehicles being fueled shall be shut off during fueling. Electrical equipment shall be in accordance with NFPA 70.

C. Change Section 2306.2.1.1 to read:

2306.2.1.1- Inventory control and leak detection for underground tanks. Accurate inventory records shall be maintained on underground fuel storage tanks for indication of possible leakage from tanks and piping. The records shall be kept at the premises or made available for inspection by the fire official within 24 hours of a written or verbal request and shall include records for each tank. Where there is more than one system consisting of tanks serving separate pumps or dispensers for a product, the inventory record shall be maintained separately for each tank system.

Owners and operators of underground fuel storage tanks shall provide release detection for tanks and piping that routinely contain flammable and combustible liquids in accordance with one of the following methods:

1. Monthly inventory control to detect a release of at least 1.0% of flow-through plus 130 gallons.
2. Manual tank gauging for tanks with 2,000 gallon capacity or less when measurements are taken at the beginning and ending of a 36-hour to 58-hour period during which no liquid is added to or removed from the tank.
3. Tank tightness testing capable of detecting a 0.1 gallon per hour leak rate.
4. Automatic tank gauging that tests for loss of liquid.
5. Vapor monitoring for vapors within the soil of the tank field.
6. Groundwater monitoring when the groundwater is never more than 20 feet from the ground surface.
7. Interstitial monitoring between the underground tank and a secondary barrier immediately around or beneath the tank.
8. Other approved methods that have been demonstrated to be as effective in detecting a leak as the methods listed above.

A consistent or accidental loss of product shall be immediately reported to the fire official.

D. Change Section 2306.8.1 to read:

~~2306.8.1- Listed. Dispensers shall be listed in accordance with UL 87A. Hoses, nozzles, breakaway fittings, swivels, flexible connectors or dispenser emergency shutoff valves, vapor recovery systems, leak detection devices, and pumps used in alcohol blended fuel dispensing systems shall be listed for the specific purpose.~~

E. Add Section 2306.8.6 to read:

~~2306.8.6- Compatibility. Dispensers shall only be used with the fuels for which they have been listed, which are marked on the product. Field installed components including hose assemblies, breakaway couplings, swivel connectors, and hose nozzle valves shall be provided in accordance with the listing and the marking on the unit.~~

13VAC5-51-140.5. IFC Chapter 24: Flammable Finishes.

Change Section 2401.3 to read:

2401.3- Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-141. IFC Chapter 25: Fruit and Crop Ripening.

Change Section 2501.2 to read:

2501.2- Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-141.5. IFC Chapter 26: Fumigation and Insecticidal Fogging.

Change Section 2601.2 to read:

2601.2- Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-142. IFC Chapter 27: Semiconductor Fabrication Facilities.

Change Section 2701.5 to read:

2701.5- Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-142.5. IFC Chapter 28: Lumber Yards and Agro-Industrial, Solid Biomass, and Woodworking Facilities.

Change Section 2801.2 to read:

2801.2- Permit. Permits shall be required as set forth in Section 107.2.

13VAC5-51-143.5. IFC Chapter 29: Manufacture of Organic Coatings.

Change Section 2901.2 to read:

2901.2- Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-144. IFC Chapter 30: Industrial Ovens.

Change Section 3001.2 to read:

3001.2- Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-144.2. IFC Chapter 31: Tents and Other Membrane Structures.

Change Section 3103.4 to read:

3103.4- Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-144.4. IFC Chapter 32: High-Piled Combustible Storage.

Change Section 3201.2 to read:

3201.2- Permits. A permit shall be required as set forth in Section 107.2.

13VAC5-51-144.6. IFC Chapter 34: Tire Rebuilding and Tire Storage.

A. Change Section 3401.2 to read:

3401.2- Permit required. Permits shall be required as set forth in Section 107.2.

B. Change Section 3406.1 to read:

3406.1- Required access. New and existing tire storage yards shall be provided with fire apparatus access roads in accordance with Section 503 and Section 3406.2.

13VAC5-51-144.8. IFC Chapter 37 Combustible Fibers.

Change Section 3701.3 to read:

3701.3 Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-145. IFC Chapter 50: Hazardous Materials - General Provisions.

A. Change Section 5001.5 to read:

E. ~~Change the "Consumer fireworks" row in and add~~ Add a new "Permissible fireworks" row to Table 5003.1.1(1) to read:

Consumer fireworks	1.4G	H-3	125 ^{e,d}	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Permissible fireworks	1.4G	H-3	125 ^{d,e,1}	N/A	N/A	N/A	N/A	N/A	N/A	N/A

F. Add Section 5001.7, including subsections, to read:

5001.7 Operational requirements for Group B teaching and research laboratories. Teaching and research laboratories in Group B educational occupancies above the 12th grade utilizing Section 430 of the USBC, Part I, Construction, or Section 302.6 of the USBC, Part II, Existing Buildings, shall comply with this section and other applicable requirements of this code. In the case of conflicts between the requirements of Section 430 of the USBC, Part I, Construction, or Section 302.6 of the USBC, Part II, Existing Buildings, and provisions of this code other than those set out in this section, Section 430 of the USBC, Part I, Construction, or Section 302.6 of the USBC, Part II, Existing Buildings, as applicable, shall govern.

5001.7.1 Chemical safety reviews. Operating and emergency procedures planning and documentation shall be as set out in Sections 5001.3.3.11 through 5001.3.3.17. Such documentation shall be prepared by laboratory safety personnel or special experts and shall be made available in the workplace for reference and review by employees.

5001.5- Permits. Permits shall be required as set forth in Section 107.2.

B. Add the following language to the end of Section 5001.5.1 to read:

The HMMP shall be maintained onsite for use by emergency responders, and shall be updated not less than annually.

C. Add the following language to the end of Section 5001.5.2 to read:

The HMIS shall be maintained onsite or readily available through another means where approved by the fire code official for use by temporary responders, and shall be updated not less than annually.

D. Add Sections 5001.5.3, 5001.5.3.1, and 5001.5.3.2 to read:

5001.5.3- Repository container. When a HMMP or HMIS is required, the owner or operator shall provide a repository container (lock box) or other approved means for the storage of items required in Sections 5001.5.1 and 5001.5.2 so as to be readily available to emergency response personnel.

5001.5.3.1- Location and identification. The repository container (lock box) shall be located, installed and identified in an approved manner.

5001.5.3.2- Keying. All repository containers (lock boxes) shall be keyed as required by the fire code official.

Copies of such documentation shall be furnished to the fire code official for review upon request.

5001.7.2 Hazardous materials handling. Receiving, transporting on site, unpacking, and dispensing of hazardous materials shall be carried out by persons trained in proper handling of such materials and shall be performed in accordance with Chapters 50 through 67, as applicable.

5001.7.3 Hazard identification signage. Warning signs for other than building components shall be provided in accordance with Section 5003.5.

5001.7.4 Maintenance of equipment, machinery, and processes. Maintenance of equipment, machinery, and processes used with hazardous materials shall comply with Section 5003.2.6.

5001.7.5 Time sensitive materials. Containers of materials that have the potential to become hazardous during prolonged storage shall be dated when first opened and shall be managed in accordance with NFPA 45, Section 8.2.4.4.1.

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5001.7.6 Maintenance of storage, dispensing, use, and handling requirements. Storage, dispensing, use, and handling requirements in the USBC, Part I, Construction, or the USBC, Part II, Existing Buildings, shall be maintained. Operational requirements not affecting the manner of construction shall comply with this chapter and Chapters 51 through 67, as applicable.

5001.7.7 Hazardous wastes. Storage, dispensing, use, and handling of hazardous waste shall comply with this chapter and Chapters 51 through 67, as applicable.

5001.7.8 Container size. The maximum container size for all hazardous materials shall be 5.3 gallons (20 L) for liquids, 50 pounds (23 kg) for solids, 100 cubic feet (2.8 m³) for health hazard gases per Table 5003.1.1(2), and 500 cubic feet (14 m³) for all other gases in accordance with Table 5003.1.1(1).

Exception: Hazardous waste collection containers, for other than Class I and Class II flammable liquids, are permitted to exceed 5.3 gallons (20 L) where approved.

5001.7.9 Density. Quantities of Class I, II, and IIIA combustible or flammable liquids in storage and use within control areas or laboratory suites shall not exceed 8 gallons per 100 square feet (30 L/9.3 m²) of floor area, with not more than 4 gallons per 100 square feet (15 L/9.3 m²) being in use. Quantities of Class I flammable liquids in storage and use shall not exceed 4 gallons per 100 square feet (15 L/9.3 m²) of floor area with not more than 2 gallons (7.5 L) being in use. The maximum in use in open systems is limited to 10% of these quantities. Densities shall be reduced by 25% on the 4th-floor through 6th-floor levels above grade plane of the building and 50% above the 6th-floor level. The density is to be reduced to 50% of these values for buildings that are not protected throughout with an approved automatic fire sprinkler system. Regardless of the density, the maximum allowable quantity per control area or laboratory suite shall not be exceeded.

Exception: Density limits may be exceeded in designated hazardous waste collection areas or rooms within a control area or laboratory suite, but stored quantities shall not exceed the maximum allowable quantity per laboratory suite or control area.

5001.7.10 Restricted materials in storage. Storage of pyrophorics and Class 4 oxidizers prohibited by Table 5003.1.1(1) in existing buildings not equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the USBC, Part I, Construction, shall be allowed within a control area at 25% of the limits in Table 5003.1.1(1) for a building equipped throughout with an automatic sprinkler system, with no additional increases allowed, provided that such materials are stored in accordance with all of the following:

1. Containers shall be completely sealed and stored according to the manufacturer's recommendations.

2. Storage shall be within approved hazardous materials storage cabinets in accordance with Section 5003.8.7 or shall be located in an inert atmosphere glove box in accordance with NFPA 45, Section 7.11.

3. The storage cabinet or glove box shall not contain any storage of incompatible materials.

5001.7.11 Restricted materials in use. Use of pyrophorics and Class 4 oxidizers prohibited by Table 5003.1.1(1) in existing buildings not equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the USBC, Part I, Construction, shall be allowed within a control area at 25% of the limits in Table 5003.1.1(1) for buildings equipped throughout with an automatic sprinkler system, with no additional increases allowed, provided that such materials are used in accordance with all of the following:

1. Use shall be within an approved chemical fume hood listed in accordance with UL 1805, or in an inert atmosphere glove box in accordance with NFPA 45, Section 7.11, or other approved equipment designed for the specific hazard of the material.

2. Combustible materials shall be kept at least 2 feet (610 mm) away from the work area, except for those items directly related to the research.

3. A portable fire extinguisher appropriate for the specific material shall be provided within 20 feet (6096 mm) of the use in accordance with Section 906.

G. Change Section 5003.3.1.4 to read:

5003.3.1.4- Responsibility for cleanup. The person, firm, or corporation responsible for an unauthorized discharge shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the jurisdiction. The fire code official may require records and receipts to verify cleanup and proper disposal of unauthorized discharges. When deemed necessary by the fire code official, cleanup may be initiated by the fire department or by an authorized individual or firm. Costs associated with such cleanup shall be borne by the responsibility of the owner, operator, or other person responsible for the unauthorized discharge.

Note: Owners and operators of certain underground and aboveground petroleum storage tanks may have access to the Virginia Petroleum Storage Tank Fund for reimbursement of some cleanup costs associated with petroleum discharges from these tanks. See Article 10 (§ 62.1-44.34:10 et seq.) of Title 62.1 of the Code of Virginia.

13VAC5-51-145.5. IFC Chapter 51- Aerosols.

Change Section 5101.2 to read:

5101.2- Permit required. Permits shall be required as set forth in Section 107.2.

13VAC5-51-146. IFC Chapter 52. Combustible Fibers. (Repealed.)

Change Section 5201.3 to read:

~~5201.3. Permits. Permits shall be required as set forth in Section 107.2.~~

13VAC5-51-146.5. IFC Chapter 53. Compressed Gases.

Change Section 5301.2 to read:

5301.2. Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-147. IFC Chapter 54. Corrosive Materials.

Change Section 5401.2 to read:

5401.2. Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-147.5. IFC Chapter 55. Cryogenic Fluids.

Change Section 5501.2 to read:

5501.2. Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-150. IFC Chapter 56. Explosives and Fireworks.

A. Change exception 4 in Section 5601.1 to read:

4. The possession, storage, and use of not more than 15 pounds (6.81 kg) of commercially manufactured sporting black powder, 20 pounds (9 kg) of smokeless powder and any amount of small arms primers for hand loading of small arms ammunition for personal consumption.

B. Add exceptions 10, 11 and 12 to Section 5601.1 to read:

10. The storage, handling, or use of explosives or blasting agents pursuant to the provisions of Title 45.1 of the Code of Virginia.

11. The display of small arms primers in Group M when in the original manufacturer's packaging.

12. The possession, storage and use of not more than 50 pounds (23 kg) of commercially manufactured sporting black powder, 100 pounds (45 kg) of smokeless powder, and small arms primers for hand loading of small arms ammunition for personal consumption in Group R-3 or R-5, or 200 pounds (91 kg) of smokeless powder when stored in the manufacturer's original containers in detached Group U structures at least 10 feet (3048 mm) from inhabited buildings and are accessory to Group R-3 or R-5.

C. Change exception 4 in Section 5601.1.3 to read:

4. The possession, storage, sale, handling and use of permissible fireworks where allowed by applicable local or state laws, ordinances and regulations provided such fireworks comply with CPSC 16 CFR, Parts 1500-1507, and DOTn 49 CFR, Parts 100-178, for consumer fireworks.

D. Add exception 5 to Section 5601.1.3 to read:

5. The sale or use of materials or equipment when such materials or equipment is used or to be used by any person

for signaling or other emergency use in the operation of any boat, railroad train or other vehicle for the transportation of persons or property.

E. Change entire Section 5601.2 to read:

5601.2. Permit required. Permits shall be required as set forth in Section 107.2 and regulated in accordance with this section. The manufacture, storage, possession, sale and use of fireworks or explosives shall not take place without first applying for and obtaining a permit.

5601.2.1. Residential uses. No person shall keep or store, nor shall any permit be issued to keep, possess or store, any fireworks or explosives at any place of habitation, or within 100 feet (30,480 mm) thereof.

Exception: Storage of smokeless propellant, black powder, and small arms primers for personal use and not for resale in accordance with Section 5606.

5601.2.2. Sale and retail display. Except for the Armed Forces of the United States, Coast Guard, National Guard, federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities, explosives shall not be sold, given, delivered or transferred to any person or company not in possession of a valid permit. The holder of a permit to sell explosives shall make a record of all transactions involving explosives in conformance with Section 5603.2 and include the signature of any receiver of the explosives. No person shall construct a retail display nor offer for sale explosives, explosive materials, or fireworks upon highways, sidewalks, public property, or in assembly or educational occupancies.

5601.2.3. Permit restrictions. The fire official is authorized to limit the quantity of explosives, explosive materials, or fireworks permitted at a given location. No person, possessing a permit for storage of explosives at any place, shall keep or store an amount greater than authorized in such permit. Only the kind of explosive specified in such a permit shall be kept or stored.

5601.2.3.1. Permit applicants. As a condition of a permit as provided for in Section 107.5, the fire official shall not issue a permit to manufacture, store, handle, use or sell explosives or blasting agents to any applicant who has not provided on the permit application the name and signature of a designated individual as representing the applicant. When, as provided for in Section 107.2 or 107.6, a permit is required to conduct a fireworks display, as a condition of permit as provided for in Section 107.5, the fire official shall not issue a permit to design, setup or conduct a fireworks display to any applicant who has not provided on the permit application the name and signature of a designated individual as representing the applicant.

If the applicant's designated individual changes or becomes no longer qualified to represent the applicant as responsible management or designated individual, the applicant shall notify the fire official who issued the permit on the change

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of status of the designated individual. The notice is to be made prior to the use of any explosives or conducting a fireworks display but in no case shall the notification occur more than seven days after the change of status and shall provide the name of another designated individual. The fire official may revoke or require the reissuance of a permit based on a change of permit conditions or status or inability to provide another designated individual.

5601.2.3.1.1- BCC: The SFMO shall process all applications for a BCC for compliance with § 27-97.2 of the Code of Virginia and will be the sole provider of a BCC. Using forms provided by the SFMO, a BCC may be applied for and issued to any person who submits to the completion of a background investigation by providing fingerprints and personal descriptive information to the SFMO. The SFMO shall forward the fingerprints and personal descriptive information to the Central Criminal Records Exchange for submission to the Federal Bureau of Investigation for the purpose of obtaining a national criminal history records check regarding such applicant.

5601.2.3.1.2- Issuance of a BCC: The issuance of a BCC shall be denied if the applicant or designated person representing an applicant has been convicted of any felony, whether such conviction occurred under the laws of the Commonwealth, or any other state, the District of Columbia, the United States or any territory thereof, unless his civil rights have been restored by the Governor or other appropriate authority.

5601.2.3.1.3- Fee for BCC: The fee for obtaining or renewing a BCC from the SFMO shall be \$150 plus any additional fees charged by other agencies for fingerprinting and for obtaining a national criminal history record check through the Central Criminal Records Exchange to the Federal Bureau of Investigation.

5601.2.3.1.4- Revocation of a BCC: After issuance of a BCC, subsequent conviction of a felony will be grounds for immediate revocation of a BCC, whether such conviction occurred under the laws of the Commonwealth, or any other state, the District of Columbia, the United States or any territory thereof. The BCC shall be returned to the SFMO immediately. An individual may reapply for his BCC if his civil rights have been restored by the Governor or other appropriate authority.

5601.2.4- Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$500,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The legal department of the jurisdiction may specify a greater amount when conditions at the location of use indicate a

greater amount is required. Government entities shall be exempt from this bond requirement.

5601.2.4.1- Blasting. Before approval to do blasting is issued, the applicant for approval shall file a bond or submit a certificate of insurance in such form, amount, and coverage as determined by the legal department of the jurisdiction to be adequate in each case to indemnify the jurisdiction against any and all damages arising from permitted blasting but in no case shall the value of the coverage be less than \$1,000,000.

Exception: Filing a bond or submitting a certificate of liability insurance is not required for blasting on real estate parcels of five or more acres conforming to the definition of "real estate devoted to agricultural use" or "real estate devoted to horticultural use" in § 58.1-3230 of the Code of Virginia and conducted by the owner of such real estate.

5601.2.4.2- Fireworks display. The permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the legal department of the jurisdiction for the payment of all potential damages to a person or persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors, but in no case shall the value of the coverage be less than \$1,000,000.

F. Change entire Section 5601.4 to read:

5601.4- Qualifications. Persons in charge of magazines, blasting, fireworks display, or pyrotechnic special effect operations shall not be under the influence of alcohol or drugs which impair sensory or motor skills, shall be at least 21 years of age and possess knowledge of all safety precautions related to the storage, handling or use of explosives, explosive materials or fireworks.

5601.4.1- Certification of blasters and pyrotechnicians. Certificates as a restricted blaster, unrestricted blaster or pyrotechnician will be issued upon proof of successful completion of an examination approved by the SFMO commensurate to the certification sought and completion of a background investigation for compliance with § 27-97.2 of the Code of Virginia. The applicant for certification shall submit proof to the SFMO of the following experience:

1. For certification as a restricted blaster, at least one year under direct supervision by a certified unrestricted blaster, certified restricted blaster or other person(s) approved by the SFMO.
2. For certification as an unrestricted blaster, at least one year under direct supervision by a certified unrestricted blaster or other person or persons approved by the SFMO.
3. For certification as a pyrotechnician, aerial, or pyrotechnician, proximate, applicant was in responsible charge of or has assisted in the documented design, setup and conducting of a fireworks display on at least six

occasions within the 24 months immediately preceding the application for certification.

The SFMO shall process all certification applicants for compliance with § 27-97.2 of the Code of Virginia and will be the sole provider of blaster and pyrotechnician certifications.

Exception: The use of explosives by the owner of real estate parcels of five or more acres conforming to the definition of "real estate devoted to agricultural use" or "real estate devoted to horticultural use" in § 58.1-3230 of the Code of Virginia when blasting on such real estate.

5601.4.2- Certification issuance. The issuance of a certification as a blaster or pyrotechnician shall be denied if the applicant has (i) been convicted of any felony, whether such conviction occurred under the laws of the Commonwealth, or any other state, the District of Columbia, the United States or any territory thereof, unless his civil rights have been restored by the Governor or other appropriate authority, (ii) has not provided acceptable proof or evidence of the experience required in Section 5601.4.1, or (iii) has not provided acceptable proof or evidence of the continued training or education required in Section 5601.4.5.

5601.4.3- Fee for certification. The fee for obtaining or renewing a blaster or pyrotechnician certificate from the SFMO shall be \$150 plus any additional fees charged by other agencies for fingerprinting and for obtaining a national criminal history record check through the Central Criminal Records Exchange to the Federal Bureau of Investigation.

5601.4.3.1- Fee for replacement certificate. A written request for a replacement blaster or pyrotechnician certificate shall be accompanied by the payment of an administrative fee in the amount of \$20 made payable to the Treasurer of Virginia. Verbal requests shall not be accepted.

5601.4.4- Revocation of a blaster or pyrotechnician certification. After issuance of a blaster or pyrotechnician certification, subsequent conviction of a felony will be grounds for immediate revocation of a blaster or pyrotechnician certification, whether such conviction occurred under the laws of the Commonwealth, or any other state, the District of Columbia, the United States or any territory thereof. The certification shall be returned to the SFMO immediately. An individual may subsequently reapply for his blaster or pyrotechnician certification if his civil rights have been restored by the Governor or other appropriate authority.

5601.4.5- Expiration and renewal of a BCC, or blaster or pyrotechnician certification. A certificate for an unrestricted blaster, restricted blaster or pyrotechnician shall be valid for three years from the date of issuance. A BCC shall be valid for three years from the date of issuance. Renewal of the unrestricted blaster certificate

will be issued upon proof of at least 16 accumulated hours of continued training or education in the use of explosives within three consecutive years and a background investigation for compliance with § 27-97.2 of the Code of Virginia. Renewal of the restricted blaster certificate will be issued upon proof of at least eight accumulated hours of continued training or education in the use of explosives within three consecutive years and a background investigation for compliance with § 27-97.2 of the Code of Virginia. Renewal of the pyrotechnician certificate will be issued upon proof of at least 12 accumulated hours of continued training or education in the subject areas of explosives storage; the design, setup or conduct of a fireworks display within three consecutive years; and a background investigation for compliance with § 27-97.2 of the Code of Virginia. The continued training or education required for renewal of a blaster or pyrotechnician certificate shall be obtained during the three years immediately prior to the certificate's published expiration date. Failure to renew a blaster or pyrotechnician certificate in accordance with this section shall cause an individual to obtain another blaster or pyrotechnician certificate upon compliance with Section 5601.4.1 to continue engaging in the unsupervised use of explosives or conducting a fireworks display.

5601.4.6- Denial, suspension or revocation of a certificate. If issuance or renewal of a blaster or pyrotechnician certificate is denied, or upon the filing of a complaint against an applicant or certificate holder for non-performance, or performance in violation of the SFPC and the appropriate referenced NFPA 495, 1123 or 1126 standards, the State Fire Marshal may convene a three-member panel to hear the particulars of the complaint or denial. The three-member panel will be comprised of the following persons:

1. A Virginia certified fire official, excluding any person certified as a blaster or pyrotechnician, or who is on the staff of the SFMO.
2. A Virginia certified blaster or pyrotechnician whose certification is the same as that of the person to whom a complaint is lodged, and who is not associated in any way with the person against whom a complaint is lodged and whose work or employer is geographically remote, as much as practically possible, from the person to whom a complaint is lodged.
3. A member of the general public who does not have a vested financial interest in conducting a fireworks display, or the manufacture, sale, storage, or use of explosives.

Upon the State Fire Marshal convening such panel, the hearing is to commence within 60 calendar days of the filing of the complaint or denial. The three-member panel is to hear the complaint and render a written recommendation to the State Fire Marshal for certificate

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issuance, no action, revocation, or suspension of a certificate for a period not to exceed six months. Notwithstanding the discretionary decision and action to convene such panel, the State Fire Marshal reserves the authority to choose an action that may be contrary to the panel's recommendation. A written decision of the State Fire Marshal is to be delivered to the party within 14 days of the hearing's conclusion. If the certificate is denied, revoked, or suspended by the SFMO, in accordance with Section 112.9, the party may file an appeal with the ~~TRB~~ State Review Board. The party's appeal to ~~TRB~~ State Review Board must be filed within 14 calendar days of the receipt of the State Fire Marshal's written decision to deny, revoke, or suspend. The denial, revocation, or suspension of a license is independent of any criminal proceedings that may be initiated by any state or local authority.

5601.4.6.1- Replacement of revoked certificate. Any person whose certificate as a pyrotechnician or blaster was revoked upon cause may apply for certification as a pyrotechnician or blaster six months or more from the date of the revocation and upon compliance with Section 5601.4.1. All elements of Section 5601.4.1 are required to be obtained and dated after the date of revocation.

5601.4.6.2- Return of suspended certificate. Any certificate that was suspended upon cause will be reinstated at the end of the suspension period without change to its expiration date.

G. Change Section 5601.7 to read:

5601.7- Seizure. The fire official is authorized to remove or cause to be removed or disposed of in an approved manner, at the expense of the owner, fireworks offered or exposed for sale, stored, possessed or used in violation of this chapter.

H. Add the following to the list of definitions in Section 5602.1:

Background clearance card (BCC).
Blaster, restricted.
Blaster, unrestricted.
Design.
Designated individual.
Fireworks.
Fireworks, 1.4G.
Fireworks, 1.3G.
Permissible fireworks.
Pyrotechnician (fireworks operator).
Pyrotechnician, aerial.
Pyrotechnician, proximate.
Responsible management.
Smokeless propellants.
Sole proprietor.

I. Change Section 5603.4 to read:

5603.4- Accidents. Accidents involving the use of explosives, explosive materials, and fireworks, which result in injuries or property damage, shall be immediately reported by the permit holder to the fire code official and State Fire Marshal.

J. Change Section 5605.1 to read:

5605.1- General. The manufacture, assembly and testing of explosives, ammunition, blasting agents and fireworks shall comply with the requirements of this section, Title 59.1, Chapter 11 of the Code of Virginia, and NFPA 495 or NFPA 1124.

Exceptions:

1. The hand loading of small arms ammunition prepared for personal use and not offered for resale.
2. The mixing and loading of blasting agents at blasting sites in accordance with NFPA 495.
3. The use of binary explosives or phosphoric materials in blasting or pyrotechnic special effects applications in accordance with NFPA 495 or NFPA 1126.

K. Add Section 5605.1.1 to read:

5605.1.1- Permits. Permits for the manufacture, assembly and testing of explosives, ammunition, blasting agents and fireworks shall be required as set forth in Section 107.2 and regulated in accordance with this section. A permit to manufacture any explosive material in any quantity shall be prohibited unless such manufacture is authorized by a federal license and conducted in accordance with recognized safety practices.

L. Change Section 5606.4 to read:

5606.4- Storage in residences. Propellants for personal use in quantities not exceeding 50 pounds (23 kg) of black powder or 100 pounds (45 kg) of smokeless powder shall be stored in original containers in occupancies limited to Groups R-3 and R-5, or 200 pounds (91 kg) of smokeless powder when stored in the manufacturer's original containers in detached Group U structures that are at least 10 feet from inhabited buildings and are accessory to Group R-3 or R-5. In other than Group R-3 or R-5, smokeless powder in quantities exceeding 20 pounds (9 kg) but not exceeding 50 pounds (23 kg) shall be kept in a wooden box or cabinet having walls of at least one inch (25 mm) nominal thickness or equivalent.

M. Delete Sections 5606.4.1, 5606.4.2, and 5606.4.3.

N. Change Section 5606.5.1.1 to read:

5606.5.1.1- Smokeless propellant. No more than 100 pounds (45 kg) of smokeless propellants, in containers of 8 pounds (3.6 kg) or less capacity, shall be displayed in Group M occupancies.

O. Delete Section 5606.5.1.3.

P. Change Section 5606.5.2.1 to read:

5606.5.2.1- Smokeless propellant- Commercial stocks of smokeless propellants shall be stored as follows:

1. Quantities exceeding 20 pounds (9 kg), but not exceeding 100 pounds (45 kg) shall be stored in portable wooden boxes having walls of at least one inch (25 mm) nominal thickness or equivalent.
2. Quantities exceeding 100 pounds (45 kg), but not exceeding 800 pounds (363 kg), shall be stored in storage cabinets having walls at least one inch (25 mm) nominal thickness or equivalent. Not more than 400 pounds (182 kg) shall be stored in any one cabinet, and cabinets shall be separated by a distance of at least 25 feet (7620 mm) or by a fire partition having a fire-resistance rating of at least one hour.
3. Storage of quantities exceeding 800 pounds (363 kg), but not exceeding 5,000 pounds (2270 kg) in a building shall comply with all of the following:
 - 3.1. The storage is inaccessible to unauthorized personnel.
 - 3.2. Smokeless propellant shall be stored in nonportable storage cabinets having wood walls at least one inch (25 mm) nominal thickness or equivalent and having shelves with no more than three feet (914 mm) of vertical separation between shelves.
 - 3.3. No more than 400 pounds (182 kg) is stored in any one cabinet.
 - 3.4. Cabinets shall be located against walls with at least 40 feet (12 192 mm) between cabinets. The minimum required separation between cabinets may be reduced to 20 feet (6096 mm) provided that barricades twice the

height of the cabinets are attached to the wall, midway between each cabinet. The barricades must extend a minimum of 10 feet (3048 mm) outward, be firmly attached to the wall, and be constructed of steel not less than 0.25 inch thick (6.4 mm), two-inch (51 mm) nominal thickness wood, brick, or concrete block.

3.5. Smokeless propellant shall be separated from materials classified as combustible liquids, flammable liquids, flammable solids, or oxidizing materials by a distance of 25 feet (7620 mm) or by a fire partition having a fire-resistance rating of one hour.

3.6. The building shall be equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.

4. Smokeless propellants not stored according to Item 1, 2, or 3 above shall be stored in a Type 2 or 4 magazine in accordance with Section 5604 and NFPA 495.

Q. Change Section 5607.1 to read:

5607.1- General. Blasting operations shall be conducted only by persons certified by the SFMO as a restricted or unrestricted blaster or shall be supervised on-site by a person properly certified by the SFMO as a restricted or unrestricted blaster.

R. Add Section 5607.16 to read:

5607.16- Blast records. A record of each blast shall be kept and retained for at least five years and shall be readily available for inspection by the code official. The record shall be in a format selected by the blaster and shall contain the minimum data and information indicated in Form 5607.16.

Form 5607.16
Blast (shot) Record

Block 1 General Information				
1	Blast date:	Blast Number:	Blast Time:	Permit Number:
2	Blast location by address including city, county or town:			
3	Blast location by GPS coordinates: <input type="checkbox"/> check box if unknown			
4	Name of Permit Holder:			
5	Name of Blaster in charge (print):			
6	Signature of Blaster in charge:			
7	Certification Number of Blaster in charge:			

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Block 2 General Environmental Conditions			
1	Weather (Clear? Cloudy? Overcast?)	Wind direction and speed @ _____ mph	Temperature F° / C°
2	Topography (Flat? Hilly? Mountainous?)	Distance from blast site to nearest inhabited building:	Distance from nearest inhabited building determined by: <input type="checkbox"/> GPS coordinates <input type="checkbox"/> Measurement <input type="checkbox"/> Estimated
3	Use of nearest inhabited building (Dwelling? Business? Apartment Building? School?)	Direction from blast site to nearest inhabited building:	Direction from blast site to nearest inhabited building determined by: <input type="checkbox"/> GPS instrument <input type="checkbox"/> Compass <input type="checkbox"/> Estimated
Additional Blaster notations on environmental conditions:			

Block 3 Shot Layout and Precautions Taken (N/A = Not Applicable)			
1	Number of holes	Diameter of hole or holes	Depth of hole or holes
2	Were any holes decked? <input type="checkbox"/> Yes <input type="checkbox"/> No	How many holes were decked? <input type="checkbox"/> N/A	How many decks per hole? <input type="checkbox"/> N/A
		(If applicable, indicate on any attached shot pattern drawing which holes were decked and the number of decks for the holes.)	
3	Shot pattern <input type="checkbox"/> Check this box if only single hole.	Depth of sub-drilling	Drilling angle
4	Burden	Spacing of holes	Water height
5	Stemming height	Material used for stemming	Check box for flyrock precautions taken <input type="checkbox"/> Mats <input type="checkbox"/> Overburden <input type="checkbox"/> None taken
Additional Blaster notations on shot layout and precautions:			

Block 4 Seismic Control Measures (N/A = Not Applicable)			
1	Was scaled distance formula used? <input type="checkbox"/> Yes <input type="checkbox"/> No	Indicate which scaled distance equation was used. <input type="checkbox"/> N/A <input type="checkbox"/> $W(lb) = \{D(ft)/50\}^2$ <input type="checkbox"/> $W(lb) = \{D(ft)/55\}^2$ <input type="checkbox"/> $W(lb) = \{D(ft)/65\}^2$	Maximum allowable charge weight per 8 ms based on scaled distance. <input type="checkbox"/> N/A
2	Was seismograph used? <input type="checkbox"/> Yes <input type="checkbox"/> No	Seismograph manufacturer and model number: <input type="checkbox"/> N/A	Seismograph serial number: <input type="checkbox"/> N/A Seismograph's last calibration date. <input type="checkbox"/> N/A
3	Distance and direction seismograph from blast site <input type="checkbox"/> N/A	Distance determined by: <input type="checkbox"/> N/A <input type="checkbox"/> GPS coordinates <input type="checkbox"/> Estimated <input type="checkbox"/> Measurement	
4	Seismograph <input type="checkbox"/> N/A Geophone Minimum Frequency _____ Hz Seismograph Microphone Minimum Frequency _____ Hz	Seismograph recordings: <input type="checkbox"/> N/A Transverse _____ in/s _____ Hz Vertical _____ in/s _____ Hz Longitudinal _____ in/s _____ Hz Acoustic _____ dB _____ Hz	
5	Seismograph trigger level <input type="checkbox"/> N/A _____ in/s _____ dB		
Additional Blaster notations on seismic control measures:			
Block 5 Quantity and Product			
1	Maximum allowable charge weight per 8 ms interval <input type="checkbox"/> Delay not used _____ lbs	Initiation (Check) <input type="checkbox"/> Electric <input type="checkbox"/> Non-electric <input type="checkbox"/> Electronic	
2	Maximum number of holes/decks per 8 ms interval <input type="checkbox"/> Delay not used _____ lbs		
3	Maximum weight or sticks of explosive per hole _____ lbs	Firing device manufacturer and model: <input type="checkbox"/> N/A	
Explosive Product listing (Attach additional pages as needed.)			

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4	Manufacturer	Product name, description or brand	Number of units	Unit weight (lb)
5	Total explosive weight in this shot: _____ lbs.			
Additional Blaster notations on product and quantities:				

Block 6 Completion of Shot Record and General Comments	
General comments on shot not included in notes above:	
Date shot report completed:	Time shot report completed:
Printed name and signature of person completing shot report if different from Block 1, Lines 5 and 6.	(Print)
	(Signature)

S. Change Section 5608.2 to read:

5608.2- Permit application. Prior to issuing permits for a fireworks display, plans for the fireworks display, inspections of the display site and demonstrations of the display operations shall be approved. A plan establishing procedures to follow and actions to be taken in the event that a shell fails to ignite in, or discharge from, a mortar or fails to function over the fallout area or other malfunctions shall be provided to the fire code official.

In addition to the requirements of Section 5601.2.3.1, a permit to conduct a fireworks display shall not be issued to any applicant without the applicant identifying on the application the pyrotechnician who will be in responsible charge of the fireworks display and who is appropriately certified as a pyrotechnician in accordance with Section 5601.4.1.

Exception: Permits are not required for the use or display of permissible fireworks on private property with the consent of the owner of such property.

T. Change Section 5608.3 to read:

5608.3- Approved fireworks displays. Approved fireworks displays shall include only the approved fireworks 1.3G, fireworks 1.4G, fireworks 1.4S and pyrotechnic articles 1.4G. The design, setup, conducting or direct on-site supervision of the design, setup and conducting of any

fireworks display, either inside a building or outdoors, shall be performed only by persons certified by the SFMO in accordance with Section 5601.4.1 as a pyrotechnician (firework operator) and at least one person properly certified by the SFMO as a pyrotechnician shall be present at the site where the fireworks display is being conducted. The approved fireworks shall be arranged, located, discharged and fired in a manner that will not pose a hazard to property or endanger any person.

Exception: Certification as a pyrotechnician is not required for the use or display of permissible fireworks when conducted on private property with the consent of the owner of such property.

U. Change Section 5608.4 to read:

5608.4 Clearance. Spectators, spectator parking areas, and dwellings, buildings or structures shall not be located within the display site. The site for the outdoor land or water display shall have at least 100-ft/in. (31-m/2.4mm) radius of internal mortar diameter of the largest shell to be fired as shown in Table 5608.4.

Exceptions:

1. This provision shall not apply to pyrotechnic special effects and fireworks displays using Division 1.4G materials before a proximate audience in accordance with NFPA 1126.

2. This provision shall not apply to unoccupied dwellings, buildings and structures with the approval of

the building owner and the fire code official.

V. Add Table 5608.4 to read:

Table 5608.4 Distances for Outdoor Fireworks Display Sites: Minimum Separation Distances from Mortars to Spectators for Land and Water Displays									
Mortar Size ^a		Minimum Secured Diameter of Site		Vertical Mortars ^b		Angled Mortars ^c 1/3 offset		Mortars to Special Hazards ^d	
in.	mm	ft	m	ft	m	ft	m	ft	m
<3	<76	300	92	150	46	100	31	300	92
3	76	600	183	300	92	200	61	600	183
4	102	800	244	400	122	266	81	800	244
5	127	1000	305	500	152	334	102	1000	305
6	152	1200	366	600	183	400	122	1200	366
7	178	1400	427	700	213	467	142	1400	427
8	203	1600	488	800	244	534	163	1600	488
10	254	2000	610	1000	305	667	203	2000	610
12	305	2400	732	1200	366	800	244	2400	732
>12	Requires the approval of the fire official								

^a Aerial shells, mines, and comets shall be classified and described only in terms of the inside diameter of the mortar from which they are fired (e.g., 3-in. (76-mm) aerial shells, mines and comets are only for use in 3-in. (76mm) mortars).

^b Where the mortars are positioned vertically, the mortars shall be placed at the approximate center of the display site.

^c Mortars shall be permitted to be angled during a display to allow for wind and to carry shells away from the main spectator viewing areas. For angled mortars, the minimum secured diameter of the display site does not change. Only the location of the mortars within the secured area changes when the mortars are angled.

^d Note that this is only the distance to the special hazards. The minimum secured diameter of the display site does not change.

W. Add Sections 5608.4.1 and 5608.4.2 to read:

5608.4.1- Non-splitting, non-bursting comets and mines. For non-splitting or non-bursting comets and mines containing only stars or non-splitting or non-bursting comets, the minimum required radius of the display site shall be 50 feet per inch (15.24 m per 25.4 mm) of the internal mortar diameter of the largest comet or mine to be fired, one-half that shown in Table 5608.4.

5608.4.2- Special distance requirements. The minimum distance requirements of Table 5608.4 shall be adjusted as follows:

1. For chain-fused aerial shells and comets and mines to be fired from mortars, racks, or other holders that are sufficiently strong to prevent their being repositioned in the event of an explosive malfunction of the aerial shells, comets, or mines, the minimum required radius shall be the same as that required in Sections 5608.4 and 5608.4.1. For chain-fused aerial shells and comets and

mines to be fired from mortars, racks, or other holders that are not sufficiently strong to prevent their being repositioned in the event of an explosive malfunction of the aerial shells, comets, or mines, or if there is doubt concerning the strength of racks holding chain-fused mortars, based upon the largest mortar in the sequence, the minimum required radius shall be double that required in Sections 5608.4 and 5608.4.1.

2. Distances from the point of discharge of any firework to a health care or detention and correctional facility, or the bulk storage of materials that have flammability, explosive, or toxic hazard shall be at least twice the distances specified in Table 5608.4.

3. The minimum required spectator separation distance for roman candles and cakes that produce aerial shells, comets, or mine effects shall be the same as the minimum required radius specified in Table 5608.4.

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4. Aerial shells, comets and mines, and roman candles and cakes shall be permitted to be angled if the dud shells or components are carried away from the main spectator area and either of the following requirements is satisfied:

4.1. The offset specified in Table 5608.4 is followed.

4.2. The separation distance is correspondingly increased in the direction of the angle.

If the offset provided in Table 5608.4 is followed, the mortars or tubes shall be angled so that any dud shells or components fall at a point approximately equal to the offset of the mortars or tubes from the otherwise required discharge point but in the opposite direction.

13VAC5-51-151. IFC Chapter 57: Flammable and Combustible Liquids.

A. Add Section 5701.1.1 to read:

5701.1.1: Other regulations. Provisions of the Virginia State Water Control Board regulations 9VAC25-91 and 9VAC25-580 addressing the maintenance and operational aspects of underground and aboveground storage tanks subject to those regulations are hereby incorporated by reference to be an enforceable part of this code. Where differences occur between the provisions of this code and the incorporated provisions of the State Water Control Board regulations, the provisions of the State Water Control Board regulations shall apply.

Note: For requirements for the installation, repair, upgrade and closure of such tanks, see Section 414.6.2 of the USBC, Part I, Construction.

B. Change Section 5701.4 to read:

5701.4: Permits. Permits shall be required as set forth in Section 107.2.

C. Add the following exception to Section 5704.2.13.1.3 to read:

Exception: Underground storage tanks subject to the Virginia State Water Control Board regulation 9VAC25-580.

13VAC5-51-151.5. IFC Chapter 58: Flammable Gases and Flammable Cryogenic Fluids.

Change Section 5801.2 to read:

5801.2: Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-152.5. IFC Chapter 59: Flammable Solids.

Change Section 5901.2 to read:

5901.2: Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-153. IFC Chapter 60: Highly Toxic and Toxic Materials.

Change Section 6001.2 to read:

6001.2: Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-154. IFC Chapter 61: Liquefied Petroleum Gases.

A. Change Section 6101.2 to read:

6101.2: Permits. Permits shall be required as set forth in Section 107.2. Distributors shall not fill an LP-gas container for which a permit is required unless a permit for installation has been issued for that location by the fire code official, except when the container is for temporary use on construction sites.

B. Add Section 6106.4 to read:

6106.4: DOTn cylinders filled on site. DOTn cylinders in stationary service that are filled on site and therefore are not under the jurisdiction of DOTn either shall be requalified in accordance with DOTn requirements or shall be visually inspected within 12 years of the date of manufacture or within five years from May 1, 2008, whichever is later, and within every five years thereafter, in accordance with the following:

1. Any cylinder that fails one or more of the criteria in Item 3 shall not be refilled or continued in service until the condition is corrected.

2. Personnel shall be trained and qualified to perform inspections.

3. Visual inspection shall be performed in accordance with the following:

3.1. The cylinder is checked for exposure to fire, dents, cuts, digs, gouges, and corrosion according to CGA C-6, Standards for Visual Inspection of Steel Compressed Gas Cylinders, except that paragraph 4.2.1(1) of that standard (which requires tare weight certification), shall not be part of the required inspection criteria.

3.2. The cylinder protective collar (where utilized) and the foot ring are intact and are firmly attached.

3.3. The cylinder is painted or coated to retard corrosion.

3.4. The cylinder pressure relief valve indicates no visible damage, corrosion of operating components, or obstructions.

3.5. There is no leakage from the cylinder or its appurtenances that is detectable without the use of instruments.

3.6. The cylinder is installed on a firm foundation and is not in contact with the soil.

3.7. A cylinder that passed the visual inspection shall be marked with the month and year of the examination followed by the letter "E" (example: 10-01E, indicating requalification in October 2001 by the external inspection method).

3.8. The results of the visual inspection shall be documented, and a record of the inspection shall be retained for a five-year period.

Exception: Any inspection procedure outlined in Items 3.1 through 3.8 that would require a cylinder be moved in such a manner that disconnection from the piping system would be necessary shall be omitted, provided the other inspection results do not indicate further inspection is warranted.

C. Change Section 6111.2 to read:

6111.2- Unattended parking. The unattended parking of LP-gas tank vehicles shall be in accordance with Sections 6111.2.1 and 6111.2.2.

Exception: The unattended outdoor parking of LP-gas tank vehicles may also be in accordance with Section 9.7.2 of NFPA 58.

13VAC5-51-154.2. IFC Chapter 62: Organic Peroxides.

Change Section 6201.2 to read:

6201.2- Permits. Permits shall be required for organic peroxides as set forth in Section 107.2.

13VAC5-51-154.4. IFC Chapter 63: Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids.

Change Section 6301.2 to read:

6301.2- Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-154.6. IFC Chapter 64: Pyrophoric Materials.

Change Section 6401.2 to read:

6401.2- Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-154.7. IFC Chapter 65: Pyroxylin (Cellulose Nitrate) Plastics.

Change Section 6501.2 to read:

6501.2- Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-154.8. IFC Chapter 66: Unstable (Reactive) Materials.

Change Section 6601.2 to read:

6601.2- Permits. Permits shall be required as set forth in Section 107.2.

13VAC5-51-155. IFC Chapter 80: Referenced Standards.

Change the referenced standards as follows (standards not shown remain the same):

Standard reference number	Title	Referenced in code section number
CGA C-6 (2001)	Standards for Visual Inspection of Steel Compressed Gas Cylinders	6106.4

<u>NFPA 45-15</u>	<u>Standard on Fire Protection for Laboratories Using Chemicals</u>	<u>5001.7.5,</u> <u>5001.7.10,</u> <u>5001.7.11</u>
<u>UL 87A-12</u>	<u>Outline of Investigation for Power-Operated Dispensing Devices for Gasoline and Gasoline/ethanol Blends with Nominal Ethanol Concentrations up to 85 Percent</u>	<u>2306.8.1</u>
<u>UL 1278-00</u>	<u>Standard for Movable and Wall- or Ceiling-Hung Electric Room Heaters</u>	<u>605.10.1</u>
<u>UL 1805-2002</u>	<u>Standard for Laboratory Hoods and Cabinets</u>	<u>5001.7.11</u>

DOCUMENTS INCORPORATED BY REFERENCE (13VAC5-51)

~~The International Fire Code—2012 Edition~~, International Code Council, Inc., 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070 (<http://www.iccsafe.org>):

International Fire Code - 2015 Edition

International Residential Code - 2015 Edition

CGA C-6 – 2001, Standards for Visual Inspection of Steel Compressed Gas Cylinders, Eighth Edition, Compressed Gas Association, 1725 Jefferson Davis Highway, 5th Floor, Arlington, VA 22202-4102

National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471 (<http://www.nfpa.org>):

NFPA 45-15, Standard on Fire Protection for Laboratories Using Chemicals

NFPA 58-11, Liquefied Petroleum Gas Code

NFPA ~~70-14~~ 70-14, National Electrical Code

NFPA ~~72-10~~ 72-13, National Fire Alarm and Signaling Code

NFPA ~~495-10~~ 495-13, Explosives Materials Code

NFPA 701-10, Standard Methods of Fire Tests for Flame - Propagation of Textiles and Films

NFPA ~~1123-10~~ 1123-14, Code for Fireworks Display

NFPA 1124-06, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles

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NFPA 1126-11, Standard for the Use of Pyrotechnics Before a Proximate Audience

Underwriters Laboratories, Inc., 333 Pfingsten Road, Northbrook, IL 60062 (<http://www.ul.com>):

UL 87A-12, Outline of Investigation for Power-Operated Dispensing Devices for Gasoline and Gasoline/ethanol Blends with Nominal Ethanol Concentrations up to 85 Percent

UL 1278-00, Standard for Movable and Wall- or Ceiling-Hung Electric Room Heaters, Third Edition, June 21, 2000

UL 1805-2002, Standard for Laboratory Hoods and Cabinets

VA.R. Doc. No. R16-4665; Filed January 20, 2017, 2:39 p.m.

Proposed Regulation

REGISTRAR'S NOTICE: The Board of Housing and Community Development is claiming an exemption from Article 2 of the Administrative Process Act pursuant to § 2.2-4006 A 12 of the Code of Virginia, which excludes regulations adopted by the Board of Housing and Community Development pursuant to the Statewide Fire Prevention Code (§ 27-94 et seq.), the Industrialized Building Safety Law (§ 36-70 et seq.), the Uniform Statewide Building Code (§ 36-97 et seq.), and § 36-98.3 of the Code of Virginia, provided the board (i) provides a Notice of Intended Regulatory Action in conformance with the provisions of § 2.2-4007.01, (ii) publishes the proposed regulation and provides an opportunity for oral and written comments as provided in § 2.2-4007.03, and (iii) conducts at least one public hearing as provided in § 2.2-4009 and 36-100 prior to the publishing of the proposed regulations.

Title of Regulation: **13VAC5-63. Virginia Uniform Statewide Building Code (amending 13VAC5-63-10 through 13VAC5-63-50, 13VAC5-63-70, 13VAC5-63-80, 13VAC5-63-170, 13VAC5-63-200, 13VAC5-63-210, 13VAC5-63-220, 13VAC5-63-230 through 13VAC5-63-264, 13VAC5-63-270 through 13VAC5-63-330, 13VAC5-63-360, 13VAC5-63-370, 13VAC5-63-400, 13VAC5-63-410, 13VAC5-63-430, 13VAC5-63-434, 13VAC5-63-440, 13VAC5-63-450, 13VAC5-63-470, 13VAC5-63-480, 13VAC5-63-490, 13VAC5-63-510 through 13VAC5-63-540; adding 13VAC5-63-268, 13VAC5-63-431, 13VAC5-63-432.5, 13VAC5-63-433, 13VAC5-63-433.5, 13VAC5-63-434.5, 13VAC5-63-435, 13VAC5-63-439, 13VAC5-63-524, 13VAC5-63-545, 13VAC5-63-549; repealing 13VAC5-63-225, 13VAC5-63-350).**

Statutory Authority: § 36-98 of the Code of Virginia.

Public Hearing Information:

May 15, 2017 - 10 a.m. - Virginia Housing Development Authority Virginia Housing Center, 4224 Cox Road, Glen Allen, VA 23060

Public Comment Deadline: April 21, 2017.

Agency Contact: Elizabeth O. Rafferty, Policy and Legislative Director, Department of Housing and Community Development, Main Street Centre, 600 East Main Street, Suite 300, Richmond, VA 23219, telephone (804) 371-7011, FAX (804) 371-7090, TTY (804) 371-7089, or email elizabeth.rafferty@dhcd.virginia.gov.

Background: The Virginia Uniform Statewide Building Code (USBC) governs the construction, maintenance, and rehabilitation of new and existing building and structures. The USBC uses nationally recognized model building codes and standards produced by the International Code Council and other standard-writing groups as the basis for the technical provisions of the regulation. Every three years, new editions of the model codes become available. At that time, the Board of Housing and Community Development initiates a regulatory action to incorporate the newest editions of the model codes into the regulation and accepts proposals for changes to the regulation from affected client groups and the public. The Department of Housing and Community Development staff maintains mailing lists for workgroups involving different subject areas of regulation and conducts workgroup meetings to develop consensus recommendations, when possible, concerning submitted proposals. The department uses an online program incorporating the provisions of the regulation and the model codes and standards to facilitate the submittal of proposals. A public hearing is held during the workgroup meeting stage of the process and a comment period established. Once workgroup meetings are completed, the board holds a series of meetings to consider each proposal, and the approved proposals are incorporated into the proposed regulation. After publication of the proposed regulation, the board establishes a comment period for the acceptance of comments on amendments reflected in the proposed regulation, and an additional public hearing is held. The board then meets to consider proposals and public comments and develops a final regulation to complete the regulatory process.

Summary:

The proposed regulatory action incorporates the newest editions of the nationally recognized model codes, produced by the International Code Council (ICC) and other standard-writing groups, into the Virginia Uniform Statewide Building Code (USBC).

The proposed substantive amendments in this regulatory action include the following:

13VAC5-63-10 A and B: Updates the incorporation by reference to the latest ICC International Codes and standards.

13VAC5-63-20: Clarification of the exemption in the USBC for public utilities to include wiring and equipment of telecommunication (cellular telephone) companies. In addition, a new exemption for conveyor systems is added in subdivision D 3, as such equipment is not part of a building and therefore not within the scope of the USBC.

In subdivision D 6 language is added to clarify that the demolition of manufactured homes or industrialized buildings is subject to the USBC. The prior edition of the code did not have explicit language addressing this, but demolition is a form of construction, so it did fall within the scope of the code.

13VAC5-63-30 D: Establishes a new provision for existing college research laboratories to permit compliance with special provisions in Part II of the USBC (the Virginia Existing Building Code; formerly the Virginia Rehabilitation Code) when utilizing new or differing amount of certain hazardous materials. The new provision is part of comprehensive changes to the USBC and the Statewide Fire Prevention Code (13VAC5-51) (SFPC) developed by an ad hoc committee of affected parties and representatives of educational research laboratories. The language is based on actions approved at the ICC hearings for the 2018 editions of the International Codes with conditions specific to Virginia institutions considered in the final language.

13VAC5-63-50 E and I: The Virginia Certification Standards (13VAC5-21) (VCS), also under the authority of the BHCD, were amended in September of 2014 to include requirements for continuing education and periodic training for all inspector certificates issued by the BHCD. Formerly the requirements were in the USBC, SFPC, and Virginia Amusement Device Regulations. Now that the VCS contains those requirements, duplicate requirements in the USBC are no longer necessary and are therefore being deleted.

13VAC5-63-80 B 16: A new permit exemption is added for work on billboards necessary to comply with federal guidelines of the Occupational Safety and Health Administration that is necessary so that sign companies are not subject to varying requirements from jurisdiction to jurisdiction, and safeguards are in place through the federal requirements to assure safe installations without the necessity for a USBC permit.

13VAC5-63-210 C: A new provision is added to address day treatment facilities licensed by the Virginia Department of Behavioral Health and Developmental Services to clarify that buildings used for such purposes must have sprinkler systems if located above the second story. This is necessary due to the inability of the occupants of the treatment facilities to be able to exit quickly if an emergency exists. Many occupants need assistance in evacuating due to physical or mental limitations; therefore, in sprinklered buildings, the occupants could be moved to protected areas on the floor they are on without the spread of fire to those areas since the fire would be suppressed by the sprinkler system.

13VAC5-63-210 D: An allowance is added for alcohol to be stored in wooden barrels or casks without complying with the hazardous material provisions of the code. The

language was in the International Fire Code, but not in the International Building Code, as those codes are developed independently in the ICC code development process. The language is necessary to assure all breweries and producers of distilled spirits and wines are subject to consistent requirements and is based on the fact that there is no evidence that storage in wooden barrels or casks is a potential fire hazard necessitating the requirements of the code used for explosives, fireworks, flammable gases such as liquefied petroleum gas, and gasoline and diesel fuels to be applicable.

13VAC5-63-210 T 4: Adds a new exception 7 to the requirements of the International Residential Code (IRC) for separation of dwellings from lot lines to recognize zoning ordinances that require setbacks to prevent houses on adjacent lots from being within 10 feet of each other. This allows flexibility in the clustering of homes for zoning purposes and accomplishes the building code objective of maintaining fire separation distances between dwellings. The IRC requires any building wall within five feet of a property line to be of fire-rated construction without this exception.

13VAC5-63-210 T 37 and T 38: Relocates the interior passageway requirements for new homes (former subdivision T 14) and clarifies the text. Removes difficult to apply language involving doors at the end of a hallway. The overall goal of the provision is to provide doors for wheelchair users on the main level of new dwellings.

13VAC5-63-210 T 45 and T 46: Adds tables permitting the use of No. 2 (quality) southern yellow pine (wood) of appropriate spans to be used in the framing of homes. The tables in the existing regulation (2012 edition) inadvertently omitted spans for No. 2 pine and only permitted No. 1 quality, which is not readily available by wood distributors.

13VAC5-63-210 T 61: Deletes former subdivision T 94 that required only 50% of new lamps (light bulbs) to be high efficacy (efficiency) bulbs. This deletion will allow the provisions of the IRC to be applicable, which require 75% of new bulbs to be high efficiency.

13VAC5-63-210 T 69: Adds new provisions to permit the use of a corrugated gas tubing with coatings to prevent lightning arcs from causing holes in the tubing. The product has undergone the approval process through the National Fuel Gas Code and the American National Standards Institute standard writing process.

13VAC5-63-210 T 74: From a proposal submitted by the Virginia State Corporation Commission, a new provision is added to require a tracer wire to be installed in the ditch with nonmetallic water service piping to new homes. This will enable other utilities to locate the water service line when installing additional underground lines and prevent the possible inadvertent rupturing of the water service line. There was a case where a gas line crossed a water service

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line that was not pressurized yet and gas traveled up the water service line and caused an explosion in the house it served. Tracer wire is already required by the USBC for nonmetallic sewer lines.

13VAC5-63-220 X and Y: Establishes a new provision for new college research laboratories to utilize certain hazardous materials inherent in operations without having to fully comply with the hazardous material provisions of the code as the use of such materials is in limited quantity. The new provision is part of comprehensive changes to the USBC and the Statewide Fire Prevention Code (13VAC5-51) (SFPC) developed by an ad hoc committee of affected parties and representatives of educational research laboratories. The language is based on actions approved at the ICC hearings for the 2018 editions of the International Codes with conditions specific to Virginia institutions considered in the final language.

13VAC5-63-230 E: Reestablishes exceptions for when smoke and fire dampers are required in shaft enclosures for heating, ventilating and air-conditioning duct systems. The exceptions were in the 2009 edition of the USBC and were deleted in the 2012 edition based on wording in the 2012 International Building Code (IBC); however, since the wording in the 2012 IBC differed slightly from the 2009 USBC language, the 2009 exceptions are being reinserted.

13VAC5-63-245 L and Q: Adds language in the IBC that is consistent with the IRC stairway landing requirements when dwelling units are being designed under the IBC, such as four-story townhomes that are outside of the scope of the IRC. The same hazards exist for dwellings, whether constructed under the IBC or the IRC.

13VAC5-63-264 A 13: Deletes former subdivision A 21 that required only 50% of new lamps (light bulbs) to be high efficacy (efficiency) bulbs in buildings subject to the International Energy Conservation Code (IECC). This deletion will allow the provisions of the 2015 IECC to be applicable, which require 75% of new bulbs to be high efficiency.

13VAC5-63-295 B and C: Adds tables permitting the use of No. 2 (quality) southern yellow pine (wood) of appropriate spans to be used in the framing of dwellings constructed under the IBC. The tables in the existing regulation (2012 edition) inadvertently omitted spans for No. 2 pine and only permitted No. 1 quality, which is not readily available by wood distributors.

13VAC5-63-310 D 1, D 7, and D 8: Add requirements for pollution control units where such systems are voluntarily installed. The use of these systems to control pollutants in grease ducts in restaurants and other facilities having grease ducts has become more prevalent, and this language was approved for the 2018 International Mechanical Code (IMC) at the ICC process in time for implementing in it Virginia for the 2015 USBC.

13VAC5-63-310 D 9: Reestablishes exceptions for when smoke and fire dampers are required in shaft enclosures for heating, ventilating, and air-conditioning duct systems. The exceptions were in the 2009 edition of the USBC (in both the IBC and the IMC) and were deleted in the 2012 edition based on wording in the 2012 IMC; however, since the wording in the 2012 IMC differed slightly from the 2009 USBC language, the 2009 exceptions are being reinserted.

13VAC5-63-310 E 2 and E 5: Adds new sections to permit the use of a corrugated gas tubing with coatings to prevent lightning arcs from causing holes in the tubing in buildings subject to the IBC. The product has undergone the approval process through the National Fuel Gas Code and the American National Standards Institute standard writing process.

13VAC5-63-431 A, B, and C: Modifies the wording of the 2005 edition of the ICC International Existing Building Code (IEBC) for use in Part II of the USBC, which governs alterations, additions, and change of occupancy of existing buildings. The new wording permits an additional compliance method for alterations and repairs based on the code in effect when the building was originally constructed.

13VAC5-63-431 D: Establishes the technical requirements for a new provision for existing college research laboratories when utilizing new or differing amount of certain hazardous materials. The requirements are part of comprehensive changes to the USBC and SFPC developed by an ad hoc committee of affected parties and representatives of educational research laboratories. The language is based on actions approved at the ICC hearings for the 2018 editions of the International Codes with conditions specific to Virginia institutions considered in the final language.

13VAC5-63-422 A, B, and C: Minor changes to the 2015 IEBC to clarify the classifications of work that are covered under the Level Method of compliance in the IEBC and how the work area concept is to be applied. Clarifying language is also added for addressing buildings that have horizontal fire separation as only vertical fire separation was addressed.

13VAC5-63-433.5, 13VAC5-63-434, 13VAC5-63-434.5, 13VAC5-63-435, 13VAC5-63-439, and 13VAC5-63-440. Minor changes to the 2015 IEBC developed by an ad hoc group preparing a training module for the department's Jack A. Proctor Building Code Academy for Part II of the USBC. These changes clarify the requirements of the different compliance methods set out in the IEBC based on questions raised during the development of the training module.

Clarifying proposed changes in this regulatory action include amendments to 13VAC5-63-450 through 13VAC5-63-545: Part III of the USBC (13VAC5-63-450 et seq.) that

is known as the Virginia Maintenance Code (VMC) and sets out provisions requiring existing buildings and structures to be maintained in accordance with the codes in effect when such buildings and structures were constructed. The VMC incorporates the ICC International Property Maintenance Code (IPMC). Since its inception, the VMC has contained administrative language limiting the use of the provisions of the IPMC to only those provisions requiring maintenance and disallowing the use of any provisions of the IPMC that would require existing buildings or structures to be upgraded or retrofitted to meet newer code requirements. This arrangement has caused confusion among code enforcing agencies and those affected by the code. The department, under direction from the Board of Housing and Community Development, convened an ad hoc committee of all affected parties and organizations to develop a draft of the VMC. The proposed amendments remove any provisions of the IPMC requiring existing buildings or structures to be upgraded or retrofitted; thus eliminating the need to depend upon the administrative provisions for the proper application of the VMC.

The proposed changes to the provisions of the VMC in this action are therefore editorial in nature, but fairly extensive. The ad hoc committee evaluated every provision in the IPMC and where any provision required the upgrading or retrofitting of existing buildings, the wording of that section was changed to just require maintenance of the aspect of construction being addressed by the section, since the administrative provisions of the VMC would have prevented any such provision from being enforceable. The end result is a code in which all the provisions left intact or modified are fully enforceable without a comparison to the administrative provisions to determine whether they may be enforced.

Part I
Construction

13VAC5-63-10. Chapter 1 Administration; Section 101 General.

A. Section 101.1 Short title. The Virginia Uniform Statewide Building Code, Part I, Construction, may be cited as the Virginia Construction Code or as the VCC. The term "USBC" shall mean the VCC unless the context in which the term is used clearly indicates it to be an abbreviation for the entire Virginia Uniform Statewide Building Code or for a different part of the Virginia Uniform Statewide Building Code.

Note: This code is also known as the ~~2012~~ 2015 edition of the USBC due to the use of the ~~2012~~ 2015 editions of the model codes.

B. Section 101.2 Incorporation by reference. Chapters 2 - 35 of the ~~2012~~ 2015 International Building Code, published by the International Code Council, Inc., are adopted and incorporated by reference to be an enforceable part of the

USBC. The term "IBC" means the ~~2012~~ 2015 International Building Code, published by the International Code Council, Inc. Any codes and standards referenced in the IBC are also considered to be part of the incorporation by reference, except that such codes and standards are used only to the prescribed extent of each such reference. In addition, any provisions of the appendices of the IBC specifically identified to be part of the USBC are also considered to be part of the incorporation by reference.

Note 1: The IBC references other International Codes and standards including the following major codes:

~~2012~~ 2015 International Plumbing Code (IPC)

~~2012~~ 2015 International Mechanical Code (IMC)

~~2014~~ 2014 NFPA 70

~~2012~~ 2015 International Fuel Gas Code (IFGC)

~~2012~~ 2015 International Energy Conservation Code (IECC)

~~2012~~ 2015 International Residential Code (IRC)

Note 2: The IRC is applicable to the construction of detached one-family and two-family dwellings and townhouses as set out in Section 310.

C. Section 101.3 Numbering system. A dual numbering system is used in the USBC to correlate the numbering system of the Virginia Administrative Code with the numbering system of the IBC. IBC numbering system designations are provided in the catchlines of the Virginia Administrative Code sections. Cross references between sections or chapters of the USBC use only the IBC numbering system designations. The term "chapter" is used in the context of the numbering system of the IBC and may mean a chapter in the USBC, a chapter in the IBC or a chapter in a referenced code or standard, depending on the context of the use of the term. The term "chapter" is not used to designate a chapter of the Virginia Administrative Code, unless clearly indicated.

D. Section 101.4 Arrangement of code provisions. The USBC is comprised of the combination of (i) the provisions of Chapter 1, Administration, which are established herein, (ii) Chapters 2 - 35 of the IBC, which are incorporated by reference in Section 101.2, and (iii) the changes to the text of the incorporated chapters of the IBC that are specifically identified. The terminology "changes to the text of the incorporated chapters of the IBC that are specifically identified" shall also be referred to as the "state amendments to the IBC." Such state amendments to the IBC are set out using corresponding chapter and section numbers of the IBC numbering system. In addition, since Chapter 1 of the IBC is not incorporated as part of the USBC, any reference to a provision of Chapter 1 of the IBC in the provisions of Chapters 2 - 35 of the IBC is generally invalid. However, where the purpose of such a reference would clearly correspond to a provision of Chapter 1 established herein, then the reference may be construed to be a valid reference to such corresponding Chapter 1 provision.

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E. Section 101.5 Use of terminology and notes. The provisions of this code shall be used as follows:

1. The term "this code," or "the code," where used in the provisions of Chapter 1, in Chapters 2 - 35 of the IBC or in the state amendments to the IBC means the USBC, unless the context clearly indicates otherwise.
2. The term "this code" or "the code" where used in a code or standard referenced in the IBC means that code or standard, unless the context clearly indicates otherwise.
3. The use of notes in Chapter 1 is to provide information only and shall not be construed as changing the meaning of any code provision.
4. Notes in the IBC, in the codes and standards referenced in the IBC and in the state amendments to the IBC may modify the content of a related provision and shall be considered to be a valid part of the provision, unless the context clearly indicates otherwise.

F. Section 101.6 Order of precedence. The provisions of this code shall be used as follows:

1. The provisions of Chapter 1 of this code supersede any provisions of Chapters 2 - 35 of the IBC that address the same subject matter and impose differing requirements.
2. The provisions of Chapter 1 of this code supersede any provisions of the codes and standards referenced in the IBC that address the same subject matter and impose differing requirements.
3. The state amendments to the IBC supersede any provisions of Chapters 2 - 35 of the IBC that address the same subject matter and impose differing requirements.
4. The state amendments to the IBC supersede any provisions of the codes and standards referenced in the IBC that address the same subject matter and impose differing requirements.
5. The provisions of Chapters 2 - 35 of the IBC supersede any provisions of the codes and standards referenced in the IBC that address the same subject matter and impose differing requirements.

G. Section 101.7 Administrative provisions. The provisions of Chapter 1 establish administrative requirements, which include but are not limited to provisions relating to the scope of the code, enforcement, fees, permits, inspections and disputes. Any provisions of Chapters 2 - 35 of the IBC or any provisions of the codes and standards referenced in the IBC that address the same subject matter and impose differing requirements are deleted and replaced by the provisions of Chapter 1. Further, any administrative requirements contained in the state amendments to the IBC shall be given the same precedence as the provisions of Chapter 1. Notwithstanding the above, where administrative requirements of Chapters 2 - 35 of the IBC or of the codes and standards referenced in the IBC are specifically identified as valid administrative requirements in Chapter 1 of this code or in the state

amendments to the IBC, then such requirements are not deleted and replaced.

Note: The purpose of this provision is to eliminate overlap, conflicts and duplication by providing a single standard for administrative, procedural and enforcement requirements of this code.

H. Section 101.8 Definitions. The definitions of terms used in this code are contained in Chapter 2 along with specific provisions addressing the use of definitions. Terms may be defined in other chapters or provisions of the code and such definitions are also valid.

Note: The order of precedence outlined in Section 101.6 may be determinative in establishing how to apply the definitions in the IBC and in the referenced codes and standards.

13VAC5-63-20. Section 102 Purpose and scope.

A. Section 102.1 Purpose. In accordance with § 36-99 of the Code of Virginia, the purpose of the USBC is to protect the health, safety and welfare of the residents of the Commonwealth of Virginia, provided that buildings and structures should be permitted to be constructed at the least possible cost consistent with recognized standards of health, safety, energy conservation and water conservation, including provisions necessary to prevent overcrowding, rodent or insect infestation, and garbage accumulation; and barrier-free provisions for the physically handicapped and aged.

B. Section 102.2 Scope. This section establishes the scope of the USBC in accordance with § 36-98 of the Code of Virginia. The USBC shall supersede the building codes and regulations of the counties, municipalities and other political subdivisions and state agencies. This code also shall supersede the provisions of local ordinances applicable to single-family residential construction that (i) regulate dwelling foundations or crawl spaces, (ii) require the use of specific building materials or finishes in construction, or (iii) require minimum surface area or numbers of windows; however, this code shall not supersede proffered conditions accepted as a part of a rezoning application, conditions imposed upon the grant of special exceptions, special or conditional use permits or variances, conditions imposed upon a clustering of single-family homes and preservation of open space development through standards, conditions, and criteria established by a locality pursuant to subdivision 8 of § 15.2-2242 of the Code of Virginia or ~~subdivision A-12 of § 15.2-2286~~ § 15.2-2286.1 of the Code of Virginia, or land use requirements in airport or highway overlay districts, or historic districts created pursuant to § 15.2-2306 of the Code of Virginia, or local flood plain regulations adopted as a condition of participation in the National Flood Insurance Program.

Note: Requirements relating to functional design are contained in Section 103.10 of this code.

C. Section 102.2.1 Invalidity of provisions. To the extent that any provisions of this code are in conflict with Chapter 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia or in conflict with the scope of the USBC, those provisions are considered to be invalid to the extent of such conflict.

D. Section 102.3 Exemptions. The following are exempt from this code:

1. Equipment, related wiring, and poles and towers supporting the related structures used for providing wired utility, telecommunications, information, or cable television service in accordance with all of the following conditions:

1.1. The equipment, wiring installed, and supporting structures are owned and controlled by a provider of publicly regulated utility service or a franchised cable television operator and electrical or its affiliates.

1.2. The equipment and related wiring used for radio, broadcast or cable television, telecommunications or information service transmission. The exemption shall apply only if under applicable federal and state law the ownership and control of the equipment and wiring is by the service provider or its affiliates. Such exempt equipment and wiring shall be, and supporting structures are located on either rights-of-way or property for which the service provider has rights of occupancy and entry; however, the structures, including their service equipment,

1.3. Buildings housing or supporting such exempt equipment and wiring shall be subject to the USBC.

1.4. The installation of equipment and wiring, and supporting structures exempted by this section shall not create an unsafe condition prohibited by the USBC.

2. Electrical equipment, transmission equipment, and related wiring used for wireless transmission of radio, broadcast, telecommunications, or information service in accordance with all of the following conditions:

2.1. Buildings housing exempt equipment and wiring and structures supporting exempt equipment and wiring shall be subject to the USBC.

2.2. The equipment and wiring exempted by this section shall not create an unsafe condition prohibited by the USBC.

~~2. 3.~~ Manufacturing and, processing, and product handling machines and equipment that do not produce or process hazardous materials regulated by this code, including those portions of conveyor systems used exclusively for the transport of associated materials or products, and all of the following service equipment associated with the manufacturing or processing machines:

~~2.4. 3.1.~~ Electrical equipment connected after the last disconnecting means.

~~2.2. 3.2.~~ Plumbing piping and equipment connected after the last shutoff valve or backflow device and before the equipment drain trap.

~~2.3. 3.3.~~ Gas piping and equipment connected after the outlet shutoff valve.

Manufacturing and processing machines that produce or process hazardous materials regulated by this code are only required to comply with the code provisions regulating the hazardous materials.

~~3. 4.~~ Parking lots and sidewalks that are not part of an accessible route.

~~4. 5.~~ Nonmechanized playground or recreational equipment such as swing sets, sliding boards, climbing bars, jungle gyms, skateboard ramps, and similar equipment where no admission fee is charged for its use or for admittance to areas where the equipment is located.

~~5. 6.~~ Industrialized buildings subject to the Virginia Industrialized Building Safety Regulations (13VAC5-91) and manufactured homes subject to the Virginia Manufactured Home Safety Regulations (13VAC5-95); except as provided for in Section ~~425~~ 427 and in the case of demolition of such industrialized buildings or manufactured homes.

~~6. 7.~~ Farm buildings and structures, except for a building or a portion of a building located on a farm that is operated as a restaurant as defined in § 35.1-1 of the Code of Virginia and licensed as such by the Virginia Board of Health pursuant to Chapter 2 (§ 35.1-11 et seq.) of Title 35.1 of the Code of Virginia. However, farm buildings and structures lying within a flood plain or in a mudslide-prone area shall be subject to flood-proofing regulations or mudslide regulations, as applicable.

~~7. 8.~~ Federally owned buildings and structures unless federal law specifically requires a permit from the locality. Underground storage tank installations, modifications and removals shall comply with this code in accordance with federal law.

~~8. 9.~~ Off-site manufactured intermodal freight containers, moving containers, and storage containers placed on site temporarily or permanently for use as a storage container.

~~9. 10.~~ Automotive lifts.

13VAC5-63-30. Section 103 Application of code.

A. Section 103.1 General. In accordance with § 36-99 of the Code of Virginia, the USBC shall prescribe building regulations to be complied with in the construction and rehabilitation of buildings and structures, and the equipment therein.

B. Section 103.2 When applicable to new construction. Construction for which a permit application is submitted to the local building department on or after the effective date of the ~~2012~~ 2015 edition of the code shall comply with the provisions of this code, except for permit applications

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submitted during a one-year period beginning on the effective date of the ~~2012~~ 2015 edition of the code. The applicant for a permit during such one-year period shall be permitted to choose whether to comply with the provisions of this code or the provisions of the edition of the code in effect immediately prior to the ~~2012~~ 2015 edition. This provision shall also apply to subsequent amendments to this code based on the effective date of such amendments. In addition, when a permit has been properly issued under a previous edition of this code, this code shall not require changes to the approved construction documents, design or construction of such a building or structure, provided the permit has not been suspended or revoked.

C. Section 103.3 Change of occupancy. No change of occupancy shall be made in any structure when the current USBC requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation. When such a greater degree is required, the owner or the owner's agent shall comply with the following:

1. When involving Group I-2 or I-3, written application shall be made to the local building department for a new certificate of occupancy and the new certificate of occupancy shall be obtained prior to the new use of the structure. When impractical to achieve compliance with this code for the new occupancy classification, the building official shall consider modifications upon application and as provided for in Section 106.3. In addition, the applicable accessibility provisions of Section 1012.8 of Part II of the Virginia Uniform Statewide Building Code, also known as the "Virginia ~~Rehabilitation~~ Existing Building Code," or the "~~VRC~~" "VEBC" shall be met.

Exception: This section shall not be construed to permit noncompliance with any applicable flood load or flood-resistant construction requirements of this code.

2. In other than Group I-2 or I-3, the provisions of the ~~VRC~~ VEBC for change of occupancy shall be met.

D. Section 103.3.1 Group B teaching and research laboratories. Where the use of new or different hazardous materials or a change in the amount of hazardous materials in existing Group B teaching and research laboratories in educational occupancies above the 12th grade would constitute a change of occupancy, Section 302.6 of the VEBC shall be permitted to be used as an acceptable alternative to compliance with change of occupancy requirements to permit the increased amounts of hazardous materials stipulated without the laboratories being classified as Group H.

E. Section 103.4 Additions. Additions to buildings and structures shall comply with the requirements of this code for new construction or shall comply with the ~~VRC~~ VEBC. An existing building or structure plus additions shall comply with the height and area provisions of Chapter 5 and the applicable provisions of Chapter 9. Further, this code shall not require changes to the design or construction of any portions of the building or structure not altered or affected by an addition,

unless the addition has the effect of lowering the current level of safety.

Exceptions:

1. This section shall not be construed to permit noncompliance with any applicable flood load or flood-resistant construction requirements of this code.
2. When this code is used for compliance, existing structural elements carrying gravity loads shall be permitted to comply with Section 1103 of the ~~International Existing Building Code~~ VEBC.

~~E.~~ F. Section 103.5 Reconstruction, alteration or repair in Group R-5 occupancies. The following criteria is applicable to reconstruction, alteration or repair of Group R-5 buildings or structures:

1. Any reconstruction, alteration or repair shall not adversely affect the performance of the building or structure, or cause the building or structure to become unsafe or lower existing levels of health and safety.
2. Parts of the building or structure not being reconstructed, altered or repaired shall not be required to comply with the requirements of this code applicable to newly constructed buildings or structures.
3. The installation of material or equipment, or both, that is neither required nor prohibited shall only be required to comply with the provisions of this code relating to the safe installation of such material or equipment.
4. Material or equipment, or both, may be replaced in the same location with material or equipment of a similar kind or capacity.

Exceptions:

1. This section shall not be construed to permit noncompliance with any applicable flood load or flood-resistant construction requirements of this code.
2. Reconstructed decks, balconies, porches and similar structures located 30 inches (762 mm) or more above grade shall meet the current code provisions for structural loading capacity, connections and structural attachment. This requirement excludes the configuration and height of handrails and guardrails.
3. Compliance with the ~~VRC~~ VEBC shall be an acceptable alternative to compliance with this section at the discretion of the owner or owner's agent.

~~F.~~ G. Section 103.5.1 Equipment changes. Upon the replacement or new installation of any fuel-burning appliances or equipment in existing Group R-5 occupancies, an inspection or inspections shall be conducted to ensure that the connected vent or chimney systems comply with the following:

1. Vent or chimney systems are sized in accordance with the IRC.
2. Vent or chimney systems are clean, free of any obstruction or blockages, defects, or deterioration, and are

in operable condition. Where not inspected by the local building department, persons performing such changes or installations shall certify to the building official that the requirements of Items 1 and 2 of this section are met.

~~G.~~ H. Section 103.6 Reconstruction, alteration, and repair in other occupancies. Reconstruction, alteration, and repair in occupancies other than Group R-5 shall comply with the VRC VEBC.

~~H.~~ I. Section 103.7 Retrofit requirements. The local building department shall enforce the provisions of Section 1701 of the VRC, ~~which require certain existing buildings to be retrofitted with fire protection systems and other safety equipment. Retroactive fire protection system requirements contained in the International Fire Code (IFC) shall not be applicable unless required for compliance with the provisions of Section 1701 of the VRC VEBC.~~

~~I.~~ J. Section 103.8 Nonrequired equipment. The following criteria for nonrequired equipment is in accordance with § 36-103 of the Code of Virginia. Building owners may elect to install partial or full fire alarms or other safety equipment that was not required by the edition of the USBC in effect at the time a building was constructed without meeting current requirements of the code, provided the installation does not create a hazardous condition. Permits for installation shall be obtained in accordance with this code. In addition, as a requirement of this code, when such nonrequired equipment is to be installed, the building official shall notify the appropriate fire official or fire chief.

~~J.~~ K. Section 103.8.1 Reduction in function or discontinuance of nonrequired fire protection systems. When a nonrequired fire protection system is to be reduced in function or discontinued, it shall be done in such a manner so as not to create a false sense of protection. Generally, in such cases, any features visible from interior areas shall be removed, such as sprinkler heads, smoke detectors or alarm panels or devices, but any wiring or piping hidden within the construction of the building may remain. Approval of the proposed method of reduction or discontinuance shall be obtained from the building official.

~~K.~~ L. Section 103.9 Use of certain provisions of referenced codes. The following provisions of the IBC and of other indicated codes or standards are to be considered valid provisions of this code. Where any such provisions have been modified by the state amendments to the IBC, then the modified provisions apply.

1. Special inspection requirements in Chapters 2 - 35.
2. Testing requirements and requirements for the submittal of construction documents in any of the ICC codes referenced in Chapter 35 and in the IRC.
3. Section R301.2 of the IRC authorizing localities to determine climatic and geographic design criteria.
4. Flood load or flood-resistant construction requirements in the IBC or the IRC, including, but not limited to, any

such provisions pertaining to flood elevation certificates that are located in Chapter 1 of those codes. Any required flood elevation certificate pursuant to such provisions shall be prepared by a land surveyor licensed in Virginia or an RDP.

5. Section R101.2 of the IRC.

6. Section ~~N1101.6~~ N1102.1 of the IRC and Sections ~~C101.5.2~~ C402.1.1 and ~~R101.5.2~~ R402.1 of the IECC.

~~L.~~ M. Section 103.10 Functional design. The following criteria for functional design is in accordance with § 36-98 of the Code of Virginia. The USBC shall not supersede the regulations of other state agencies that require and govern the functional design and operation of building related activities not covered by the USBC, including but not limited to (i) public water supply systems, (ii) waste water treatment and disposal systems, and (iii) solid waste facilities. Nor shall state agencies be prohibited from requiring, pursuant to other state law, that buildings and equipment be maintained in accordance with provisions of this code. In addition, as established by this code, the building official may refuse to issue a permit until the applicant has supplied certificates of functional design approval from the appropriate state agency or agencies. For purposes of coordination, the locality may require reports to the building official by other departments or agencies indicating compliance with their regulations applicable to the functional design of a building or structure as a condition for issuance of a building permit or certificate of occupancy. Such reports shall be based upon review of the plans or inspection of the project as determined by the locality. All enforcement of these conditions shall not be the responsibility of the building official, but rather the agency imposing the condition.

Note: Identified state agencies with functional design approval are listed in the "Related Laws Package," which is available from DHCD.

~~M.~~ N. Section 103.11 Amusement devices and inspections. In accordance with § 36-98.3 of the Code of Virginia, to the extent they are not superseded by the provisions of § 36-98.3 of the Code of Virginia and the VADR, the provisions of the USBC shall apply to amusement devices. In addition, as a requirement of this code, inspections for compliance with the VADR shall be conducted either by local building department personnel or private inspectors provided such persons are certified as amusement device inspectors under the VCS.

~~N.~~ O. Section 103.12 State buildings and structures. This section establishes the application of the USBC to state-owned buildings and structures in accordance with § 36-98.1 of the Code of Virginia. The USBC shall be applicable to all state-owned buildings and structures, with the exception that §§ 2.2-1159 through 2.2-1161 of the Code of Virginia shall provide the standards for ready access to and use of state-owned buildings by the physically handicapped.

Any state-owned building or structure or building built on state-owned property for which preliminary plans were

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prepared or on which construction commenced after the initial effective date of the USBC, shall remain subject to the provisions of the USBC that were in effect at the time such plans were completed or such construction commenced. Subsequent reconstruction, renovation or demolition of such building or structure shall be subject to the pertinent provisions of this code.

Acting through the Division of Engineering and Buildings, the Virginia Department of General Services shall function as the building official for state-owned buildings. The department shall review and approve plans and specifications, grant modifications, and establish such rules and regulations as may be necessary to implement this section. It shall provide for the inspection of state-owned buildings and enforcement of the USBC and standards for access by the physically handicapped by delegating inspection and USBC enforcement duties to the State Fire Marshal's Office, to other appropriate state agencies having needed expertise, and to local building departments, all of which shall provide such assistance within a reasonable time and in the manner requested. State agencies and institutions occupying buildings shall pay to the local building department the same fees as would be paid by a private citizen for the services rendered when such services are requested by the department. The department may alter or overrule any decision of the local building department after having first considered the local building department's report or other rationale given for its decision. When altering or overruling any decision of a local building department, the department shall provide the local building department with a written summary of its reasons for doing so.

Notwithstanding any provision of this code to the contrary, roadway tunnels and bridges owned by the Virginia Department of Transportation shall be exempt from this code. The Virginia Department of General Services shall not have jurisdiction over such roadway tunnels, bridges and other limited access highways; provided, however, that the Department of General Services shall have jurisdiction over any occupied buildings within any Department of Transportation rights-of-way that are subject to this code.

Except as provided in subsection ~~D~~ E of § ~~23-38-109~~ 23.1-1016 of the Code of Virginia, and notwithstanding any provision of this code to the contrary, at the request of a public institution of higher education, the Virginia Department of General Services, as further set forth in this provision, shall authorize that institution of higher education to contract with a building official of the locality in which the construction is taking place to perform any inspection and certifications required for the purpose of complying with this code. The department shall publish administrative procedures that shall be followed in contracting with a building official of the locality. The authority granted to a public institution of higher education under this provision to contract with a building official of the locality shall be subject to the

institution meeting the conditions prescribed in subsection ~~B~~ A of § ~~23-38-88~~ 23.1-1002 of the Code of Virginia.

Note: In accordance with § 36-98.1 of the Code of Virginia, roadway tunnels and bridges shall be designed, constructed and operated to comply with fire safety standards based on nationally recognized model codes and standards to be developed by the Virginia Department of Transportation in consultation with the State Fire Marshal ~~and approved by the Virginia Commonwealth Transportation Board~~. Emergency response planning and activities related to the standards ~~approved by the Commonwealth Transportation Board~~ shall be developed by the Department of Transportation and coordinated with the appropriate local officials and emergency service providers. On an annual basis, the Department of Transportation shall provide a report on the maintenance and operability of installed fire protection and detection systems in roadway tunnels and bridges to the State Fire Marshal.

~~Q. P.~~ Section 103.12.1 Certification of state enforcement personnel. State enforcement personnel shall comply with the applicable requirements of Section 105 for certification, ~~periodic maintenance training, and continuing education.~~

13VAC5-63-40. Section 104 Enforcement, generally.

A. Section 104.1 Scope of enforcement. This section establishes the requirements for enforcement of the USBC in accordance with § 36-105 of the Code of Virginia. Enforcement of the provisions of the USBC for construction and rehabilitation shall be the responsibility of the local building department. Whenever a county or municipality does not have such a building department, the local governing body shall enter into an agreement with the local governing body of another county or municipality or with some other agency, or a state agency approved by DHCD for such enforcement. For the purposes of this section, towns with a population of less than 3,500 may elect to administer and enforce the USBC; however, where the town does not elect to administer and enforce the code, the county in which the town is situated shall administer and enforce the code for the town. In the event such town is situated in two or more counties, those counties shall administer and enforce the USBC for that portion of the town situated within their respective boundaries.

However, upon a finding by the local building department, following a complaint by a tenant of a residential dwelling unit that is the subject of such complaint, that there may be a violation of the unsafe structures provisions of Part III of the Virginia Uniform Statewide Building Code, also known as the "Virginia Maintenance Code," or the "VMC," the local building department shall enforce such provisions.

If the local building department receives a complaint that a violation of the VMC exists that is an immediate and imminent threat to the health or safety of the owner, tenant, or occupants of any building or structure, or the owner, occupant, or tenant of any nearby building or structure, and

the owner, occupant, or tenant of the building or structure that is the subject of the complaint has refused to allow the local building official or his agent to have access to the subject building or structure, the local building official or his agent may ~~present sworn testimony to~~ make an affidavit under oath before a magistrate or a court of competent jurisdiction and request that the magistrate or court grant the local building official or his agent an inspection warrant to enable the building official or his agent to enter the subject building or structure for the purpose of determining whether violations of the VMC exist. After issuing a warrant under this section, the magistrate or judge shall file the affidavit in the manner prescribed by § 19.2-54 of the Code of Virginia. After executing the warrant, the local building official or his agents shall return the warrant to the clerk of the circuit court of the city or county wherein the inspection was made. The local building official or his agent shall make a reasonable effort to obtain consent from the owner, occupant, or tenant of the subject building or structure prior to seeking the issuance of an inspection warrant under this section.

The local governing body shall, however, inspect and enforce the provisions of the VMC for elevators, escalators, and related conveyances, except for elevators in single-family and two-family homes and townhouses. Such inspection and enforcement shall be carried out by an agency or department designated by the local governing body.

B. Section 104.2 Interagency coordination. When any inspection functions under this code are assigned to a local agency other than the local building department, such agency shall coordinate its reports of inspection with the local building department.

13VAC5-63-50. Section 105 Local building department.

A. Section 105.1 Appointment of building official. Every local building department shall have a building official as the executive official in charge of the department. The building official shall be appointed in a manner selected by the local governing body. After permanent appointment, the building official shall not be removed from office except for cause after having been afforded a full opportunity to be heard on specific and relevant charges by and before the appointing authority. DHCD shall be notified by the appointing authority within 30 days of the appointment or release of a permanent or acting building official.

Note: Building officials are subject to sanctions in accordance with the VCS.

B. Section 105.1.1 Qualifications of building official. The building official shall have at least five years of building experience as a licensed professional engineer or architect, building, fire or trade inspector, contractor, housing inspector or superintendent of building, fire or trade construction or at least five years of building experience after obtaining a degree in architecture or engineering, with at least three years in responsible charge of work. Any combination of education and experience that would confer equivalent knowledge and

ability shall be deemed to satisfy this requirement. The building official shall have general knowledge of sound engineering practice in respect to the design and construction of structures, the basic principles of fire prevention, the accepted requirements for means of egress and the installation of elevators and other service equipment necessary for the health, safety and general welfare of the occupants and the public. The local governing body may establish additional qualification requirements.

C. Section 105.1.2 Certification of building official. An acting or permanent building official shall be certified as a building official in accordance with the VCS within one year after being appointed as acting or permanent building official.

Exception: A building official in place prior to April 1, 1983, shall not be required to meet the certification requirements in this section while continuing to serve in the same capacity in the same locality.

D. Section 105.1.3 Noncertified building official. Except for a building official exempt from certification under the exception to Section 105.1.2, any acting or permanent building official who is not certified as a building official in accordance with the VCS shall attend the core module of the Virginia Building Code Academy or an equivalent course in an individual or regional code academy accredited by DHCD within 180 days of appointment. This requirement is in addition to meeting the certification requirement in Section 105.1.2.

~~E. Section 105.1.4 Requirements for periodic maintenance and continuing education. Building officials shall attend periodic maintenance training as designated by DHCD. In addition to the periodic maintenance training required above, building officials shall attend 16 hours of continuing education every two years as approved by DHCD. If a building official possesses more than one BHCD certificate, the 16 hours shall satisfy the continuing education requirement for all BHCD certificates.~~

Note: Continuing education and periodic training requirements for DHCD certifications are set out in the VCS.

~~F. E.~~ Section 105.2 Technical assistants. The building official, subject to any limitations imposed by the locality, shall be permitted to utilize technical assistants to assist the building official in the enforcement of the USBC. DHCD shall be notified by the building official within 60 days of the employment of, contracting with or termination of all technical assistants.

Note: Technical assistants are subject to sanctions in accordance with the VCS.

~~G. E.~~ Section 105.2.1 Qualifications of technical assistants. A technical assistant shall have at least three years of experience and general knowledge in at least one of the following areas: building construction; building, fire or housing inspections; plumbing, electrical or mechanical trades; or fire protection, elevator or property maintenance

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work. Any combination of education and experience that would confer equivalent knowledge and ability shall be deemed to satisfy this requirement. The locality may establish additional qualification requirements.

~~H. G.~~ Section 105.2.2 Certification of technical assistants. A technical assistant shall be certified in the appropriate subject area within 18 months after becoming a technical assistant. When required by local policy to have two or more certifications, a technical assistant shall obtain the additional certifications within three years from the date of such requirement.

Exception: A technical assistant in place prior to March 1, 1988, shall not be required to meet the certification requirements in this section while continuing to serve in the same capacity in the same locality.

~~I. Section 105.2.3 Requirements for periodic maintenance and continuing education. Technical assistants shall attend periodic maintenance training as designated by DHCD. In addition to the periodic maintenance training required above, technical assistants shall attend 16 hours of continuing education every two years as approved by DHCD. If a technical assistant possesses more than one DHCD certificate, the 16 hours shall satisfy the continuing education requirement for all DHCD certificates.~~

Note: Continuing education and periodic training requirements for DHCD certifications are set out in the VCS.

~~J. H.~~ Section 105.3 Conflict of interest. The standards of conduct for building officials and technical assistants shall be in accordance with the provisions of the State and Local Government Conflict of Interests Act, Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2 of the Code of Virginia.

~~K. I.~~ Section 105.4 Records. The local building department shall retain a record of applications received, permits, certificates, notices and orders issued, fees collected and reports of inspection in accordance with The Library of Virginia's General Schedule Number Six.

13VAC5-63-70. Section 107 Fees.

A. Section 107.1 Authority for charging fees. In accordance with § 36-105 of the Code of Virginia, fees may be levied by the local governing body in order to defray the cost of enforcement of the USBC.

Note: See subsection D of § 36-105 of the Code of Virginia for rules for permit fees involving property with easements or liens.

B. Section 107.1.1 Fee schedule. The local governing body shall establish a fee schedule incorporating unit rates, which may be based on square footage, cubic footage, estimated cost of construction or other appropriate criteria. A permit or any amendments to an existing permit shall not be issued until the designated fees have been paid, except that the building official may authorize the delayed payment of fees.

C. Section 107.1.2 Refunds. When requested in writing by a permit holder, the locality shall provide a fee refund in the

case of the revocation of a permit or the abandonment or discontinuance of a building project. The refund shall not be required to exceed an amount which correlates to work not completed.

D. Section 107.1.3 Fees for generators used with amusement devices. Fees for generators and associated wiring used with amusement devices shall only be charged under the Virginia Amusement Device Regulations (13VAC5-31).

E. Section 107.2 Code academy fee levy. In accordance with subdivision 7 of § 36-137 of the Code of Virginia, the local building department shall collect a 2.0% levy of fees charged for permits issued under this code and transmit it quarterly to DHCD to support training programs of the Virginia Building Code Academy. Localities that maintain individual or regional training academies accredited by DHCD shall retain such levy.

13VAC5-63-80. Section 108 Application for permit.

A. Section 108.1 When applications are required. Application for a permit shall be made to the building official and a permit shall be obtained prior to the commencement of any of the following activities, except that applications for emergency construction, alterations or equipment replacement shall be submitted by the end of the first working day that follows the day such work commences. In addition, the building official may authorize work to commence pending the receipt of an application or the issuance of a permit.

1. Construction or demolition of a building or structure. Installations or alterations involving (i) the removal or addition of any wall, partition or portion thereof, (ii) any structural component, (iii) the repair or replacement of any required component of a fire or smoke rated assembly, (iv) the alteration of any required means of egress system, (v) water supply and distribution system, sanitary drainage system or vent system, (vi) electric wiring, (vii) fire protection system, mechanical systems, or fuel supply systems, or (viii) any equipment regulated by the USBC.

2. For change of occupancy, application for a permit shall be made when a new certificate of occupancy is required under Section 103.3.

3. Movement of a lot line that increases the hazard to or decreases the level of safety of an existing building or structure in comparison to the building code under which such building or structure was constructed.

4. Removal or disturbing of any asbestos containing materials during the construction or demolition of a building or structure, including additions.

B. Section 108.2 Exemptions from application for permit. Notwithstanding the requirements of Section 108.1, application for a permit and any related inspections shall not be required for the following; however, this section shall not be construed to exempt such activities from other applicable requirements of this code. In addition, when an owner or an

owner's agent requests that a permit be issued for any of the following, then a permit shall be issued and any related inspections shall be required.

1. Installation of wiring and equipment that (i) operates at less than 50 volts, (ii) is for network powered broadband communications systems, or (iii) is exempt under Section 102.3(1) or 102.3(2), except when any such installations are located in a plenum, penetrate fire rated or smoke protected construction or are a component of any of the following:

- 1.1. Fire alarm system.
- 1.2. Fire detection system.
- 1.3. Fire suppression system.
- 1.4. Smoke control system.
- 1.5. Fire protection supervisory system.
- 1.6. Elevator fire safety control system.
- 1.7. Access or egress control system or delayed egress locking or latching system.
- 1.8. Fire damper.
- 1.9. Door control system.

2. One story detached structures used as tool and storage sheds, playhouses or similar uses, provided the building area does not exceed 256 square feet (23.78 m²) and the structures are not classified as a Group F-1 or H occupancy.

3. Detached prefabricated buildings housing the equipment of a publicly regulated utility service, provided the floor area does not exceed 150 square feet (14 m²).

4. Tents or air-supported structures, or both, that cover an area of 900 square feet (84 m²) or less, including within that area all connecting areas or spaces with a common means of egress or entrance, provided such tents or structures have an occupant load of 50 or less persons.

5. Fences of any height unless required for pedestrian safety as provided for by Section 3306, or used for the barrier for a swimming pool.

6. Concrete or masonry walls, provided such walls do not exceed six feet in height above the finished grade. Ornamental column caps shall not be considered to contribute to the height of the wall and shall be permitted to extend above the six feet height measurement.

7. Retaining walls supporting less than three feet of unbalanced fill that are not constructed for the purpose of impounding Class I, II or III-A liquids or supporting a surcharge other than ordinary unbalanced fill.

8. Swimming pools that have a surface area not greater than 150 square feet (13.95 m²), do not exceed 5,000 gallons (19 000 L) and are less than 24 inches (610 mm) deep.

9. Signs under the conditions in Section H101.2 of Appendix H.

10. Replacement of above-ground existing LP-gas containers of the same capacity in the same location and associated regulators when installed by the serving gas supplier.

11. Flagpoles 30 feet (9144 mm) or less in height.

12. Temporary ramps serving dwelling units in Group R-3 and R-5 occupancies where the height of the entrance served by the ramp is no more than 30 inches (762 mm) above grade.

13. Construction work deemed by the building official to be minor and ordinary and which does not adversely affect public health or general safety.

14. Ordinary repairs that include the following:

14.1. Replacement of windows and doors with windows and doors of similar operation and opening dimensions that do not require changes to the existing framed opening and that are not required to be fire rated in Group R-2 where serving a single dwelling unit and in Groups R-3, R-4 and R-5.

14.2. Replacement of plumbing fixtures and well pumps in all groups without alteration of the water supply and distribution systems, sanitary drainage systems or vent systems.

14.3. Replacement of general use snap switches, dimmer and control switches, 125 volt-15 or 20 ampere receptacles, luminaires (lighting fixtures) and ceiling (paddle) fans in Group R-2 where serving a single dwelling unit and in Groups R-3, R-4 and R-5.

14.4. Replacement of mechanical appliances provided such equipment is not fueled by gas or oil in Group R-2 where serving a single-family dwelling and in Groups R-3, R-4 and R-5.

14.5. Replacement of an unlimited amount of roof covering or siding in Groups R-3, R-4 or R-5 provided the building or structure is not in an area where the nominal design (~~3-second-gust~~) wind speed is greater than 100 miles per hour (~~160 km/hr~~) (44.7 meters per second) and replacement of 100 square feet (9.29 m²) or less of roof covering in all groups and all wind zones.

14.6. Replacement of 100 square feet (9.29 m²) or less of roof decking in Groups R-3, R-4 or R-5 unless the decking to be replaced was required at the time of original construction to be fire-retardant-treated or protected in some other way to form a fire-rated wall termination.

14.7. Installation or replacement of floor finishes in all occupancies.

14.8. Replacement of Class C interior wall or ceiling finishes installed in Groups A, E and I and replacement of all classes of interior wall or ceiling finishes in other groups.

14.9. Installation or replacement of cabinetry or trim.

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14.10. Application of paint or wallpaper.

14.11. Other repair work deemed by the building official to be minor and ordinary which does not adversely affect public health or general safety.

15. Crypts, mausoleums, and columbaria structures not exceeding 1500 square feet (139.35 m²) in area if the building or structure is not for occupancy and used solely for the interment of human or animal remains and is not subject to special inspections.

16. Billboard safety upgrades to add or replace steel catwalks, steel ladders, or steel safety cable.

Exception: Application for a permit may be required by the building official for the installation of replacement siding, roofing and windows in buildings within a historic district designated by a locality pursuant to § 15.2-2306 of the Code of Virginia.

C. Section 108.3 Applicant information, processing by mail. Application for a permit shall be made by the owner or lessee of the relevant property or the agent of either or by the RDP, contractor or subcontractor associated with the work or any of their agents. The full name and address of the owner, lessee and applicant shall be provided in the application. If the owner or lessee is a corporate body, when and to the extent determined necessary by the building official, the full name and address of the responsible officers shall also be provided.

A permit application may be submitted by mail and such permit applications shall be processed by mail, unless the permit applicant voluntarily chooses otherwise. In no case shall an applicant be required to appear in person.

The building official may accept applications for a permit through electronic submissions provided the information required by this section is obtained.

D. Section 108.4 Prerequisites to obtaining permit. In accordance with § 54.1-1111 of the Code of Virginia, any person applying to the building department for the construction, removal or improvement of any structure shall furnish prior to the issuance of the permit either (i) satisfactory proof to the building official that he is duly licensed or certified under the terms or Chapter 11 (§ 54.1-1000 et seq.) of Title 54.1 of the Code of Virginia to carry out or superintend the same or (ii) file a written statement, supported by an affidavit, that he is not subject to licensure or certification as a contractor or subcontractor pursuant to Chapter 11 of Title 54.1 of the Code of Virginia. The applicant shall also furnish satisfactory proof that the taxes or license fees required by any county, city, or town have been paid so as to be qualified to bid upon or contract for the work for which the permit has been applied.

E. Section 108.5 Mechanics' lien agent designation. In accordance with § 36-98.01 of the Code of Virginia, a building permit issued for any one-family or two-family residential dwelling shall at the time of issuance contain, at the request of the applicant, the name, mailing address, and

telephone number of the mechanics' lien agent as defined in § 43-1 of the Code of Virginia. If the designation of a mechanics' lien agent is not so requested by the applicant, the building permit shall at the time of issuance state that none has been designated with the words "None Designated."

Note: In accordance with § 43-4.01A of the Code of Virginia, a permit may be amended after it has been initially issued to name a mechanics' lien agent or a new mechanics' lien agent.

F. Section 108.6 Application form, description of work. The application for a permit shall be submitted on a form or forms supplied by the local building department. The application shall contain a general description and location of the proposed work and such other information as determined necessary by the building official.

G. Section 108.7 Amendments to application. An application for a permit may be amended at any time prior to the completion of the work governed by the permit. Additional construction documents or other records may also be submitted in a like manner. All such submittals shall have the same effect as if filed with the original application for a permit and shall be retained in a like manner as the original filings.

H. Section 108.8 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing unless such application has been pursued in good faith or a permit has been issued, except that the building official is authorized to grant one or more extensions of time if a justifiable cause is demonstrated.

13VAC5-63-170. Section 117 Temporary and moved buildings and structures; demolition.

A. Section 117.1 Temporary buildings and structures. The building official is authorized to issue a permit for temporary buildings or structures. Such permits shall be limited as to time of service, but shall not be permitted for more than one year, except that upon the permit holder's written request, the building official may grant one or more extensions of time, not to exceed one year per extension. The building official is authorized to terminate the approval and order the demolition or removal of temporary buildings or structures during the period authorized by the permit when determined necessary.

B. Section 117.1.1 Temporary uses within existing buildings and structures. The building official shall review and may approve conditions or modifications for temporary uses, including hypothermia and hyperthermia shelters, that may be necessary as long as the use meets the spirit and functional intent intended by this code. The building official is authorized to terminate the approval and order the discontinuance of the temporary use during the period authorized by the permit when determined necessary. The building official shall notify the appropriate fire official or fire chief of the approved temporary use.

C. Section 117.2 Moved buildings and structures. Any building or structure moved into a locality or moved to a new location within a locality shall not be occupied or used until a ~~certification~~ certificate of occupancy is issued for the new location. Such moved buildings or structures shall be required to comply with the requirements of ~~this code for a newly constructed building or structure unless meeting all of the following requirements relative to the new location:~~

- ~~1. There is no change in the occupancy classification from its previous location.~~
- ~~2. The building or structure was in compliance with all state and local requirements applicable to it in its previous location and is in compliance with all state and local requirements applicable if originally constructed in the new location.~~
- ~~3. The building or structure did not become unsafe during the moving process due to structural damage or for other reasons.~~
- ~~4. Any alterations, reconstruction, renovations or repairs made pursuant to the move are in compliance with applicable requirements of the VRC VEBC.~~

D. Section 117.3 Demolition of buildings and structures. Prior to the issuance of a permit for the demolition of any building or structure, the owner or the owner's agent shall provide certification to the building official that all service connections of utilities have been removed, sealed or plugged satisfactorily and a release has been obtained from the associated utility company. The certification shall further provide that written notice has been given to the owners of adjoining lots and any other lots that may be affected by the temporary removal of utility wires or the temporary disconnection or termination of other services or facilities relative to the demolition. In addition, the requirements of Chapter 33 of the IBC for any necessary retaining walls or fences during demolition shall be applicable and when a building or structure is demolished or removed, the established grades shall be restored.

13VAC5-63-200. Chapter 2 Definitions.

A. Add the following definitions to Section 202 of the IBC to read:

Aboveground liquid fertilizer storage tank (ALFST). A device that contains an accumulation of liquid fertilizer (i) constructed of nonearthen materials, such as concrete, steel or plastic, that provide structural support; (ii) having a capacity of 100,000 gallons (378 500 L) or greater; and (iii) the volume of which is more than 90% above the surface of the ground. The term does not include any wastewater treatment or wastewater storage tank, utility or industry pollution control equipment.

Building regulations. Any law, rule, resolution, regulation, ordinance or code, general or special, or compilation thereof, heretofore or hereafter enacted or adopted by the Commonwealth or any county or municipality, including

departments, boards, bureaus, commissions, or other agencies thereof, relating to construction, reconstruction, alteration, conversion, repair, maintenance, or use of structures and buildings and installation of equipment therein. The term does not include zoning ordinances or other land use controls that do not affect the manner of construction or materials to be used in the erection, alteration or repair of a building or structure.

~~Change of occupancy. A change in the use or occupancy of any building or structure that would place the building or structure in a different division of the same group of occupancies or in a different group of occupancies; or a change in the purpose or level of activity within a building or structure that involves a change in application of the requirements of this code.~~

Chemical fume hood. A ventilated enclosure designed to contain and exhaust fumes, gases, vapors, mists, and particulate matter generated within the hood.

Construction. The construction, reconstruction, alteration, repair, or conversion of buildings and structures.

Day-night average sound level (Ldn). A 24-hour energy average sound level expressed in dBA, with a 10 decibel penalty applied to noise occurring between 10 p.m. and 7 a.m.

DHCD. The Virginia Department of Housing and Community Development.

Emergency communication equipment. Emergency communication equipment, includes but is not limited to two-way radio communications, signal booster, bi-directional amplifiers, radiating cable systems, or internal multiple antenna, or a combination of the foregoing.

Emergency public safety personnel. Emergency public safety personnel includes firefighters, emergency medical personnel, law-enforcement officers, and other emergency public safety personnel routinely called upon to provide emergency assistance to members of the public in a wide variety of emergency situations, including but not limited to fires, medical emergencies, violent crimes, and terrorist attacks.

Equipment. Plumbing, heating, electrical, ventilating, air-conditioning and refrigeration equipment, elevators, dumbwaiters, escalators, and other mechanical additions or installations.

Farm building or structure. A building or structure not used for residential purposes, located on property where farming operations take place, and used primarily for any of the following uses or combination thereof:

1. Storage, handling, production, display, sampling or sale of agricultural, horticultural, floricultural or silvicultural products produced in the farm.
2. Sheltering, raising, handling, processing or sale of agricultural animals or agricultural animal products.

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3. Business or office uses relating to the farm operations.
4. Use of farm machinery or equipment or maintenance or storage of vehicles, machinery or equipment on the farm.
5. Storage or use of supplies and materials used on the farm.
6. Implementation of best management practices associated with farm operations.

Hospice facility. An institution, place, or building owned or operated by a hospice provider and licensed by the Virginia Department of Health as a hospice facility to provide room, board, and palliative and supportive medical and other health services to terminally ill patients and their families, including respite and symptom management, on a 24-hour basis to individuals requiring such care pursuant to the orders of a physician.

Industrialized building. A combination of one or more sections or modules, subject to state regulations and including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, to comprise a finished building. Manufactured homes shall not be considered industrialized buildings for the purpose of this code.

Laboratory suite. A fire-rated enclosed laboratory area that will provide one or more laboratory spaces, within a Group B educational occupancy, that are permitted to include ancillary uses such as offices, bathrooms, and corridors that are contiguous with the laboratory area and are constructed in accordance with Section 430.3.

LBBCA. Local board of building code appeals.

Liquid fertilizer. A fluid in which a fertilizer is in true solution. This term does not include anhydrous ammonia or a solution used in pollution control.

Local building department. The agency or agencies of any local governing body charged with the administration, supervision, or enforcement of this code, approval of construction documents, inspection of buildings or structures, or issuance of permits, licenses, certificates or similar documents.

Local governing body. The governing body of any city, county or town in this Commonwealth.

Locality. A city, county or town in this Commonwealth.

Manufactured home. A structure subject to federal regulation, which is transportable in one or more sections; is eight body feet or more in width and 40 body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing,

heating, air-conditioning, and electrical systems contained in the structure.

Marina. Any installation, operating under public or private ownership, that has a structure providing dockage or moorage for boats, other than paddleboats or rowboats, and provides, through sale, rental, fee, or on a free basis, any equipment, supply, or service, including fuel, electricity, or water, for the convenience of the public or its lessees, renters, or users of its facilities. A dock or pier with or without slips that exclusively serves a single-family residential lot for the use of the owner of the lot is not a marina.

Night club. Any building in which the main use is a place of public assembly that provides exhibition, performance or other forms of entertainment; serves alcoholic beverages; and provides music and space for dancing.

Permissible fireworks. Any sparklers, fountains, Pharaoh's serpents, caps for pistols, or pinwheels commonly known as whirligigs or spinning jennies.

Short-term holding area. An area containing a holding cell or cells, or a holding room or rooms, including associated rooms or spaces where the occupants are restrained or detained by the use of security measures not under the occupant's control for less than 24 hours.

Skirting. A weather-resistant material used to enclose the space from the bottom of the manufactured home to grade.

Slip. A berth or space where a boat may be secured to a fixed or floating structure, including a dock, finger pier, boat lift, or mooring buoy.

Sound transmission class (STC) rating. A single number characterizing the sound reduction performance of a material tested in accordance with ASTM E90-90, "Laboratory Measurement of Airborne Sound Transmission Loss of Building Partitions."

State regulated care facility (SRCF). A building with an occupancy in Group R-2, R-3, R-4 or R-5 occupied by persons in the care of others where program oversight is provided by the Virginia Department of Social Services, the Virginia Department of Behavioral Health and Developmental Services, the Virginia Department of Education or the Virginia Department of Juvenile Justice.

State Review Board. The Virginia State Building Code Technical Review Board as established under § 36-108 of the Code of Virginia.

Teaching and research laboratory. A building or portion of a building where hazardous materials are stored, used, and handled for the purpose of testing, analysis, teaching, research, or developmental activities on a nonproduction basis rather than in a manufacturing process.

Technical assistant. Any person employed by or under an extended contract to a local building department or local enforcing agency for enforcing the USBC, including but not limited to inspectors and plans reviewers. For the

purpose of this definition, an extended contract shall be a contract with an aggregate term of 18 months or longer.

Tenable environmental. An environment in which the products of combustion, including smoke, toxic gases, particulates, and heat, are limited or otherwise restricted in order to maintain the impact on occupants, including those in the area of fire origin, to a level that is not life threatening and permits the rescue of occupants for a limited time.

Unsafe building or structure. Any building or structure that is under construction and has not received a permanent certificate of occupancy, final inspection, or for which a permit was never issued or has expired and has been determined by the building official to be of faulty construction that is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is likely, or any unfinished construction that does not have a valid permit, or the permit has been revoked, and the condition of the unfinished construction presents an immediate serious and imminent threat to the life and safety of the occupants or the public.

VADR. The Virginia Amusement Device Regulations (13VAC5-31).

VCS. The Virginia Certification Standards (13VAC5-21).

Working day. A day other than Saturday, Sunday or a legal local, state or national holiday.

B. Change the following definitions in Section 202 of the IBC to read:

~~24 hour basis. The actual time that a person is an occupant within a facility for the purpose of receiving care. It shall not include a facility that is open for 24 hours and is capable of providing care to someone visiting the facility during any segment of the 24 hours.~~

Addition. An extension or increase in floor area, number of stories, or height of a building or structure.

Ambulatory ~~health~~ care facility. Buildings or portions thereof used to provide medical care on less than a 24-hour basis that are licensed by the Virginia Department of Health as outpatient surgical hospitals.

Automatic fire-extinguishing system. An approved system of devices and equipment that automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of a fire and includes among other systems an automatic sprinkler system, unless otherwise expressly stated.

Building. A combination of materials, whether portable or fixed, having a roof to form a structure for the use or occupancy by persons, or property. The word "building" shall be construed as though followed by the words "or part or parts thereof" unless the context clearly requires a different meaning. "Building" shall not include roadway tunnels and bridges owned by the Virginia Department of

Transportation, which shall be governed by construction and design standards approved by the Virginia Commonwealth Transportation Board.

For application of this code, each portion of a building that is completely separated from other portions by fire walls complying with Section 706 shall be considered as a separate building (see Section 503.1).

Change of occupancy. A change in the use or occupancy of any building or structure that would place the building or structure in a different division of the same group of occupancies or in a different group of occupancies or a change in the purpose or level of activity within a building or structure that involves a change in application of the requirements of this code.

Clinic, outpatient. Buildings or portions thereof used to provide medical care on less than a 24-hour basis that are not licensed by the Virginia Department of Health as outpatient surgical hospitals.

Custodial care. Assistance with day-to-day living tasks, such as assistance with cooking, taking medication, bathing, using toilet facilities, and other tasks of daily living. In other than in hospice facilities, custodial care includes occupants that have the ability to respond to emergency situations and evacuate at a slower rate or who have mental and psychiatric complications, or both.

~~Group home. A facility for social rehabilitation or substance abuse or mental health problems that contains a group housing arrangement that provides custodial care but does not provide medical care.~~

Existing structure. A structure (i) for which a legal building permit has been issued under any edition of the USBC, (ii) which has been previously approved, or (iii) which was built prior to the initial edition of the USBC. For application of provisions in flood hazard areas, an existing structure is any building or structure for which the start of construction commenced before the effective date of the community's first flood plain management code, ordinance, or standard.

Owner. The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee or lessee in control of a building or structure.

Registered Design Professional (RDP). An architect or professional engineer, licensed to practice architecture or engineering, as defined under § 54.1-400 of the Code of Virginia.

Substantial damage. For the purpose of determining compliance with the flood provisions of this code, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

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Substantial improvement. For the purpose of determining compliance with the flood provisions of this code, any improvement, including repair, reconstruction, rehabilitation, alteration, or addition, or other improvement of a building or structure or a portion thereof the cost of which equals or exceeds 50% of the market value of the building or structure before the improvement or repair is started. If the building or structure or portion thereof has sustained substantial damage, any improvements are considered substantial improvements regardless of the actual improvement performed. The term does not, however, include either:

1. Any project for improvement of a building or a structure or portion thereof required to correct existing health, sanitary, or safety code violations identified by the building official and that is the minimum necessary to assure safe living conditions; or
2. Any alteration of a historic structure, provided that the alteration will not preclude the building or structure's continued designation as a historic building or structure.

Swimming pool. ~~An aquatic vessel~~ A pool or spa as defined in the International Swimming Pool and Spa Code (ISPSA).

Structure. An assembly of materials forming a construction for occupancy or use including stadiums, gospel and circus tents, reviewing stands, platforms, stagings, observation towers, radio towers, water tanks, storage tanks (underground and aboveground), trestles, piers, wharves, swimming pools, amusement devices, storage bins, and other structures of this general nature but excluding water wells. The word "structure" shall be construed as though followed by the words "or part or parts thereof" unless the context clearly requires a different meaning. "Structure" shall not include roadway tunnels and bridges owned by the Virginia Department of Transportation, which shall be governed by construction and design standards approved by the Virginia Commonwealth Transportation Board.

C. Delete the following definitions from Section 202 of the IBC:

Agricultural, building

~~Existing structure (For Chapter 34)~~

Approved

Historic buildings

13VAC5-63-210. Chapter 3 Use and occupancy classification.

A. Change Sections 303.1.1 and 303.1.2 of the IBC to read:

303.1.1 Small buildings and tenant spaces. A building or tenant space used for assembly purposes with an occupant load of less than 50 persons shall be permitted to be classified as a Group B occupancy.

303.1.2 Small assembly spaces. The following rooms and spaces shall be permitted to be classified as Group B occupancies or as part of the assembly occupancy:

1. A room or space used for assembly purposes with an occupant load of less than 50 persons and ancillary to another occupancy.
2. A room or space used for assembly purposes that is less than 750 square feet (70 m²) in area and ancillary to another occupancy.

B. Change Section 303.6 of the IBC to read:

303.6 Assembly Group A-5. Assembly uses intended for participation in or viewing outdoor activities including, but not limited to:

Amusement park structures

Bleachers

Grandstands

Stadiums

Swimming pools

C. Add Section 304.1.1 to the IBC to read:

304.1.1 Day support and day treatment facilities. Day support and day treatment facilities licensed by the Virginia Department of Behavioral Health and Developmental Services shall be permitted to be classified as Group B occupancies provided all of the following conditions are met:

1. Participants who may require physical assistance from staff to respond to an emergency situation shall be located on the level of exit discharge.
2. Any change in elevation within the exit access on the level of exit discharge shall be made by means of a ramp or sloped walkway.
3. Where the facilities are located more than two stories above grade, an automatic sprinkler system shall be provided throughout the building in accordance with Section 903.3.1.1.

~~B. D.~~ Change exception ~~13~~ 14 of Section ~~307.1~~ 307.1.1 of the IBC and add exception 15 to Section 307.1.1 of the IBC to read:

~~13. 14.~~ The storage of black powder, smokeless propellant and small arms primers in Groups M, R-3 and R-5 and special industrial explosive devices in Groups B, F, M and S, provided such storage conforms to the quantity limits and requirements prescribed in the IFC, as amended in Section 307.9.

15. The storage of distilled spirits and wines in wooden barrels and casks. Distillation, blending, bottling, and other hazardous materials storage or processing shall be in separate control areas complying with Section 414.2.

~~C. E.~~ Change the "Consumer fireworks" row in and "Flammable liquid, combination (IA, IB, IC)" row in Table 307.1(1), add a new "Permissible fireworks" row to Table 307.1(1) of the IBC, and add footnote "r" to Table 307.1(1) of the IBC to read:

<u>Consumer fireworks</u>	<u>1.4G</u>	<u>H-3</u>	<u>125^{e,t}</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Flammable liquid, combination (IA, IB, IC)</u>	<u>NA</u>	<u>H-2 or H-3</u>	<u>NA</u>	<u>120^{d,e,h}</u>	<u>NA</u>	<u>NA</u>	<u>120^{d,h}</u>	<u>NA</u>	<u>NA</u>	<u>30^{d,h,r}</u>
<u>Permissible fireworks</u>	<u>1.4G</u>	<u>H-3</u>	<u>125^{d,e,l}</u>	<u>N/A</u> <u>NA</u>	<u>N/A</u> <u>NA</u>	<u>N/A</u> <u>NA</u>	<u>N/A</u> <u>NA</u>	<u>N/A</u> <u>NA</u>	<u>N/A</u> <u>NA</u>	<u>N/A</u> <u>NA</u>
r. The tabular value for distilled spirit distillation and blending rooms is 120 gallons.										

~~D. E.~~ Add Section 307.9 to the IBC to read:

307.9 Amendments. The following changes shall be made to the IFC for the use of Exception ~~13~~ 14 in Section ~~307.1~~ 307.1.1:

1. Change the following definition in Section 202 of the IFC to read:

Smokeless propellants. Solid propellants, commonly referred to as smokeless powders, or any propellants classified by DOTn as smokeless propellants in accordance with NA3178 (Smokeless Powder for Small Arms), used in small arms ammunition, firearms, cannons, rockets, propellant-actuated devices, and similar articles.

2. Change Section 314.1 of the IFC to read as follows:

314.1 General. Indoor displays constructed within any building or structure shall comply with Sections 314.2 through 314.5.

3. Add new Section 314.5 to the IFC to read as follows:

314.5 Smokeless powder and small arms primers. Vendors shall not store, display or sell smokeless powder or small arms primers during trade shows inside exhibition halls except as follows:

1. The amount of smokeless powder each vender may store is limited to the storage arrangements and storage amounts established in Section 5606.5.2.1.

2. Smokeless powder shall remain in the manufacturer's original sealed container and the container shall remain sealed while inside the building. The repackaging of smokeless powder shall not be performed inside the building. Damaged containers shall not be repackaged inside the building and shall be immediately removed from the building in such manner to avoid spilling any powder.

3. There shall be at least 50 feet separation between vendors and 20 feet from any exit.

4. Small arms primers shall be displayed and stored in the manufacturer's original packaging and in accordance with the requirements of Section 5606.5.2.3.

4. Change Exception 4 and add Exceptions 10 and 11 to Section 5601.1 of the IFC as follows:

4. The possession, storage and use of not more than 15 pounds (6.75 kg) of commercially manufactured sporting black powder, 20 pounds (9 kg) of smokeless powder and any amount of small arms primers for hand loading of small arms ammunition for personal consumption.

10. The display of small arms primers in Group M when in the original manufacturer's packaging.

11. The possession, storage and use of not more than 50 pounds (23 kg) of commercially manufactured sporting black powder, 100 pounds (45 kg) of smokeless powder, and small arms primers for hand loading of small arms ammunition for personal consumption in Group R-3 or R-5, or 200 pounds (91 kg) of smokeless powder when stored in the manufacturer's original containers in detached Group U structures at least 10 feet (3048 mm) from inhabited buildings and are accessory to Group R-3 or R-5.

5. Change Section 5606.4 of the IFC to read as follows:

5606.4 Storage in residences. Propellants for personal use in quantities not exceeding 50 pounds (23 kg) of black powder or 100 pounds (45 kg) of smokeless powder shall be stored in original containers in occupancies limited to Group R-3 and R-5 or 200 pounds (91 kg) of smokeless powder when stored in the manufacturer's original containers in detached Group U structures at least 10 feet (3048 mm) from inhabited buildings and are accessory to Group R-3 or R-5. In other than Group R-3 or R-5, smokeless powder in quantities exceeding 20 pounds (9 kg) but not exceeding 50 pounds (23 kg) shall be kept in a wooden box or cabinet having walls of at least one inch (25 mm) nominal thickness or equivalent.

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6. Delete Sections 5606.4.1 and 5606.4.2 of the IFC.
7. Change Section 5606.5.1.1 of the IFC to read as follows:
 - 5606.5.1.1 Smokeless propellant. No more than 100 pounds (45 kg) of smokeless propellants in containers of eight pounds (3.6 kg) or less capacity shall be displayed in Group M occupancies.
8. Delete Section 5606.5.1.3 of the IFC.
9. Change Section 5606.5.2.1 of the IFC as follows:
 - 5606.5.2.1 Smokeless propellant. Commercial stocks of smokeless propellants shall be stored as follows:
 1. Quantities exceeding 20 pounds (9 kg), but not exceeding 100 pounds (45 kg) shall be stored in portable wooden boxes having walls of at least one inch (25 mm) nominal thickness or equivalent.
 2. Quantities exceeding 100 pounds (45 kg), but not exceeding 800 pounds (363 kg), shall be stored in storage cabinets having walls at least one inch (25 mm) nominal thickness or equivalent. Not more than 400 pounds (182 kg) shall be stored in any one cabinet, and cabinets shall be separated by a distance of at least 25 feet (7620 mm) or by a fire partition having a fire-resistance rating of at least one hour.
 3. Storage of quantities exceeding 800 pounds (363 kg), but not exceeding 5,000 pounds (2270 kg) in a building shall comply with all of the following:
 - 3.1. The storage is inaccessible to unauthorized personnel.
 - 3.2. Smokeless propellant shall be stored in nonportable storage cabinets having wood walls at least one inch (25 mm) nominal thickness or equivalent and having shelves with no more than 3 feet (914 mm) of vertical separation between shelves.
 - 3.3. No more than 400 pounds (182 kg) is stored in any one cabinet.
 - 3.4. Cabinets shall be located against walls with at least 40 feet (12 192 mm) between cabinets. The minimum required separation between cabinets may be reduced to 20 feet (6096 mm) provided that barricades twice the height of the cabinets are attached to the wall, midway between each cabinet. The barricades must extend a minimum of 10 feet (3048 mm) outward, be firmly attached to the wall, and be constructed of steel not less than 0.25 inch thick (6.4 mm), 2-inch (51 mm) nominal thickness wood, brick, or concrete block.
 - 3.5. Smokeless propellant shall be separated from materials classified as combustible liquids, flammable liquids, flammable solids, or oxidizing materials by a distance of 25 feet (7620 mm) or by a fire partition having a fire-resistance rating of 1 hour.
 - 3.6. The building shall be equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.

4. Smokeless propellants not stored according to Item 1, 2, or 3 above shall be stored in a Type 2 or 4 magazine in accordance with Section 5604 and NFPA 495.

~~E.~~ G. Add the following to the list of terms in Section 308.2 of the IBC:

Hospice facility

~~F.~~ H. Change Section 308.3 of the IBC to read:

308.3 Institutional Group I-1. This occupancy shall include buildings, structures or portions thereof for more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. Buildings of Group I-1, other than assisted living facilities licensed by the Virginia Department of Social Services, shall be classified as the occupancy condition indicated in Section 308.3.1. Assisted living facilities licensed by the Virginia Department of Social Services shall be classified as one of the occupancy conditions indicated in Section 308.3.1 or 308.3.2. This group shall include, but not be limited to, the following:

- Alcohol and drug centers
- Assisted living facilities
- Congregate care facilities
- Group homes
- Halfway houses
- Residential board and care facilities
- Social rehabilitation facilities

~~G.~~ I. Change Sections 308.3.1 and 308.3.2 of the IBC to read:

308.3.1 Condition 1. This occupancy condition shall include buildings in which all persons receiving custodial care who, without any assistance, are capable of responding to an emergency situation to complete building evacuation. Not more than five of the residents may require physical assistance from staff to respond to an emergency situation when all residents who may require the physical assistance reside on a single level of exit discharge.

308.3.2 Condition 2. This occupancy condition shall include buildings in which there are persons receiving custodial care who require assistance by not more than one staff member while responding to an emergency situation to complete building evacuation. Five of the residents may require physical assistance from more than one staff member to respond to an emergency.

~~H.~~ Add Sections 308.3.3 and 308.3.4 to the IBC to read:

~~308.3.3 Six to 16 persons receiving custodial care. A facility housing not fewer than six and not more than 16 persons receiving custodial care shall be classified as Group R-4.~~

~~308.3.4 Five or fewer persons receiving custodial care. A facility with five or fewer persons receiving custodial care shall be classified as Group R-3 or shall comply with the~~

~~IRC provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or with Section P2904 of the IRC.~~

~~J.~~ J. Change Section 308.4 of the IBC to read:

308.4 Group I-2. This occupancy shall include buildings and structures used for medical care on a 24-hour basis for more than five persons who are incapable of self-preservation. This group shall include, but not be limited to, the following:

- Convalescent facilities
- Detoxification facilities
- Foster care facilities
- Hospice facilities
- Hospitals
- Nursing homes
- Psychiatric hospitals

Exception: Hospice facilities occupied by 16 or less occupants, excluding staff, are permitted to be classified as Group R-4.

~~K.~~ K. Add an exception to Section 308.6 of the IBC to read:

Exception: Family day homes under Section 310.9.

~~L.~~ L. Change Section 310.3 of the IBC to read:

310.3 Residential Group R-1. Residential occupancies containing sleeping units where the occupants are primarily transient in nature, including:

- Boarding houses (transient) with more than 10 occupants
- Congregate living facilities (transient) with more than 10 occupants
- Hotels (transient)
- Motels (transient)

Exceptions:

1. Nonproprietor occupied bed and breakfast and other transient boarding facilities not more than three stories above grade plane in height with a maximum of 10 occupants total are permitted to be classified as either Group R-3 or R-5 provided that smoke alarms are installed in compliance with Section 907.2.11.2 for Group R-3 or Section R314 of the IRC for Group R-5.
2. Proprietor occupied bed and breakfast and other transient boarding facilities not more than three stories above grade plane in height, that are also occupied as the residence of the proprietor, with a maximum of five guest room sleeping units provided for the transient occupants are permitted to be classified as either Group R-3 or R-5 provided that smoke alarms are installed in compliance with Section 907.2.11.2 for Group R-3 or Section R314 of the IRC for Group R-5.

~~M.~~ M. Change Section 310.6 of the IBC to read:

310.6 Residential Group R-4. This occupancy shall include buildings, structures or portions thereof for more than five

but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. Buildings of Group R-4, other than assisted living facilities licensed by the Virginia Department of Social Services, shall be classified as the occupancy condition indicated in Section 310.6.1. Assisted living facilities licensed by the Virginia Department of Social Services shall be classified as one of the occupancy conditions indicated in Section 310.6.1 or 310.6.2. This group shall include, but not be limited to the following:

- Alcohol and drug centers
- Assisted living facilities
- Congregate care facilities
- Group homes
- Halfway houses
- Residential board and care facilities
- Social rehabilitation facilities

This occupancy shall also include hospice facilities with not more than 16 occupants, excluding staff.

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code.

Exceptions:

1. Group homes licensed by the Virginia Department of Behavioral Health and Developmental Services that house no more than eight persons with one or more resident counselors shall be classified as Group R-2, R-3, R-4 or R-5. Not more than five of the persons may require physical assistance from staff to respond to an emergency situation.
2. In Group R-4 occupancies classified as the occupancy condition indicated in Section 310.6.1, other than in hospice facilities, not more than five of the residents may require physical assistance from staff to respond to an emergency situation when all residents who may require the physical assistance from staff reside on a single level of exit discharge and other than using a ramp, a change of elevation using steps or stairs is not within the path of egress to an exit door.
3. Assisted living facilities licensed by the Virginia Department of Social Services that house no more than eight persons, with one or more resident counselors, and all of the residents are capable of responding to an emergency situation without physical assistance from staff, may be classified as Group R-2, R-3 or R-5.
4. Assisted living facilities licensed by the Virginia Department of Social Services that house no more than eight persons, with one or more resident counselors, may be classified as Group R-5 when in compliance with all of the following:

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4.1. The building is protected by an automatic sprinkler system installed in accordance with Section 903.3 or Section P2904 of the IRC.

4.2. Not more than five of the residents may require physical assistance from staff to respond to an emergency situation.

4.3. All residents who may require physical assistance from staff to respond to an emergency situation reside on a single level of exit discharge and other than using a ramp, a change in elevation using steps or stairs is not within the path of egress to an exit door.

5. Hospice facilities with five or fewer occupants are permitted to comply with the IRC provided the building is protected by an automatic sprinkler system in accordance with IRC Section P2904 or IBC Section 903.3.

~~M.~~ N. Add Sections 310.6.1 and 310.6.2 to the IBC to read:

310.6.1 Condition 1. This occupancy condition shall include buildings in which all persons receiving custodial care who, without any assistance, are capable of responding to an emergency situation to complete building evacuation and hospice facilities.

310.6.2 Condition 2. This occupancy condition shall include buildings in which there are persons receiving custodial care who require assistance by not more than one staff member while responding to an emergency situation to complete building evacuation.

~~N.~~ O. Add Section 310.7 to the IBC to read:

310.7 Residential Group R-5. Residential occupancies in detached single-family and two-family dwellings, townhouses and accessory structures within the scope of the IRC.

~~O.~~ P. Add Section 310.8 to the IBC to read:

310.8 Group R-5. The construction of Group R-5 structures shall comply with the IRC. The amendments to the IRC set out in Section 310.11 shall be made to the IRC for its use as part of this code. In addition, all references to the IRC in the IBC shall be considered to be references to this section.

~~P.~~ Q. Add Section 310.8.1 to the IBC to read:

310.8.1 Additional requirements. Methods of construction, materials, systems, equipment or components for Group R-5 structures not addressed by prescriptive or performance provisions of the IRC shall comply with applicable IBC requirements.

~~Q.~~ R. Add Section 310.9 to the IBC to read:

310.9 Family day homes. Family day homes where program oversight is provided by the Virginia Department of Social Services shall be classified as Group R-2, R-3 or R-5.

Note: Family day homes may generally care for up to 12 children. See the DHCD Related Laws Package for additional information.

~~R.~~ S. Add Section 310.10 to the IBC to read:

310.10 Radon-resistant construction in Groups R-3 and R-4 structures. Groups R-3 and R-4 structures shall be subject to the radon-resistant construction requirements in Appendix F of the IRC in localities enforcing such requirements pursuant to Section R324 of the IRC.

~~S.~~ T. Add Section 310.11 to the IBC to read:

310.11 Amendments to the IRC. The following changes shall be made to the IRC for its use as part of this code:

1. Add the following definitions to read:

Living area. Space within a dwelling unit utilized for living and entertainment, including family rooms, great rooms, living rooms, dens, media rooms, and similar spaces.

Nonpotable fixtures and outlets. Fixtures and outlets that are not dependent on potable water for the safe operation to perform their intended use. Such fixtures and outlets may include, but are not limited to water closets, urinals, irrigation, mechanical equipment, and hose connections to perform operations, such as vehicle washing and lawn maintenance.

Nonpotable water systems. Water systems for the collection, treatment, storage, distribution, and use or reuse of nonpotable water. Nonpotable systems include reclaimed water, rainwater, and gray water systems.

Rainwater. Natural precipitation, including snow melt, from roof surfaces only.

Stormwater. Precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

2. Change the following definitions to read:

Attic, habitable. A finished or unfinished area, not considered a story, complying with all of the following requirements:

1. The occupiable floor area is at least 70 square feet (17 m²), in accordance with Section R304,
2. The occupiable floor area has a ceiling height in accordance with Section R305, and
3. The occupiable space is enclosed by the roof assembly above, knee walls (if applicable) on the sides and the floor-ceiling assembly below.

Habitable attics greater than two-thirds of the area of the story below or over 400 square feet (37.16 m²) shall not be permitted in dwellings or townhouses that are three stories above grade plane in height.

Gray water. Water discharged from lavatories, bathtubs, showers, clothes washers, and laundry trays.

3. Change Section R301.2.1 to read:

R301.2.1 Wind design criteria. Buildings and portions thereof shall be constructed in accordance with the wind

provisions of this code using the basic ultimate design wind speed in Table R301.2(1) as determined from Figure R301.2(4)A. The structural provisions of this code for wind loads are not permitted where wind design is required as specified in Section R301.2.1.1. Where different construction methods and structural materials are used for various portions of a building, the applicable requirements of this section for each portion shall apply. Where not otherwise specified, the wind loads listed in Table R301.2(2) adjusted for height and exposure using Table R301.2(3) shall be used to determine design load performance requirements for wall coverings, curtain walls, roof coverings, exterior windows, skylights, garage doors, and exterior doors. Asphalt shingles shall be designed for wind speeds in accordance with Section R905.2.4. A continuous load path shall be provided to transmit the applicable uplift forces in Section R802.11.1 from the roof assembly to the foundation. Wind speeds for localities in special wind regions, near mountainous terrain, and near gorges shall be based on elevation. Areas at 4,000 feet in elevation or higher shall use the nominal design wind speed of 110 mph (48.4 m/s) and areas under 4,000 feet in elevation shall use nominal design wind speed of 90 mph (39.6 m/s). Gorge areas shall be based on the highest recorded speed per locality or in accordance with local jurisdiction requirements determined in accordance with Section 26.5.1 of ASCE 7.

4. Add ~~Exception~~ Exceptions 6 and 7 to Section R302.1 to read:

6. Decks and open porches.

7. Walls of dwellings and accessory structures located on lots in subdivisions or zoning districts where building setbacks established by local ordinance prohibit the walls of the structures on adjacent lots from being closer than 10 feet (3048 mm) to each other at any point along the exterior walls.

~~5. Change the exception in Section R302.2 to require a common two-hour fire resistance rated wall instead of a one-hour fire resistance rated wall, unless the townhouse development is fully sprinklered as provided for in Section R313.1, in which case a common one-hour fire resistive-rated wall shall be permitted between townhouses.~~

~~6.~~ 5. Add the following sentence to the end of Section R302.3 to read:

Dwelling unit separation wall assemblies that are constructed on a lot line shall be constructed as required in Section R302.2 for townhouses.

~~7.~~ 6. Change Section R302.5.1 to read:

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood

doors not less than 1-3/8 inches (35 mm) thickness, solid or honeycomb-core steel doors not less than 1-3/8 inches (35 mm) thick, or 20-minute fire-rated doors.

7. Change Section R303.4 to read:

R303.4 Mechanical ventilation. Dwelling units shall be provided with mechanical ventilation in accordance with Section M1507.

8. Add an exception to Section R303.9 to read:

Exception: Seasonal structures not used as a primary residence for more than 90 days per year, unless rented, leased or let on terms expressed or implied to furnish heat, shall not be required to comply with this section.

9. Add Section R303.9.1 to read:

R303.9.1 Nonowner occupied required heating. Every dwelling unit or portion thereof which is to be rented, leased or let on terms either expressed or implied to furnish heat to the occupants thereof shall be provided with facilities in accordance with Section R303.9 during the period from October 15 to May 1.

10. Add Section R303.10 to read:

R303.10 Insect screens. Every door, window and other outside opening required for ventilation purposes shall be supplied with approved tightly fitted screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every screen door used for insect control shall have a self-closing device.

11. Add Section R306.5 to read:

R306.5 Water supply sources and sewage disposal systems. The water and drainage system of any building or premises where plumbing fixtures are installed shall be connected to a public or private water supply and a public or private sewer system. As provided for in Section 103.10 of Part I of the Virginia Uniform Statewide Building Code (13VAC5-63), for functional design, water supply sources and sewage disposal systems are regulated and approved by the Virginia Department of Health and the Virginia Department of Environmental Quality.

Note: See also the Memorandums of Agreement in the "Related Laws Package," which is available from the Virginia Department of Housing and Community Development.

12. Change Section R310.1 to read:

R310.1 Emergency escape and rescue opening required. Basements, habitable attics, and every sleeping room designated on the construction documents shall have ~~at least~~ not less than one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, an emergency egress and rescue ~~openings~~ opening shall be required in each sleeping room. ~~Where emergency escape and rescue openings are provided, they shall have a sill height of not more than 44~~

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inches (1118 mm) measured from the finished floor to the bottom of the clear opening. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside, except that tilt-out or removable sash designed windows shall be permitted to be used. Emergency escape and rescue openings with a finished height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

Exceptions:

1. Dwelling units equipped throughout with an approved automatic sprinkler system installed in accordance with NFPA 13, 13R, or 13D or Section P2904.
2. ~~Basements~~ Storm shelters and basements used only to house mechanical equipment and not exceeding total floor area of 200 square feet (18.58 m²).

13. Change Section ~~R310.1.1~~ R310.2.1 to read:

~~R310.1.1~~ R310.2.1 Minimum opening area. All emergency Emergency and escape and rescue openings shall have a ~~minimum~~ net clear opening of not less than 5.7 square feet (0.530 m²). The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside, including the tilting or removal of the sash as the normal operation to comply with Sections R310.1.2 and R310.1.3. The net clear height opening shall be not less than 24 inches (610 mm), and the net clear width shall be not less than 20 inches (508 mm).

Exception: Grade floor or below grade openings shall have a ~~minimum~~ net clear opening of not less than 5 square feet (0.465 m²).

14. Add Section ~~R311.2.1~~ to read:

~~R311.2.1~~ Interior passage. Where a dwelling unit has both a kitchen and a living or entertainment area on the same level as the egress door required by Section R311.2, an interior passage route shall be provided from such egress door to the kitchen and the living or entertainment area and to at least one bedroom and at least one bathroom containing a water closet, lavatory and bathtub or shower, where such rooms are provided on that same level. Any doors or cased openings along such interior passage route providing access to the areas identified above shall comply with the following:

1. Cased openings shall provide a minimum 34-inch clear width.

2. Doors shall be, at a minimum, nominal 34-inch doors.

Exceptions:

1. Where a door or cased opening, and its associated molding or trim, is at the end and facing the length of a hallway and the width of the hallway is not wide enough to accommodate such doors or cased openings.
2. Closet doors or cased openings.
3. Pantry door or cased openings.
4. Bathrooms accessed directly from a bedroom that is not required to comply with this section.

~~15.~~ 14. Change the exception in Section R311.3.1 to read:

Exception: The landing or floor on the exterior side shall not be more than 8-1/4 inches (210 mm) below the top of the threshold provided the door does not swing over the landing or floor.

~~16.~~ 15. Change Section R311.7.5.1 to read:

R311.7.5.1 Risers. The ~~maximum~~ riser height shall be not more than 8-1/4 inches (210 mm). The riser shall be measured vertically between the leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Risers shall be vertical or sloped from the underside of the nosing of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the ~~opening between treads does openings~~ openings located more than 30 inches (763 mm), as measured vertically, to the floor or grade below do not permit the passage of a 4-inch-diameter (102 mm) sphere.

Exception Exceptions:

1. The opening between adjacent treads is not limited on stairs with a total rise of ~~30 inches (762 mm)~~ or less spiral stairways.
2. The riser height of spiral stairways shall be in accordance with Section R311.7.10.1.

~~17.~~ 16. Change Section R311.7.5.2 to read:

R311.7.5.2 Treads. The ~~minimum~~ tread depth shall be not less than 9 inches (229 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

~~18.~~ 17. Change Section R311.7.7 to read:

R311.7.7 Stairway walking surface. The walking surface of treads and landings of stairways shall be level or sloped no steeper than one unit vertical in 48 units horizontal (2.0% slope).

~~19.~~ 18. Change Section R312.2.1 to read:

R312.2.1 Window sills. In dwelling units, where the opening top of the sill of an operable window opening is

located ~~more~~ less than 18 inches (457 mm) above the finished floor and greater than 72 inches (1829 mm) above the finished grade or ~~other~~ surface below ~~on~~ the exterior of the building, the lowest part of the clear opening of the window shall be a minimum of 18 inches (457 mm) above the finished floor of the room in which the window is located. Operable sections of windows shall not permit openings that allow passage of a 4-inch-diameter (102 mm) sphere where such openings are located within 18 inches (457 mm) of the finished floor. ~~Exceptions: operable window shall comply with one of the following:~~

1. ~~Windows whose~~ Operable windows with openings that will not allow a 4-inch-diameter (102 mm) sphere to pass through the opening ~~when~~ where the opening is in its largest opened position.
2. ~~Openings~~ Operable windows that are provided with window fall prevention devices that comply with ASTM F 2090.
3. ~~Windows~~ Operable windows that are provided with window opening control devices that comply with Section R312.2.2.

~~20.~~ 19. Replace Section R313 with the following:

Section R313.

Automatic Fire Sprinkler Systems.

R313.1 Townhouse automatic fire sprinkler systems. Notwithstanding the requirements of Section 103.8, where installed, an automatic residential fire sprinkler system for townhouses shall be designed and installed in accordance with NFPA 13D or Section P2904.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

R313.2 One-family and two-family dwellings automatic fire sprinkler systems. Notwithstanding the requirements of Section 103.8, where installed, an automatic residential fire sprinkler system shall be designed and installed in accordance with NFPA 13D or Section P2904.

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential fire sprinkler system.

~~21.~~ Change 20. Delete Section ~~R314.2~~ to read: R314.2.2.

~~314.2 Smoke detection systems. Household fire alarm systems installed in accordance with NFPA 72 that include smoke alarms, or a combination of smoke detector and audible notification device installed as required by this section for smoke alarms, shall be permitted. The household fire alarm system shall provide the same level of smoke detection and alarm as required~~

~~by this section for smoke alarms. Where a household fire warning system is installed using a combination of smoke detector and audible notification device(s), the system shall become a permanent fixture of the dwelling unit.~~

~~Exception: Where smoke alarms are provided meeting the requirements of Section R314.4.~~

~~22.~~ Delete 21. Change Section ~~R314.3.1-~~ R314.7.3 to read: R314.7.3 Permanent fixture. Where a household fire alarm system is installed, it shall become a permanent fixture of the dwelling unit.

~~23.~~ Delete 22. Change Section ~~R315.3-~~ R315.1.1 to read:

~~24.~~ Change Section R315.4 to read:

~~R315.4 Alarm requirements. Single station carbon~~ R315.1.1 Listings. Carbon monoxide alarms shall be hard wired, plug-in or battery type; listed as complying with UL 2034; and installed in accordance with this code and the manufacturer's installation instructions. Combination carbon monoxide and smoke alarms shall be listed in accordance with UL 2034 and UL 217.

~~23.~~ Change Section R315.2 to read:

R315.2 Where required. Carbon monoxide alarms shall be provided in accordance with this section.

~~24.~~ Delete Section R315.2.2.

~~25.~~ Delete Section R315.5.

~~26.~~ Change Section R315.6.3 to read:

R315.6.3 Permanent fixture. Where a household carbon monoxide detection system is installed, it shall become a permanent fixture of the occupancy.

~~25.~~ Add Exception 3 to Section ~~R317.1.4~~ to read:

~~3. Deck posts supported by concrete piers or metal pedestals projecting a minimum of one inch (25.4 mm) above a concrete floor or six inches (152 mm) above exposed earth.~~

~~26.~~ 27. Add Section R320.2 to read:

R320.2 Universal design features for accessibility in dwellings. Dwellings constructed under the IRC not subject to Section R320.1 may comply with Section 1109.16 of the USBC and be approved by the local building department as dwellings containing universal design features for accessibility.

~~27.~~ 28. Add Section ~~R324~~ R327 Radon-Resistant Construction.

~~28.~~ 29. Add Section ~~R324.1~~ R327.1 to read:

~~R324.1~~ R327.1 Local enforcement of radon requirements. Following official action under Article 7 (§ 15.2-2280 et seq.) of Chapter 22 of Title 15.2 of the Code of Virginia by a locality in areas of high radon potential, as indicated by Zone 1 on the U.S. EPA Map of Radon Zones (IRC Figure AF101), such locality shall enforce the provisions contained in Appendix F.

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Exception: Buildings or portions thereof with crawl space foundations which are ventilated to the exterior, shall not be required to provide radon-resistant construction.

~~29. Add Section R325 Swimming Pools.~~

~~30. Add Section R325.1 to read:~~

~~R325.1 Swimming pools. In addition to other applicable provisions of this code, swimming pools, as defined in the USBC, shall comply with the applicable provisions of the ISPSC.~~

~~31. Add Section R326 R328 Patio Covers.~~

~~32. 31. Add Section R326.1 R328.1 to read:~~

~~R326.1 R328.1 Use of Appendix H for patio covers. Patio covers shall comply with the provisions in Appendix H.~~

~~33. 32. Add Section R327 R329 Sound Transmission.~~

~~34. 33. Add Section R327.1 R329.1 to read:~~

~~R327.1 R329.1 Sound transmission between dwelling units. Construction assemblies separating dwelling units shall provide airborne sound insulation as required in Appendix K.~~

~~35. 34. Add Section R327.2 R329.2 to read:~~

~~R327.2 R329.2 Airport noise attenuation. This section applies to the construction of the exterior envelope of detached one-family and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress within airport noise zones when enforced by a locality pursuant to § 15.2-2295 of the Code of Virginia. The exterior envelope of such structures shall comply with Section 1207.4 of the state amendments to the IBC.~~

~~36. 35. Add Section R328 R330 Fire Extinguishers.~~

~~37. 36. Add Section R328.1 R330.1 to read:~~

~~R328.1 R330.1 Kitchen areas. Other than where the dwelling is equipped with an approved sprinkler system in accordance with Section R313, a fire extinguisher having a rating of 2-A:10-B:C or an approved equivalent type of fire extinguisher shall be installed in the kitchen area.~~

~~37. Add Section R331 Interior Passage.~~

~~38. Add Sections R331.1 through R331.6 to read:~~

~~R331.1 General. This section applies to new dwelling units that have both a kitchen and a living area on the same floor level as the egress door required by Section R311.2. This section is not applicable to additions, reconstruction, alteration, or repair.~~

~~R331.2 Kitchen. One interior passage route from the egress door to the kitchen shall comply with R331.6.~~

~~R331.3 Living area. One interior passage route from the egress door to at least one living area shall comply with R331.6.~~

R331.4 Bedroom. Where the dwelling unit has a bedroom on the same floor level as the egress door, one interior passage route from the egress door to at least one bedroom shall comply with R331.6.

R331.5 Bathroom. Where a dwelling unit has a bathroom on the same floor level as the egress door, and the bathroom contains a water closet, lavatory, and bathtub or shower, one interior passage route from the egress door to at least one bathroom shall comply with R331.6. Bathroom fixture clearances shall comply with R307 and access to fixtures is not required to comply with R331.6.

R331.6 Opening widths. Opening widths along the interior passage route required by this section shall comply with the following:

1. Cased openings shall provide a minimum 34 inch (864 mm) clear width.

2. Doors shall be a nominal 34 inch (864 mm) minimum width. Double doors are permitted to be used to meet this requirement.

~~38. 39. Change Section R401.3 to read:~~

R401.3 Drainage. Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard to the dwelling unit. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of six inches (152 mm) within the first 10 feet (3048 mm).

Exception: Where lot lines, walls, slopes or other physical barriers prohibit six inches (152 mm) of fall within 10 feet (3048 mm), drains or swales shall be constructed to ensure drainage away from the structure. Impervious surfaces within 10 feet (3048 mm) of the building foundation shall be sloped a minimum of 2.0% away from the building.

~~39. Change 40. Add the following exceptions to Section R403.1 to read:~~

~~403.1 General. All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, wood foundations, or other approved structural systems that shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill.~~

Exceptions:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, not exceeding 256 square feet (23.7824 m²) of building area, provided all of the following conditions are met:

1.1. The building eave height is 10 feet or less.

1.2. The maximum height from the finished floor level to grade does not exceed 18 inches.

1.3. The supporting structural elements in direct contact with the ground shall be placed level on firm soil and when such elements are wood they shall be approved pressure preservative treated suitable for ground contact use.

1.4. The structure is anchored to withstand wind loads as required by this code.

1.5. The structure shall be of light-frame construction whose vertical and horizontal structural elements are

primarily formed by a system of repetitive wood or light gauge steel framing members, with walls and roof of light weight material, not slate, tile, brick or masonry.

2. Footings are not required for ramps serving dwelling units in Group R-3 and R-5 occupancies where the height of the entrance is no more than 30 inches (762 mm) above grade.

41. Change the indicated rows of Table R502.3.1(1) to read:

Joist Spacing (inches)	Species and Grade	Dead Load = 10 psf				Dead Load = 20 psf			
		2x6	2x8	2x10	2x12	2x6	2x8	2x10	2x12
		Maximum floor joist spans							
		(ft. in.)	(ft. in.)	(ft. in.)	(ft. in.)	(ft. in.)	(ft. in.)	(ft. in.)	(ft. in.)
12	Southern Pine SS	12-3	16-2	20-8	25-1	12-3	16-2	20-8	25-1
	Southern Pine #1	11-10	15-7	19-10	24-2	11-10	15-7	18-7	22-0
	Southern Pine #2	11-3	14-11	18-1	21-4	10-9	13-8	16-2	19-1
	Southern Pine #3	9-2	11-6	14-0	16-6	8-2	10-3	12-6	14-9
16	Southern Pine SS	11-2	14-8	18-9	22-10	11-2	14-8	18-9	22-10
	Southern Pine #1	10-9	14-2	18-0	21-4	10-9	13-9	16-1	19-1
	Southern Pine #2	10-3	13-3	15-8	18-6	9-4	11-10	14-0	16-6
	Southern Pine #3	7-11	10-0	12-1	14-4	7-1	8-11	10-10	12-10
19.2	Southern Pine SS	10-6	13-10	17-8	21-6	10-6	13-10	17-8	21-6
	Southern Pine #1	10-1	13-4	16-5	19-6	9-11	12-7	14-8	17-5
	Southern Pine #2	9-6	12-1	14-4	16-10	8-6	10-10	12-10	15-1
	Southern Pine #3	7-3	9-1	11-0	13-1	6-5	8-2	9-10	11-8
24	Southern Pine SS	9-9	12-10	16-5	19-11	9-9	12-10	16-5	19-8
	Southern Pine #1	9-4	12-4	14-8	17-5	8-10	11-3	13-1	15-7
	Southern Pine #2	8-6	10-10	12-10	15-1	7-7	9-8	11-5	13-6
	Southern Pine #3	6-5	8-2	9-10	11-8	5-9	7-3	8-10	10-5

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42. Change the indicated rows of Table R502.3.1(2) to read:

Joist Spacing (inches)	Species and Grade	Dead Load = 10 psf				Dead Load = 20 psf			
		2x6	2x8	2x10	2x12	2x6	2x8	2x10	2x12
		Maximum floor joist spans							
		(ft.- in.)	(ft. in.)	(ft. in.)	(ft. in.)	(ft.- in.)	(ft. in.)	(ft. in.)	(ft. in.)
12	Southern Pine SS	11-2	14-8	18-9	22-10	11-2	14-8	18-9	22-10
	Southern Pine #1	10-9	14-2	18-0	21-11	10-9	14-2	16-11	20-1
	Southern Pine #2	10-3	13-6	16-2	19-1	9-10	12-6	14-9	17-5
	Southern Pine #3	8-2	10-3	12-6	14-9	7-5	9-5	11-5	13-6
16	Southern Pine SS	10-2	13-4	17-0	20-9	10-2	13-4	17-0	20-9
	Southern Pine #1	9-9	12-10	16-1	19-1	9-9	12-7	14-8	17-5
	Southern Pine #2	9-4	11-10	14-0	16-6	8-6	10-10	12-10	15-1
	Southern Pine #3	7-1	8-11	10-10	12-10	6-5	8-2	9-10	11-8
19.2	Southern Pine SS	9-6	12-7	16-0	19-6	9-6	12-7	16-0	19-6
	Southern Pine #1	9-2	12-1	14-8	17-5	9-0	11-5	13-5	15-11
	Southern Pine #2	8-6	10-10	12-10	15-1	7-9	9-10	11-8	13-9
	Southern Pine #3	6-5	8-2	9-10	11-8	5-11	7-5	9-0	10-8
24	Southern Pine SS	8-10	11-8	14-11	18-1	8-10	11-8	14-11	18-0
	Southern Pine #1	8-6	11-3	13-1	15-7	8-1	10-3	12-0	14-3
	Southern Pine #2	7-7	9-8	11-5	13-6	7-0	8-10	10-5	12-4
	Southern Pine #3	5-9	7-3	8-10	10-5	5-3	6-8	8-1	9-6

43. Change footnote "b" in Table R502.3.3(1) to read:

b. Spans are based on minimum design properties for No. 2 Grade lumber of Douglas fir larch, hem fir, and spruce pine fir for repetitive (three or more) members. No. 1 or better grade lumber shall be used for southern pine.

44. Change footnote "a" in Table R502.3.3(2) to read:

a. Spans are based on minimum design properties for No. 2 Grade lumber of Douglas fir larch, hem fir, and spruce pine fir for repetitive (three or more) members. No. 1 or better grade lumber shall be used for southern pine.

45. Change Section R502.5 to read:

~~R502.5 Allowable girder and header spans. The allowable spans of girders and headers fabricated of dimension lumber shall not exceed the values set forth in Tables R502.5(1) through R502.5(3).~~

46. Change the title and footnote "b" of Table R502.5(1) to read:

Table R502.5(1)

Girder Spans^{a,b} and Header Spans^{a,b} for Exterior Bearing Walls

(Maximum Spans for Douglas fir larch, hem fir, southern pine, and spruce pine fir^b and required number of jack studs)

b. Spans are based on minimum design properties for No. 2 Grade lumber of Douglas fir larch, hem fir, and spruce pine fir. No. 1 or better grade lumber shall be used for southern pine.

47. Change the title and footnote "b" of Table R502.5(2) to read:

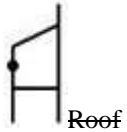
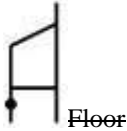
Table R502.5(2)

Girder Spans^{a,b} and Header Spans^{a,b} for Interior Bearing Walls

(Maximum Spans for Douglas fir larch, hem fir, southern pine, and spruce pine fir^b and required number of jack studs)

b. Spans are based on minimum design properties for No. 2 Grade lumber of Douglas fir larch, hem fir, and spruce pine fir. No. 1 or better grade lumber shall be used for southern pine.

48. Add Table R502.5(3) to read:

Table R502.5(3) Girder and Header Spans ^a for Porches ^{b, c} (Maximum span for southern pine)			
Supporting	Size	Porch Width (ft)	
		8	14
 Roof	2-2x4	6' 11"	5' 3"
	2-2x6	9' 11"	7' 6"
	2-2x8	12' 10"	9' 8"
	2-2x10	16' 8"	12' 7"
	2-2x12	19' 6"	14' 9"
 Floor	2-2x4	5' 1"	3' 10"
	2-2x6	7' 4"	5' 6"
	2-2x8	9' 5"	7' 1"
	2-2x10	12' 2"	9' 3"
	2-2x12	14' 4"	10' 10"

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.
a. Spans are given in feet and inches.
b. Tabulated values based on 30 psf ground snow load, L/240 deflection and No. 2 grade lumber.
c. The values of this table shall be equivalent to a roof live load of 20 psf.

41. Change the exception to Section R408.2 to read:

Exception: The total area of ventilation openings shall be permitted to be reduced to 1/1,500 of the under-floor area where the ground surface is covered with an approved Class I vapor retarder material and the required openings are placed to provide cross ventilation of the space. The installation of operable louvers shall not be prohibited nor shall the required openings need to be within three feet (915 mm) of each corner provided there is cross ventilation of the space.

40. 42. Add Section R408.3.1 to read as follows and delete Section R501.3 in its entirety:

R408.3.1 Termite inspection. Where an unvented crawl space is installed and meets the criteria in Section R408, the vertical face of the sill plate shall be clear and unobstructed and an inspection gap shall be provided below the sill plate along the top of any interior foundation wall covering. The gap shall be a minimum of one inch (25.4 mm) and a maximum of two inches (50.8 mm) in width and shall extend throughout all parts of any foundation that is enclosed. Joints between the sill plate and the top of any interior wall covering may be sealed.

Exceptions:

1. In areas not subject to damage by termites as indicated by Table R301.2(1).
2. Where other approved means are provided to inspect for potential damage.

Where pier and curtain foundations are installed as depicted in Figure R404.1.5(1), the inside face of the rim joist and sill plate shall be clear and unobstructed except for construction joints which may be sealed.

Regulations

Exception: Fiberglass or similar insulation may be installed if easily removable.

~~49- 43.~~ Change Section R506.2.1 to read:

R506.2.1 Fill. Fill material shall be free of vegetation and foreign material and shall be natural nonorganic material that is not susceptible to swelling when exposed to moisture. The fill shall be compacted to assure uniform support of the slab, and except where approved, the fill depth shall not exceed 24 inches (610 mm) for clean sand or gravel and 8 inches (203 mm) for earth.

Exception: Material other than natural material may be used as fill material when accompanied by a certification from an RDP and approved by the building official.

~~50- 44.~~ Change Section R506.2.2 to read:

R506.2.2 Base. A 4-inch-thick (102 mm) base course consisting of clean graded sand, gravel or crushed stone passing a 2-inch (51 mm) sieve shall be placed on the prepared subgrade when the slab is below grade.

Exception: A base course is not required when the concrete slab is installed on well drained or sand-gravel mixture soils classified as Group I according to the United Soil Classification System in accordance with Table R405.1. Material other than natural material may be used as base course material when accompanied by a certification from an RDP and approved by the building official.

~~51.~~ Change Section R507.1 to read:

~~R507.1 Decks. Wood framed decks shall be in accordance with this section or Section R301 for materials and conditions not prescribed in this section. Where supported by attachment to an exterior wall, decks shall be positively anchored to the primary structure and designed for both vertical and lateral loads. Such attachment shall not be accomplished by the use of toenails or nails subject to withdrawal. Where positive connection to the primary building structure cannot be verified during inspection, decks shall be self supporting. For decks with cantilevered framing members, connections to exterior walls or other framing members shall be designed and constructed to resist uplift resulting from the full live load specified in Table R301.5 acting on the cantilevered portion of the deck.~~

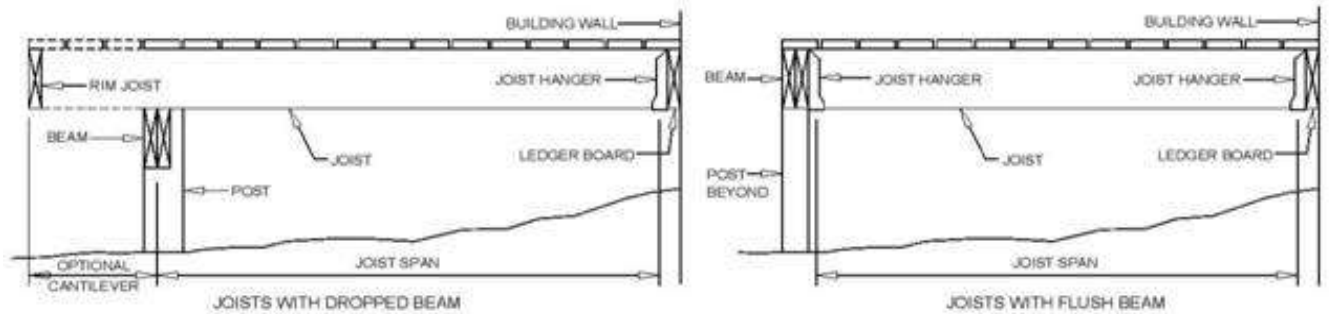
~~52.~~ Add Sections R507.4 through R507.8 to read:

~~R507.4 Decking. Maximum allowable spacing for wood joists supporting decking shall be in accordance with Table R507.4. Wood decking shall be attached to each supporting member with a minimum of two 8d nails or two #8 wood screws.~~

Table R507.4 Maximum Joist Spacing (inches)		
Material Type and Nominal Size	Maximum Joist Spacing	
	Perpendicular to Joist	Diagonal to Joist ^a
5/4 inch thick wood	16	12
2 inch thick wood	24	16
Wood/plastic composite	per R507.3	per R507.3
For SI: 1 inch = 25.4 mm		
a. Maximum angle of 45 degrees from perpendicular for wood deck boards.		

~~R507.5 Deck joists. Maximum allowable spans for wood deck joists, as shown in Figure R507.5, shall be in accordance with Table R507.5. Deck joist shall be permitted to cantilever a maximum of one fourth of the actual, adjacent joist span.~~

Editor's Note: Figures R507.5, R507.6, R507.7.1, R507.8.1, and R602.3(2) in this section shown below this note are being deleted in the proposed action.



**FIGURE R507.5
TYPICAL DECK JOIST SPANS**

Table R507.5 Deck Joist Spans ^a and Cantilevers ^a for Common Lumber Species							
Species ^b	Size	Allowable Joist Span ^e			Allowable Cantilever ^{d,e}		
		Spacing of deck joists (in.)			Spacing of deck joists (in.)		
		12	16	24	12	16	24
Southern pine	2 x 6	9-11	9-0	7-7	1-3	1-4	1-6
	2 x 8	13-1	11-10	9-8	2-1	2-3	2-5
	2 x 10	16-2	14-0	11-5	3-4	3-6	2-10
	2 x 12	18-0	16-6	13-6	4-6	4-2	3-4
Douglas fir-larch ^f , hem fir ^f , spruce-pine-fir ^f	2 x 6	9-6	8-4	6-10	1-2	1-3	1-5
	2 x 8	12-6	11-1	9-1	1-11	2-1	2-3
	2 x 10	15-8	13-7	11-1	3-1	3-5	2-9
	2 x 12	18-0	15-9	12-10	4-6	3-11	3-3
Redwood, western cedars, ponderosa pine ^g , red pine ^g	2 x 6	8-10	8-0	6-10	1-0	1-1	1-2
	2 x 8	11-8	10-7	8-8	1-8	1-10	2-0
	2 x 10	14-11	13-0	10-7	2-8	2-10	2-8
	2 x 12	17-5	15-1	12-4	3-10	3-9	3-1

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

a. Spans and cantilevers are given in feet and inches.

b. No. 2 grade with wet service factor.

c. Ground snow load, live load = 40 psf, dead load = 10 psf, L/Δ = 360.

d. Ground snow load, live load = 40 psf, dead load = 10 psf, L/Δ = 360 at main span, L/Δ = 180 at cantilever with a 220 pound point load applied to end.

e. Maximum allowable cantilever shall not exceed one fourth of the actual joist span.

f. Includes incising factor.

g. Northern species with no incising factor.

Regulations

R507.5.1 Lateral restraint at supports. Joist ends and bearing locations shall be provided with lateral restraint to prevent rotation. Where lateral restraint is provided by joist hangers or blocking between joists, their depth shall equal not less than 60% of the joist depth. Where lateral restraint is provided by rim joists, they shall be secured to the end of each joist with a minimum of (3)10d (3 inch x 0.128 inch) nails or (3)#10x3 inch (76 mm) long wood screws.

R507.6 Deck beams. Maximum allowable spans for wood deck beams, as shown in Figure R507.6, shall be in accordance with Table R507.6. Beam plies shall be fastened with two rows of 10d (3 inch x 0.128 inch) nails minimum at 16 inches (406 mm) on center along each edge. Beams shall be permitted to cantilever at each end up to one fourth of the beam span. Splices of multi-span beams shall be located at interior post locations.

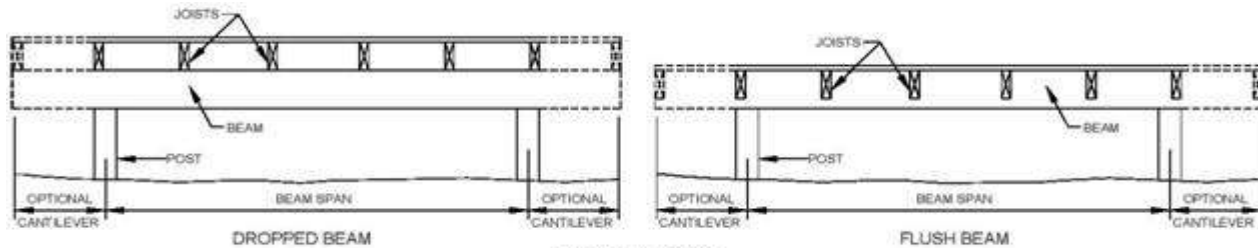


FIGURE R507.6
TYPICAL DECK BEAM SPANS

Species ^d	Size ^e	Deck Joist Span (feet) Less Than or Equal To:						
		6	8	10	12	14	16	18
Southern pine	2-2x6	6-11	5-11	5-4	4-10	4-6	4-3	4-0
	2-2x8	8-9	7-7	6-9	6-2	5-9	5-4	5-0
	2-2x10	10-4	9-0	8-0	7-4	6-9	6-4	6-0
	2-2x12	12-2	10-7	9-5	8-7	8-0	7-6	7-0
	3-2x6	8-2	7-5	6-8	6-1	5-8	5-3	5-0
	3-2x8	10-10	9-6	8-6	7-9	7-2	6-8	6-4
	3-2x10	13-0	11-3	10-0	9-2	8-6	7-11	7-6
Douglas fir-larch ^f , hem-fir ^f , spruce-pine- fir ^f , redwood, western cedars, ponderosa pine ^g , red-pine ^g	3x6 or 2-2x6	5-5	4-8	4-2	3-10	3-6	3-1	2-9
	3x8 or 2-2x8	6-10	5-11	5-4	4-10	4-6	4-1	3-8
	3x10 or 2- 2x10	8-4	7-3	6-6	5-11	5-6	5-1	4-8
	3x12 or 2- 2x12	9-8	8-5	7-6	6-10	6-4	5-11	5-7
	4x6	6-5	5-6	4-11	4-6	4-2	3-11	3-8
	4x8	8-5	7-3	6-6	5-11	5-6	5-2	4-10
	4x10	9-11	8-7	7-8	7-0	6-6	6-1	5-8
	4x12	11-5	9-11	8-10	8-1	7-6	7-0	6-7
	3-2x6	7-4	6-8	6-0	5-6	5-1	4-9	4-6
	3-2x8	9-8	8-6	7-7	6-11	6-5	6-0	5-8
	3-2x10	12-0	10-5	9-4	8-6	7-10	7-4	6-11
	3-2x12	13-11	12-1	10-9	9-10	9-1	8-6	8-1

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- a. Spans are given in feet and inches.
- b. Ground snow load, live load = 40 psf, dead load = 10 psf, $L/\Delta = 360$ at main span, $L/\Delta = 180$ at cantilever with a 220 pound point load applied at the end.
- c. Beams supporting deck joists from one side only.
- d. No. 2 grade, wet service factor.
- e. Beam depth shall be greater than or equal to depth of joists with a flush beam condition.
- f. Includes incising factor.
- g. Northern species with no incising factor.

R507.7 Deck joist and deck beam bearing. The ends of each joist and beam shall have not less than 1.5 inches (38 mm) of bearing on wood or metal and not less than three inches (76 mm) on concrete or masonry for the entire width of the beam. Joist framing into the side of a ledger board or beam shall be supported by approved joist hangers. Joists bearing on a beam shall be attached to the beam to resist lateral displacement.

R507.7.1 Deck beam to deck post. Deck beams shall be attached to deck posts in accordance with Figure R507.7.1 or by other equivalent means capable to resist lateral displacement. Manufactured post to beam connectors shall be sized for the post and beam sizes. All bolts shall have washers under the head and nut.

Exception: Where deck beams bear directly on footings in accordance with Section R507.8.1.



FIGURE R507.7.1
DECK BEAM TO DECK POST

R507.8 Deck posts. For single level wood framed decks with beams sized in accordance with Table R507.6, deck post size shall be in accordance with Table R507.8.

Table R507.8 Deck Post Height* (feet)	
Deck Post Size	Maximum Height*
4x4	8
4x6	8
6x6	14

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.
a. Measured to the underside of the beam.

R507.8.1 Deck post to deck footing. Posts shall bear on footings in accordance with Section R403 and Figure R507.8.1. Posts shall be restrained to prevent lateral displacement at the footing. Lateral restraint shall be provided by manufactured connectors installed in accordance with the manufacturers' installation instructions or by a minimum post embedment of 12 inches (304.8 mm) in surrounding soils or concrete piers.

Regulations

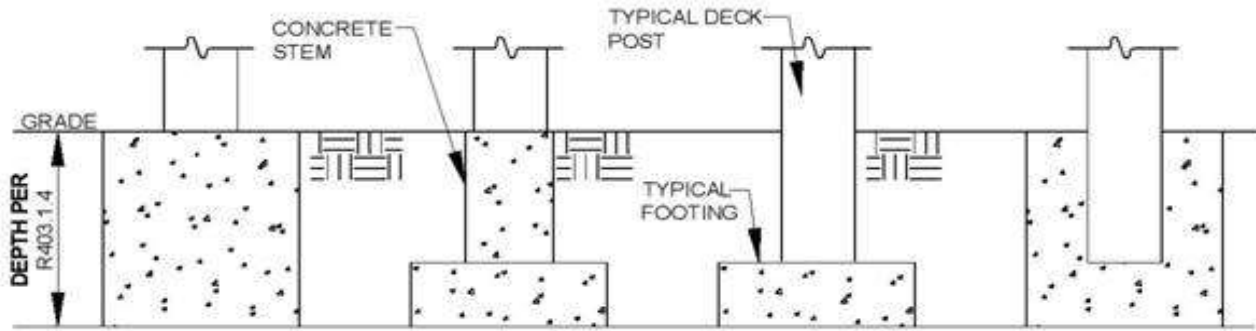


Figure R507.8.1

Typical Deck Posts to Deck Footings

53. Change Section R602.3.1 to read:

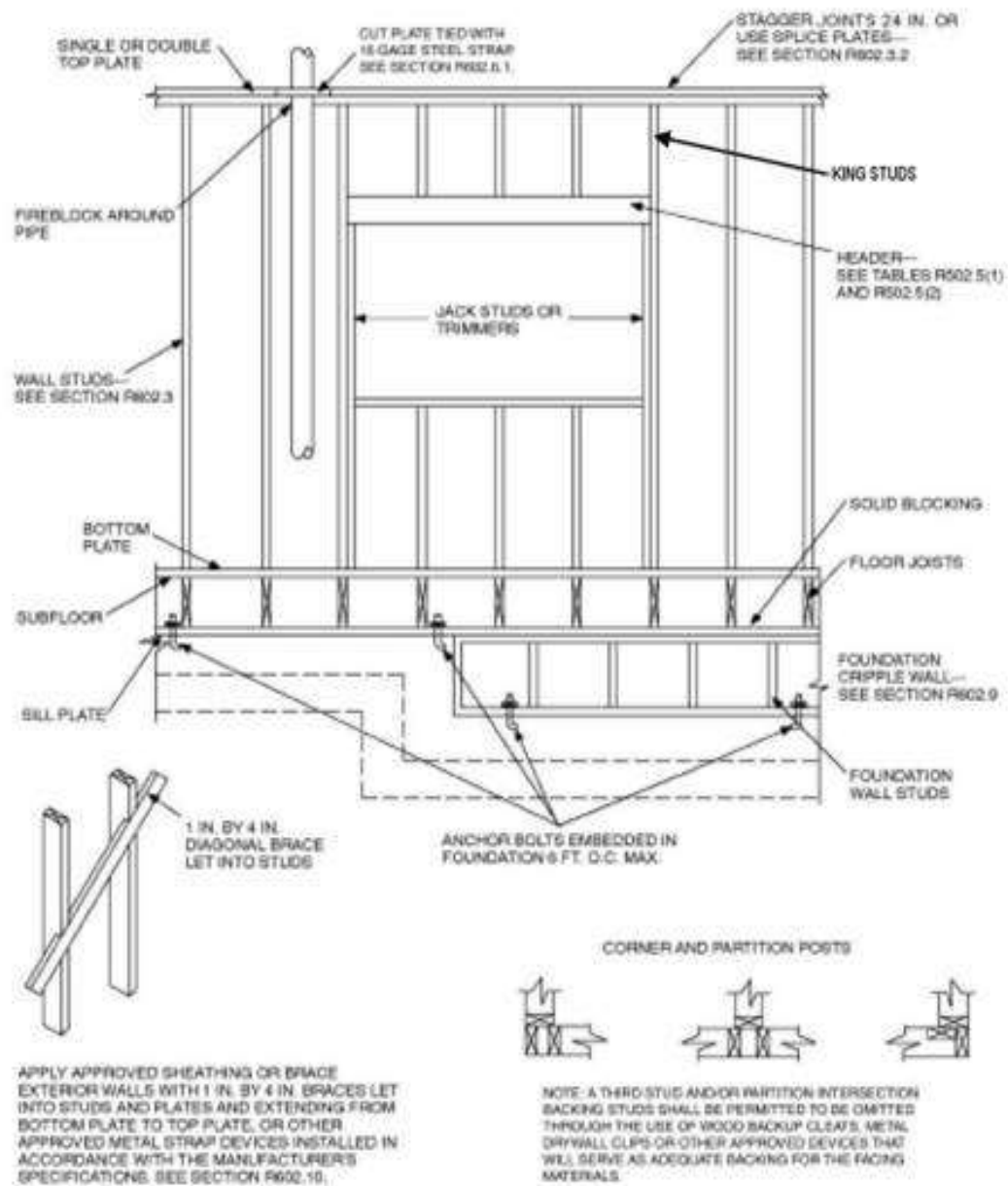
~~R602.3.1 Stud size, height, and spacing. The size, height, and spacing of studs shall be in accordance with Table R602.3(5).~~

Exceptions:

- ~~1. Utility grade studs shall not be spaced more than 16 inches (406 mm) on center, shall not support more than a roof and ceiling, and shall not exceed eight feet (2438 mm) in height for exterior walls and load bearing walls or 10 feet (3048 mm) for interior nonload bearing walls.~~
- ~~2. Where snow loads are less than or equal to 25 pounds per square foot (1.198 kPa), and the ultimate design wind speed is less than or equal to 130 mph (58.11 m/s), 2 inch by 6 inch (38 mm by 140 mm) studs supporting a roof load with not more than six feet (1829 mm) of tributary length shall have a maximum height of 18 feet (5486 mm) where spaced at 16 inches (406 mm) on center, or 20 feet (6096 mm) where spaced at 12 inches (305 mm) on center. Studs shall be minimum No. 2 grade lumber.~~

54. Delete Table R602.3.1-

55. Change Figure R602.3(2) to read:



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

FIGURE R602.3(2)
FRAMING DETAILS

Regulations

45. Change Table R602.7.1(1) to read:

Table R602.7.1(1)																			
Girder Spans* and Header Spans* for Exterior Bearing Walls																			
(Maximum spans for Douglas Fir-Larch, Hem-Fir, Southern Pine, and Spruce-Pine-Fir ² and required number of jack studs)																			
Girders and Headers Supporting	Size	Ground Snow Load (psf)																	
		30						50						70					
		Building Width* (feet)																	
		12		24		36		12		24		36		12		24		36	
		Span*	NJ ²	Span*	NJ ²	Span*	NJ ²	Span*	NJ ²	Span*	NJ ²	Span*	NJ ²	Span*	NJ ²	Span*	NJ ²	Span*	NJ ²
Roof and ceiling	1-2 x 6	4-0	1	3-1	2	2-7	2	3-5	1	2-8	2	2-3	2	3-0	2	2-4	2	2-0	2
	1-2 x 8	5-1	2	3-11	2	3-3	2	4-4	2	3-4	2	2-10	2	3-10	2	3-0	2	2-6	2
	1-2 x 10	6-0	2	4-8	2	3-11	2	5-2	2	4-0	2	3-4	2	4-7	2	3-6	2	3-0	2
	1-2 x 12	7-1	2	5-5	2	4-7	2	6-1	2	4-8	2	3-11	2	5-5	2	4-2	2	3-6	2
	2-2 x 4	4-0	1	3-1	1	2-7	1	3-5	1	2-7	1	2-2	1	3-0	1	2-4	1	2-0	1
	2-2 x 6	6-0	1	4-7	1	3-10	1	5-1	1	3-11	1	3-3	2	4-6	1	3-6	2	2-11	2
	2-2 x 8	7-7	1	5-9	1	4-10	2	6-5	1	5-0	2	4-2	2	5-9	1	4-5	2	3-9	2
	2-2 x 10	9-0	1	6-10	2	5-9	2	7-8	2	5-11	2	4-11	2	6-9	2	5-3	2	4-5	2
	2-2 x 12	10-7	2	8-1	2	6-10	2	9-0	2	6-11	2	5-10	2	8-0	2	6-2	2	5-2	2
	3-2 x 8	9-5	1	7-3	1	6-1	1	8-1	1	6-3	1	5-3	2	7-2	1	5-6	2	4-8	2

	3-2 x 10	11-3	1	8-7	1	7-3	2	9-7	1	7-4	2	6-2	2	8-6	1	6-7	2	5-6	2
	3-2 x 12	13-2	1	10-1	2	8-6	2	11-3	2	8-8	2	7-4	2	10-0	2	7-9	2	6-6	2
	4-2 x 8	10- 11	1	8-4	1	7-0	1	9-4	1	7-2	1	6-0	1	8-3	1	6-4	1	5-4	2
	4-2 x 10	12- 11	1	9-11	1	8-4	1	11-1	1	8-6	1	7-2	2	9-10	1	7-7	2	6-4	2
	4-2 x 12	15-3	1	11-4	1	9-10	2	13-0	1	10-0	2	8-5	2	11-7	1	8-11	2	7-6	2
Roof ceiling and one center- bearing floor	1-2 x 6	3-3	1	2-7	2	2-2	2	3-0	2	2-4	2	2-0	2	2-9	2	2-2	2	1-10	2
	1-2 x 8	4-1	2	3-3	2	2-9	2	3-9	2	3-0	2	2-6	2	3-6	2	2-9	2	2-4	2
	1-2 x 10	4-11	2	3-10	2	3-3	2	4-6	2	3-6	2	3-0	2	4-1	2	3-3	2	2-9	2
	1-2 x 12	5-9	2	4-6	2	3-10	2	5-3	2	4-2	2	3-6	2	4-10	2	3-10	2	3-3	4
	2-2 x 4	3-3	1	2-6	1	2-2	1	3-9	1	2-4	1	2-0	1	2-8	1	2-2	1	1-10	1
	2-2 x 6	4-10	1	3-9	1	3-3	2	4-5	1	3-6	2	3-0	2	4-1	1	3-3	2	2-9	2
	2-2 x 8	6-1	1	4-10	2	4-1	2	5-7	2	4-5	2	3-9	2	5-2	2	4-1	2	3-6	2
	2-2 x 10	7-3	2	5-8	2	4-10	2	6-8	2	5-3	2	4-5	2	6-1	2	4-10	2	4-1	2
	2-2 x 12	8-6	2	6-8	2	5-8	2	7-10	2	6-2	2	5-3	2	7-2	2	5-8	2	4-10	2

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	3-2 x 8	7-8	1	6-0	1	5-1	2	7-0	1	5-6	2	4-8	2	6-5	1	5-1	2	4-4	2
	3-2 x 10	9-1	1	7-2	2	6-1	2	8-4	1	6-7	2	5-7	2	7-8	2	6-1	2	5-2	2
	3-2 x 12	10-8	2	8-5	2	7-2	2	9-10	2	7-8	2	6-7	2	9-0	2	7-1	2	6-1	2
	4-2 x 8	8-10	1	6-11	1	5-11	1	8-1	1	6-4	1	5-5	2	7-5	1	5-11	1	5-0	2
	4-2 x 10	10-6	1	8-3	2	7-0	2	9-8	1	7-7	2	6-5	2	8-10	1	7-0	2	6-0	2
	4-2 x 12	12-4	1	9-8	2	8-3	2	11-4	2	8-11	2	7-7	2	10-4	2	8-3	2	7-0	2
Roof, ceiling, and one clear span roof	1-2 x 6	2-11	2	2-3	2	1-11	2	2-0	2	2-1	2	1-9	2	2-7	2	2-0	2	1-8	2
	1-2 x 8	3-9	2	2-10	2	2-5	2	2-6	2	2-8	2	2-3	2	3-3	2	2-6	2	2-2	2
	1-2 x 10	4-5	2	3-5	2	2-10	2	4-2	2	3-2	2	2-8	2	2-11	2	3-0	2	2-6	2
	1-2 x 12	5-2	2	4-0	2	3-4	2	4-10	2	3-9	2	3-2	4	4-7	2	3-6	2	3-0	4
	2-2 x 4	7-11	1	2-3	1	1-10	1	2-0	1	2-1	1	1-9	1	2-7	1	2-0	1	1-8	1
	2-2 x 6	4-4	1	3-4	2	2-10	2	4-1	1	3-2	2	2-8	2	2-10	1	3-0	2	2-6	2
	2-2 x 8	5-6	2	4-3	2	3-7	2	5-2	2	4-0	2	3-4	2	4-10	2	3-9	2	3-2	2
	2-2 x 10	6-7	2	5-0	2	4-2	2	6-1	2	4-9	2	4-0	2	5-9	2	4-5	2	3-9	2

	2-2 x 12	7-9	2	5-11	2	4-11	3	7-2	2	5-7	2	4-8	3	6-9	2	5-3	3	4-5	3
	3-2 x 8	6-11	1	5-3	2	4-5	2	6-5	1	5-0	2	4-2	2	6-1	1	4-8	2	4-0	2
	3-2 x 10	8-3	2	6-3	2	5-3	2	7-8	2	5-11	2	5-0	2	7-3	2	5-7	2	4-8	2
	3-2 x 12	9-8	2	7-5	2	6-2	2	9-0	2	7-9	2	5-10	2	8-6	2	6-7	2	5-6	3
	4-2 x 8	8-0	1	6-1	1	5-1	2	7-5	1	5-9	2	4-10	2	7-0	1	5-5	2	4-7	2
	4-2 x 10	9-6	1	7-3	2	6-1	2	8-10	1	6-10	2	5-9	2	8-4	1	6-5	2	5-5	2
	4-2 x 12	11-2	2	8-6	2	7-2	2	10-5	2	8-0	2	6-9	2	9-10	2	7-7	2	6-5	2
Roof ceiling, and two center bearing floors	1-2 x 6	2-8	2	2-1	2	1-10	2	2-7	2	2-0	2	1-9	2	2-5	2	1-11	2	1-8	2
	1-2 x 8	3-5	2	2-8	2	2-4	3	3-3	2	2-7	2	2-2	2	3-1	2	2-5	3	2-1	2
	1-2 x 10	4-0	2	3-2	3	2-9	3	3-10	2	3-1	3	2-7	3	3-8	2	2-11	3	2-5	2
	1-2 x 12	4-9	3	3-9	3	3-2	4	4-6	3	3-7	3	3-1	4	4-3	3	3-5	3	2-11	4
	2-2 x 4	2-8	1	2-1	1	1-9	1	2-6	1	2-0	1	1-8	1	2-5	1	1-11	1	1-7	1
	2-2 x 6	4-0	1	3-2	2	2-8	2	3-9	1	3-0	2	2-7	2	3-7	1	2-10	2	2-5	2
	2-2 x 8	5-0	2	4-0	2	3-5	2	4-10	2	3-10	2	3-3	2	4-7	2	3-7	2	3-1	2

Regulations

	2-2 x 10	6-6	2	4-9	2	4-0	2	5-8	2	4-6	2	3-10	2	5-5	2	4-3	2	3-8	2
	2-2 x 12	7-0	2	5-7	2	4-9	2	6-8	2	5-4	2	4-6	2	6-4	2	5-0	2	4-3	2
	3-2 x 8	6-4	1	5-0	2	4-3	2	6-0	1	4-9	2	4-1	2	5-8	2	4-6	2	3-10	2
	3-2 x 10	7-6	2	5-11	2	5-1	2	7-1	2	5-8	2	4-10	2	6-9	2	5-4	2	4-7	2
	3-2 x 12	8-10	2	7-0	2	5-11	2	8-5	2	6-8	2	5-8	2	8-0	2	6-4	2	5-4	2
	4-2 x 8	7-3	1	5-9	1	4-11	2	5-11	1	5-6	2	4-8	2	6-7	1	5-2	2	4-5	2
	4-2 x 10	8-8	1	6-10	2	5-10	2	8-3	2	6-6	2	5-7	2	7-10	2	6-2	2	5-3	2
	4-2 x 12	10-2	2	8-1	2	6-10	2	9-8	2	7-8	2	6-7	2	9-2	2	7-3	2	6-2	2
Roof, ceiling, and two clear span floors	1-2 x 6	2-3	2	1-9	2	1-5	2	2-3	2	1-9	2	1-5	2	2-2	2	1-8	2	1-5	2
	1-2 x 8	2-10	2	2-2	2	1-10	2	2-10	2	2-2	2	1-10	2	2-9	2	2-1	2	1-10	2
	1-2 x 10	3-4	2	2-7	2	2-2	2	3-4	2	2-7	2	2-2	4	3-3	2	2-6	2	2-2	4
	1-2 x 12	4-0	2	3-0	2	2-7	4	4-0	2	3-0	4	2-7	4	3-10	2	3-0	4	2-6	4
	2-2 x 4	2-3	1	1-8	1	1-4	1	2-3	1	1-8	1	1-4	1	2-2	1	1-8	1	1-4	2
	2-2 x 6	3-4	1	2-6	2	2-2	2	3-4	2	2-6	2	2-2	2	3-3	2	2-6	2	2-1	2

2-2 x 8	4-3	2	3-3	2	2-8	2	4-3	2	3-3	2	2-8	2	4-1	2	3-2	2	2-8	3
2-2 x 10	5-0	2	2-10	2	3-2	2	5-0	2	3-10	2	3-2	2	4-10	2	3-0	2	3-2	3
2-2 x 12	5-11	2	4-6	2	3-0	2	5-11	2	4-6	2	3-0	2	5-8	2	4-5	2	3-0	2
2-2 x 8	5-3	1	4-0	2	2-5	2	5-3	2	4-0	2	3-5	2	5-1	2	2-11	2	2-4	2
3-2 x 10	6-3	2	4-9	2	4-0	2	6-3	2	4-9	2	4-0	2	6-1	2	4-8	2	4-0	3
3-2 x 12	7-5	2	5-8	2	4-9	2	7-5	2	5-8	2	4-9	2	7-2	2	5-6	2	4-8	3
4-2 x 8	6-1	1	4-8	2	2-11	2	6-1	1	4-8	2	2-11	2	5-11	1	4-7	2	2-11	2
4-2 x 10	7-3	2	5-6	2	4-8	2	7-3	2	5-6	2	4-8	2	7-0	2	5-5	2	4-7	2
4-2 x 12	8-6	2	6-6	2	5-6	2	8-6	2	6-6	2	5-6	2	8-3	2	6-4	2	5-4	2

For SI: 1 inch = 25.4 mm, 1 pound per square foot = 0.0479 kPa.

a. Spans are given in feet and inches.

b. Spans are based on the minimum design properties for No. 2 grade lumber of Douglas Fir-Larch, Hem-Fir, Southern Pine, and Spruce-Pine Fir.

c. Building width is measured perpendicular to the ridge. For widths between those shown, spans are permitted to be interpolated.

d. NJ - Number of jack studs required to support each end. Where the number of required jack studs equals one, the header is permitted to be supported by an approved framing anchor attached to the full-height wall stud and to the header.

e. Use 30 psf ground snow load for cases in which ground snow load is less than 30 psf and the roof live load is equal to or less than 20 psf.

f. Spans are calculated assuming the top of the header or girder is laterally braced by perpendicular framing. Where the top of the header or girder is not laterally braced (e.g., cripple studs bearing on the header), tabulated spans for headers consisting of 2x8, 2x10, or 2x12 sizes shall be multiplied by 0.70 or the header shall be designed.

Regulations

46. Change Table R602.7(2) to read:

Table R602.7(2)

Girder Spans^a and Header Spans^a for Interior Bearing Walls

(Maximum spans for Douglas Fir-Larch, Hem-Fir, Southern Pine, and Spruce-Pine Fir^b and required number of jack studs)

Headers and Girders Supporting	Size	Building Width ^c (feet)					
		12		24		36	
		Span ^e	NJ ^d	Span ^e	NJ ^d	Span ^e	NJ ^d
One floor only	2-2 x 4	4-1	1	2-10	1	2-4	1
	2-2 x 6	6-1	1	4-4	1	3-6	1
	2-2 x 8	7-9	1	5-5	1	4-5	2
	2-2 x 10	9-2	1	6-6	2	5-3	2
	2-2 x 12	10-9	1	7-7	2	6-3	2
	3-2 x 8	9-8	1	6-10	1	5-7	1
	3-2 x 10	11-5	1	8-1	1	6-7	2
	3-2 x 12	13-6	1	9-6	2	7-9	2
	4-2 x 8	11-2	1	7-11	1	6-5	1
	4-2 x 10	13-3	1	9-4	1	7-8	1
4-2 x 12	15-7	1	11-0	1	9-0	2	
Two floors	2-2 x 4	2-7	1	1-11	1	1-7	1
	2-2 x 6	3-11	1	2-11	2	2-5	2
	2-2 x 8	5-0	1	3-8	2	3-1	2
	2-2 x 10	5-11	2	4-4	2	3-7	2
	2-2 x 12	6-11	2	5-2	2	4-3	3
	3-2 x 8	6-3	1	4-7	2	3-10	2
	3-2 x 10	7-5	1	5-6	2	4-6	2
	3-2 x 12	8-8	2	6-5	2	5-4	2
	4-2 x 8	7-2	1	5-4	1	4-5	2
	4-2 x 10	8-6	1	6-4	2	5-3	2
4-2 x 12	10-1	1	7-5	2	6-2	2	

a. Spans are given in feet and inches.

b. Spans are based on the minimum design properties for No. 2 grade lumber of Douglas Fir-Larch, Hem-Fir, Southern Pine, and Spruce-Pine Fir.

c. Building width is measured perpendicular to the ridge. For widths between those shown, spans are permitted to be interpolated.

d. NJ - Number of jack studs required to support each end. Where the number of required jack studs equals one, the header is permitted to be supported by an approved framing anchor attached to the full-height wall stud and to the header.

e. Spans are calculated assuming the top of the header or girder is laterally braced by perpendicular framing. Where the top of the header or girder is not laterally braced (e.g., cripple studs bearing on the header), tabulated spans for headers consisting of 2x8, 2x10, or 2x12 sizes shall be multiplied by 0.70 or the header shall be designed.

56. Change the column entries under the heading "Wood Species" in Table R602.7.1 to read:

Spruce Pine Fir Hem Fir Douglas Fir or No. 1 Grade Southern Pine
--

57. Add Section R602.7.4 to read:

R602.7.4 Supports for headers. Headers shall be supported on each end with one or more jack studs in accordance with Table R505.5(1) or Table R502.5(2). A king stud shall be adjacent to the jack stud on each end of the header and nailed at each end of the header with 4 12d nails.

58. 47. Change Section R602.10 to read:

R602.10 Wall bracing. Buildings shall be braced in accordance with this section or Section R602.12. Where a building, or portion thereof, does not comply with one or more of the bracing requirements in this section, those portions shall be designed and constructed in accordance with Section R301.1.

The building official shall be permitted to require the permit applicant to identify braced wall lines and braced wall panels on the construction documents as described in this section and provide associated analysis. The building official shall be permitted to waive the analysis of the upper floors where the cumulative length of wall openings of each upper floor wall is less than or equal to the length of the openings of the wall directly below.

59. Change the following row and footnotes in Table R602.10.3(1) to read:

Basic Wind Speed (mph)	Story Location	Braced Wall Line Spacing ^b (feet)	Method LIB ^e	Method GB	Methods DWB, WSP, SFB, PBS, PCP, HPS, BV-WSP, ABW, PFH, PFG, CS-SFB ^d	Methods CS-WSP, CS-G, CS-PF
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For SI: 1 inch = 25.4 mm, 1 foot = 305 mm, 1 mile per hour = 0.447 m/s.

- a. Linear interpolation shall be permitted.
- b. Where a braced wall line has parallel braced wall lines on one or both sides of differing dimensions, the average dimension shall be permitted to be used for braced wall line spacing.
- c. Method LIB shall have gypsum board fastened to at least one side with nails or screws per Table R602.3(1) for exterior sheathing or Table R702.3.5 for interior gypsum board. Spacing of fasteners at panel edges shall not exceed eight inches (203 mm).
- d. Method CS-SFB does not apply where the wind speed is greater than 100 mph.

60. Change Section R602.10.4.1 to read:

R602.10.4.1 Mixing methods. Mixing of bracing methods shall be permitted as follows:

1. Mixing bracing methods from braced wall line to braced wall line shall be permitted.
2. Mixing intermittent bracing methods along a braced wall line shall be permitted in Seismic Design Categories A and B, and detached dwellings in Seismic Design Category C, provided the length of bracing in accordance with Table R602.10.3(1) or R602.10.3(3) is the highest value of all bracing methods used.
3. Mixing of methods CS-WSP, CS-G, CS-PF, ABW, PFH, and PFG along a braced wall line shall be permitted.
4. In Seismic Design Categories A and B, and detached dwellings in Seismic Design Category C, mixing of intermittent bracing methods along the interior portion of a braced wall line with continuous sheathing methods along the exterior portion of the same braced wall line shall be permitted. The length of required bracing shall be the highest value of all bracing methods used in accordance with Table R602.10.3(1) or R602.10.3(3). The requirements of Section R602.10.7 shall apply to each end of the continuously sheathed portions of the braced wall line.

61. Change the "CS-PF" row of Table R602.10.5 to read:

CS-PF	16	18	20	22 ^e	24 ^e	1.5 x Actual ^b
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62. Change Items 3.3 and 3.4 of Section R602.10.8.2 to read:

- 3.3. Blocking panels provided by the roof truss manufacturer and designed in accordance with Section R802.10.
- 3.4. Blocking, blocking panels, or other methods of lateral load transfer designed in accordance with the AWC-WFCM or accepted engineering practice.

Regulations

63. Change Item 3 of Section R602.10.10 to read:

~~3. Where the bracing length provided is at least twice the minimum length required by Table R602.10.3(1) and Table R602.10.3(3), blocking at horizontal joints shall not be required in braced wall panels constructed using Methods WSP, SFB, GB, PBS, HPS, CS-WSP or CS-SFB.~~

64. Change Section R602.10.11 to read:

~~R602.10.11 Cripple wall bracing. Cripple walls shall be constructed in accordance with Section R602.9 and braced in accordance with this section. Cripple walls shall be braced with the length and method of bracing used for the wall above in accordance with Tables R602.10.3(1) and R602.10.3(3), and the applicable adjustment factors in Tables R602.10.3(2) and R602.10.3(4), respectively, except the length of the cripple wall bracing shall be multiplied by a factor of 1.15. Cripple wall bracing shall comply with Section R602.10.4.3.~~

65- 48. Replace Section R602.12, including all subsections, with the following:

R602.12 Practical wall bracing. All buildings in Seismic Design Categories A and B and detached buildings in Seismic Design Category C shall be permitted to be braced in accordance with this section as an alternative to the requirements of Section R602.10. Where a building, or portion thereof, does not comply with one or more of the bracing requirements in this section, those portions shall be designed and constructed in accordance with Section R301.1. The use of other bracing provisions of Section R602.10, except as specified herein, shall not be permitted.

The building official shall be permitted to require the permit applicant to identify bracing on the construction documents and provide associated analysis. The building official shall be permitted to waive the analysis of the upper floors where the cumulative length of wall openings of each upper floor wall is less than or equal to the length of the openings of the wall directly below.

R602.12.1 Sheathing materials. The following materials shall be permitted for use as sheathing for wall bracing. Exterior walls shall be sheathed on all sheathable surfaces, including infill areas between bracing locations, above and below wall openings, and on gable end walls.

1. Wood structural panels with a minimum thickness of 7/16 inch (9.5 mm) fastened in accordance with Table R602.3(3).
2. Structural fiberboard sheathing with a minimum thickness of 1/2 inch (12.7 mm) fastened in accordance with Table R602.3(1).
3. Gypsum board with a minimum thickness of 1/2 inch (12.7 mm) fastened in accordance with Table R702.3.5 on interior walls only.

R602.12.2 Braced wall panels. Braced wall panels shall be full-height wall sections sheathed with the materials listed in Section R602.12.1 and complying with the following:

1. Exterior braced wall panels shall have a minimum length based on the height of the adjacent opening as specified in Table R602.12.2. Panels with openings on both sides of differing heights shall be governed by the taller opening when determining panel length.
2. Interior braced wall panels shall have a minimum length of 48 inches (1220 mm) when sheathing material is applied to one side. Doubled-sided applications shall be permitted to be considered two braced wall panels.
3. Braced wall panels shall be permitted to be constructed of Methods ABW, PFH, PFG, and CS-PF in accordance with Section R602.10.4.
4. Exterior braced wall panels, other than the methods listed in Item 3 above shall have a finish material installed on the interior. The finish material shall consist of 1/2 inch (12.7 mm) gypsum board or equivalent and shall be permitted to be omitted where the required length of bracing, as determined in Section R602.12.4, is multiplied by 1.40, unless otherwise required by Section R302.6.
5. Vertical sheathing joints shall occur over and be fastened to common studs.
6. Horizontal sheathing joints shall be edge nailed to 1-1/2 inch (38 mm) minimum thick common blocking.

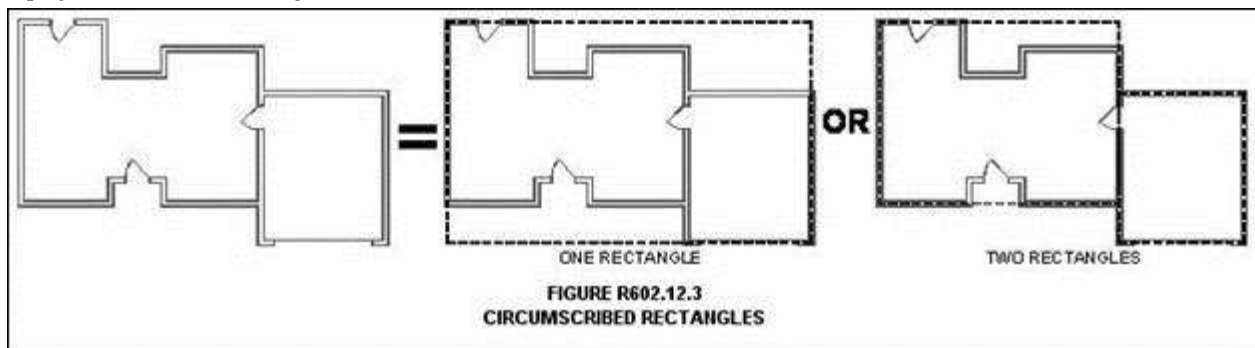
Table R602.12.2 Braced Wall Panel Lengths					
Location	Wall Height (feet)				
	8	9	10	11	12
	Minimum Panel Length (inches)				
Adjacent garage door of one-story garage ^a	24	27	30	33	36
Adjacent all other openings ^b					
Clear opening height (inches) ≤ 64	24	27	30	33	36
Clear opening height (inches) ≤ 72	27	27	30	33	36
Clear opening height (inches) ≤ 80	30	30	30	33	36
Clear opening height (inches) > 80	36	36	36	40	40

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

a. Braced wall panels supporting a gable end wall or roof load only.

b. Interpolation shall be permitted.

R602.12.3 Circumscribed rectangle. Required length of bracing shall be determined by circumscribing one or more rectangles around the entire building or portions thereof as shown in Figure R602.12.3. Rectangles shall surround all enclosed offsets and projections such as sunrooms and attached garages. Chimneys, partial height projections, and open structures, such as carports and decks, shall be excluded from the rectangle. Each rectangle shall have no side greater than 80 feet (24 384 mm) with a maximum 3:1 ratio between the long and short side. Rectangles shall be permitted to be skewed to accommodate angled projections as shown in Figure R602.12.4.3.



R602.12.4 Required length of bracing. The required length of bracing for each side of a circumscribed rectangle shall be determined using Table R602.12.4. Where multiple rectangles share a common side or sides, the required length of bracing shall equal the sum of the required lengths from all shared rectangle sides.

Table R602.12.4 Required Length of Bracing Along Each Side of a Circumscribed Rectangle ^{a,b,c}																		
Wind Speed	Eave-to-Ridge Height (feet)	Number of Floor Levels Above ^{e,f}	Required Length of Bracing on Front/Rear Side (feet)									Required Length of Bracing on Left/Right Side (feet)						
			Length of Left/Right Side (feet)									Length of Front/Rear Side (feet)						
			10	20	30	40	50	60	70	80	10	20	30	40	50	60	70	80
90 115	10	0	2.0	3.5	5.0	6.0	7.5	9.0	10.5	12.0	2.0	3.5	5.0	6.0	7.5	9.0	10.5	12.0
		1 ^d	3.5	6.5	9.0	12.0	14.5	17.0	19.8	22.6	3.5	6.5	9.0	12.0	14.5	17.0	19.8	22.6
		2 ^d	5.0	9.5	13.5	17.5	21.5	25.0	29.2	33.4	5.0	9.5	13.5	17.5	21.5	25.0	29.2	33.4

Regulations

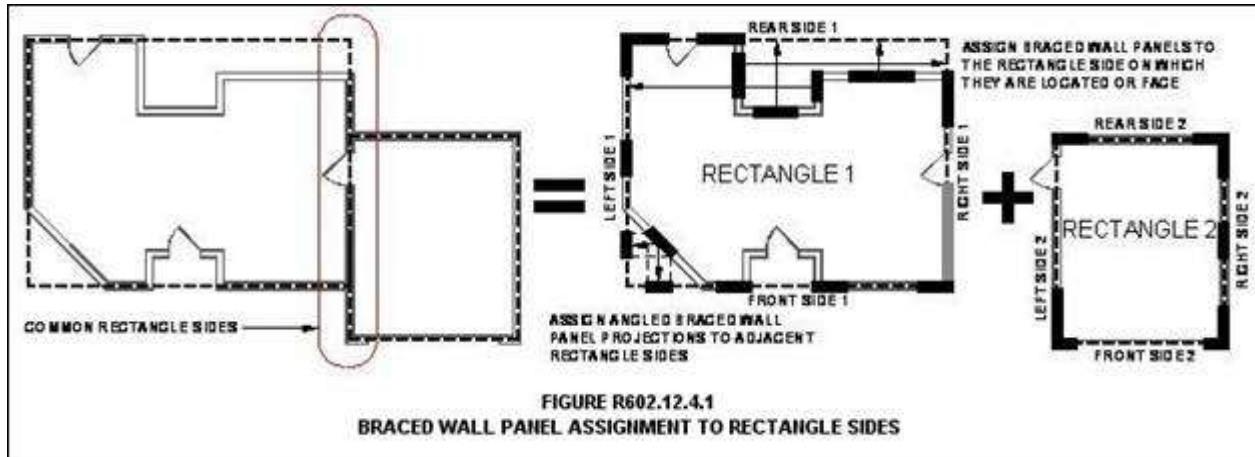
	15	0	2.6	4.6	6.5	7.8	9.8	11.7	13.7	15.7	2.6	4.6	6.5	7.8	9.8	11.7	13.7	15.7
		1 ^d	4.0	7.5	10.4	13.8	16.7	19.6	22.9	26.2	4.0	7.5	10.4	13.8	16.7	19.6	22.9	26.2
		2 ^d	5.5	10.5	14.9	19.3	23.7	27.5	32.1	36.7	5.5	10.5	14.9	19.3	23.7	27.5	32.1	36.7
	20	0	2.9	5.2	7.3	8.8	11.1	13.2	15.4	17.6	2.9	5.2	7.3	8.8	11.1	13.2	15.4	17.6
		1 ^d	4.5	8.5	11.8	15.6	18.9	22.1	25.8	29.5	4.5	8.5	11.8	15.6	18.9	22.1	25.8	29.5
		2 ^d	6.2	11.9	16.8	21.8	27.3	31.1	36.3	41.5	6.2	11.9	16.8	21.8	27.3	31.1	36.3	41.5
100 130	10	0	2.5	4.0	6.0	7.5	9.5	11.0	12.8	14.6	2.5	4.0	6.0	7.5	9.5	11.0	12.8	14.6
		1 ^d	4.5	8.0	11.0	14.5	18.0	21.0	24.5	28.0	4.5	8.0	11.0	14.5	18.0	21.0	24.5	28.0
		2 ^d	6.0	11.5	16.5	21.5	26.5	31.0	36.2	41.4	6.0	11.5	16.5	21.5	26.5	31.0	36.2	41.4
	15	0	3.4	5.2	7.8	9.8	12.4	14.3	16.7	19.1	3.4	5.2	7.8	9.8	12.4	14.3	16.7	19.1
		1 ^d	5.2	9.2	12.7	16.7	20.7	24.2	28.2	32.2	5.2	9.2	12.7	16.7	20.7	24.2	28.2	32.2
		2 ^d	6.6	12.7	18.2	23.7	29.2	34.1	39.8	45.5	6.6	12.7	18.2	23.7	29.2	34.1	39.8	45.5
	20	0	3.8	5.9	8.8	11.1	14.0	16.2	18.9	21.6	3.8	5.9	8.8	11.1	14.0	16.2	18.9	21.6
		1 ^d	5.9	10.4	14.4	18.9	23.4	27.3	31.8	36.3	5.9	10.4	14.4	18.9	23.4	27.3	31.8	36.3
		2 ^d	7.5	14.4	20.6	26.8	33.0	38.5	44.9	51.3	7.5	14.4	20.6	26.8	33.0	38.5	44.9	51.3

For SI: 1 ft = 304.8 mm.

- a. Interpolation shall be permitted; extrapolation shall be prohibited.
- b. For Exposure Category C, multiply the required length of bracing by a factor of 1.20 for a one-story building, 1.30 for a two-story building, and 1.40 for a three-story building.
- c. For wall height adjustments multiply the required length of bracing by the following factors: 0.90 for 8 feet (2438 mm), 0.95 for 9 feet (2743 mm), 1.0 for 10 feet (3048 mm), 1.05 for 11 feet (3353 mm), and 1.10 for 12 feet (3658 mm).
- d. Where braced wall panels supporting stories above have been sheathed in wood structural panels with edge fasteners spaced at 4 inches (102 mm) on center, multiply the required length of bracing by 0.83.
- e. A floor level, habitable or otherwise, contained wholly within the roof rafters or trusses shall not be considered a floor level for purposes of determining the required length of bracing.
- f. A rectangle side with differing number of floor levels above shall use the greatest number when determining the required length of bracing.

R602.12.4.1 Braced wall panel assignment to rectangle sides. Braced wall panels shall be assigned to the applicable rectangle side and contribute to its required length of bracing. Panels shall be assigned as specified below and as shown in Figure R602.12.4.1.

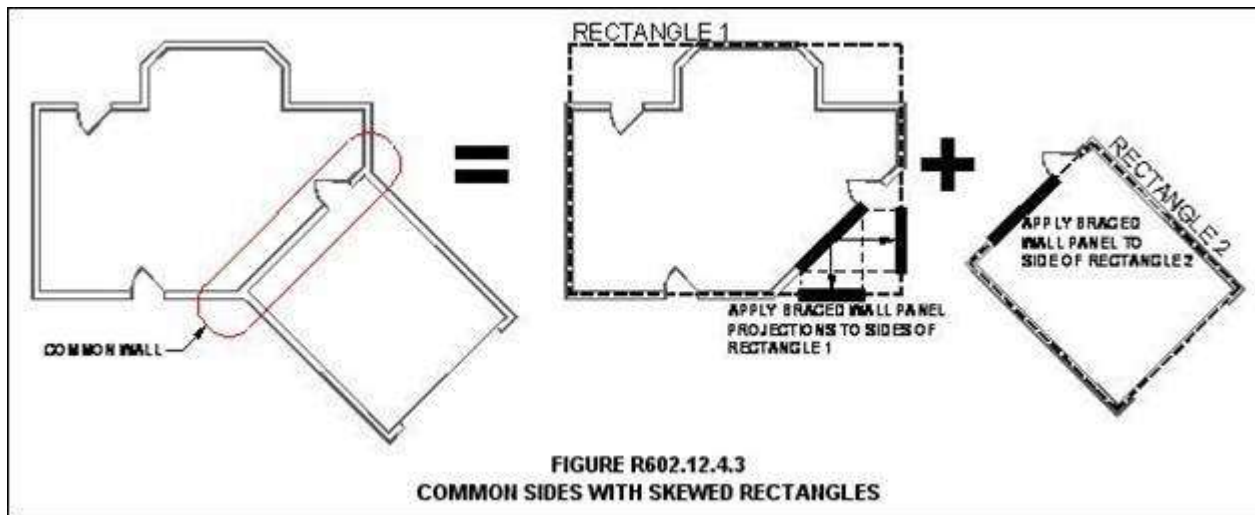
1. Exterior braced wall panels shall be assigned to the parallel rectangle side on which they are located or in which they face.
2. Interior braced wall panels shall be assigned to the parallel rectangle side on which they are located or in which they face up to 4 feet (1220 mm) away. Interior braced wall panels more than 4 feet (1220 mm) away from a parallel rectangle side shall not contribute.
3. The projections of angled braced wall panels shall be assigned to the adjacent rectangle sides.



R602.12.4.2 Contributing length. The cumulative contributing length of braced wall panels assigned to a rectangle side shall be greater than or equal to the required length of bracing as determined in Section R602.12.4. The contributing length of a braced wall panel shall be as specified below. When applying contributing length to angled braced wall panels, apply the requirements below to each projection:

1. Exterior braced wall panels shall contribute their actual length.
2. Interior braced wall panels shall contribute one-half of their actual length.
3. The contributing length of Methods ABW, PFH, PFG, and CS-PF shall be in accordance with Table R602.10.5.

R602.12.4.3 Common sides with skewed rectangles. Braced wall panels located on a common wall where skewed rectangles intersect, as shown in Figure R602.12.4.3, shall be permitted to be assigned to the parallel rectangle side, and their projections shall be permitted to be assigned to the adjacent skewed rectangle sides.

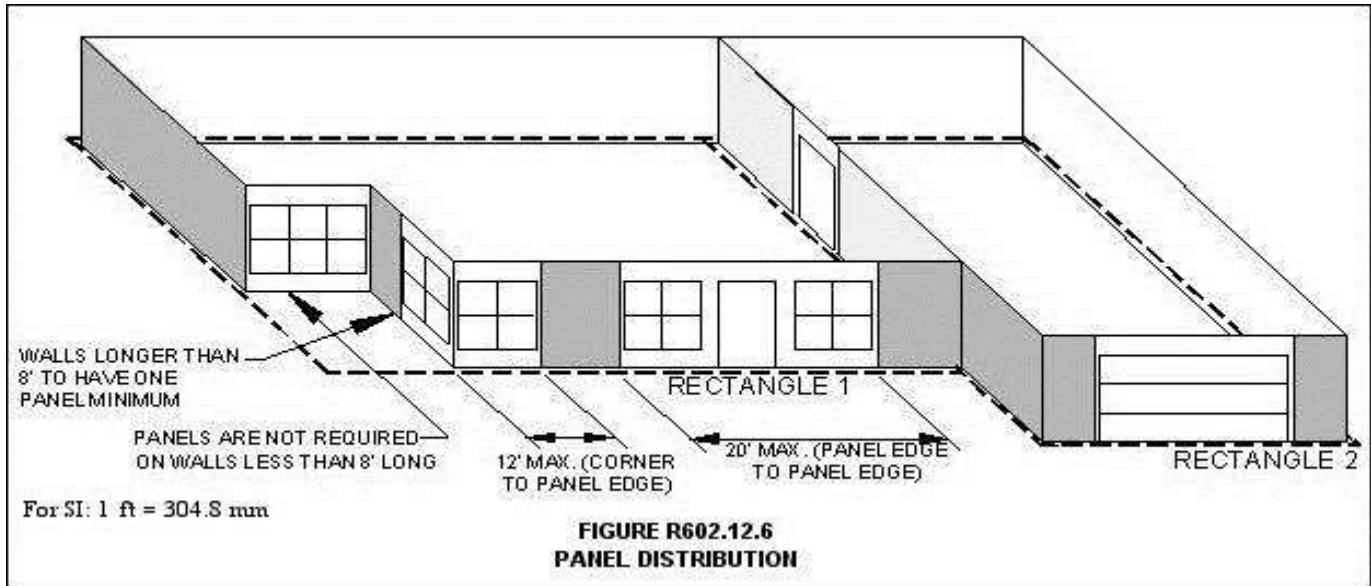


R602.12.5 Cripple walls and framed walls of walk-out basements. For rectangle sides with cripple walls having a maximum height of 48 inches (1220 mm), the required length of bracing shall be as determined in Section R602.12.4. For rectangle sides with cripple walls having a height greater than 48 inches (1220 mm) at any location or framed walls of a walk-out basement, the required length of bracing shall be determined using Table R602.12.4. Braced wall panels within cripple walls and walls of walk-out basements shall comply with Item 4 of Section R602.12.2.

R602.12.6 Distribution of braced wall panels. Braced wall panels shall be distributed in accordance with the following requirements as shown in Figure R602.12.6.

1. The edge of a braced wall panel shall be no more than 12 feet (3658 mm) from any building corner or rectangle corner.
2. The distance between adjacent edges of braced wall panels shall be no more than 20 feet (6096 mm).
3. Segments of exterior walls greater than 8 feet (2438 mm) in length shall have a minimum of one braced wall panel.
4. Segments of exterior wall 8 feet (2438 mm) or less in length shall be permitted to have no braced wall panels.

Regulations



R602.12.6.1 Panels adjacent to balloon framed walls. Braced wall panels shall be placed on each side of each story adjacent to balloon framed walls designed in accordance with Section R602.3 with a maximum height of two stories.

R602.12.7 Braced wall panel connection. Braced wall panels shall be connected to other structural elements in accordance with Section R602.10.8.

R602.12.8 Braced wall panel support. Braced wall panels shall be supported in accordance with Section R602.10.9.

66. Change the indicated rows of Table R802.4(1) to read:

Ceiling Joist Spacing (inches)	Species and Grade	Dead Load = 5 psf			
		2x4	2x6	2x8	2x10
		Maximum ceiling joist spans			
		(feet inches)	(feet inches)	(feet inches)	(feet inches)
12	Southern Pine SS	12-11	20-3	Note a	Note a
	Southern Pine #1	12-5	19-6	25-8	Note a
	Southern Pine #2	11-10	18-8	24-7	Note a
	Southern Pine #3	10-1	14-11	18-9	22-9
16	Southern Pine SS	11-9	18-5	24-3	Note a
	Southern Pine #1	11-3	17-8	23-4	Note a
	Southern Pine #2	10-9	16-11	21-7	25-7
	Southern Pine #3	8-9	12-11	16-3	19-9
19.2	Southern Pine SS	11-0	17-4	22-10	Note a
	Southern Pine #1	10-7	16-8	22-0	Note a
	Southern Pine #2	10-2	15-7	19-8	23-5
	Southern Pine #3	8-0	11-9	14-10	18-0
24	Southern Pine SS	10-3	16-1	21-2	Note a
	Southern Pine #1	9-10	15-6	20-5	24-0
	Southern Pine #2	9-3	13-11	17-7	20-11
	Southern Pine #3	7-2	10-6	13-3	16-1

67. Change the indicated rows of Table R802.4(2) to read:

Ceiling Joist Spacing (inches)	Species and Grade	Dead Load = 10 psf			
		2x4	2x6	2x8	2x10
		Maximum ceiling joist spans			
		(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)
12	Southern Pine SS	10-3	16-1	21-2	Note-a
	Southern Pine #1	9-10	15-6	20-5	24-0
	Southern Pine #2	9-3	13-11	17-7	20-11
	Southern Pine #3	7-2	10-6	13-3	16-1
16	Southern Pine SS	9-4	14-7	19-3	24-7
	Southern Pine #1	8-11	14-0	17-9	20-9
	Southern Pine #2	8-0	12-0	15-3	18-1
	Southern Pine #3	6-2	9-2	11-6	14-0
19.2	Southern Pine SS	8-9	13-9	18-2	23-1
	Southern Pine #1	8-5	12-9	16-2	18-11
	Southern Pine #2	7-4	11-0	13-11	16-6
	Southern Pine #3	5-8	8-4	10-6	12-9
24	Southern Pine SS	8-1	12-9	16-10	21-6
	Southern Pine #1	7-8	11-5	14-6	16-11
	Southern Pine #2	6-7	9-10	12-6	14-9
	Southern Pine #3	5-1	7-5	9-5	11-5

68. Change the indicated rows of Table R802.5.1(1) to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 psf					Dead Load = 20 psf				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans ^a									
		(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)
12	Southern Pine SS	11-3	17-8	23-4	Note-b	Note-b	11-3	17-8	23-4	Note-b	Note-b
	Southern Pine #1	10-10	17-0	22-5	Note-b	Note-b	10-6	15-8	19-10	23-2	Note-b
	Southern Pine #2	10-4	15-7	19-8	23-5	Note-b	9-0	13-6	17-1	20-3	23-10
	Southern Pine #3	8-0	11-9	14-10	18-0	21-4	6-11	10-2	12-10	15-7	18-6
16	Southern Pine SS	10-3	16-1	21-2	Note-b	Note-b	10-3	16-1	21-2	25-7	Note-b
	Southern Pine #1	9-10	15-6	19-10	23-2	Note-b	9-1	13-7	17-2	20-1	23-10
	Southern Pine #2	9-0	13-6	17-1	20-3	23-10	7-9	11-8	14-9	17-6	20-8
	Southern Pine #3	6-11	10-2	12-10	15-7	18-6	6-0	8-10	11-2	13-6	16-0

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19.2	Southern Pine SS	9-8	15-2	19-11	25-5	Note b	9-8	15-2	19-7	23-4	Note b
	Southern Pine #1	9-3	14-3	18-1	21-2	25-2	8-4	12-4	15-8	18-4	21-9
	Southern Pine #2	8-2	12-3	15-7	18-6	21-9	7-1	10-8	13-6	16-0	18-10
	Southern Pine #3	6-4	9-4	11-9	14-3	16-10	5-6	8-1	10-2	12-4	14-7
24	Southern Pine SS	8-11	14-1	18-6	23-8	Note b	8-11	13-10	17-6	20-10	24-8
	Southern Pine #1	8-7	12-9	16-2	18-11	22-6	7-5	11-1	14-0	16-5	19-6
	Southern Pine #2	7-4	11-0	13-11	16-6	19-6	6-4	9-6	12-1	14-4	16-10
	Southern Pine #3	5-8	8-4	10-6	12-9	15-1	4-11	7-3	9-1	11-0	13-1

69. Change the indicated rows of Table R802.5.1(2) to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 psf					Dead Load = 20 psf				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans ^a									
		(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)
12	Southern Pine SS	10-3	16-1	21-2	Note b	Note b	10-3	16-1	21-2	Note b	Note b
	Southern Pine #1	9-10	15-6	20-5	Note b	Note b	9-10	15-6	19-10	23-2	Note b
	Southern Pine #2	9-5	14-9	19-6	23-5	Note b	9-0	13-6	17-1	20-3	23-10
	Southern Pine #3	8-0	11-9	14-10	18-0	21-4	6-11	10-2	12-10	15-7	18-6
16	Southern Pine SS	9-4	14-7	19-3	24-7	Note b	9-4	14-7	19-3	24-7	Note b
	Southern Pine #1	8-11	14-1	18-6	23-2	Note b	8-11	13-7	17-2	20-1	23-10
	Southern Pine #2	8-7	13-5	17-1	20-3	23-10	7-9	11-8	14-9	17-6	20-8
	Southern Pine #3	6-11	10-2	12-10	15-7	18-6	6-0	8-10	11-2	13-6	16-0
19.2	Southern Pine SS	8-9	13-9	18-2	23-1	Note b	8-9	13-9	18-2	23-1	Note b
	Southern Pine #1	8-5	13-3	17-5	21-2	25-2	8-4	12-4	15-8	18-4	21-9
	Southern Pine #2	8-1	12-3	15-7	16-6	21-9	7-1	10-8	13-6	16-0	18-10
	Southern Pine #3	6-4	9-4	11-9	14-3	16-10	5-6	8-1	10-2	12-4	14-7

24	Southern Pine SS	8-1	12-9	16-10	21-6	Note b	8-1	12-9	16-10	20-10	24-8
	Southern Pine #1	7-10	12-3	16-2	18-11	22-6	7-6	11-1	14-0	16-5	19-6
	Southern Pine #2	7-4	11-0	13-11	16-6	19-6	6-4	9-6	12-1	14-4	16-10
	Southern Pine #3	5-8	8-4	10-6	12-9	15-1	4-11	7-3	9-1	11-0	13-1

70. Change the indicated rows of Table R802.5.1(3) to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 psf					Dead Load = 20 psf				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans ^a									
		(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)
12	Southern Pine SS	9-10	15-6	20-5	Note b	Note b	9-10	15-6	20-5	25-4	Note b
	Southern Pine #1	9-6	14-10	19-0	22-3	Note b	9-0	13-5	17-0	19-11	23-7
	Southern Pine #2	8-7	12-11	16-4	19-5	22-10	7-8	11-7	14-8	17-4	20-5
	Southern Pine #3	6-7	9-9	12-4	15-0	17-9	5-11	8-9	11-0	13-5	15-10
16	Southern Pine SS	8-11	14-1	18-6	23-8	Note b	8-11	14-1	18-5	21-11	25-11
	Southern Pine #1	8-7	13-0	16-6	19-3	22-10	7-10	11-7	14-9	17-3	20-5
	Southern Pine #2	7-6	11-2	14-2	16-10	19-10	6-8	10-0	12-8	15-1	17-9
	Southern Pine #3	5-9	8-6	10-8	13-0	15-4	5-2	7-7	9-7	11-7	13-9
19.2	Southern Pine SS	8-5	13-3	17-5	22-3	Note b	8-5	13-3	16-10	20-0	23-7
	Southern Pine #1	8-0	11-10	15-1	17-7	20-11	7-1	10-7	13-5	15-9	18-8
	Southern Pine #2	6-10	10-2	12-11	15-4	18-1	6-1	9-2	11-7	13-9	16-2
	Southern Pine #3	5-3	7-9	9-9	11-10	14-0	4-8	6-11	8-9	10-7	12-6
24	Southern Pine SS	7-10	12-3	16-2	20-0	23-7	7-10	11-10	15-0	17-11	21-2
	Southern Pine #1	7-1	10-7	13-5	15-9	18-8	6-4	9-6	12-0	14-1	16-8
	Southern Pine #2	6-1	9-2	11-7	13-9	16-2	5-5	8-2	10-4	12-3	14-6
	Southern Pine #3	4-8	6-11	8-9	10-7	12-6	4-2	6-2	7-10	9-6	11-2

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71. Change the indicated rows of Table R802.5.1(4) to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 psf					Dead Load = 20 psf				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans*									
		(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)
12	Southern Pine SS	8-4	13-1	17-2	21-11	Note b	8-4	13-1	17-2	21-5	25-3
	Southern Pine #1	8-0	12-3	15-6	18-2	21-7	7-7	11-4	14-5	16-10	20-0
	Southern Pine #2	7-0	10-6	13-4	15-10	18-8	6-6	9-9	12-4	14-8	17-3
	Southern Pine #3	5-5	8-0	10-1	12-3	14-6	5-0	7-5	9-4	11-4	13-5
16	Southern Pine SS	7-6	11-10	15-7	19-11	23-7	7-6	11-10	15-7	18-6	21-10
	Southern Pine #1	7-1	10-7	13-5	15-9	18-8	6-7	9-10	12-5	14-7	17-3
	Southern Pine #2	6-1	9-2	11-7	13-9	16-2	5-8	8-5	10-9	12-9	15-0
	Southern Pine #3	4-8	6-11	8-9	10-7	12-6	4-4	6-5	8-1	9-10	11-7
19.2	Southern Pine SS	7-1	11-2	14-8	18-3	21-7	7-1	11-2	14-2	16-11	20-0
	Southern Pine #1	6-6	9-8	12-3	14-4	17-1	6-0	9-0	11-4	13-4	15-9
	Southern Pine #2	5-7	8-4	10-7	12-6	14-9	5-2	7-9	9-9	11-7	13-8
	Southern Pine #3	4-3	6-4	8-0	9-8	11-5	4-0	5-10	7-4	8-11	10-7
24	Southern Pine SS	6-7	10-4	13-8	16-4	19-3	6-7	10-0	12-8	15-2	17-10
	Southern Pine #1	5-10	8-8	11-0	12-10	15-3	5-5	8-0	10-2	11-11	14-1
	Southern Pine #2	5-0	7-5	9-5	11-3	13-2	4-7	6-11	8-9	10-5	12-3
	Southern Pine #3	3-10	5-8	7-1	8-8	10-3	3-6	5-3	6-7	8-0	9-6

72. Change the indicated rows of Table R802.5.1(5) to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 psf					Dead Load = 20 psf				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans*									
		(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)
12	Southern Pine SS	8-11	14-1	18-6	23-8	Note b	8-11	14-1	18-6	23-8	Note b
	Southern Pine #1	8-7	13-6	17-10	22-3	Note b	8-7	13-5	17-0	19-11	23-7

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	Southern Pine #2	8-3	12-11	16-4	19-5	22-10	7-8	11-7	14-8	17-4	20-5
	Southern Pine #3	6-7	9-9	12-4	15-0	17-9	5-11	8-9	11-0	13-5	15-10
16	Southern Pine SS	8-1	12-9	16-10	21-6	Note-b	8-1	12-9	16-10	21-6	25-11
	Southern Pine #1	7-10	12-3	16-2	19-3	22-10	7-10	11-7	14-9	17-3	20-5
	Southern Pine #2	7-6	11-2	14-2	16-10	19-10	6-8	10-0	12-8	15-1	17-9
	Southern Pine #3	5-9	8-6	10-8	13-0	15-4	5-2	7-7	9-7	11-7	13-9
19.2	Southern Pine SS	7-8	12-0	15-10	20-2	24-7	7-8	12-0	15-10	20-0	23-7
	Southern Pine #1	7-4	11-7	15-1	17-7	20-11	7-1	10-7	13-5	15-9	18-8
	Southern Pine #2	6-10	10-2	12-11	15-4	18-1	6-1	9-2	11-7	13-9	16-2
	Southern Pine #3	5-3	7-9	9-9	11-10	14-0	4-8	6-11	8-9	10-7	12-6
24	Southern Pine SS	7-1	11-2	14-8	18-9	22-10	7-1	11-2	14-8	17-11	21-2
	Southern Pine #1	6-10	10-7	13-5	15-9	18-8	6-4	9-6	12-0	14-1	16-8
	Southern Pine #2	6-1	9-2	11-7	13-9	16-2	5-5	8-2	10-4	12-3	14-6
	Southern Pine #3	4-8	6-11	8-9	10-7	12-6	4-2	6-2	7-10	9-6	11-2

73. Change the indicated rows of Table R802.5.1(6) to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 psf					Dead Load = 20 psf				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans ^a									
		(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)
12	Southern Pine SS	7-6	11-0	15-7	19-11	24-3	7-6	11-10	15-7	19-11	24-3
	Southern Pine #1	7-3	11-5	15-0	18-2	21-7	7-3	11-4	14-5	16-10	20-0
	Southern Pine #2	6-11	10-6	13-4	15-10	18-8	6-6	9-9	12-4	14-8	17-3
	Southern Pine #3	5-5	8-0	10-1	12-3	14-6	5-0	7-5	9-4	11-4	13-5
16	Southern Pine SS	6-10	10-9	14-2	18-1	22-0	6-10	10-9	14-2	18-1	21-10
	Southern Pine #1	6-7	10-4	13-5	15-9	18-8	6-7	9-10	12-5	14-7	17-3
	Southern Pine #2	6-1	9-2	11-7	13-9	16-2	5-8	8-5	10-9	12-9	15-0

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	Southern Pine #3	4-8	6-11	8-9	10-7	12-6	4-4	6-5	8-1	9-10	11-7
19.2	Southern Pine SS	6-5	10-2	13-4	17-0	20-9	6-5	10-2	13-4	16-11	20-0
	Southern Pine #1	6-2	9-8	12-3	14-4	17-1	6-0	9-0	11-4	13-4	13-8
	Southern Pine #2	5-7	8-4	10-7	12-6	14-9	5-2	7-9	9-9	11-7	15-9
	Southern Pine #3	4-3	6-4	8-0	9-8	11-5	4-0	5-10	7-4	8-11	10-7
24	Southern Pine SS	6-0	9-5	12-5	15-10	19-3	6-0	9-5	12-5	15-2	17-10
	Southern Pine #1	5-9	8-8	11-0	12-10	15-3	5-5	8-0	10-2	11-11	14-1
	Southern Pine #2	5-0	7-5	9-5	11-3	13-2	4-7	6-11	8-9	10-5	12-3
	Southern Pine #3	3-10	5-8	7-1	8-8	10-3	3-6	5-3	6-7	8-0	9-6

74. Change the indicated rows of Table R802.5.1(7) to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 psf					Dead Load = 20 psf				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans*									
		(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)
12	Southern Pine SS	7-5	11-8	15-4	19-7	23-7	7-5	11-8	15-4	18-10	22-3
	Southern Pine #1	7-1	10-7	13-5	15-9	18-8	6-9	10-0	12-8	14-10	17-7
	Southern Pine #2	6-1	9-2	11-7	13-9	16-2	5-9	8-7	10-11	12-11	15-3
	Southern Pine #3	4-8	6-11	8-9	10-7	12-6	4-5	6-6	8-3	10-0	11-10
16	Southern Pine SS	6-9	10-7	14-0	17-4	20-5	6-9	10-7	13-9	16-4	19-3
	Southern Pine #1	6-2	9-2	11-8	13-8	16-2	5-10	8-8	11-0	12-10	15-3
	Southern Pine #2	5-3	7-11	10-0	11-11	14-0	5-0	7-5	9-5	11-3	13-2
	Southern Pine #3	4-1	6-0	7-7	9-2	10-10	3-10	5-8	7-1	8-8	10-3
19.2	Southern Pine SS	6-4	10-0	13-2	15-10	18-8	6-4	9-10	12-6	14-11	17-7
	Southern Pine #1	5-8	8-5	10-8	12-5	14-9	5-4	7-11	10-0	11-9	13-11
	Southern Pine #2	4-10	7-3	9-2	10-10	12-9	4-6	6-10	8-8	10-3	12-1
	Southern Pine #3	3-8	5-6	6-11	8-4	9-11	3-6	5-2	6-6	7-11	9-4

24	Southern Pine SS	5-11	9-3	11-11	14-2	16-8	5-11	8-10	11-2	13-4	15-9
	Southern Pine #1	5-0	7-6	9-6	11-1	13-2	4-9	7-1	9-0	10-6	12-5
	Southern Pine #2	4-4	6-5	8-2	9-9	11-5	4-1	6-1	7-9	9-2	10-9
	Southern Pine #3	3-4	4-11	6-2	7-6	8-10	3-1	4-7	5-10	7-1	8-4

75. Change the indicated rows of Table R802.5.1(8) to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 psf					Dead Load = 20 psf				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans ^a									
		(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)	(feet-inches)
12	Southern Pine SS	6-9	10-7	14-0	17-10	21-8	6-9	10-7	14-0	17-10	21-8
	Southern Pine #1	6-6	10-2	13-5	15-9	18-8	6-6	10-0	12-8	14-10	17-7
	Southern Pine #2	6-1	9-2	11-7	13-9	16-2	5-9	8-7	10-11	12-11	15-3
	Southern Pine #3	4-8	6-11	8-9	10-7	12-6	4-5	6-6	8-3	10-0	11-10
16	Southern Pine SS	6-1	9-7	12-8	16-2	19-8	6-1	9-7	12-8	16-2	19-3
	Southern Pine #1	5-11	9-2	11-8	13-8	16-2	5-10	8-8	11-0	12-10	15-3
	Southern Pine #2	5-3	7-11	10-0	11-11	14-0	5-0	7-5	9-5	11-3	13-2
	Southern Pine #3	4-1	6-0	7-7	9-2	10-10	3-10	5-8	7-1	8-8	10-3
19.2	Southern Pine SS	5-9	9-1	11-11	15-3	18-6	5-9	9-1	11-11	14-11	17-7
	Southern Pine #1	5-6	8-5	10-8	12-5	14-9	5-4	7-11	10-0	11-9	13-11
	Southern Pine #2	4-10	7-3	9-2	10-10	12-9	4-6	6-10	8-8	10-3	12-1
	Southern Pine #3	3-8	5-6	6-11	8-4	9-11	3-6	5-2	6-6	7-11	9-4
24	Southern Pine SS	5-4	8-5	11-1	14-2	16-8	5-4	8-5	11-1	13-4	15-9
	Southern Pine #1	5-0	7-6	9-6	11-1	13-2	4-9	7-1	9-0	10-6	12-5
	Southern Pine #2	4-4	6-5	8-2	9-9	11-5	4-1	6-1	7-9	9-2	10-9
	Southern Pine #3	3-4	4-11	6-2	7-6	8-10	3-1	4-7	5-10	7-1	8-4

Regulations

76. Change Section R807.1 to read:

~~R807.1 Attic access. Buildings with combustible ceiling or roof construction shall have an attic access opening to attic areas 30 square feet (2.8 m²) or larger having a vertical height of not less than 30 inches (762 mm). The vertical height shall be measured from the top of the ceiling framing members to the underside of the roof framing members.~~

~~The rough framed opening shall not be less than 22 inches by 30 inches (559 mm by 762 mm) and shall be located in a hallway or other readily accessible location. When located in a wall, the opening shall be a minimum of 22 inches wide by 30 inches high (559 mm wide by 762 mm high). When the access is located in a ceiling, minimum unobstructed headroom in the attic space shall be 30 inches (762 mm) at some point above the access measured vertically from the bottom of ceiling framing members. See Section M1305.1.3 for access requirements where mechanical equipment is located in attics.~~

77. ~~49.~~ Delete Section R905.2.8.5.

78. ~~50.~~ Change Section R1001.8 to read:

R1001.8 Smoke chamber. Smoke chamber walls shall be constructed of solid masonry units, hollow masonry units grouted solid, stone, or concrete. The total minimum thickness of front, back, and side walls shall be 8 inches (203 mm) of solid masonry. When the inside surface of the smoke chamber is formed by corbelled masonry, the inside surface shall be parged smooth. When a lining of firebrick at least 2 inches (51 mm) thick, or a lining of vitrified clay at least 5/8 inch (16 mm) thick, is provided, the total minimum thickness of front, back, and side walls shall be 6 inches (152 mm) of solid masonry, including the lining. Firebrick shall conform to ASTM C 1261 and shall be laid with medium duty refractory mortar conforming to ASTM C 199. Vitrified clay linings shall conform to ASTM C 315.

79. ~~51.~~ Delete Section ~~N1101.16~~ N1101.14 (R401.3).

80. ~~52.~~ Change the ceiling R-value and wood frame wall R-value categories for climate zone "4 except Marine" in Table ~~N1102.1.1 (R402.1.1)~~ N1102.1.2 (R402.1.2) to read:

Ceiling R-Value	Wood Frame Wall R-Value
38	15 or 13 + 1 ^h

81. ~~53.~~ Change the ceiling U-factor and frame wall U-factor categories for climate zone "4 except Marine" in Table ~~N1102.1.3 (R402.1.3)~~ N1102.1.4 (R402.1.4) to read:

Ceiling U-Factor	Frame Wall U-Factor
0.030	0.079

82. ~~54.~~ Change Sections ~~N1102.2.1 (R402.2.1)~~ and Section N1102.2.4 (R402.2.4) to read:

~~N1102.2.1 (R402.2.1) Ceilings with attic spaces. When Section N1102.1.1 would require R 38 in the ceiling, installing R 30 over 100% of the ceiling area shall be deemed to satisfy the requirement for R 38 wherever the full height of uncompressed R 30 insulation extends over the wall top plate at the eaves. Similarly, when Section N1102.1.1 would require R 49 in the ceiling, installing R 38 over 100% of the ceiling area shall be deemed to satisfy the requirement for R 49 wherever the full height of uncompressed R 38 insulation extends over the wall top plate at the eaves. This reduction shall not apply to the U factor alternative approach in Section N1102.1.3 and the total UA alternative in Section N1102.1.4.~~

N1102.2.4 (R402.2.4) Access hatches and doors. Access doors from conditioned spaces to unconditioned spaces (e.g., attics and crawl spaces) shall be weatherstripped and insulated in accordance with the following values:

1. Hinged vertical doors shall have a minimum overall R-5 insulation value;
2. Hatches and scuttle hole covers shall be insulated to a level equivalent to the insulation on the surrounding surfaces; and
3. Pull down stairs shall have a minimum of 75% of the panel area having R-5 rigid insulation.

Access shall be provided to all equipment that prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the attic access is opened, and to provide a permanent means of maintaining the installed R-value of the loose fill insulation.

83. ~~Delete Section N1102.3.6 (R402.3.6) and change 55.~~ Change Sections N1102.4 (R402.4) and N1102.4.1.1 (R402.4.1.1) to read:

N1102.4 (R402.4) Air leakage. The building thermal envelope shall be constructed to limit air leakage in accordance with the requirements of Sections N1102.4.1 through N1102.4.4.

N1102.4.1.1 (R402.4.1.1) Installation (Mandatory). The components of the building thermal envelope as listed in Table N1102.4.1.1 shall be installed in accordance with the manufacturer's instructions and the criteria listed in Table N1102.4.1.1, as applicable to the method of construction. Where required by the code official, an approved third party shall inspect all components and verify compliance.

84. ~~56.~~ Change the title of the "~~Criteria~~" "Insulation Installation Criteria" category of Table N1102.4.1.1 (R402.4.1.1); change the "~~Walls,~~" "~~Shower/tub on exterior wall,~~" and "~~Fireplace~~" categories category of Table

N1102.4.1.1 (R402.4.1.1), and add footnotes "b" and "c" to Table N1102.4.1.1 (R402.4.1.1) to read:

Component	Criteria ^{a,b}
Walls	<p>Cavities within corners and headers shall be insulated by completely filling the cavity with a material having a minimum thermal resistance of R-3 per inch. The junction of the foundation and sill plate shall be sealed. The junction of the top plate and top of exterior walls shall be sealed. Exterior thermal envelope insulation for framed walls shall be installed in substantial contact and continuous alignment with the air barrier. Knee walls shall be sealed.</p>
Shower/tub on exterior wall ^e	<p>Exterior walls adjacent to showers and tubs shall be insulated, and an air barrier shall be installed on the interior side of the exterior wall, adjacent to the shower or tub.</p>
Fireplace	<p>An air barrier shall be installed on fireplace walls. Fireplaces shall have gasketed doors or tight-fitting flue dampers.</p>
<p>b. <u>Structural integrity of headers shall be in accordance with the applicable building code.</u> e. <u>Air barriers used behind showers and tubs on exterior walls shall be of a permeable material that does not cause the entrapment of moisture in the stud cavity.</u></p>	

b. Structural integrity of headers shall be in accordance with the applicable building code.

c. Air barriers used behind showers and tubs on exterior walls shall be of a permeable material that does not cause the entrapment of moisture in the stud cavity.

85- 57. Change Section N1102.4.1.2 (R402.4.1.2) and add Sections N1102.4.1.2.1 (R402.4.1.2.1), N1102.4.1.2.2 (R402.4.1.2.2), and N1102.4.1.3 (R402.4.1.3) to read:

N1102.4.1.2 (R402.4.1.2) Air sealing. Building envelope air tightness shall be demonstrated to comply with either Section N1102.4.1.2.1 or N1102.4.1.2.2.

N1102.4.1.2.1 (R402.4.1.2.1) Testing option. The building or dwelling unit shall be tested for air leakage. Testing shall be conducted with a blower door at a pressure of 0.2 inches w.g. (50 Pa). Where required by the building official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

During testing:

1. Exterior windows and doors and fireplace and stove doors shall be closed, but not sealed beyond the intended weatherstripping or other infiltration control measures;
2. Dampers, including exhaust, intake, makeup air, backdraft, and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling systems, if installed at the time of the test, shall be turned off; and
6. Supply and return registers, if installed at the time of the test, shall be fully open.

N1102.4.1.2.2 (R402.4.1.2.2) Visual inspection option. Building envelope tightness shall be considered acceptable when the items listed in Table N1102.4.1.1, applicable to the method of construction, are field verified. Where required by the building official, an approved party, independent from the installer, shall inspect the air barrier. When this option is chosen, whole-house mechanical ventilation shall be provided in accordance with Section M1507.3.

N1102.4.1.3 (R402.4.1.3) Leakage rate (Prescriptive). The building or dwelling unit shall have an air leakage rate less than 5 changes per hour as verified in accordance with Section N1102.4.1.2.

<u>Component</u>	<u>Air Barrier Criteria</u>	<u>Insulation Installation Criteria^b</u>
<u>Shower/tub on exterior wall^c</u>	<u>The air barrier installed at exterior walls adjacent to showers and tubs shall be installed on the interior side and separate the exterior walls from the showers and tubs.</u>	<u>Exterior walls adjacent to showers and tubs shall be insulated.</u>

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86. Change Section N1103.1.1 (R403.1.1) to read:

~~N1103.1.1 (R403.1.1) Programmable thermostat. The thermostat controlling the primary heating or cooling system of the dwelling unit shall be capable of controlling the heating and cooling system on a daily schedule to maintain different temperature set points at different times of the day. This thermostat shall include the capability to set back or temporarily operate the system to maintain zone temperatures down to 55°F (13°C) or up to 85°F (29°C). The thermostat shall initially be programmed with a heating temperature set point no higher than 70°F (21°C) and a cooling temperature set point no lower than 78°F (26°C).~~

87. ~~58.~~ Change Section N1103.2.2 (R403.2.2) N1103.3.2 (R403.3.2) to read:

~~N1103.2.2 (R403.2.2) N1103.3.2 (R403.3.2) Sealing (Mandatory). Ducts, air handlers, and filter boxes shall be sealed. Joints and seams shall comply with either the International Mechanical Code or Section M1601.4.1 of this code, as applicable. Verification of compliance with this section shall be in accordance with either Section N1103.2.2.1 Sections N1103.3.3 and N1103.3.4 when the testing option is chosen or N1103.2.2.2 N1103.3.4 when the visual inspection option is chosen.~~

Exceptions:

1. Air-impermeable spray foam products shall be permitted to be applied without additional joint seals.
2. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
3. ~~Continuously welded and locking type longitudinal joints and seams in ducts operating at 2. For ducts having a static pressures pressure of less than 2 inches of water column (500 Pa) pressure classification shall not require, additional closure systems shall not be required for continuously welded joints and seams and locking-type joints and seams of other than the snap-lock and button-lock types.~~

88. ~~59.~~ Change Section N1103.2.2.1 (R403.2.2.1) N1103.3.5 (R403.3.5) to read:

~~N1103.2.2.1 (R403.2.2.1) Testing option. Duct tightness shall be verified by either of the following:~~

1. Post construction test: Total leakage shall be less than or equal to 6 cfm (169.9 L/min) per 100 square feet (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test.
2. Rough in test: Total leakage shall be less than or equal to 5 cfm (141.5 L/min) per 100 square feet (9.29 m²) of conditioned floor area when tested at a pressure

differential of 0.1 inch w.g. (25 Pa) across the system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 5 cfm (141.5 L/min) per 100 square feet (9.29 m²) of conditioned floor area.

Exception: The total leakage test is not required for ducts and air handlers located entirely within the building thermal envelope.

When this option is chosen, testing shall be performed by approved qualified individuals, testing agencies or contractors. Testing and results shall be as prescribed in Section N1103.2.2 and approved recognized industry standards.

89. Add Section N1103.2.2.2 (R403.2.2.2) to read:

~~N1103.2.2.2 (R403.2.2.2) N1103.3.5 (R403.3.5) Visual inspection option. In addition to the inspection of ducts otherwise required by this code, when the air handler and all ducts are not within conditioned space and this option is chosen to verify duct tightness, duct tightness shall be considered acceptable when the requirements of Section N1103.2.2 N1103.3.2 are field verified.~~

90. ~~60.~~ Add Section N1103.2.2.3 (R403.2.2.3) N1103.3.6 (R403.3.6) to read:

~~N1103.2.2.3 (R403.2.2.3) Sealed air handler. Air handlers shall have a manufacturer's designation for an air leakage of no more than 2.0% of the design air flow rate when tested in accordance with ASHRAE 193.~~

91. Change Section N1103.4.2 (R403.4.2) to read:

~~N1103.4.2 (R403.4.2) Hot water pipe insulation (Prescriptive). Insulation for hot water pipe with a minimum thermal resistance (R value) of R 3 shall be applied to the following:~~

1. Piping larger than 3/4 inch nominal diameter.
2. Piping serving more than one dwelling unit.
3. Piping located outside the conditioned space.
4. Piping from the water heater to a distribution manifold.
5. Piping located under a floor slab.
6. Buried piping.
7. Supply and return piping in recirculation systems other than demand recirculation systems.

92. Delete Table N1103.4.2 (R403.4.2).

~~N1103.3.6 (R403.3.6) Building cavities (mandatory). Building framing cavities shall not be used as ducts or plenums.~~

93. ~~61.~~ Change Section N1103.6 (R403.6) N1103.7 (R403.7) to read:

~~N1103.6 (R403.6) N1103.7 (R403.7) Equipment and appliance sizing. Heating and cooling equipment and~~

appliances shall be sized in accordance with ACCA Manual S or other approved sizing methodologies based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies.

Exception: Heating and cooling equipment and appliance sizing shall not be limited to the capacities determined in accordance with Manual S or other approved sizing methodologies where any of the following conditions apply:

1. The specified equipment or appliance utilizes multi-stage technology or variable refrigerant flow technology and the loads calculated in accordance with the approved heating and cooling methodology fall within the range of the manufacturer's published capacities for that equipment or appliance.
2. The specified equipment or appliance manufacturer's published capacities cannot satisfy both the total and sensible heat gains calculated in accordance with the approved heating and cooling methodology and the next larger standard size unit is specified.
3. The specified equipment or appliance is the lowest capacity unit available from the specified manufacturer.

94. Change Section N1104.1 (R404.1) to read:

~~N1104.1 (R404.1) Lighting equipment (Mandatory). A minimum of 50% of the lamps in permanently installed luminaires shall be high efficacy lamps, or a minimum of 50% of the permanently installed luminaires shall contain only high efficacy lamps.~~

~~Exception: Low voltage lighting shall not be required to utilize high efficiency lamps.~~

95. ~~62.~~ Change the "Glazing" "Vertical fenestration other than opaque doors" and "Air exchange rate" categories of Table N1105.5.2(1) (Table R405.5.2(1)) to read:

Building Component	Standard Reference Design	Proposed Design
<u>Glazing</u> ^a <u>Vertical fenestration other than opaque doors</u>	Total area ^b is 15% of the conditioned floor area.	As proposed
<u>Glazing</u> ^a <u>Vertical fenestration other than opaque doors</u>	Orientation: equally distributed to four cardinal compass orientations (North, East, South & West).	As proposed

<u>Glazing</u> ^a <u>Vertical fenestration other than opaque doors</u>	U-factor: from Table N1102.1.3 (R402.1.3) N1102.1.4.	As proposed
<u>Glazing</u> ^a <u>Vertical fenestration other than opaque doors</u>	SHGC: From Table N1102.1.1 (R402.1.1) N1102.1.2 except that for climates with no requirement (NR) SHGC = 0.40 shall be used.	As proposed
<u>Glazing</u> ^a <u>Vertical fenestration other than opaque doors</u>	Interior shade fraction: 0.92-(0.21 x SHGC for the standard reference design).	0.92-(0.21 x SHGC as proposed)
<u>Glazing</u> ^a <u>Vertical fenestration other than opaque doors</u>	External shading: none.	As proposed
Air exchange rate	Air leakage rate of 5 air changes per hour at a pressure of 0.2 inches w.g (50 Pa). The mechanical ventilation rate shall be in addition to the air leakage rate and the same as in the proposed design, but no greater than $0.01 \times \text{CFA} + 7.5 \times (\text{N}_{\text{br}} + 1)$ where: CFA = conditioned floor area N_{br} = number of bedrooms Energy recovery shall not be assumed for mechanical ventilation.	For residences that are not tested, the same air leakage rate as the standard reference design. For tested residences, the measured air exchange rate ^{e a} . The mechanical ventilation rate ^{d b} shall be in addition to the air leakage rate and shall be as proposed.

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a. Where required by the code official, testing shall be conducted by an approved party. Hourly calculations as specified in the ASHRAE Handbook of Fundamentals, or the equivalent shall be used to determine the energy loads resulting from infiltration.

b. The combined air exchange rate for infiltration and mechanical ventilation shall be determined in accordance with Equation 43 of 2001 ASHRAE Handbook of Fundamentals, page 26.24 and the "Whole-house Ventilation" provisions of 2001 ASHRAE Handbook of Fundamentals, page 26.19 for intermittent mechanical ventilation.

63. Delete Section N1109.1.1.1 (R503.1.1.1).

96- 64. Change Section M1401.3 to read:

M1401.3 Equipment and appliance sizing. Heating and cooling equipment and appliances shall be sized in accordance with ACCA Manual S or other approved sizing methodologies based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies.

Exception: Heating and cooling equipment and appliance sizing shall not be limited to the capacities determined in accordance with Manual S or other approved sizing methodologies where any of the following conditions apply:

1. The specified equipment or appliance utilizes multi-stage technology or variable refrigerant flow technology and the loads calculated in accordance with the approved heating and cooling methodology fall within the range of the manufacturer's published capacities for that equipment or appliance.
2. The specified equipment or appliance manufacturer's published capacities cannot satisfy both the total and sensible heat gains calculated in accordance with the approved heating and cooling methodology, and the next larger standard size unit is specified.
3. The specified equipment or appliance is the lowest capacity unit available from the specified manufacturer.

97- 65. Add Section M1501.2 to read:

M1501.2 Transfer air. Air transferred from occupiable spaces other than kitchens, baths, and toilet rooms shall not be prohibited from serving as makeup air for exhaust systems. Transfer openings between spaces shall be of the same cross-sectional area as the free area of the makeup air openings. Where louvers and grilles are installed, the required size of openings shall be based on the net free area of each opening. Where the design and free area of louvers and grilles are not known, it shall be assumed that wood louvers will have 25% free area and metal louvers and grilles will have 75% free area.

66. Change Section M1502.4.2 to read:

M1502.4.2 Duct installation. Exhaust ducts shall be supported at 4-foot (1219 mm) intervals and shall be secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Ducts shall not be joined with screws or similar fasteners that protrude into the inside of the duct.

98- 67. Change Section M1503.4 and add Section M1503.4.1 to read:

M1503.4 Makeup air required. Exhaust hood systems capable of exhausting more than 400 cubic feet per minute (0.19 m³/s) shall be provided with makeup air at a rate approximately equal to the exhaust air rate in excess of 400 cubic feet per minute (0.19 m³/s). Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

Exception: Intentional openings for makeup air are not required for kitchen exhaust systems capable of exhausting not greater than 600 cubic feet per minute (0.28 m³/s) provided that one of the following conditions is met:

1. Where the floor area within the air barrier of a dwelling unit is at least 1500 square feet (139.35 m²), and where natural draft or mechanical draft space-heating or water-heating appliances are not located within the air barrier.
2. Where the floor area within the air barrier of a dwelling unit is at least 3000 square feet (278.71 m²), and where natural draft space-heating or water-heating appliances are not located within the air barrier.

~~M1503.4.1 Location. Kitchen exhaust makeup air shall be provided in the same room as the exhaust system or in a room or duct system communicating through one or more permanent openings with the room in which such exhaust system is located. Permanent openings shall be at least of the same net cross-sectional area as the required area of the makeup air openings.~~

99- 68. Add Section M1801.1.1 to read:

M1801.1.1 Equipment changes. Upon the replacement or new installation of any fuel-burning appliances or equipment in existing buildings, an inspection or inspections shall be conducted to ensure that the connected vent or chimney systems comply with the following:

1. Vent or chimney systems are sized in accordance with this code.
2. Vent or chimney systems are clean, free of any obstruction or blockages, defects or deterioration and are in operable condition.

Where not inspected by the local building department, persons performing such changes or installations shall

certify to the building official that the requirements of Items 1 and 2 of this section are met.

69. Change Sections G2411.1 and G2411.1.1 to read:

G2411.1 Pipe and tubing. Each above-group portion of a gas piping system that is likely to become energized shall be electrically continuous and bonded to an effective ground-fault current path. Gas piping shall be considered to be bonded where it is connected to appliances that are connected to the equipment grounding conductor of the circuit supplying that appliance. Corrugated stainless steel tubing (CSST) piping systems listed with an arc resistant jacket or coating system in accordance with ANSI LC 1/CSA 6.26 shall comply with this section. Where any CSST segments of a piping system are not listed with an arc resistant jacket or coating system in accordance with ANSI LC 1/CSA 6.26, Section G2411.1.1 shall apply.

G2411.1.1 CSST without arc resistant jacket or coating system. CSST gas piping systems and piping systems containing one or more segments of CSST not listed with an arc resistant jacket or coating system in accordance with ANSI LC 1/CSA 6.26 shall be bonded to the electrical service grounding electrode system or, where provided, the lightning protection electrode system and shall comply with Sections G2411.1.1.1 through G2411.1.1.5.

~~400.~~ 70. Add Section G2425.1.1 to read:

G2425.1.1 Equipment changes. Upon the replacement or new installation of any fuel-burning appliances or equipment in existing buildings, an inspection or inspections shall be conducted to ensure that the connected vent or chimney systems comply with the following:

1. Vent or chimney systems are sized in accordance with this code.
2. Vent or chimney systems are clean, free of any obstruction or blockages, defects, or deterioration and are in operable condition.

Where not inspected by the local building department, persons performing such changes or installations shall certify to the building official that the requirements of Items 1 and 2 of this section are met.

71. Change Section G2439.7.2 to read:

G2439.7.2 Duct installation. Exhaust ducts shall be supported at 4-foot (1219 mm) intervals and secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Ducts shall not be joined with screws or similar fasteners that protrude into the inside of the duct.

~~401.~~ 72. Change Section P2601.2 to read:

P2601.2 Connections. Plumbing fixtures, drains and appliances used to receive or discharge liquid wastes or

sewage shall be directly connected to the sanitary drainage system of the building or premises, in accordance with the requirements of this code. This section shall not be construed to prevent indirect waste systems.

Exception: Bathtubs, showers, lavatories, clothes washers and laundry trays shall not be required to discharge to the sanitary drainage system where such fixtures discharge to an approved nonpotable gray water system in accordance with the applicable provisions of Sections ~~P2909~~, P2910, ~~and P2911~~, and P2912.

~~402.~~ 73. Change Section P2602.1 to read:

P2602.1 General. The water and drainage system of any building or premises where plumbing fixtures are installed shall be connected to a public or private water supply and a public or private sewer system. As provided for in Section 103.10 of Part I of the Virginia Uniform Statewide Building Code (13VAC5-63) for functional design, water supply sources and sewage disposal systems are regulated and approved by the Virginia Department of Health and the Virginia Department of Environmental Quality.

Note: See also the Memorandums of Agreement in the "Related Laws Package," which is available from the Virginia Department of Housing and Community Development.

74. Add Section P2602.3 to read:

P2602.3 Tracer wire. Nonmetallic water service piping that connects to public systems shall be locatable. An insulated copper tracer wire, 18 AWG minimum in size and suitable for direct burial or an equivalent product, shall be utilized. The wire shall be installed in the same trench as the water service piping and within 12 inches (305 mm) of the pipe and shall be installed to within five feet (1524 mm) of the building wall to the point where the building water service pipe intersects with the public water supply. At a minimum, one end of the wire shall terminate above grade to provide access to the wire in a location that is resistant to physical damage, such as with a meter vault or at the building wall.

~~403.~~ 75. Add Section P2901.1.1 to read:

P2901.1.1 Nonpotable fixtures and outlets. Nonpotable water shall be permitted to serve nonpotable type fixtures and outlets in accordance with the applicable provisions of Sections ~~P2909~~, P2910, ~~and P2911~~, and P2912.

~~404.~~ 76. Change Section P2903.5 to read:

P2903.5 Water hammer. The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. A water-hammer arrestor shall be installed where quick-closing valves are utilized, unless otherwise approved. Water hammer arrestors shall be installed in accordance with manufacturer's

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specifications. Water hammer arrestors shall conform to ASSE 1010.

~~105. Add Section P3002.2.1 to read as follows and delete Section P3009 in its entirety:~~

~~P3002.2.1 Tracer wire. Nonmetallic sanitary sewer piping that discharges to public systems shall be locatable. An insulated copper tracer wire, 18 AWG minimum in size and suitable for direct burial or an equivalent product, shall be utilized. The wire shall be installed in the same trench as the sewer within 12 inches (305 mm) of the pipe and shall be installed from within five feet of the building wall to the point where the building sewer intersects with the public system. At a minimum, one end of the wire shall terminate above grade in an accessible location that is resistant to physical damage, such as with a cleanout or at the building wall.~~

~~106. Add an exception to Section P3301.1 to read:~~

~~Exception: Rainwater nonpotable water systems shall be permitted in accordance with the applicable provisions of Sections P2909 and 2911.~~

~~107. Add Section P2909 Nonpotable Water Systems.~~

~~108. Add 77. Change Sections P2909.1 P2910.1 through P2909.18 P2910.14, including subsections, to read:~~

~~P2909.1 P2910.1 Scope. The provisions of this section shall govern the materials, design, construction, and installation of nonpotable water systems subject to this code.~~

~~P2909.1.1 P2910.1.1 Design of nonpotable water systems. All portions of nonpotable water systems subject to this code shall be constructed using the same standards and requirements for the potable water systems or drainage systems as provided for in this code unless otherwise specified in this section or Section P2910 or P2911 or P2912, as applicable.~~

~~P2909.2 P2910.2 Makeup water. Makeup water shall be provided for all nonpotable water supply systems. The makeup water system shall be designed and installed to provide supply of water in the amounts and at the pressures specified in this code. The makeup water supply shall be potable and be protected against backflow in accordance with the applicable requirements of Section P2902.~~

~~P2909.2.1 P2910.2.1 Makeup water sources. Nonpotable water shall be permitted to serve as makeup water for gray water and rainwater systems.~~

~~P2909.2.2 P2910.2.2 Makeup water supply valve. A full-open valve shall be provided on the makeup water supply line.~~

~~P2909.2.3 P2910.2.3 Control valve alarm. Makeup water systems shall be fitted with a warning mechanism that alerts the user to a failure of the inlet control valve to close correctly. The alarm shall activate before the water~~

within the storage tank begins to discharge into the overflow system.

~~P2909.3 P2910.3 Sizing. Nonpotable water distribution systems shall be designed and sized for peak demand in accordance with approved engineering practice methods that comply with the applicable provisions of this chapter.~~

~~P2909.4 P2910.4 Signage required. All nonpotable water outlets, other than water closets and urinals, such as hose connections, open ended pipes, and faucets shall be identified at the point of use for each outlet with signage that reads as follows: "Nonpotable water is utilized for (insert application name). Caution: nonpotable water. DO NOT DRINK." The words shall be legibly and indelibly printed on a tag or sign constructed of corrosion-resistant waterproof material or shall be indelibly printed on the fixture. The letters of the words shall be not less than 0.5 inches (12.7 mm) in height and in colors in contrast to the background on which they are applied. The pictograph shown in Figure P2909.4 P2910.4 shall appear on the signage required by this section.~~

Editor's Note: Figure P2909.4 is being deleted, and Figure P2910.4 is being added in the proposed action.



~~P2909.5 P2910.5 Potable water supply system connections. Where a potable water supply system is connected to a nonpotable water system, the potable~~

water supply shall be protected against backflow in accordance with the applicable provisions of Section P2902.

~~P2909.6~~ P2910.6 Nonpotable water system connections. Where a nonpotable water system is connected and supplies water to another nonpotable water system, the nonpotable water system that supplies water shall be protected against backflow in accordance with the applicable provisions of Section P2902.

~~P2909.7~~ P2910.7 Approved components and materials. Piping, plumbing components, and materials used in the nonpotable water drainage and distribution systems shall be approved for the intended application and compatible with the water and any disinfection or treatment systems used.

~~P2909.8~~ P2910.8 Insect and vermin control. Nonpotable water systems shall be protected to prevent the entrance of insects and vermin into storage and piping systems. Screen materials shall be compatible with system material and shall not promote corrosion of system components.

~~P2909.9~~ P2910.9 Freeze protection. Nonpotable water systems shall be protected from freezing in accordance with the applicable provisions of Chapter 26.

~~P2909.10~~ P2910.10 Nonpotable water storage tanks. Nonpotable water storage tanks shall be approved for the intended application and comply with Sections ~~P2909.10.1~~ P2910.10.1 through ~~P2909.10.12~~ P2910.10.12.

~~P2909.10.1~~ P2910.10.1 Sizing. The holding capacity of storage tanks shall be sized for the intended use.

~~P2909.10.2~~ P2910.10.2 Inlets. Storage tank inlets shall be designed to introduce water into the tank and avoid agitating the contents of the storage tank. The water supply to storage tanks shall be controlled by fill valves or other automatic supply valves designed to stop the flow of incoming water before the tank contents reach the overflow pipes.

~~P2909.10.3~~ P2910.10.3 Outlets. Outlets shall be located at least 4 inches (102 mm) above the bottom of the storage tank and shall not skim water from the surface.

~~P2909.10.4~~ P2910.10.4 Materials and location. Storage tanks shall be constructed of material compatible with treatment systems used to treat water. Above grade storage vessels shall be constructed using opaque, UV-resistant materials such as tinted plastic, lined metal, concrete, or wood or painted to prevent algae growth. Above grade storage tanks shall be protected from direct sunlight unless their design specifically incorporates the use of the sunlight heat transfer. Wooden storage tanks shall be provided with a flexible liner. Storage tanks and their manholes shall not be located directly under soil or waste piping or sources of contamination.

~~P2909.10.5~~ P2910.10.5 Foundation and supports. Storage tanks shall be supported on a firm base capable of withstanding the storage tank's weight when filled to capacity. Storage tanks shall be supported in accordance with the applicable provisions of the IBC.

~~P2909.10.5.1~~ P2910.10.5.1 Ballast. Where the soil can become saturated, an underground storage tank shall be ballasted, or otherwise secured, to prevent the effects of buoyancy. The combined weight of the tank and hold down ballast shall meet or exceed the buoyancy force of the tank. Where the installation requires a foundation, the foundation shall be flat and shall be designed to support the storage tank weight when full, consistent with the bearing capability of adjacent soil.

~~P2909.10.5.2~~ P2910.10.5.2 Structural support. Where installed below grade, storage tank installations shall be designed to withstand earth and surface structural loads without damage.

~~P2909.10.6~~ P2910.10.6 Overflow. The storage tank shall be equipped with an overflow pipe having a diameter not less than that shown in Table ~~P2909.10.6~~ P2910.10.6. The overflow outlet shall discharge at a point not less than 6 inches (152 mm) above the roof or roof drain, floor or floor drain, or over an open water-supplied fixture. The overflow outlet shall terminate through a check valve. Overflow pipes shall not be directed on walkways. The overflow drain shall not be equipped with a shutoff valve. A minimum of one cleanout shall be provided on each overflow pipe in accordance with the applicable provisions of Section P3005.2.

Table P2909.10.6 <u>P2910.10.6</u> Sizes for Overflow Pipes for Water Supply Tanks	
Maximum Capacity of Water Supply Line to Tank (gpm)	Diameter of Overflow Pipe (inches)
0 - 50	2
50 - 150	2-1/2
150 - 200	3
200 - 400	4
400 - 700	5
700 - 1,000	6
Over 1,000	8
For SI: 1 inch = 25.4 mm, 1 gallon per minute = 3.785 L/m.	

~~P2909.10.7~~ P2910.10.7 Access. A minimum of one access opening shall be provided to allow inspection and cleaning of the tank interior. Access openings shall have an approved locking device or other approved method of securing access. Below grade storage tanks, located

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outside of the building, shall be provided with either a manhole not less than 24 inches (610 mm) square or a manhole with an inside diameter not less than 24 inches (610 mm). The design and installation of access openings shall prohibit surface water from entering the tank. Each manhole cover shall have an approved locking device or other approved method of securing access.

Exception: Storage tanks under 800 gallons (3028 L) in volume installed below grade shall not be required to be equipped with a manhole, but shall have an access opening not less than 8 inches (203 mm) in diameter to allow inspection and cleaning of the tank interior.

~~P2909.10.8~~ P2910.10.8 Venting. Storage tanks shall be vented. Vents shall not be connected to the sanitary drainage system. Vents shall be at least equal in size to the internal diameter of the drainage inlet pipe or pipes connected to the tank. Where installed at grade, vents shall be protected from contamination by means of a U-bend installed with the opening directed downward. Vent outlets shall extend a minimum of 12 inches (304.8 mm) above grade, or as necessary to prevent surface water from entering the storage tank. Vent openings shall be protected against the entrance of vermin and insects. Vents serving gray water tanks shall terminate in accordance with the applicable provisions of Sections P3103 and ~~P2909.8~~ P2910.8.

~~P2909.10.9~~ P2910.10.9 Drain. Where drains are provided, they shall be located at the lowest point of the storage tank. The tank drain pipe shall discharge as required for overflow pipes and shall not be smaller in size than specified in Table ~~P2909.10.6~~ P2910.10.6. A minimum of one cleanout shall be provided on each drain pipe in accordance with Section P3005.2.

~~P2909.10.10~~ P2910.10.10 Labeling and signage. Each nonpotable water storage tank shall be labeled with its rated capacity and the location of the upstream bypass valve. Underground and otherwise concealed storage tanks shall be labeled at all access points. The label shall read: "CAUTION: NONPOTABLE WATER - DO NOT DRINK." Where an opening is provided that could allow the entry of personnel, the opening shall be marked with the words: "DANGER - CONFINED SPACE." Markings shall be indelibly printed on a tag or sign constructed of corrosion-resistant waterproof material mounted on the tank or shall be indelibly printed on the tank. The letters of the words shall be not less than 0.5 inches (12.7 mm) in height and shall be of a color in contrast with the background on which they are applied.

~~P2909.10.11~~ P2910.10.11 Storage tank tests. Storage tanks shall be tested in accordance with the following:

1. Storage tanks shall be filled with water to the overflow line prior to and during inspection. All seams and joints shall be left exposed and the tank shall remain water tight without leakage for a period of 24 hours.

2. After 24 hours, supplemental water shall be introduced for a period of 15 minutes to verify proper drainage of the overflow system and verify that there are no leaks.

3. Following a successful test of the overflow system, the water level in the tank shall be reduced to a level that is at 2 inches (50.8 mm) below the makeup water offset point. The tank drain shall be observed for proper operation. The makeup water system shall be observed for proper operation, and successful automatic shutoff of the system at the refill threshold shall be verified. Water shall not be drained from the overflow at any time during the refill test.

4. Air tests shall be permitted in lieu of water testing as recommended by the tank manufacturer or the tank standard.

~~P2909.10.12~~ P2910.10.12 Structural strength. Storage tanks shall meet the applicable structural strength requirements of the IBC.

~~P2909.11~~ P2910.11 Trenching requirements for nonpotable water system piping. Underground nonpotable water system piping shall be horizontally separated from the building sewer and potable water piping by 5 feet (1524 mm) of undisturbed or compacted earth. Nonpotable water system piping shall not be located in, under, or above sewage systems cesspools, septic tanks, septic tank drainage fields, or seepage pits. Buried nonpotable water system piping shall comply with the requirements of this code for the piping material installed.

Exceptions:

1. The required separation distance shall not apply where the bottom of the nonpotable water pipe within 5 feet (1524 mm) of the sewer is equal to or greater than 12 inches (305 mm) above the top of the highest point of the sewer and the pipe materials conforms to Table P3002.2.

2. The required separation distance shall not apply where the bottom of the potable water service pipe within 5 feet (1524 mm) of the nonpotable water pipe is a minimum of 12 inches (305 mm) above the top of the highest point of the nonpotable water pipe and the pipe materials comply with the requirements of Table ~~P2905.5~~ P2906.5.

3. Nonpotable water pipe is permitted to be located in the same trench with building sewer piping, provided that such sewer piping is constructed of materials that comply with the requirements of Table P3002.1(2).

4. The required separation distance shall not apply where a nonpotable water pipe crosses a sewer pipe, provided that the pipe is sleeved to at least 5 feet (1524 mm) horizontally from the sewer pipe centerline on both sides of such crossing with pipe materials that comply with Table P3002.1(2).

5. The required separation distance shall not apply where a potable water service pipe crosses a nonpotable water

pipe provided that the potable water service pipe is sleeved for a distance of at least 5 feet (1524 mm) horizontally from the centerline of the nonpotable pipe on both sides of such crossing with pipe materials that comply with Table P3002.1(2).

~~P2909.12~~ P2910.12 Outdoor outlet access. Sillcocks, hose bibs, wall hydrants, yard hydrants, and other outdoor outlets that are supplied by nonpotable water shall be located in a locked vault or shall be operable only by means of a removable key.

~~P2909.13~~ P2910.13 Drainage and vent piping and fittings. Nonpotable drainage and vent pipe and fittings shall comply with the applicable material standards and installation requirements in accordance with provisions of Chapter 30.

~~P2909.13.1~~ P2910.13.1 Labeling and marking. Identification of nonpotable drainage and vent piping shall not be required.

~~P2909.14~~ P2910.14 Pumping and control system. Mechanical equipment, including pumps, valves, and filters, shall be accessible and removable in order to perform repair, maintenance, and cleaning. The minimum flow rate and flow pressure delivered by the pumping system shall be designed for the intended application in accordance with the applicable provisions of Section P2903.

78. Add Sections P2910.15 through P2910.18, including subsections, to read:

~~P2909.15~~ P2910.15 Water-pressure reducing valve or regulator. Where the water pressure supplied by the pumping system exceeds 80 psi (552 kPa) static, a pressure-reducing valve shall be installed to reduce the pressure in the nonpotable water distribution system piping to 80 psi (552 kPa) static or less. Pressure-reducing valves shall be specified and installed in accordance with the applicable provisions of Section P2903.3.1.

~~P2909.16~~ P2910.16 Distribution pipe. Distribution piping utilized in nonpotable water stems shall comply with Sections ~~P2909.16.1~~ P2910.16.1 through ~~P2909.16.4~~ P2910.16.4.

~~P2909.16.1~~ P2910.16.1 Materials, joints, and connections. Distribution piping and fittings shall comply with the applicable material standards and installation requirements in accordance with applicable provisions of Chapter 29.

~~P2909.16.2~~ P2910.16.2 Design. Distribution piping shall be designed and sized in accordance with the applicable provisions of Chapter 29.

~~P2909.16.3~~ P2910.16.3 Labeling and marking. Distribution piping labeling and marking shall comply with Section P2901.1.

~~P2909.16.4~~ P2910.16.4 Backflow prevention. Backflow preventers shall be installed in accordance with the applicable provisions of Section P2902.

~~P2909.17~~ P2910.17 Tests and inspections. Tests and inspections shall be performed in accordance with Sections ~~P2909.17.1~~ P2910.17.1 through ~~P2909.17.5~~ P2910.17.5.

~~P2909.17.1~~ P2910.17.1 Drainage and vent pipe test. Drain, waste, and vent piping used for gray water and rainwater nonpotable water systems shall be tested in accordance with the applicable provisions of Section P2503.

~~P2909.17.2~~ P2910.17.2 Storage tank test. Storage tanks shall be tested in accordance with the Section ~~P2909.10.11~~ P2910.10.11.

~~P2909.17.3~~ P2910.17.3 Water supply system test. Nonpotable distribution piping shall be tested in accordance with Section P2503.7.

~~P2909.17.4~~ P2910.17.4 Inspection and testing of backflow prevention assemblies. The testing of backflow preventers and backwater valves shall be conducted in accordance with Section P2503.8.

~~P2909.17.5~~ P2910.17.5 Inspection of vermin and insect protection. Inlets and vent terminations shall be visually inspected to verify that each termination is installed in accordance with Section ~~P2909.10.8~~ P2910.10.8.

~~P2909.18~~ P2910.18 Operation and maintenance manuals. Operations and maintenance materials for nonpotable water systems shall be provided as prescribed by the system component manufacturers and supplied to the owner to be kept in a readily accessible location.

~~109. Add 79. Change the title of Section P2910~~ P2911 to "Gray Water Nonpotable Water Systems."

~~110. Add 80. Change Sections P2910.1~~ P2911.1 through P2910.6 P2911.6, including subsections, to read:

~~P2910.1~~ P2911.1 Gray water nonpotable water systems. This code is applicable to the plumbing fixtures, piping or piping systems, storage tanks, drains, appurtenances, and appliances that are part of the distribution system for gray water within buildings and to storage tanks and associated piping that are part of the distribution system for gray water outside of buildings. This code does not regulate equipment used for, or the methods of, processing, filtering, or treating gray water, which may be regulated by the Virginia Department of Health or the Virginia Department of Environmental Quality.

~~P2910.1.1~~ P2911.1.1 Separate systems. Gray water nonpotable water systems, unless approved otherwise under the permit from the Virginia Department of Health, shall be separate from the potable water system of a building with no cross connections between the two systems except as permitted by the Virginia Department of Health.

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~~P2910.2~~ ~~P2911.2~~ Water quality. Each application of gray water reuse shall meet the minimum water quality requirements set forth in Sections ~~P2910.2.1~~ ~~P2911.2.1~~ through ~~P2910.2.4~~ ~~P2911.2.4~~ unless otherwise superseded by other state agencies.

~~P2910.2.1~~ ~~P2911.2.1~~ Disinfection. Where the intended use or reuse application for nonpotable water requires disinfection or other treatment or both, it shall be disinfected as needed to ensure that the required water quality is delivered at the point of use or reuse.

~~P2910.2.2~~ ~~P2911.2.2~~ Residual disinfectants. Where chlorine is used for disinfection, the nonpotable water shall contain not more than 4 parts per million (4 mg/L) of free chlorine, combined chlorine, or total chlorine. Where ozone is used for disinfection, the nonpotable water shall not exceed 0.1 parts per million (by volume) of ozone at the point of use.

~~P2910.2.3~~ ~~P2911.2.3~~ Filtration. Water collected for reuse shall be filtered as required for the intended end use. Filters shall be accessible for inspection and maintenance. Filters shall utilize a pressure gauge or other approved method to indicate when a filter requires servicing or replacement. Shutoff valves installed immediately upstream and downstream of the filter shall be included to allow for isolation during maintenance.

~~P2910.2.4~~ ~~P2911.2.4~~ Filtration required. Gray water utilized for water closet and urinal flushing applications shall be filtered by a 100 micron or finer filter.

~~P2910.3~~ ~~P2911.3~~ Storage tanks. Storage tanks utilized in gray water nonpotable water systems shall comply with Section ~~P2909.10~~ ~~P2910.10~~.

~~P2910.4~~ ~~P2911.4~~ Retention time limits. Untreated gray water shall be retained in storage tanks for a maximum of 24 hours.

~~P2910.5~~ ~~P2911.5~~ Tank location. Storage tanks shall be located with a minimum horizontal distance between various elements as indicated in Table ~~P2910.5.1~~ ~~P2911.5.1~~.

Table P2910.5.1 P2911.5.1 Location of Nonpotable Gray Water Reuse Storage Tanks	
Element	Minimum Horizontal Distance from Storage Tank (feet)
Lot line adjoining private lots	5
Sewage systems	5
Septic tanks	5
Water wells	50

Table P2910.5.1 P2911.5.1 Location of Nonpotable Gray Water Reuse Storage Tanks	
Element	Minimum Horizontal Distance from Storage Tank (feet)
Streams and lakes	50
Water service	5
Public water main	10

~~P2910.6~~ ~~P2911.6~~ Valves. Valves shall be supplied on gray water nonpotable water drainage systems in accordance with Sections ~~P2910.6.1~~ ~~P2911.6.1~~ and ~~P2910.6.2~~ ~~P2911.6.2~~.

~~P2910.6.1~~ ~~P2911.6.1~~ Bypass valve. One three-way diverter valve certified to NSF 50 or other approved device shall be installed on collection piping upstream of each storage tank, or drainfield, as applicable, to divert untreated gray water to the sanitary sewer to allow servicing and inspection of the system. Bypass valves shall be installed downstream of fixture traps and vent connections. Bypass valves shall be labeled to indicate the direction of flow, connection, and storage tank or drainfield connection. Bypass valves shall be provided with access for operation and maintenance. Two shutoff valves shall not be installed to serve as a bypass valve.

~~P2910.6.2~~ ~~P2911.6.2~~ Backwater valve. Backwater valves shall be installed on each overflow and tank drain pipe to prevent unwanted water from draining back into the storage tank. If the overflow and drain piping arrangement is installed to physically not allow water to drain back into the tank, such as in the form of an air gap, backwater valves shall not be required. Backwater valves shall be constructed and installed in accordance with Section P3008.

~~111. Add 81. Change the title of Section ~~P2911~~ ~~P2912~~ to "Rainwater Nonpotable Water Systems."~~

~~112. Add 82. Change Sections ~~P2911.1~~ ~~P2912.1~~ through ~~P2911.10~~ ~~P2912.10~~, including subsections, to read:~~

~~P2911.1~~ ~~P2912.1~~ General. The provisions of this section shall govern the design, construction, installation, alteration, and repair of rainwater nonpotable water systems for the collection, storage, treatment, and distribution of rainwater for nonpotable applications.

~~P2911.2~~ ~~P2912.2~~ Water quality. Each application of rainwater reuse shall meet the minimum water quality requirements set forth in Sections ~~P2911.2.1~~ ~~P2912.2.1~~ through ~~P2911.2.4~~ ~~P2912.2.4~~ unless otherwise superseded by other state agencies.

~~P2911.2.1~~ ~~P2912.2.1~~ Disinfection. Where the intended use or reuse application for nonpotable water requires disinfection or other treatment or both, it shall be

disinfected as needed to ensure that the required water quality is delivered at the point of use or reuse.

P2911.2.2 **P2912.2.2** Residual disinfectants. Where chlorine is used for disinfection, the nonpotable water shall contain not more than 4 parts per million (4 mg/L) of free chlorine, combined chlorine, or total chlorine. Where ozone is used for disinfection, the nonpotable water shall not exceed 0.1 parts per million (by volume) of ozone at the point of use.

P2911.2.3 **P2912.2.3** Filtration. Water collected for reuse shall be filtered as required for the intended end use. Filters shall be accessible for inspection and maintenance. Filters shall utilize a pressure gauge or other approved method to indicate when a filter requires servicing or replacement. Shutoff valves installed immediately upstream and downstream of the filter shall be included to allow for isolation during maintenance.

P2911.2.4 **P2912.2.4** Filtration required. Rainwater utilized for water closet and urinal flushing applications shall be filtered by a 100 micron or finer filter.

P2911.3 **P2912.3** Collection surface. Rainwater shall be collected only from aboveground impervious roofing surfaces constructed from approved materials. Overflow or discharge piping from appliances or equipment or both, including but not limited to evaporative coolers, water heaters, and solar water heaters shall not discharge onto rainwater collection surfaces.

P2911.4 **P2912.4** Collection surface diversion. At a minimum, the first 0.04 inches (1.016 mm) of each rain event of 25 gallons (94.6 L) per 1000 square feet (92.9 m²) shall be diverted from the storage tank by automatic means and not require the operation of manually operated valves or devices. Diverted water shall not drain onto other collection surfaces that are discharging to the rainwater system or to the sanitary sewer. Such water shall be diverted from the storage tank and discharged in an approved location.

P2911.5 **P2912.5** Pre-tank filtration. Downspouts, conductors, and leaders shall be connected to a pre-tank filtration device. The filtration device shall not permit materials larger than 0.015 inches (0.4 mm).

P2911.6 **P2912.6** Roof gutters and downspouts. Gutters and downspouts shall be constructed of materials that are compatible with the collection surface and the rainwater quality for the desired end use. Joints shall be made watertight.

P2911.6.1 **P2912.6.1** Slope. Roof gutters, leaders, and rainwater collection piping shall slope continuously toward collection inlets. Gutters and downspouts shall have a slope of not less than 1 unit in 96 units along their entire length, and shall not permit the collection or pooling of water at any point.

P2911.6.2 **P2912.6.2** Size. Gutters and downspouts shall be installed and sized in accordance with local rainfall rates.

P2911.6.3 **P2912.6.3** Cleanouts. Cleanouts or other approved openings shall be provided to permit access to all filters, flushes, pipes, and downspouts.

P2911.7 **P2912.7** Storage tanks. Storage tanks utilized in rainwater nonpotable water systems shall comply with Section **P2909.10** **P2910.10**.

P2911.8 **P2912.8** Location. Storage tanks shall be located with a minimum horizontal distance between various elements as indicated in Table **P2911.8.1** **P2912.8.1**.

Table P2911.8.1 P2912.8.1 Location of Rainwater Storage Tanks	
Element	Minimum Horizontal Distance from Storage Tank (feet)
Lot line adjoining private lots	5
Sewage systems	5
Septic tanks	5

P2911.9 **P2912.9** Valves. Valves shall be installed in collection and conveyance drainage piping of rainwater nonpotable water systems in accordance with Sections **P2911.9.1** **P2912.9.1** and **P2911.9.2** **P2912.9.2**.

P2911.9.1 **P2912.9.1** Influent diversion. A means shall be provided to divert storage tank influent to allow maintenance and repair of the storage tank system.

P2911.9.2 **P2912.9.2** Backwater valve. Backwater valves shall be installed on each overflow and tank drain pipe to prevent unwanted water from draining back into the storage tank. If the overflow and drain piping arrangement is installed to physically not allow water to drain back into the tank, such as in the form of an air gap, backwater valves shall not be required. Backwater valves shall be constructed and installed in accordance with Section P3008.

P2911.10 **P2912.10** Tests and inspections. Tests and inspections shall be performed in accordance with Sections **P2911.10.1** through **P2911.10.2** **P2912.10.1** and **P2912.10.2**.

P2911.10.1 **P2912.10.1** Roof gutter inspection and test. Roof gutters shall be inspected to verify that the installation and slope is in accordance with Section **P2911.6.1** **P2912.6.1**. Gutters shall be tested by pouring a minimum of one gallon of water into the end of the gutter opposite the collection point. The gutter being tested shall not leak and shall not retain standing water.

P2911.10.2 **P2912.10.2** Collection surface diversion test. A collection surface diversion test shall be performed by introducing water into the gutters or onto the collection

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surface area. Diversion of the first quantity of water in accordance with the requirements of Section ~~P2911.4~~ P2912.4 shall be verified.

~~83.~~ 83. Delete Sections P2912.11 through P2912.16.

~~84.~~ 84. Delete Section P2913 in its entirety.

~~85.~~ 85. Add Section P3002.2.2 to read:

P3002.2.2 Tracer wire. Nonmetallic sanitary sewer piping that discharges to public systems shall be locatable. An insulated copper tracer wire, 18 AWG minimum in size and suitable for direct burial or an equivalent product, shall be utilized. The wire shall be installed in the same trench as the sewer within 12 inches (305 mm) of the pipe and shall be installed from within five feet of the building wall to the point where the building sewer intersects with the public system. At a minimum, one end of the wire shall terminate above grade in an accessible location that is resistant to physical damage, such as with a cleanout or at the building wall.

~~86.~~ 86. Add an exception to Section P3301.1 to read:

Exception: Rainwater nonpotable water systems shall be permitted in accordance with the applicable provisions of Sections P2910 and P2912.

~~87.~~ 87. Add Section E3601.8 to read:

E3601.8 Energizing service equipment. The building official shall give permission to energize the electrical service equipment of a one-family or two-family dwelling unit when all of the following requirements have been approved:

1. The service wiring and equipment, including the meter socket enclosure, shall be installed and the service wiring terminated.
2. The grounding electrode system shall be installed and terminated.
3. At least one receptacle outlet on a ground fault protected circuit shall be installed and the circuit wiring terminated.
4. Service equipment covers shall be installed.
5. The building roof covering shall be installed.
6. Temporary electrical service equipment shall be suitable for wet locations unless the interior is dry and protected from the weather.

~~88.~~ 88. Change Section E3802.4 to read:

E3802.4 In unfinished basements. Where Type SE or NM cable is run at angles with joists in unfinished basements, cable assemblies containing two or more conductors of sizes 6 AWG and larger and assemblies containing three or more conductors of sizes 8 AWG and larger shall not require additional protection where attached directly to the bottom of the joists. Smaller cables shall be run either through bored holes in joists or on running boards. Type NM or SE cable installed on the

wall of an unfinished basement shall be permitted to be installed in a listed conduit or tubing or shall be protected in accordance with Table E3802.1. Conduit or tubing shall be provided with a suitable insulating bushing or adapter at the point where cable enters the raceway. The sheath of the Type NM or SE cable shall extend through the conduit or tubing and into the outlet or device box not less than 1/4 inch (6.4 mm). The cable shall be secured within 12 inches (305 mm) of the point where the cable enters the conduit or tubing. Metal conduit, tubing, and metal outlet boxes shall be connected to an equipment grounding conductor complying with Section E3908.13.

~~89.~~ 89. Change Section ~~E3902.12~~ E3902.16 to read:

~~E3902.12~~ E3902.16 Arc-fault protection of bedroom outlets. ~~All branch~~ Branch circuits that supply 120-volt, single phase, 15-ampere and 20-ampere outlets installed in bedrooms shall be protected by ~~a combination-type arc fault circuit interrupter~~ any of the following:

1. A listed combination-type arc-fault circuit interrupter installed to provide protection of the entire branch circuit.

2. A listed branch/feeder-type AFCI installed at the origin of the branch-circuit in combination with a listed outlet branch-circuit type arc-fault circuit interrupter installed at the first outlet box on the branch circuit. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit.

3. A listed supplemental arc protection circuit breaker installed at the origin of the branch circuit in combination with a listed outlet branch-circuit type arc-fault circuit interrupter installed at the first outlet box on the branch circuit where all of the following conditions are met:

3.1. The branch-circuit wiring shall be continuous from the branch-circuit overcurrent device to the outlet branch-circuit arc-fault circuit interrupter.

3.2. The maximum length of the branch-circuit wiring from the branch-circuit overcurrent device to the first outlet shall not exceed 50 feet (15.2 m) for 14 AWG conductors and 70 feet (21.3 m) for 12 AWG conductors.

3.3. The first outlet box on the branch circuit shall be marked to indicate that it is the first outlet on the circuit.

4. A listed outlet branch-circuit type arc-fault circuit interrupter installed at the first outlet on the branch circuit in combination with a listed branch-circuit overcurrent protective device where all of the following conditions are met:

4.1. The branch-circuit wiring shall be continuous from the branch-circuit overcurrent device to the outlet branch-circuit arc-fault circuit interrupter.

4.2. The maximum length of the branch-circuit wiring from the branch-circuit overcurrent device to the first

outlet shall not exceed 50 feet (15.2 m) for 14 AWG conductors and 70 feet (21.3 m) for 12 AWG conductors.

4.3. The first outlet box on the branch circuit shall be marked to indicate that it is the first outlet on the circuit.

4.4. The combination of the branch-circuit overcurrent device and outlet branch-circuit AFCI shall be identified as meeting the requirements for a system combination-type AFCI and shall be listed as such.

5. Where metal outlet boxes and junction boxes and RMC, IMC, EMT, Type MC or steel-armored Type AC cables meeting the requirements of Section E3908.8, metal wireways or metal auxiliary gutters are installed for the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet, a listed branch-circuit type AFCI installed at the first outlet shall be considered as providing protection for the remaining portion of the branch circuit.

6. Where a listed metal or nonmetallic conduit or tubing or Type MC cable is encased in not less than two inches (50.8 mm) of concrete for the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet, a listed outlet branch-circuit type AFCI installed at the first outlet shall be considered as providing protection for the remaining portion of the branch circuit.

Exceptions ~~Exception:~~

~~1. Where an outlet branch circuit Type AFCI is installed at the first outlet to provide protection for the remaining portion of the branch circuit, the portion of the branch circuit between the branch circuit overcurrent device and the first outlet shall be installed with metal outlet and junction boxes and RMC, IMC, EMT, Type MC or steel armored Type AC cables meeting the requirements of Section E3908.8.~~

~~2. Where an outlet branch circuit Type AFCI is installed at the first outlet to provide protection for the remaining portion of the branch circuit, the portion of the branch circuit between the branch circuit overcurrent device and the first outlet shall be installed with metal or nonmetallic conduit or tubing that is encased in not less than 2 inches (51 mm) of concrete.~~

~~3. AFCI protection is not required for an individual branch circuit supplying only a fire alarm system where the branch circuit is wired with metal outlet and junction boxes and RMC, IMC, EMT or steel-sheathed armored cable Type AC, or Type MC meeting the requirements of Section E3908.8.~~

116. Add 90. Change the following referenced standards to in Chapter 44 as follows (standards not shown remain the same):

Standard Reference Number	Title	Referenced in Code Section Number
<u>ANSI LCI/CSA 6.26-14</u>	<u>Fuel Gas Piping Systems Using Corrugated Stainless Steel Tubing (CSST)</u>	<u>G2411.1, G2411.1.1, G2414.5.3</u>
ICC ISPPC-42	International Swimming Pool and Spa Code	R325.1
NFPA 13R-10	Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height	R310.1
NSF 50-09	Equipment for Swimming Pools, Spas, Hot Tubs and Other Recreational Water Facilities	P2910.6.1 P2911.6.1

F. U. Add "Marinas" to the list of occupancies in Section 312.1 of the IBC.

13VAC5-63-220. Chapter 4 Special detailed requirements based on use and occupancy.

A. Delete Section 403.4.5 of the IBC.

B. Change Section 407.4.1.1 of the IBC to read:

407.4.1.1 Special locking arrangement. Means of egress doors shall be permitted to contain locking devices restricting the means of egress in areas in which the clinical needs of the patients require restraint of movement, where all of the following conditions are met:

1. The locks release upon activation of the fire alarm system or the loss of power.
2. The building is equipped with an approved automatic sprinkler system in accordance with Section 903.3.1.1.
3. A manual release device is provided at a nursing station responsible for the area.
4. A key-operated switch or other manual device is provided adjacent to each door equipped with the locking device. Such switch or other device, when operated, shall result in direct interruption of power to the lock -- independent of the control system electronics.
5. All staff shall have keys or other means to unlock the switch or other device or each door provided with the locking device.

Regulations

C. Add Section 407.11 to the IBC to read:

407.11 Emergency power systems. Emergency power shall be provided for medical life support equipment, operating, recovery, intensive care, emergency rooms, fire detection and alarm systems in any Group I-2 occupancy licensed by the Virginia Department of Health as a hospital, nursing home or hospice facility.

D. Add Section 408.2.1 to the IBC to read:

408.2.1 Short-term holding areas. Short-term holding areas shall be permitted to comply with Section ~~427~~ 429.

E. Change Section 408.6 of the IBC to read:

408.6 Smoke barrier. Occupancies classified as Group I-3 shall have smoke barriers complying with Sections 408.8 and 709 to divide every story occupied by residents for sleeping, or any other story having an occupant load of 50 or more persons, into no fewer than two smoke compartments.

F. Change Section 408.9 of the IBC and add Sections 408.9.1 through 408.9.3 to the IBC to read:

408.9 Smoke control. Smoke control for each smoke compartment shall be in accordance with Sections 408.9.1 through 408.9.3.

Exception: Smoke compartments with operable windows or windows that are readily breakable.

408.9.1 Locations. An engineered smoke control system shall comply with Section 909 and shall be provided in the following locations:

1. Dormitory areas.
2. Celled areas.
3. General housing areas.
4. Intake areas.
5. Medical celled or medical dormitory areas.
6. Interior recreation areas.

408.9.2 Compliance. The engineered smoke control system shall provide and maintain a tenable environment in the area of origin and shall comply with all of the following:

1. Shall facilitate the timely evacuation and relocation of occupants from the area of origin.
2. Shall be independent of exhaust systems under Chapter 5 of the IMC.
3. Duration of operation in accordance with Section 909.4.6.
4. The pressurization method shall be permitted and shall provide a minimum of 24 air changes per hour of exhaust, and 20 air changes per hour of makeup, and shall comply with Section 909.6. If the pressurization method is not utilized, the exhaust method shall be provided and shall comply with Section 909.8.

408.9.3 Corridors. Egress corridors within smoke compartments shall be kept free and clear of smoke.

G. Add an exception to Section 414.1.1.1 to 414.2 of the IBC to read:

~~414.1.1.1 Amendments. The following changes shall be made to the IFC for the use of this section:~~

~~1. Change Section 2306.8.1 of the IFC and add Section 2306.8.6 to the IFC to read:~~

~~2306.8.1 Listed. Dispensers shall be listed in accordance with UL 87A. Hoses, nozzles, breakaway fittings, swivels, flexible connectors or dispenser emergency shutoff valves, vapor recovery systems, leak detection devices, and pumps used in alcohol blended fuel dispensing systems shall be listed for the specific purpose.~~

~~2306.8.6 Compatibility. Dispensers shall only be used with the fuels for which they have been listed, which are marked on the product. Field installed components including hose assemblies, breakaway couplings, swivel connectors, and hose nozzle valves shall be provided in accordance with the listing and the marking on the unit.~~

~~2. Add the following reference standard to Chapter 80 of the IFC:~~

Standard reference number	Title	Referenced in code section number
UL 87A-12	Outline of Investigation for Power Operated Dispensing Devices for Gasoline and Gasoline/Ethanol Blends with Nominal Ethanol Concentrations up to 85%	2306.8.1

Exception: Higher education teaching and research laboratories shall be permitted to comply with Section 430.

H. Add Section 414.6.2 to the IBC to read:

414.6.2 Other regulations. The installation, repair, upgrade, and closure of underground and aboveground storage tanks subject to the Virginia State Water Control Board regulations 9VAC25-91 and 9VAC25-580 shall be governed by those regulations, which are hereby incorporated by reference to be an enforceable part of this code. Where differences occur between the provisions of this code and the incorporated provisions of the State Water Control Board regulations, the provisions of the State Water Control Board regulations shall apply. Provisions of the International Fire Code addressing closure of such tanks that are subject to the Virginia State Water Control Board regulations 9VAC25-91 and 9VAC25-580 shall not be applicable.

~~I. Change the title of Section 420 and change Sections 420.1 and 420.4 of the IBC to read:~~

~~Section 420 Groups I-1, R-1, R-2, R-3, and R-4.~~

~~420.1 General. Occupancies in Groups I-1, R-1, R-2, R-3, and R-4 shall comply with the provisions of Sections 420.1 through 420.6 and other applicable provisions of this code.~~

~~420.4 Smoke barriers in Group I-1 Condition 2. Smoke barriers shall be provided in Group I-1 Condition 2 to subdivide every story used by persons receiving care or treatment or sleeping and to divide other stories, with an occupant load of 50 or more persons, into no fewer than two smoke compartments. Such stories shall be divided into smoke compartments with an area of not more than 22,500 square feet (2092 m²) and the travel distance from any point in a smoke compartment to a smoke barrier door shall not exceed 200 feet (60 960 mm). The smoke barrier shall be in accordance with Section 709.~~

~~J. Add Section 420.4.1 to the IBC to read:~~

~~420.4.1 Refuge area. Refuge areas shall be provided within each smoke compartment. The size of the refuge area shall accommodate the occupants and care recipients from the adjoining smoke compartment. Where a smoke compartment is adjoined by two or more smoke compartments, the minimum area of the refuge area shall accommodate the largest occupant load of the adjoining compartments. The size of the refuge area shall provide the following:~~

- ~~1. Not less than 15 net square feet (1.4 m²) for each care recipient.~~
- ~~2. Not less than 6 net square feet (0.56 m²) for other occupants.~~

~~Areas or spaces permitted to be included in the calculation of the refuge area are corridors, lounge, or dining areas and other low hazard areas.~~

~~K. Change Section 420.5 of the IBC and add Section 420.6 to the IBC to read:~~

~~420.5 Automatic sprinkler system. Group R occupancies shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.8. Group I-1 occupancies shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.6. Quick response or residential automatic sprinklers shall be installed in accordance with Section 903.3.2.~~

~~420.6 Fire alarm systems and smoke alarms. Fire alarm systems and smoke alarms shall be provided in Groups I-1, R-1, R-2, and R-4 occupancies in accordance with Sections 907.2.6, 907.2.8, 907.2.9, and 907.2.10, respectively. Single station or multiple station smoke alarms shall be provided in Groups I-1, R-2, R-3, and R-4 in accordance with Section 907.2.11.~~

~~L. I. Add IBC Section 425 427 Manufactured Homes and Industrialized Buildings.~~

~~M. J. Add Section 425.1 427.1 to the IBC to read:~~

~~425.1 427.1 General. The provisions of this section shall apply to the installation or erection of manufactured homes subject to the Virginia Manufactured Home Safety Regulations (13VAC5-95) and industrialized buildings subject to the Virginia Industrialized Building Safety Regulations (13VAC5-91).~~

~~Note: Local building departments are also responsible for the enforcement of certain provisions of the Virginia Manufactured Home Safety Regulations (13VAC5-95) and the Virginia Industrialized Building Safety Regulations (13VAC5-91) as set out in those regulations.~~

~~N. K. Add Section 425.2 427.2 to the IBC to read:~~

~~425.2 427.2 Site work for manufactured homes. Footing design, basements, grading, drainage, decks, stoops, porches and utility connections shall comply with the provisions of this code applicable to Group R-5 occupancies. Additionally, all applicable provisions of Chapter 1 of this code, including but not limited to requirements for permits, inspections, certificates of occupancy and requiring compliance, are applicable to the installation and set-up of a manufactured home. Where the installation or erection of a manufactured home utilizes components that are to be concealed, the installer shall notify the building official that an inspection is necessary and assure that an inspection is performed and approved prior to concealment of such components, unless the building official has agreed to an alternative method of verification.~~

~~O. L. Add Section 425.2.1 427.2.1 to the IBC to read:~~

~~425.2.1 427.2.1 Relocated manufactured homes. Installation, set-up, and site work for relocated manufactured homes shall comply with the provisions of this code and shall include the option of using the manufacturer's installations instructions or the federal Model Manufactured Home Installation Standards (24 CFR Part 3285) for the technical requirements.~~

~~P. M. Add Section 425.2.2 427.2.2 to the IBC to read:~~

~~425.2.2 427.2.2 Alterations and repairs to manufactured homes. Alterations and repairs to manufactured homes shall either be in accordance with federal Manufactured Home Construction and Safety Standards (24 CFR Part 3280) or in accordance with the alteration and repair provisions this code.~~

~~Q. N. Add Section 425.2.3 427.2.3 to the IBC to read:~~

~~425.2.3 427.2.3 Additions to manufactured homes. Additions to manufactured homes shall comply with this code and shall be structurally independent of the manufactured home, or when not structurally independent, shall be evaluated by an RDP to determine that the addition does not cause the manufactured home to become out of compliance with federal Manufactured Home Construction and Safety Standards (24 CFR Part 3280).~~

Regulations

~~R. O.~~ Add Section ~~425.3~~ 427.3 to the IBC to read:

~~425.3~~ 427.3 Wind load requirements for manufactured homes. Manufactured homes shall be anchored to withstand the wind loads established by the federal regulation for the area in which the manufactured home is installed. For the purpose of this code, Wind Zone II of the federal regulation shall include the cities of Chesapeake, Norfolk, Portsmouth, and Virginia Beach.

~~S. P.~~ Add Section ~~425.4~~ 427.4 to the IBC to read:

~~425.4~~ 427.4 Skirting requirements for manufactured homes. As used in this section, "skirting" means a weather-resistant material used to enclose the space from the bottom of the manufactured home to grade. In accordance with § 36-99.8 of the Code of Virginia, manufactured homes installed or relocated shall have skirting installed within 60 days of occupancy of the home. Skirting materials shall be durable, suitable for exterior exposures and installed in accordance with the manufacturer's installation instructions. Skirting shall be secured as necessary to ensure stability, to minimize vibrations, to minimize susceptibility to wind damage and to compensate for possible frost heave. Each manufactured home shall have a minimum of one opening in the skirting providing access to any water supply or sewer drain connections under the home. Such openings shall be a minimum of 18 inches (457 mm) in any dimension and not less than three square feet (.28 m²) in area. The access panel or door shall not be fastened in a manner requiring the use of a special tool to open or remove the panel or door. On-site fabrication of the skirting by the owner or installer of the home shall be acceptable, provided that the material meets the requirements of this code. In addition, as a requirement of this code, skirting for the installation and set-up of a new manufactured home shall also comply with the requirements of 24 CFR Part 3285 – Model Manufactured Home Installation Standards.

~~T. Q.~~ Add Section ~~425.5~~ 427.5 to the IBC to read:

~~425.5~~ 427.5 Site work for industrialized buildings. Site work for the erection and installation of an industrialized building shall comply with the manufacturer's installation instructions. To the extent that any aspect of the erection or installation of an industrialized building is not covered by the manufacturer's installation instructions, this code shall be applicable, including the use of the IRC for any construction work where the industrialized building would be classified as a Group R-5 building. In addition, all administrative requirements of this code for permits, inspections, and certificates of occupancy are also applicable. Further, the building official may require the submission of plans and specifications for details of items needed to comprise the finished building that are not included or specified in the manufacturer's instructions, including, but not limited to, footings, foundations, supporting structures, proper anchorage, and the

completion of the plumbing, mechanical, and electrical systems. Where the installation or erection of an industrialized building utilizes components that are to be concealed, the installer shall notify the building official that an inspection is necessary and assure that an inspection is performed and approved prior to concealment of such components, unless the building official has agreed to an alternative method of verification.

Exception: Temporary family health care structures installed pursuant to § 15.2-2292.1 of the Code of Virginia shall not be required or permitted to be placed on a permanent foundation, but shall otherwise remain subject to all pertinent provisions of this section.

~~U. R.~~ Add Section ~~425.6~~ 427.6 to the IBC to read:

~~425.6~~ 427.6 Relocated industrialized buildings; alterations and additions. Industrialized buildings constructed prior to January 1, 1972, shall be subject to Section 117 when relocated. Alterations and additions to any existing industrialized buildings shall be subject to pertinent provisions of this code. Building officials shall be permitted to require the submission of plans and specifications for the model to aid in the evaluation of the proposed alteration or addition. Such plans and specifications shall be permitted to be submitted in electronic or other available format acceptable to the building official.

~~V. S.~~ Add Section ~~425.7~~ 427.7 to the IBC to read:

~~425.7~~ 427.7 Change of occupancy of industrialized buildings. Change of occupancy of industrialized buildings is regulated by the Virginia Industrialized Building Safety Regulations (13VAC5-91). When the industrialized building complies with those regulations for the new occupancy, the building official shall issue a new certificate of occupancy under the USBC.

~~W. T.~~ Add IBC Section ~~426~~ 428 Aboveground Liquid Fertilizer Tanks.

~~X. U.~~ Add Sections ~~426.1~~ 428.1 through ~~426.6~~ 428.6 to the IBC to read:

~~426.1~~ 428.1 General. This section shall apply to the construction of ALFSTs and shall supersede any conflicting requirements in other provisions of this code. ALFSTs shall also comply with any applicable nonconflicting requirements of this code.

~~426.1.1~~ 428.1.1 When change of occupancy rules apply. A change of occupancy to use a tank as an ALFST occurs when there is a change in the use of a tank from storing liquids other than liquid fertilizers to a use of storing liquid fertilizer and when the type of liquid fertilizer being stored has a difference of at least 20% of the specific gravity or operating temperature, or both, or a significant change in the material's compatibility.

~~426.2~~ 428.2 Standards. Newly constructed welded steel ALFSTs shall comply with API 650 and TFI RMIP, as

applicable. Newly constructed ALFSTs constructed of materials other than welded steel shall be constructed in accordance with accepted engineering practice to prevent the discharge of liquid fertilizer and shall be constructed of materials that are resistant to corrosion, puncture or cracking. In addition, newly constructed ALFSTs constructed of materials other than welded steel shall comply with TFI RMIP, as applicable. For the purposes of this code, the use of TFI RMIP shall be construed as mandatory and any language in TFI RMIP, such as, but not limited to, the terms "should" or "may" which indicate that a provision is only a recommendation or a guideline shall be taken as a requirement. ALFSTs shall be placarded in accordance with NFPA 704.

Exception: Sections 4.1.4, 4.2.5, 5.1.2, 5.2.8, 5.3 and 8.1(d)(i) of TFI RMIP shall not be construed as mandatory.

~~426.3~~ 428.3 Secondary containment. When ALFSTs are newly constructed and when there is a change of occupancy to use a tank as an ALFST, a secondary containment system designed and constructed to prevent any liquid fertilizer from reaching the surface water, groundwater or adjacent land before cleanup occurs shall be provided. The secondary containment system may include dikes, berms or retaining walls, curbing, diversion ponds, holding tanks, sumps, vaults, double-walled tanks, liners external to the tank, or other approved means and shall be capable of holding up to 110% of the capacity of the ALFST as certified by an RDP.

~~426.4~~ 428.4 Repair, alteration and reconstruction of ALFSTs. Repair, alteration and reconstruction of ALFSTs shall comply with applicable provisions of API 653 and TFI RMIP.

~~426.5~~ 428.5 Inspection. Applicable inspections as required by and in accordance with API 653 and TFI RMIP shall be performed for repairs and alterations to ALFSTs, the reconstruction of ALFSTs and when there is a change of occupancy to use a tank as an ALFST. When required by API 653 or TFI RMIP, such inspections shall occur prior to the use of the ALFST.

~~426.6~~ 428.6 Abandoned ALFSTs. Abandoned ALFSTs shall comply with applicable provisions of Section 5704.2.13.2 of the IFC.

~~Y.~~ V. Add IBC Section ~~427~~ 429 Short-term Holding Areas.

~~Z.~~ W. Add Section ~~427.1~~ 429.1 to the IBC to read:

~~427.1~~ 429.1 General. In all groups other than Group E, short-term holding areas shall be permitted to be classified as the main occupancy, provided all of the following are met:

1. Provisions are made for the release of all restrained or detained occupants of short-term holding areas at all times.
2. Aggregate area of short-term holding areas shall not occupy more than 10% of the building area of the story

in which they are located and shall not exceed the tabular values for building area in Table ~~503~~ 506.2, without building area increases.

3. Restrained or detained occupant load of each short-term holding area shall not exceed 20.

4. Aggregate restrained or detained occupant load in short-term holding areas per building shall not exceed 80.

5. Compliance with Sections 408.3.7, 408.3.8, 408.4, and 408.7, as would be applicable to I-3 occupancies.

6. Requirements of the main occupancy in which short-term holding areas are located shall be met.

7. Fire areas containing short-term holding areas shall be provided with a fire alarm system and automatic smoke detection system complying with Section 907.2.6.3, as would be applicable to I-3 occupancies.

8. Where each fire area containing short-term holding areas exceeds 12,000 square feet (1115 m²), such fire areas shall be provided with an automatic sprinkler system complying with Section 903.3.

9. Short-term holding areas shall be separated from other short-term holding areas and adjacent spaces by smoke partitions complying with Section 710.

X. Add IBC Section 430 Higher Education Laboratories.

Y. Add Sections 430.1 through 430.4 to the IBC to read:

430.1 Scope. Group B teaching and research laboratories in educational occupancies above the 12th grade complying with the requirements of this section shall be permitted to comply with Table 430.3, 430.4(1), or 430.4(2) without requiring classification as a Group H occupancy. Except as specified in this section, such laboratories shall comply with all applicable provisions of this code. In addition, as set out in Section 5001.7 of the SFPC, approval under this section is contingent upon operational requirements in the SFPC being complied with and maintained.

430.2 Application. The provisions of this section shall be applied as exceptions or additions to applicable requirements of this code.

430.3 Laboratory suite construction. Where laboratory suites are provided, they shall be constructed in accordance with this section. The number of laboratory suites and percentage of maximum allowable quantities of hazardous materials in laboratory suites shall be in accordance with Table 430.3.

430.3.1 Separation from adjacent areas. Laboratory suites shall be separated from other portions of the building in accordance with the most restrictive of either (i) Table 430.3 with fire barriers constructed in accordance with Section 707 and horizontal assemblies constructed in accordance with Section 711 or (ii) Section 508.4. Where individual laboratories within a laboratory suite are separated from each other, the separation shall consist of one-hour fire barriers.

Regulations

Exception: Where an individual laboratory suite occupies more than one story, the fire resistance rating of intermediate floors contained within the laboratory suite shall comply with the requirements of this code.

430.3.2 Separation from other laboratory suites. Laboratory suites shall be separated from other laboratory suites in accordance with Table 430.3.

430.3.3 Floor assembly fire resistance. The floor assembly supporting the laboratory suite and the construction supporting the floor of the laboratory suite shall have a fire resistance rating of not less than two hours.

Exception: The floor assembly of the laboratory suite and the construction supporting the floor of the laboratory suite are allowed to be one-hour fire resistance rated in buildings of Types IIA, IIIA, and VA construction, provided that the building is three or fewer stories.

430.3.4 Maximum number. The maximum number of laboratory suites per floor shall be in accordance with Table 430.3. Where a building contains both laboratory suites complying with Section 430.3 and control areas complying with Section 414.2, the total number of laboratory suites and control areas shall not exceed the maximum number of laboratory suites in accordance with Table 430.3.

430.3.5 Standby or emergency power. Standby or emergency power shall be provided in accordance with Section 414.5.2 where laboratory suites are located above the sixth story above grade plane or located in a story below grade plane.

430.3.6 Ventilation. Ventilation shall be in accordance with the International Mechanical Code. The design and installation of ducts from chemical fume hoods shall be in accordance with NFPA 91.

430.3.7 Liquid tight floor. Portions of the laboratory suite where hazardous materials are present shall be provided with a liquid tight floor.

430.3.8 Automatic fire sprinkler systems. Buildings shall be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1.

430.3.9 Automatic fire alarm and detection system. Laboratory suites shall be equipped throughout with an automatic fire detection system in accordance with Section 907.2. The building shall be equipped throughout with an automatic fire alarm system in accordance with Section 907.2.

430.3.10 Percentage of maximum allowable quantity in each laboratory suite. The percentage of maximum allowable quantities in each laboratory suite shall be in accordance with Table 430.3.

<u>Floor Level</u>		<u>Percentage of the Maximum Allowable Quantity per Lab Suite^a</u>	<u>Number of Lab Suites per Floor</u>	<u>Fire-Resistance Rating for Fire Barriers in Hours^b</u>
<u>Above Grade Plane</u>	<u>21+</u>	<u>5</u>	<u>1</u>	<u>2</u>
	<u>16-20</u>	<u>25</u>	<u>1</u>	<u>2</u>
	<u>11-15</u>	<u>50</u>	<u>1</u>	<u>2</u>
	<u>7-10</u>	<u>50</u>	<u>2</u>	<u>2</u>
	<u>4-6</u>	<u>75</u>	<u>4</u>	<u>1</u>
	<u>3</u>	<u>100</u>	<u>6</u>	<u>1</u>
	<u>1-2</u>	<u>100</u>	<u>8</u>	<u>1</u>
<u>Below Grade Plane</u>	<u>1</u>	<u>75</u>	<u>4</u>	<u>1</u>
	<u>2</u>	<u>50</u>	<u>2</u>	<u>1</u>
	<u>Lower than 2</u>	<u>Not Allowed</u>	<u>Not Allowed</u>	<u>Not Allowed</u>

a. Percentage shall be of the maximum allowable quantity per control area shown in Tables 307.1(1) and 307.1(2), with all increases allowed in the notes to those tables.

b. Fire barriers shall include walls, floors, and ceilings necessary to provide separation from other portions of the building.

430.4 Teaching and research laboratories utilizing control areas. Group B teaching and research laboratories in educational occupancies above the 12th grade utilizing control areas are permitted to increase amounts of hazardous materials stipulated in Section 414.2 without the laboratories being classified as Group H. The percentage of maximum allowable quantities of hazardous materials per control area and the number of control areas permitted at each floor level within a building shall be permitted to comply with Table 430.4(1) in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or shall be permitted to comply with Table 430.4(2) in buildings not equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. In addition, as set out in Section 5001.7 of the SFPC, approval under this section is contingent upon operational requirements in the SFPC being complied with and maintained.

<p align="center">Table 430.4(1) Design and Number of Control Areas in Buildings Equipped Throughout with an Automatic Sprinkler System in Accordance with Section 903.3.1.1 with Group B Teaching and Research Laboratories in Educational Occupancies above the 12th Grade</p>				
Floor Level		Percentage of the Maximum Allowable Quantity per Control Area ^a	Number of Control Areas per Floor	Fire-Resistance Rating for Fire Barriers and Horizontal Assemblies in Hours ^b
Above Grade Plane	Higher than 20	5	1	2
	11-20	10	1	2
	7-10	25	2	2
	4-6	50	2	2
	3	75	3	1
	1-2	100	4	1
Below Grade Plane	1	75	3	1
	2	50	2	1
	Lower than 2	Not Allowed	Not Allowed	Not Allowed

a. Percentage shall be of the maximum allowable quantity per control area shown in Tables 307.1(1) and 307.1(2), with all increases allowed in the notes to those tables.

b. Separation shall include fire barriers and horizontal assemblies as necessary to provide separation from other portions of the building.

		per Control Area ^a		and Horizontal Assemblies in Hours ^b
Above Grade Plane	Higher than 9	5	1	2
	7-9	10	2	2
	4-6	25	2	2
	3	75	2	1
Below Grade Plane	1-2	100	4	1
	1	75	3	1
	2	50	2	1
		Lower than 2	Not Allowed	Not Allowed

a. Percentage shall be of the maximum allowable quantity per control area shown in Tables 307.1(1) and 307.1(2), with all increases allowed in the notes to those tables.

b. Separation shall include fire barriers and horizontal assemblies as necessary to provide separation from other portions of the building.

430.4.1 Separation requirements. Control areas shall be separated from each other and from other non-control areas by fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both.

430.4.2 Fire resistance rating requirements. The required fire-resistance rating for fire barriers shall be in accordance with Table 430.4(1) in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or in accordance with Table 430.4(2) in buildings not equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. The floor assembly of the control area and the construction supporting the floor of the control area shall have a fire-resistance rating in accordance with Table 430.4(1) in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or in accordance with Table 430.4(2) in buildings not equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

Exception: The floor assembly of the control area and the construction supporting the floor of the control area are allowed to be one-hour fire resistance rated in buildings of Types IIA, IIIA, and VA construction, provided that the building is three or fewer stories.

430.4.3 Standby or emergency power. Standby or emergency power shall be provided where control areas are located above the sixth floor level above grade plane or located in a floor level below grade plane.

<p align="center">Table 430.4(2) Design and Number of Control Areas in Buildings Not Equipped Throughout with an Automatic Sprinkler System in Accordance with Section 903.3.1.1 with Group B Teaching and Research Laboratories in Educational Occupancies above the 12th Grade</p>			
Floor Level	Percentage of the Maximum Allowable Quantity	Number of Control Areas per Floor	Fire-Resistance Rating for Fire Barriers

Regulations

430.4.4 Restricted materials in storage and use. Where approved by the building official, the storage and use of the following hazardous materials prohibited by Table 307.1(1) in buildings not equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, shall be allowed within a control area at 25% of Table 307.1(1) limits for a building equipped throughout with an automatic sprinkler system:

1. Pyrophorics.
2. Class 4 oxidizers.

No additional quantity increases shall be allowed. All such materials shall be stored and used in accordance with Section 5001.7 of the SFPC.

430.4.5 Automatic fire alarm and detection system. The building shall be equipped throughout with an automatic fire alarm system in accordance with Section 907.2, and control areas where hazardous materials are used or stored shall be equipped throughout with an automatic fire detection system in accordance with Section 907.2.

430.4.6 Ventilation. Ventilation shall be in accordance with the International Mechanical code.

13VAC5-63-225. Chapter 5 General building heights and areas. (Repealed.)

A. Change Section 504.2 of the IBC to read:

~~504.2 Automatic sprinkler system increase. Where a building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, the value specified in Table 503 for maximum building height is increased by 20 feet (6096 mm) and the maximum number of stories is increased by one. These increases are permitted in addition to the building area increase in accordance with Sections 506.2 and 506.3. For Group R buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.2, the value specified in Table 503 for maximum building height is increased by 20 feet (6096 mm) and the maximum number of stories is increased by one, but shall not exceed 60 feet (18 288 mm) or four stories, respectively.~~

~~Exception: The use of an automatic sprinkler system to increase building heights shall not be permitted for the following conditions:~~

1. Buildings, or portions of buildings, classified as Group I-1 Condition 2, of Type IIB, III, IV, or V construction or Group I-2 occupancies of Type IIB, III, IV, or V construction.
2. Buildings, or portions of buildings, classified as a Group H-1, H-2, H-3, or H-5 occupancy.
3. Buildings where an automatic sprinkler system is substituted for fire resistance rated construction in accordance with Table 601, Note d.

B. Change Section 508.2.3 of the IBC to read:

~~508.2.3 Allowable building area and height. The allowable building area and height of the building containing accessory occupancies shall be based on the allowable building area and height for the main occupancy in accordance with Section 503.1. The building area of the accessory occupancies shall be in accordance with Section 508.2.1.~~

13VAC5-63-230. Chapter 7 Fire and smoke protection features.

A. Change Section 703.7 of the IBC to read:

703.7 Fire-resistance assembly marking. Where there is a concealed floor, floor-ceiling, or attic space, the fire walls, fire barriers, fire partitions, smoke barriers, or any other wall required to have protected openings or penetrations shall be designated above ceilings and on the inside of all ceiling access doors that provide access to such fire rated assemblies by signage having letters no smaller than one inch (25.4 mm) in height. Such signage shall indicate the fire-resistance rating of the assembly and the type of assembly and be provided at horizontal intervals of no more than eight feet (2438 mm).

Note: An example of suggested formatting for the signage would be "ONE HOUR FIRE PARTITION."

B. Change the exceptions to Section 705.2 of the IBC to read:

Exceptions:

1. Buildings on the same lot and considered as portions of one building in accordance with Section 705.3 are not required to comply with this section.
2. Decks and open porches of buildings of Groups R-3 and R-4.

C. Add Exception 4 to Section 706.5.2 of the IBC to read:

4. Decks and open porches of buildings in Groups R-3 and R-4.

D. Change Section 709.5 of the IBC to read:

~~709.5 Openings. Openings in a smoke barrier shall be protected in accordance with Section 716.~~

Exceptions:

1. In Group I-1 Condition 2, Group I-2, and ambulatory care facilities where doors are installed across corridors, a pair of opposite swinging doors without a center mullion shall be installed having vision panels with fire-protection rated glazing materials in fire protection rated frames, the area of which shall not exceed that tested. The doors shall be close fitting within operational tolerances and shall not have undercuts in excess of 3/4-inch, louvers, or grilles. The doors shall have head and jamb stops, astragals, or rabbets at meeting edges and shall be automatic closing by smoke detection in accordance with Section 716.5.9.3. Where permitted by

~~the door manufacturer's listing, positive latching devices are not required.~~

~~2. In Group I-1 Condition 2, Group I-2, and ambulatory care facilities, horizontal sliding doors installed in accordance with Section 1008.1.4.3 and protected in accordance with Section 716.~~

~~E. Delete Sections 713.14.1 and 713.14.1.1.~~

F. Change Section 716.5.3.1 of the IBC to read:

716.5.3.1 Smoke and draft control. Fire door assemblies located in smoke barrier walls shall also meet the requirements for a smoke and draft control door assembly tested in accordance with UL 1784. The air leakage rate of the door assembly shall not exceed 3.0 cubic feet per minute per square foot (0.01524 m³/s · m²) of door opening at 0.10 inch (24.9 Pa) of water for both the ambient temperature and elevated temperature tests. Louvers shall be prohibited. Installation of smoke doors shall be in accordance with NFPA 105.

E. Change Section 717.5.3 of the IBC to read:

717.5.3 Shaft enclosures. Shaft enclosures that are permitted to be penetrated by ducts and air transfer openings shall be protected with approved fire and smoke dampers installed in accordance with their listing.

Exceptions:

1. Fire and smoke dampers are not required where steel exhaust subducts extend at least 22 inches (559 mm) vertically in exhaust shafts, provided there is a continuous airflow upward to the outside.
2. Fire dampers are not required where penetrations are tested in accordance with ASTM E119 as part of the fire resistance-rated assembly.
3. Fire and smoke dampers are not required where ducts are used as part of an approved smoke control system in accordance with Section 909.
4. Fire and smoke dampers are not required where the penetrations are in parking garage exhaust or supply shafts that are separated from other building shafts by not less than two-hour fire-resistance-rated construction.
5. Smoke dampers are not required where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

13VAC5-63-235. Chapter 8 Interior finishes.

Change Section ~~806.1.2~~ 806.3 of the IBC to read:

~~806.1.2 806.3 Combustible decorative materials. The permissible amount of decorative materials meeting the flame propagation performance criteria of NFPA 701 In other than Group I-3, curtains, draperies, fabric hangings, and similar combustible decorative materials suspended from walls or ceilings shall comply with Section 806.4 and shall not exceed 10% of the specific wall or ceiling area to which it is attached.~~

Fixed or movable walls and partitions, paneling, wall pads, and crash pads applied structurally or for decoration, acoustical correction, surface insulation, or other purposes shall be considered interior finish, shall comply with Section 803, and shall not be considered decorative materials or furnishings.

Exceptions:

1. In auditoriums or similar types of spaces in Group A, the permissible amount of curtains, draperies, fabric hangings, and similar combustible decorative material meeting the flame propagation performance criteria of NFPA 701 materials suspended from walls or ceilings shall not exceed 75% of the aggregate wall area where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, and where the material is installed in accordance with ~~Section 803.11~~ 803.13 of this code.

2. In auditoriums or similar types of spaces in Group A, the permissible amount of decorative materials suspended from the ceiling, located no more than 12 inches (305 mm) from the wall, not supported by the floor, and meeting the flame propagation performance criteria of NFPA 701, shall not exceed 75% of the aggregate wall area when the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

3. In Group R-2 dormitories, within sleeping units and dwelling units, the permissible amount of curtains, draperies, fabric hangings, and similar decorative materials suspended from walls or ceiling shall not exceed 50% of the aggregate walls areas where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.

~~The~~ 4. In Group B and M occupancies, the amount of fabric partitions suspended from the ceiling and not supported by the floor in Groups B and M occupancies shall comply with Section 806.4 and shall not be limited.

13VAC5-63-240. Chapter 9 Fire protection systems.

A. Add the following to the list of terms in Section 902.1 of the IBC:

Emergency communication equipment.

Emergency public safety personnel.

B. Change Section 903.2.1.2 of the IBC to read:

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for fire areas containing Group A-2 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464.5m²);
2. The fire area has an occupant load of 100 or more in night clubs or 300 or more in other Group A-2 occupancies; ~~or.~~

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3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

4. The fire area contains a multitheater complex.

C. Change Item 2 of Section 903.2.1.3 of the IBC to read:

2. In Group A-3 occupancies other than places of religious worship, the fire area has an occupant load of 300 or more; or

D. Change Section 903.2.3 of the IBC to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 20,000 square feet (1858 m²) in area.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level.

E. ~~Change Add Exception 4 to Section 903.2.6 to read:~~

~~903.2.6 Group I. An automatic sprinkler system shall be provided throughout all buildings with a Group I fire area.~~

~~Exceptions:~~

- ~~1. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1 Condition 1 facilities.~~
- ~~2. An automatic sprinkler system is not required where Group I-4 day care facilities are at the level of exit discharge and where every room where care is provided has at least one exit door.~~
- ~~3. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, an automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge and all floors below the level of exit discharge, other than areas classified as an open parking garage.~~
4. An automatic sprinkler system shall not be required for open-sided or chain link-sided buildings and overhangs over exercise yards 200 square feet (18.58 m²) or less in Group I-3 facilities, provided such buildings and overhangs are of noncombustible construction.

F. Change Section 903.2.7 of the IBC to read:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 12,000 square feet (1115 m²).
2. A Group M fire area is located more than three stories above grade plane.

3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

G. Change ~~Sections~~ Section 903.2.8, ~~903.2.8.1, and 908.2.8.2~~ of the IBC to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area, except for Group R-2 occupancies listed in the exceptions to this section when the necessary water pressure or volume, or both, for the system is not available:

Exceptions:

1. Group R-2 occupancies that do not exceed two stories, including basements that are not considered as a story above grade, and with a maximum of 16 dwelling units per fire area. Each dwelling unit shall have at least one door opening to an exterior exit access that leads directly to the exits required to serve that dwelling unit.
2. Group R-2 occupancies where all dwelling units are not more than two stories above the lowest level of exit discharge and not more than one story below the highest level of exit discharge of exits serving the dwelling unit and a two-hour fire barrier is provided between each pair of dwelling units. Each bedroom of a dormitory or boarding house shall be considered a dwelling unit under this exception.

~~903.2.8.1 Group R-3. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3.~~

~~903.2.8.2 Group R-4 Condition 1. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-4 Condition 1.~~

H. ~~Add Sections 903.2.8.3, 903.2.8.3.1, 903.2.8.3.2, and 903.2.8.4 to the IBC to read:~~

~~903.2.8.3 Group R-4 Condition 2. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group R-4 Condition 2. Attics shall be protected in accordance with Section 903.2.8.3.1 or 903.2.8.3.2.~~

~~903.2.8.3.1 Attics used for living purposes, storage, or fuel fired equipment. Attics used for living purposes, storage, or fuel fired equipment shall be protected throughout with automatic sprinkler system installed in accordance with Section 903.3.1.2.~~

~~903.2.8.3.2 Attics not used for living purposes, storage, or fuel fired equipment. Attics not used for living purposes, storage, or fuel fired equipment shall be protected in accordance with one of the following:~~

- ~~1. Attics protected throughout by a heat detector system arranged to activate the building fire alarm system in accordance with Section 907.2.10.~~
- ~~2. Attics constructed of noncombustible materials.~~

~~3. Attics constructed of fire retardant treated wood framing complying with Section 2303.2.~~

~~4. The automatic fire sprinkler system shall be extended to provide protection throughout the attic space.~~

~~903.2.8.4 Care facilities. An automatic sprinkler system installed in accordance with 903.3.1.3 shall be permitted in care facilities with 5 or fewer individuals in a single family dwelling.~~

~~I.~~ Add Section 903.3.1.2.2 to the IBC to read:

903.3.1.2.2 Attics. Sprinkler protection shall be provided for attics in buildings of Type III, IV or V construction in Group R-2 occupancies that are designed or developed and marketed to senior citizens 55 years of age or older and in Group I-1 occupancies in accordance with Section 7.2 of NFPA 13R.

~~J.~~ Change Section 903.3.1.3 of the IBC to read:

~~903.3.1.3 NFPA 13D sprinkler systems. Automatic sprinkler systems installed in one family and two family dwellings, Group R-3, Group R-4 Condition 1 and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D.~~

~~K.~~ I. Change Section 903.4.2 of the IBC to read:

903.4.2 Alarms. Approved audible devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Group R-2 occupancies that contain 16 or more dwelling units or sleeping units, any dwelling unit or sleeping unit two or more stories above the lowest level of exit discharge, or any dwelling unit or sleeping unit more than one story below the highest level of exit discharge of exits serving the dwelling unit or sleeping unit shall provide a manual fire alarm box at an approved location to activate the suppression system alarm.

~~L.~~ J. Add an exception to Section 905.2 of the IBC to read:

Exception: The residual pressure of 100 psi for 2-1/2 inch hose connection and 65 psi for 1-1/2 inch hose connection is not required in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 and where the highest floor level is not more than 150 feet above the lowest level of fire department vehicle access.

~~M.~~ K. Change Item 1 of Section 906.1 of the IBC to read:

1. In Groups A, B, E, F, H, I, M, R-1, R-4, and S occupancies.

Exceptions:

1. In Groups A, B, and E occupancies equipped throughout with quick response sprinklers, portable fire extinguishers shall be required only in locations specified in Items 2 through 6.

2. In Group I-3 occupancies, portable fire extinguishers shall be permitted to be located at staff locations and the access to such extinguishers shall be permitted to be locked.

~~N.~~ L. Change Section 907.2.1.1 of the IBC to read:

907.2.1.1 System initiation in Group A occupancies with an occupant load of 1,000 or more and in certain night clubs. Activation of the fire alarm in Group A occupancies with an occupant load of 1,000 or more and in night clubs with an occupant load of 300 or more shall initiate a signal using an emergency voice and alarm communications system in accordance with Section 907.5.2.2.

Exception: Where approved, the prerecorded announcement is allowed to be manually deactivated for a period of time, not to exceed three minutes, for the sole purpose of allowing a live voice announcement from an approved, constantly attended location.

~~O.~~ M. Add Section 907.2.2.2 to the IBC to read:

907.2.2.2 Higher education laboratories. An automatic fire alarm and detection system shall be provided in Group B occupancies where an increase in hazardous materials is permitted in accordance with Section 430.

~~P.~~ N. Change Section 907.2.3 of the IBC to read:

907.2.3 Group E. A manual fire alarm system that activates the occupant notification system meeting the requirements of Section 907.5 and installed in accordance with Section 907.6 shall be installed in Group E occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. A manual fire alarm system is not required in Group E occupancies with an occupant load of 50 or less.

2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:

2.1. Interior corridors are protected by smoke detectors.

2.2. Auditoriums, cafeterias, gymnasiums, and similar areas are protected by heat detectors or other approved detection devices.

2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.

3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, the occupant

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notification system will activate on sprinkler water flow and manual activation is provided from a normally occupied location.

~~P. Change Section 907.2.6.1 of the IBC to read:~~

~~907.2.6.1 Group I-1. In Group I-1 occupancies, an automatic smoke detection system shall be installed in corridors, waiting areas open to corridors, and habitable spaces other than sleeping units and kitchens. The system shall be activated in accordance with Section 907.5.~~

~~Exceptions:~~

- ~~1. For Group I-1 Condition 1, smoke detection in habitable spaces is not required where the facility is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.~~
- ~~2. Smoke detection is not required for exterior balconies.~~

~~Q. O. Add an exception to Section 907.5.2.1.1 of the IBC to read:~~

~~Exception: Sound pressure levels in Group I-3 occupancies shall be permitted to be limited to only the notification of occupants in the affected smoke compartment.~~

~~R. Change Sections 908.7 and 908.7.1 of the IBC and add Sections 908.7.2 and 908.7.3 to the IBC to read:~~

~~908.7 Carbon monoxide alarms. Carbon monoxide alarms shall comply with this section.~~

~~908.7.1 Group I or R. Group I or R occupancies located in a building containing a fuel burning appliance or in a building which has an attached garage shall be equipped with single station carbon monoxide alarms. The carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. An open parking garage, as defined in Chapter 2, or an enclosed parking garage ventilated in accordance with Section 404 of the IMC shall not be considered an attached garage.~~

~~Exception: Sleeping units or dwelling units which do not themselves contain a fuel burning appliance or have an attached garage, but which are located in a building with a fuel burning appliance or an attached garage, need not be equipped with single station carbon monoxide alarms provided that:~~

- ~~1. The sleeping unit or dwelling unit is located more than one story above or below any story which contains a fuel burning appliance or an attached garage;~~
- ~~2. The sleeping unit or dwelling unit is not connected by duct work or ventilation shafts to any room containing a fuel burning appliance or to an attached garage; and~~
- ~~3. The building is equipped with a common area carbon monoxide alarm system.~~

~~908.7.2 Group E. Classrooms in E occupancies located in a building containing a fuel burning appliance or in a building which has an attached garage or small engine or vehicle shop shall be equipped with single station carbon~~

~~monoxide alarms. The carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. An open parking garage, as defined in Chapter 2, or an enclosed parking garage ventilated in accordance with Section 404 of the IMC shall not be considered an attached garage.~~

~~Exception: Classrooms which do not themselves contain a fuel burning appliance or have an attached garage, but which are located in a building with a fuel burning appliance or an attached garage, need not be equipped with single station carbon monoxide alarms provided that:~~

- ~~1. The classroom is located more than 100 feet from the fuel burning appliance or attached garage or located more than one story above or below any story which contains a fuel burning appliance or attached garage; and~~
- ~~2. The classroom is not connected by duct work or ventilation shafts to any room containing a fuel burning appliance.~~

~~908.7.3 Carbon monoxide detection systems. Carbon monoxide detection systems, which include carbon monoxide detectors and audible notification appliances, installed and maintained in accordance with this section for carbon monoxide alarms and NFPA 720 shall be permitted. The carbon monoxide detectors shall be listed as complying with UL 2075.~~

~~S. P. Change Section 909.6 of the IBC to read:~~

~~909.6 Pressurization method. When approved by the building official, the means of controlling smoke shall be permitted by pressure differences across smoke barriers. Maintenance of a tenable environment is not required in the smoke-control zone of fire origin.~~

~~T. Q. Change Section 911.1.3 of the IBC to read:~~

~~911.1.3 Size. The fire command center shall be a minimum of 96 square feet (9 m²) in area with a minimum dimension of eight feet (2438 mm).~~

~~Exception: Where it is determined by the building official, after consultation with the fire chief, that specific building characteristics require a larger fire command center, the building official may increase the minimum required size of the fire command center up to 200 square feet (19 m²) in area with a minimum dimension of up to 10 feet (3048 mm).~~

~~R. Replace Section 915 of the IBC with the following:~~

~~915.1 Carbon monoxide alarms. Carbon monoxide alarms shall comply with this section.~~

~~915.2 Group I or R. Group I or R occupancies located in a building containing a fuel-burning appliance or in a building that has an attached garage shall be equipped with single-station carbon monoxide alarms. The carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with~~

NFPA 720 and the manufacturer's instructions. An open parking garage, as defined in Chapter 2, or an enclosed parking garage ventilated in accordance with Section 404 of the IMC shall not be considered an attached garage.

Exception: Sleeping units or dwelling units that do not themselves contain a fuel-burning appliance or have an attached garage but that are located in a building with a fuel-burning appliance or an attached garage, need not be equipped with single-station carbon monoxide alarms provided that:

1. The sleeping unit or dwelling unit is located more than one story above or below any story that contains a fuel-burning appliance or an attached garage;
2. The sleeping unit or dwelling unit is not connected by duct work or ventilation shafts to any room containing a fuel-burning appliance or to an attached garage; and
3. The building is equipped with a common area carbon monoxide alarm system.

915.3 Group E. Classrooms in E occupancies located in a building containing a fuel-burning appliance or in a building that has an attached garage or small engine or vehicle shop shall be equipped with single-station carbon monoxide alarms. The carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. An open parking garage, as defined in Chapter 2, or an enclosed parking garage ventilated in accordance with Section 404 of the IMC shall not be considered an attached garage.

Exception: Classrooms that do not themselves contain a fuel-burning appliance or have an attached garage but are located in a building with a fuel-burning appliance or an attached garage, need not be equipped with single-station carbon monoxide alarms provided that:

1. The classroom is located more than 100 feet from the fuel burning appliance or attached garage or located more than one story above or below any story which contains a fuel-burning appliance or attached garage; and
2. The classroom is not connected by duct work or ventilation shafts to any room containing a fuel-burning appliance.

915.4 Carbon monoxide detection systems. Carbon monoxide detection systems, which include carbon monoxide detectors and audible notification appliances, installed and maintained in accordance with this section for carbon monoxide alarms and NFPA 720 shall be permitted. The carbon monoxide detectors shall be listed as complying with UL 2075.

~~U.~~ S. Change the title of IBC Section ~~915~~ 916 to read:

In-Building Emergency Communications Coverage.

~~V.~~ T. Change Section ~~915.4~~ 916.1 of the IBC to read:

~~915.4~~ 916.1 General. For localities utilizing public safety wireless communications, dedicated infrastructure to accommodate and perpetuate continuous in-building emergency communication equipment to allow emergency public safety personnel to send and receive emergency communications shall be provided in new buildings and structures in accordance with this section.

Exceptions:

1. Buildings of Use Groups A-5, I-4, within dwelling units of R-2, R-3, R-4, R-5, and U.
2. Buildings of Types IV and V construction without basements, that are not considered unlimited area buildings in accordance with Section 507.
3. Above grade single story buildings of less than 20,000 square feet.
4. Buildings or leased spaces occupied by federal, state, or local governments, or the contractors thereof, with security requirements where the building official has approved an alternative method to provide emergency communication equipment for emergency public safety personnel.
5. Where the owner provides technological documentation from a qualified individual that the structure or portion thereof does not impede emergency communication signals.

~~W.~~ U. Add Sections ~~915.4.1, 915.4.2~~ 916.1.1, 916.1.2, and ~~915.4.3~~ 916.1.3 to the IBC to read:

~~915.4.1~~ 916.1.1 Installation. The building owner shall install radiating cable, such as coaxial cable or equivalent. The radiating cable shall be installed in dedicated conduits, raceways, plenums, attics, or roofs, compatible for these specific installations as well as other applicable provisions of this code. The locality shall be responsible for the installation of any additional communication equipment required for the operation of the system.

~~915.4.2~~ 916.1.2 Operations. The locality will assume all responsibilities for the operation and maintenance of the emergency communication equipment. The building owner shall provide sufficient operational space within the building to allow the locality access to and the ability to operate in-building emergency communication equipment.

~~915.4.3~~ 916.1.3 Inspection. In accordance with Section 113.3, all installations shall be inspected prior to concealment.

~~X.~~ V. Add Section ~~915.2~~ 916.2 to the IBC to read:

~~915.2~~ 916.2 Acceptance test. Upon completion of installation, after providing reasonable notice to the owner or their representative, emergency public safety personnel shall have the right during normal business hours, or other mutually agreed upon time, to enter onto the property to conduct field tests to verify that the required level of radio coverage is present at no cost to the owner. Any noted

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deficiencies in the installation of the radiating cable or operational space shall be provided in an inspection report to the owner or the owner's representative.

13VAC5-63-245. Chapter 10 Means of egress.

A. Delete Section 1001.4 of the IBC.

B. Change Section 1004.3 of the IBC to read:

1004.3 Posting of occupant load. Every room or space that is an assembly occupancy and where the occupant load of that room or space is 50 or more shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or the owner's authorized agent.

C. Change ~~the exception to~~ Exception 1 of Section 1005.3.1 of the IBC to read:

Exception:

1. For other than Groups H and I-2 occupancies, the capacity, in inches (mm), of means of egress stairways shall be calculated by multiplying the occupant load served by such stairway by a means of egress capacity factor of 0.2 inch (5.1 mm) per occupant in buildings equipped with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

D. Change ~~the exception to~~ Exception 1 of Section 1005.3.2 of the IBC to read:

Exception:

1. For other than Groups H and I-2 occupancies, the capacity, in inches (mm), of means of egress components other than stairways shall be calculated by multiplying the occupant load served by such component by a means of egress capacity factor of 0.15 inch (3.8 mm) per occupant in buildings equipped with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

E. Change Exception 1 of Section 1006.2.1 of the IBC to read:

1. In Group R-2 and R-3 occupancies, one means of egress is permitted within and from individual dwelling units with a maximum occupant load of 20 where the dwelling unit is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 and the common path of egress travel does not exceed 125 feet (38 100 mm). This exception shall also apply to Group R-2 occupancies where Section 903.2.8, Exception 1 or 2 is applicable.

F. Change the number "49" to "50" in the "Maximum Occupant Load of Space" column in the "A^c, E, M," "B," "F," and "U" rows of Table 1006.2.1 of the IBC.

G. Change the number "49" to "50" in the "Maximum Occupant Load per Story" column of the "A, B^b, E, F, M, U" row of Table 1006.3.2(2).

H. Change Section ~~4007.6.2~~ 1009.6.4 of the IBC to read:

~~4007.6.2~~ 1009.6.4 Separation. Each area of refuge shall be separated from the remainder of the story by a smoke barrier complying with Section 709 or a horizontal exit complying with Section ~~4025~~ 1026. Each area of refuge shall be designed to minimize the intrusion of smoke.

Exceptions:

1. Areas of refuge located within an ~~exit~~ enclosure for interior exit stairways complying with Section 1023.

2. Areas of refuge in outdoor facilities where exit access is essentially open to the outside.

3. Areas of refuge where the area of refuge and areas served by the area of refuge are equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

~~F. I.~~ Change Item 2 of Section ~~4008.1.9.3~~ 1010.1.9.3 of the IBC to read:

2. In buildings in occupancy Groups B, F, M and S, the main exterior door or doors are permitted to be equipped with key-operated locking devices from the egress side provided:

2.1. The locking device is readily distinguishable as locked.

2.2. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: **THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING THIS SPACE IS OCCUPIED**. The sign shall be in letters one inch (25 mm) high on a contrasting background.

2.3. The use of the key-operated locking device is revokable by the building official for due cause.

~~G. J.~~ Delete Section ~~4008.1.9.6~~ 1010.1.9.6 of the IBC.

~~H. Change Sections 1008.1.9.7 and 1008.1.9.8~~ K. Add an exception to Section 1010.1.9.7 of the IBC to read:

~~1008.1.9.7~~ Delayed egress locks. In other than Groups A, E, and H, approved, listed, delayed egress locks shall be permitted to be installed on doors in buildings which are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke or heat detection system installed in accordance with Section 907, provided that the doors unlock in accordance with Items 1 through 6 below. A building occupant shall not be required to pass through more than one door equipped with a delayed egress lock before entering an exit.

1. ~~The doors unlock upon actuation of the automatic sprinkler system or automatic fire detection system.~~

2. ~~The doors unlock upon loss of power controlling the lock or lock mechanism.~~

3. ~~The door locks shall have the capability of being unlocked by a signal from the fire command center.~~

4. The initiation of an irreversible process which will release the latch in not more than 15 seconds when a force of not more than 15 pounds (67 N) is applied for 1 second to the release device. Initiation of the irreversible process shall activate an audible signal in the vicinity of the door. Once the door lock has been released by the application of force to the releasing device, relocking shall be by manual means only.

Exception: Where approved, a delay of not more than 30 seconds is permitted.

5. A sign shall be provided on the door located above and within 12 inches (305 mm) of the release device reading: **PUSH UNTIL ALARM SOUNDS. DOOR CAN BE OPENED IN 15 SECONDS.**

Exception: Where approved, such sign shall read: **PUSH UNTIL ALARM SOUNDS. DOOR CAN BE OPENED IN 30 SECONDS.**

6. Emergency lighting shall be provided at the door.

Exception: Approved, listed, delayed egress locks shall be permitted to be installed on doors serving Group A-3 airport facilities, provided they are installed in accordance with this section.

~~1008.1.9.8 Sensor release of electronically locked egress doors. The electric locks on sensor released doors located in a means of egress in buildings with an occupancy in Group A, B, E, I 1, I 2, I 4, M, R 1, or R 2 and entrance doors to tenant spaces in occupancies in Group A, B, E, I 1, I 2, I 4, M, R 1, or R 2 are permitted where installed and operated in accordance with all of the following criteria:~~

- ~~1. The sensor shall be installed on the egress side arranged to detect an occupant approaching the doors. The doors shall be arranged to unlock by a signal from or loss of power to the sensor.~~
- ~~2. Loss of power to the lock or locking system shall automatically unlock the doors.~~
- ~~3. The doors shall be arranged to unlock from a manual unlocking device located 40 inches to 48 inches (1016 mm to 1219 mm) vertically above the floor and within five feet (1524 mm) of the secured doors. Ready access shall be provided to the manual unlocking device and the device shall be clearly identified by a sign that reads "PUSH TO EXIT." When operated, the manual unlocking device shall result in direct interruption of power to the lock independent of locking system electronics and the doors shall remain unlocked for not less than 30 seconds.~~
- ~~4. Activation of the building fire alarm system, if provided, shall automatically unlock the doors, and the doors shall remain unlocked until the fire alarm system has been reset.~~
- ~~5. Activation of the building automatic sprinkler or fire detection system, if provided, shall automatically unlock~~

~~the doors. The doors shall remain unlocked until the fire alarm system has been reset.~~

~~6. The door locking system units shall be listed in accordance with UL 294.~~

L. Change Section 1010.1.6 of the IBC to read:

1010.1.6 Landings at doors. Landings shall have a width not less than the width of the stairway or the door, whichever is greater. Doors in the fully open position shall not reduce a required dimension by more than 7 inches (178 mm). Where a landing serves an occupant load of 50 or more, other doors, gates, or turnstiles in any position shall not reduce the landing to less than one-half its required width nor prevent a door, gate, or turnstile from opening to less than one-half of the required landing width. Landings shall have a length measured in the direction of travel of not less than 44 inches (1118 mm).

Exception: Landing length in the direction of travel in Groups R-3 and U and within individual units of Group R-2 need not exceed 36 inches (914 mm).

~~I. Delete the exception in M. Change Section 1008.1.10 1010.1.10 of the IBC: to read:~~

1010.1.10 Panic and fire exit hardware. Doors serving a Group H occupancy and doors serving rooms or spaces with an occupant load of 50 or more in a Group A or E occupancy shall not be provided with a latch or lock other than panic hardware or fire exit hardware.

Exception: Doors serving a Group A or E occupancy shall be permitted to be electromagnetically locked in accordance with Section 1010.1.9.9.

~~J. N. Add Section 1008.1.11 1010.1.11 to the IBC to read:~~

~~1008.1.11 1010.1.11 Locking certain residential sliding doors. In dwelling units of Group R-2 buildings, exterior sliding doors which are one story or less above grade, or shared by two dwelling units, or are otherwise accessible from the outside, shall be equipped with locks. The mounting screws for the lock case shall be inaccessible from the outside. The lock bolt shall engage the strike in a manner that will prevent it from being disengaged by movement of the door.~~

~~Exception: Exterior sliding doors which are equipped with removable metal pins or charlie bars.~~

~~K. O. Add Section 1008.1.12 1010.1.12 to the IBC to read:~~

~~1008.1.12 1010.1.12 Door viewers in certain residential buildings. Entrance doors to dwelling units of Group R-2 buildings shall be equipped with door viewers with a field of vision of not less than 180 degrees.~~

~~Exception: Entrance doors having a vision panel or side vision panels.~~

~~L. P. Change Exception 5 3 of Section 1009.7.2 1011.5.2 of the IBC to read:~~

~~5. 3. In Group R-3 occupancies; within dwelling units in Group R-2 occupancies; and in Group U occupancies that~~

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are accessory to a Group R-3 occupancy or accessory to individual dwelling units in Group R-2 occupancies; the maximum riser height shall be 8.25 inches (210 mm); the minimum tread depth shall be 9 inches (229 mm); the minimum winder tread depth at the walk line shall be 10 inches (254 mm); and the minimum winder tread depth shall be 6 inches (152 mm). A nosing not less than 0.75 inch (19.1 mm) but not more than 1.25 inches (32 mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).

Q. Change Section 1011.6 of the IBC to read:

1011.6 Stairway landings. There shall be a floor or landing at the top and bottom of each stairway. The width of landings shall be not less than the width of stairways served. Every landing shall have a minimum width measured perpendicular to the direction of travel equal to the width of the stairway. Where the stairway has a straight run the depth need not exceed 48 inches (1219 mm). Doors opening onto a landing shall not reduce the landing to less than one-half the required width. When fully open, the door shall not project more than 7 inches (178 mm) into a landing. Where wheelchair spaces are required on the stairway landing in accordance with Section 1009.6.3, the wheelchair space shall not be located in the required width of the landing and doors shall not swing over the wheelchair spaces.

Exceptions:

1. Where stairways connect stepped aisles to cross aisles or concourses, stairway landings are not required at the transition between stairways and stepped aisles constructed in accordance with Section 1029.
2. A floor or landing is not required at the top of an interior flight of exit access stairs within individual dwelling units and sleeping units of Group R-2 occupancies and dwelling units of Group R-3 occupancies, including stairs in an enclosed private garage serving only an individual dwelling unit, provided that a door does not swing over the stairs.

M. R. Change Section ~~4013.8~~ 1015.8 of the IBC to read:

~~4013.8~~ 1015.8 Window sills openings. In Occupancy Groups Windows in Group R-2 and R-3, one family and two family and multiple family dwellings, buildings including dwelling units where the opening top of the sill portion of an operable window opening is located less than 18 inches (457 mm) above the finished floor and more than 72 inches (1829 mm) above the finished grade or other surface below, the lowest part of the clear opening of the window shall be at a height not less than 18 inches (457 mm) above the finished floor surface of the room in which the window is located. Operable sections of windows shall not permit openings that allow passage of a 4 inch diameter (102 mm) sphere where such openings are located within 18 inches (457 mm) of the finished floor. on the

exterior of the building shall comply with one of the following:

Exceptions:

1. Operable windows where the top of the sill portion of the opening is located more than 75 feet (22 860 mm) above the finished grade or other surface below and that are provided with window fall prevention devices that comply with ASTM F 2006.
2. ~~Windows whose~~ Operable windows where the openings will not allow a 4-inch diameter (102 mm) sphere to pass through the opening when the window is in its largest opened position.
3. ~~Openings that~~ Operable windows where the openings are provided with window fall prevention devices that comply with ASTM F 2090.
4. ~~Windows~~ Operable windows that are provided with window opening control devices that comply with Section ~~4013.8.1~~ 1015.8.1.

~~N. S.~~ Add Exception 3 to Item 4 ~~5~~ of Section ~~4014.2~~ 1016.2 of the IBC to read:

3. A maximum of one exit access is permitted to pass through kitchens, store rooms, closets or spaces used for similar purposes provided such a space is not the only means of exit access.

O. Change Exception 1 in Item 1 of Section 1015.1 of the IBC to read:

- ~~1. In Groups R-2 and R-3 occupancies, one means of egress is permitted within and from individual dwelling units with a maximum occupant load of 20 where the dwelling unit is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2. This exception shall also apply to Group R-2 occupancies where Section 903.2.8, Exception 1 or 2 is applicable.~~

P. Change Table 1015.1 of the IBC to read:

Table 1015.1 Spaces With One Exit or Exit Access Doorway	
Occupancy	Maximum Occupant Load
A, B, E, F, M, U	50
H 1, H 2, H 3	3
H 4, H 5, I 1, I 3, I 4, R	40
S	29

Q. Change Exception 2 of Section 1015.2.1 of the IBC to read:

- ~~2. Where a building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2, the separation distance of the exit doors or exit access doorways shall not be less than one-~~

~~fourth of the length of the maximum overall diagonal dimension of the area served.~~

R. Add Section 1016.2.2 to the IBC to read:

~~1016.2.2 Group F-1 and S-1 increase. The maximum exit access travel distance shall be 400 feet (122 m) in Group F-1 or S-1 occupancies where all of the following are met:~~

- ~~1. The portion of the building classified as Group F-1 or S-1 is limited to one story in height;~~
- ~~2. The minimum height from the finished floor to the bottom of the ceiling or roof slab or deck is 24 feet (7315 mm); and~~
- ~~3. The building is equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.~~

S. Add the following text to footnote "a" of Table 1016.2 of the IBC to read:

~~Section 1016.2.2: For increase distance limitation in Group F-1 and Group S-1.~~

T. Change Exception 2 of Section 1018.1 of the IBC to read:

~~2. A fire resistance rating is not required for corridors contained within a dwelling or sleeping unit in an occupancy in Group I-1 and Group R.~~

U. ~~T.~~ Change Table 1018.1 1020.1 of the IBC to read:

Table 1018.1 1020.1 Corridor Fire-Resistance Rating			
Occupancy	Occupant Load Served By Corridor	Required Fire-Resistance Rating (hours)	
		Without sprinkler system	With sprinkler system ^b
H-1, H-2, H-3	All	Not Permitted	1
H-4, H-5	Greater than 30	Not Permitted	1
A, B, E, F, M, S, U	Greater than 30	1	0
R	Greater than 10	1	0.5
I-2 ^a , I-4	All	Not Permitted	0
I-1, I-3	All	Not Permitted	0

a. For requirements for occupancies in Group I-2, see Sections 407.2 and 407.3.

b. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.

~~V.~~ **U.** Add an additional row to Table 1018.2 1020.2 of the IBC to read:

Occupancy	Width (minimum)
In corridors of Group I-2 assisted living facilities licensed by the Virginia Department of Social Services serving areas with wheelchair, walker, and gurney traffic where residents are capable of self-preservation or where resident rooms have a means of egress door leading directly to the outside.	44 inches

W. Change the first row in Table 1021.2(2) to read:

Story	Occupancy	Maximum Occupants per Story	Maximum Exit Access Travel Distance
First story or basement	A, B ^b , E, F ^b , M, U, S ^b	50 occupants	75 feet

~~X.~~ **V.** Change Section 1022.9 1023.9 of the IBC to read:

~~1022.9~~ **1023.9** Floor identification signs. A sign shall be provided at each floor landing in exit enclosures connecting more than three stories designating the floor level, the terminus of the top and bottom of the exit enclosure and the identification of the stair or ramp by designation with a letter of the alphabet. The signage shall also state the story of, and the direction to, the exit discharge and the availability of roof access from the enclosure for the fire department. The sign shall be located five feet (1524 mm) above the floor landing in a position that is readily visible when the doors are in the open and closed positions. Floor level identification signs in tactile characters complying with ICC A117.1 shall be located at each floor level landing adjacent to the door leading from the enclosure into the corridor to identify the floor level.

~~Y.~~ **W.** Change Section 1024.1 1025.1 of the IBC to read:

~~1024.1~~ **1025.1** General. Approved luminous egress path markings delineating the exit path shall be provided in buildings of Groups A, B, E, I, M and R-1 having occupied floors located more than 420 feet (128 016 mm) above the lowest level of fire department vehicle access in accordance with Sections ~~1024.1~~ 1025.1 through ~~1024.5~~ 1025.5.

Exception: Luminous egress path markings shall not be required on the level of exit discharge in lobbies that serve as part of the exit path in accordance with Section ~~1027.1~~ 1028.1, Exception 1.

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13VAC5-63-250. Chapter 11 Accessibility.

A. Add an exception to Section 1101.2 of the IBC to read:

Exception: Wall-mounted visible alarm notification appliances in Group I-3 occupancies shall be permitted to be a maximum of 120 inches (3048 mm) above the floor or ground, measured to the bottom of the appliance. Such appliances shall otherwise comply with all applicable requirements.

B. Add ~~Change~~ Section ~~1103.2.16~~ to 1103.2.8 of the IBC to read:

~~1103.2.16~~ 1103.2.8 Raised and lowered areas in places of religious worship. Raised or lowered areas in places of religious worship are not required to be accessible or to be served by an accessible route provided such areas are used exclusively for the performance of religious ceremonies and are located within an accessible story or mezzanine.

C. Change Section 1106.1 of the IBC and replace Table 1106.1 of the IBC with Tables 1106.1(1) and 1106.1(2) to read:

1106.1 Required. Where parking is provided, accessible parking spaces shall be provided in compliance with Tables 1106.1(1) and 1106.1(2), as applicable, except as required by Sections 1106.2 through 1106.4. Where more than one parking facility is provided on a site, the number of parking spaces required to be accessible shall be calculated separately for each parking facility. Exception: This section does not apply to parking spaces used exclusively for buses, trucks, other delivery vehicles, law-enforcement vehicles, or vehicular impound and motor pools where lots accessed by the public are provided with an accessible passenger loading zone.

Table 1106.1(1) Accessible Parking Spaces for Groups A, B, E, M, R-1, R-2, and I ^a	
Total Parking Spaces Provided	Required Minimum Number of Accessible Spaces
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 125	5
126 - 150	6
151 - 200	7
201 - 300	8
301 - 400	9
401 - 500	10

501 - 1,000	2.33% of total
1,001 and over	23, plus one for each 100, or fraction thereof, over 1,000
a. Condominium parking in Group R-2 occupancies where parking is part of the unit purchase shall be in accordance with Table 1106.1(2).	

Table 1106.1(2) Accessible Parking Spaces for Groups F, S, H, R-3, R-4, and U	
Total Parking Spaces Provided	Required Minimum Number of Accessible Spaces
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1,000	2.0% of total
1,001 and over	20, plus one for each 100, or fraction thereof, over 1,000

D. Add Section 1106.8 to the IBC to read:

1106.8 Identification of accessible parking spaces. In addition to complying with applicable provisions of this chapter, all accessible parking spaces shall be identified by above grade signs. A sign or symbol painted or otherwise displayed on the pavement of a parking space shall not constitute an above grade sign. All above grade parking space signs shall have the bottom edge of the sign no lower than four feet (1219 mm) nor higher than seven feet (2133 mm) above the parking surface. All disabled parking signs shall include the following language: PENALTY, \$100-500 Fine, TOW-AWAY ZONE. Such language may be placed on a separate sign and attached below existing above grade disabled parking signs, provided that the bottom edge of the attached sign is no lower than four feet above the parking surface.

E. Add Sections 1109.16 and 1109.16.1 to the IBC to read:

1109.16 Dwellings containing universal design features for accessibility. Group R-5 occupancies not subject to Section R320.1 of the IRC and Group R-3 occupancies not subject to Section 1107.6.3 may comply with this section and be

approved by the local building department as dwellings containing universal design features for accessibility.

1109.16.1 Standards for dwellings containing universal design features for accessibility. When the following requirements are met, approval shall be issued by the local building department indicating that a dwelling has been constructed in accordance with these standards and is deemed to be a dwelling containing universal design features for accessibility.

1. The dwelling must comply with the requirements for Type C units under Section 1005 of ICC A117.1 with the following changes to ~~the~~ those requirements:

1.1. That at least one bedroom be added to the interior spaces required by Section 1005.4 of ICC A117.1.

1.2. In the toilet room or bathroom required by Section 1005 of ICC A117.1, in addition to the lavatory and water closet, a shower or bathtub complying with Section 1004.11.3.2.3 of ICC A117.1 shall be provided and shall include reinforcement for future installation of grab bars in accordance with Section 1004.11.1 of ICC A117.1.

1.3. That the exception to Section 1005.4 of ICC A117.1 is not applicable.

1.4. That there be a food preparation area complying with Section 1005.7 of ICC A117.1 on the entrance level.

1.5. That any thermostat for heating or cooling on the entrance level comply with Section 1005.8 of ICC A117.1.

F. Change Item 1 of Section ~~1110.1~~ 1111.1 of the IBC to read:

1. Accessible parking spaces required by Section 1106.1.

13VAC5-63-260. Chapter 12 Interior environment.

A. Add the following to the list of terms in Section 1202.1 of the IBC:

Day-night average sound level (Ldn).

Sound transmission class (STC) rating.

B. Add Section ~~1203.4.4~~ 1203.5.4 to the IBC to read:

~~1203.4.4~~ 1203.5.4 Insect screens in occupancies other than Group R. Every door, window and other outside opening for natural ventilation serving structures classified as other than a residential group containing habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every screen door used for insect control shall have a self-closing device.

Exception: Screen doors shall not be required for out swinging doors or other types of openings which make screening impractical, provided other approved means, such as air curtains or insect repellent fans are provided.

C. Add Section ~~1203.4.5~~ 1203.5.5 to the IBC to read:

~~1203.4.5~~ 1203.5.5 Insect screens in Group R occupancies. Every door, window and other outside opening required for natural ventilation purposes which serves a structure classified as a residential group shall be supplied with approved tightly fitted screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every screen door used for insect control shall have a self-closing device.

D. Add Section ~~1203.6~~ 1203.7 to the IBC to read:

~~1203.6~~ 1203.7 Smoking areas in restaurants. Smoking areas in restaurants, as defined in § 15.2-2820 of the Code of Virginia, shall comply with the following:

1. The area where smoking may be permitted shall be structurally separated from the portion of the restaurant in which smoking is prohibited. For the purposes of this section, structurally separated means a stud wall covered with drywall or other building material or like barrier, which, when completed, extends from the floor to the ceiling, resulting in a physically separated room. Such wall or barrier may include portions that are glass or other gas-impervious building material and shall be permitted to have a door leading to areas in which smoking is prohibited, provided the door is capable of being closed at all times.

2. The area where smoking may be permitted shall be separately vented to prevent the recirculation of air from such area to the area of the restaurant where smoking is prohibited.

Exception: The above requirements do not apply if a restaurant is exempt from, or meets any of the exceptions to, the Virginia Indoor Clean Air Act (Chapter 28.2 of Title 15.2 (§ 15.2-2820 et seq.) of the Code of Virginia).

E. Change Section 1207.1 of the IBC to read:

1207.1 Scope. Sections 1207.2 and 1207.3 shall apply to common interior walls, partitions and floor/ceiling assemblies between adjacent dwelling units or between dwelling units and adjacent public areas such as halls, corridors, stairs or service areas. Section 1207.4 applies to the construction of the exterior envelope of Group R occupancies within airport noise zones and to the exterior envelope of Group A, B, E, I and M occupancies in any locality in whose jurisdiction, or adjacent jurisdiction, is located a United States Master Jet Base, a licensed airport or United States government or military air facility, when such requirements are enforced by a locality pursuant to § 15.2-2295 of the Code of Virginia.

F. Add Section 1207.4 to the IBC to read:

1207.4 Airport noise attenuation standards. Where the Ldn is determined to be 65 dBA or greater, the minimum STC rating of structure components shall be provided in compliance with Table 1207.4. As an alternative to compliance with Table 1207.4, structures shall be permitted to be designed and constructed so as to limit the

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interior noise level to no greater than 45 Ldn. Exterior structures, terrain and permanent plantings shall be permitted to be included as part of the alternative design. The alternative design shall be certified by an RDP.

G. Add Table 1207.4 to the IBC to read:

Table 1207.4 Airport Noise Attenuation Standards		
Ldn	STC of exterior walls and roof/ceiling assemblies	STC of doors and windows
65-69	39	25
70-74	44	33
75 or greater	49	38

13VAC5-63-264. Chapter 13 Energy efficiency.

Add Section 1301.1.1.1 to the IBC to read:

1301.1.1.1 Changes to the IECC. The following changes shall be made to the IECC:

1. Add ~~Exception 3 to an exception to the first paragraph of Section C402.4.5.2 C403.2.4.3~~ to read:

~~3. Exception:~~ Any grease duct serving a Type I hood installed in accordance with IMC Section 506.3 shall not be required to have a motorized or gravity damper.

2. Change Section C402.4.8 to read:

~~C402.4.8 Recessed lighting. Recessed luminaires installed in the building thermal envelope shall be sealed to limit air leakage between conditioned and unconditioned spaces. All recessed luminaires shall be IC-rated and labeled as having an air leakage rate or not more 2.0 cfm (0.944 L/s) when tested in accordance with ASTM E 283 at a 1.57 psf (75 Pa) pressure differential. All recessed luminaires installed in the thermal envelope shall be sealed with a gasket or caulk between the housing and interior wall or ceiling covering.~~

3. Add ~~Exception 4 to Section C403.2.4.4~~ to read:

~~4. Any grease duct serving a Type I hood installed in accordance with IMC Section 506.3 shall not be required to have a motorized or gravity damper.~~

4. Change the exception to Section C405.1 to read:

~~Exception: Dwelling units within commercial buildings shall not be required to comply with Sections C405.2 through C405.5, provided that not less than 75% of the permanently installed luminaires, other than low voltage lighting, shall be fitted for, and contain only, high-efficacy lamps.~~

5. Change Section ~~C405.6 C405.5~~ to read:

~~C405.6 C405.5~~ Exterior lighting (Mandatory). All exterior lighting, other than low-voltage landscape lighting, shall comply with ~~Sections C405.6.1 and C405.6.2 Section C405.5.1.~~

Exception: Where approved because of historical, safety, signage, or emergency considerations.

~~6. 3.~~ Delete Section R401.3.

7. ~~4.~~ Change the ceiling R-value and wood frame wall R-value categories for climate zone "4 except Marine" in Table ~~R402.1.1 R402.1.2~~ to read:

Ceiling R-Value	Wood Frame Wall R-Value
38	15 or 13 + 1 ^h

8. ~~5.~~ Change the ceiling U-factor and frame wall U-factor categories for climate zone "4 except Marine" in Table ~~R402.1.3 R402.1.4~~ to read:

Ceiling U-Factor	Frame Wall U-Factor
0.030	0.079

9. ~~6.~~ Change ~~Sections R402.2.1 and Section R402.2.4~~ to read:

~~R402.2.1 Ceilings with attic spaces. When Section R402.1.1 would require R-38 in the ceiling, installing R-30 over 100% of the ceiling area shall be deemed to satisfy the requirement for R-38 wherever the full height of uncompressed R-30 insulation extends over the wall top plate at the eaves. Similarly, when Section R402.1.1 would require R-49 in the ceiling, installing R-38 over 100% of the ceiling area shall be deemed to satisfy the requirement for R-49 wherever the full height of uncompressed R-38 insulation extends over the wall top plate at the eaves. This reduction shall not apply to the U-factor alternative approach in Section R402.1.3 and the total UA alternative in Section R402.1.4.~~

R402.2.4 Access hatches and doors. Access doors from conditioned spaces to unconditioned spaces (e.g., attics and crawl spaces) shall be weatherstripped and insulated in accordance with the following values:

1. Hinged vertical doors shall have a minimum overall R-5 insulation value;
2. Hatches and scuttle hole covers shall be insulated to a level equivalent to the insulation on the surrounding surfaces; and
3. Pull down stairs shall have a minimum of 75% of the panel area having R-5 rigid insulation.

Access shall be provided to all equipment that prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the attic access is opened and to provide a permanent means of maintaining the installed R-value of the loose fill insulation.

10. ~~Delete Section R402.3.6 and change 7. Change Sections R402.4 and R402.4.1.1 to read:~~

R402.4 Air leakage. The building thermal envelope shall be constructed to limit air leakage in accordance with the requirements of Sections R402.4.1 through R402.4.4.

R402.4.1.1 Installation (Mandatory). The components of the building thermal envelope as listed in Table R402.4.1.1 shall be installed in accordance with the manufacturer's instructions and the criteria listed in Table R402.4.1.1, as applicable to the method of construction.

Where required by the code official, an approved third party shall inspect all components and verify compliance.

11. ~~8.~~ Change the title of the "~~Criteria~~" "Insulation Installation Criteria" category of Table R402.4.1.1; change the "~~Walls,~~" "Showers/tub on exterior wall" and "~~Fireplace~~" categories category of Table R402.4.1.1, and add footnotes "b" and "c" to Table R402.4.1.1 to read:

Component	Criteria ^{a,b}
Walls	Cavities within corners and headers shall be insulated by completely filling the cavity with a material having a minimum thermal resistance of R-3 per inch. The junction of the foundation and sill plate shall be sealed. The junction of the top plate and top of exterior walls shall be sealed. Exterior thermal envelope insulation for framed walls shall be installed in substantial contact and continuous alignment with the air barrier. Knee walls shall be sealed.
Showers or tub on exterior wall ^c	Exterior walls adjacent to showers and tubs shall be insulated and an air barrier installed on the interior side of the exterior wall, adjacent to the shower or tub.
Fireplace	An air barrier shall be installed on fireplace walls. Fireplaces shall have gasketed doors or tight fitting flue dampers.

b. ~~Structural integrity of headers shall be in accordance with the applicable building code.~~

c. ~~Air barriers used behind showers and tubs on exterior walls shall be of a permeable material that does not cause the entrapment of moisture in the stud cavity.~~

Component	Air Barrier Criteria	Insulation Installation Criteria ^b
Showers/tub on exterior wall ^c	The air barrier installed at exterior walls adjacent to showers and tubs shall be installed on the interior side and separate the exterior walls from the showers and tubs.	Exterior walls adjacent to showers and tubs shall be insulated.

b. ~~Structural integrity of headers shall be in accordance with the applicable building code.~~

c. ~~Air barriers used behind showers and tubs on exterior walls shall be of a permeable material that does not cause the entrapment of moisture in the stud cavity.~~

12. ~~9.~~ Change Section R402.4.1.2 and add Sections R402.4.1.2.1, R402.4.1.2.2, and R402.4.1.3 to read:

R402.4.1.2 Air sealing. Building envelope air tightness shall be demonstrated to comply with either Section R402.4.1.2.1 or R402.4.1.2.2.

R402.4.1.2.1 Testing option. The building or dwelling unit shall be tested for air leakage. Testing shall be conducted with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Where required by the building official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

During testing:

1. Exterior windows and doors and fireplace and stove doors shall be closed, but not sealed beyond the intended weatherstripping or other infiltration control measures;

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2. Dampers, including exhaust, intake, makeup air, backdraft, and flue dampers, shall be closed, but not sealed beyond intended infiltration control measures;
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling systems, if installed at the time of the test, shall be turned off; and
6. Supply and return registers, if installed at the time of the test, shall be fully open.

R402.4.1.2.2 Visual inspection option. Building envelope tightness shall be considered acceptable when the items listed in Table R402.4.1.1, applicable to the method of construction, are field verified. Where required by the building official, an approved party, independent from the installer, shall inspect the air barrier. When this option is chosen, the dwelling unit shall be ventilated by mechanical means in accordance with Section 403 of the IMC.

R402.4.1.3 Leakage rate (Prescriptive). The building or dwelling unit shall have an air leakage rate not exceeding 5 changes per hour as verified in accordance with Section R402.4.1.2.

13. ~~Change Section R403.1.1 to read:~~

~~R403.1.1 Programmable thermostat. The thermostat controlling the primary heating or cooling system of the dwelling unit shall be capable of controlling the heating and cooling system on a daily schedule to maintain different temperature set points at different times of the day. This thermostat shall include the capability to set back or temporarily operate the system to maintain zone temperatures down to 55°F (13°C) or up to 85°F (29°C). The thermostat shall initially be programmed with a heating temperature set point no higher than 70°F (21°C) and a cooling temperature set point no lower than 78°F (26°C).~~

14. ~~10. Change Section R403.2.2 R403.3.2 to read:~~

~~R403.2.2 R403.3.2 Sealing (Mandatory). Ducts, air handlers, and filter boxes shall be sealed. Joints and seams shall comply with either the IMC or the IRC, as applicable. Verification of compliance with this section shall be in accordance with either Section R403.2.2.1 Sections R403.3.3 and R403.3.4 when the testing option is chosen or Section R403.2.2.2 R403.3.5 when the visual inspection option is chosen.~~

~~Exceptions:~~

1. Air-impermeable spray foam products shall be permitted to be applied without additional joint seals.
2. ~~Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally~~

~~spaced on the exposed portion of the joint so as to prevent a hinge effect.~~

~~3. Continuously welded and locking type longitudinal joints and seams in ducts operating at For ducts having a static pressures pressure of less than 2 inches of water column (500 Pa) pressure classification shall not require, additional closure systems shall not be required for continuously welded joints and seams and locking-type joints and seams of other than the snap-lock and button-lock types.~~

15. ~~11. Change Section R403.2.2.1 R403.3.5 to read:~~

~~R403.2.2.1 Testing option. Duct tightness shall be verified by either of the following:~~

~~1. Post construction test: Total leakage shall be less than or equal to 6 cfm (169.9 L/min) per 100 square feet (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test.~~

~~2. Rough in test: Total leakage shall be less than or equal to 5 cfm (141.5 L/min) per 100 square feet (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 5 cfm (141.5 L/min) per 100 square feet (9.29 m²) of conditioned floor area.~~

~~Exception: The total leakage test is not required for ducts and air handlers located entirely within the building thermal envelope.~~

~~When this option is chosen, testing shall be performed by approved qualified individuals, testing agencies or contractors. Testing and results shall be as prescribed in Section R403.2.2 and approved recognized industry standards.~~

16. ~~Add Section R403.2.2.2 to read:~~

~~R403.2.2.2 R403.3.5 Visual inspection option. In addition to the inspection of ducts otherwise required by this code, when the air handler and all ducts are not within conditioned space and this option is chosen to verify duct tightness, duct tightness shall be considered acceptable when the requirements of Section R403.2.2 R403.3.5 are field verified.~~

17. ~~12. Add Section R403.2.2.3 R403.3.6 to read:~~

~~R403.2.2.3 Sealed air handler. Air handlers shall have a manufacturer's designation for an air leakage of no more than 2.0% of the design air flow rate when tested in accordance with ASHRAE 193.~~

R403.3.6 Building cavities (Mandatory). Building framing cavities shall not be used as ducts or plenums.

~~18. Change Section R403.4.2 to read:~~

~~R403.4.2 Hot water pipe insulation (Prescriptive). Insulation for hot water pipe with a minimum thermal resistance (R value) of R 3 shall be applied to the following:~~

- ~~1. Piping larger than 3/4 inch nominal diameter.~~
- ~~2. Piping serving more than one dwelling unit.~~
- ~~3. Piping located outside the conditioned space.~~
- ~~4. Piping from the water heater to a distribution manifold.~~
- ~~5. Piping located under a floor slab.~~
- ~~6. Buried piping.~~
- ~~7. Supply and return piping in recirculation systems other than demand recirculation systems.~~

~~19. Delete Table R403.4.2.~~

~~20. 13. Change Section R403.6 R403.7 to read:~~

~~R403.6 R403.7 Equipment and appliance sizing. Heating and cooling equipment and appliances shall be sized in accordance with ACCA Manual S or other approved sizing methodologies based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies.~~

~~Exception: Heating and cooling equipment and appliance sizing shall not be limited to the capacities determined in accordance with Manual S or other approved sizing methodologies where any of the following conditions apply:~~

- ~~1. The specified equipment or appliance utilizes multi-stage technology or variable refrigerant flow technology and the loads calculated in accordance with the approved heating and cooling methodology fall within the range of the manufacturer's published capacities for that equipment or appliance.~~
- ~~2. The specified equipment or appliance manufacturer's published capacities cannot satisfy both the total and sensible heat gains calculated in accordance with the approved heating and cooling methodology and the next larger standard size unit is specified.~~
- ~~3. The specified equipment or appliance is the lowest capacity unit available from the specified manufacturer.~~

~~21. Change Section R404.1 to read:~~

~~R404.1 Lighting equipment (Mandatory). A minimum of 50% of the lamps in permanently installed luminaires shall be high efficacy lamps or a minimum of 50% of the permanently installed luminaires shall contain only high efficacy lamps.~~

~~Exception: Low voltage lighting shall not be required to utilize high efficiency lamps.~~

~~22. 14. Change the "Glazing" "Vertical fenestration other than opaque doors" and "Air exchange rate" categories of Table R405.5.2(1) to read:~~

Building Component	Standard Reference Design	Proposed Design
Glazing^a Vertical fenestration other than opaque doors	Total area ^b is 15% of the conditioned floor area.	As proposed
Glazing^a Vertical fenestration other than opaque doors	Orientation: equally distributed to four cardinal compass orientations (North, East, South & West).	As proposed
Glazing^a Vertical fenestration other than opaque doors	U-factor: from Table R402.1.3 <u>R402.1.4</u>	As proposed
Glazing^a Vertical fenestration other than opaque doors	SHGC: From Table R402.1.1 <u>R402.1.2</u> except that for climates with no requirement (NR) SHGC = 0.40 shall be used.	As proposed
Glazing^a Vertical fenestration other than opaque doors	Interior shade fraction: 0.92-(0.21 x SHGC for the standard reference design)	0.92-(0.21 x SHGC as proposed)
Glazing^a Vertical fenestration other than opaque doors	External shading: none.	As proposed
Air exchange rate	Air leakage rate of 5 air changes per hour at a pressure of 0.2 inches w.g (50 Pa). The mechanical ventilation rate shall be in addition to the air leakage rate and the same as in the proposed design, but no greater than $0.01 \times CFA + 7.5 \times (N_{br} + 1)$ where:	For residences that are not tested, the same air leakage rate as the standard reference design. For tested residences, the measured air exchange rate ^a . The mechanical

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	<p>CFA = conditioned floor area N_{br} = number of bedrooms Energy recovery shall not be assumed for mechanical ventilation.</p>	<p>ventilation rate^{d,b} shall be in addition to the air leakage rate and shall be as proposed.</p>
<p>a. Where required by the code official, testing shall be conducted by an approved party. Hourly calculations as specified in the ASHRAE Handbook of Fundamentals, or the equivalent shall be used to determine the energy loads resulting from infiltration.</p> <p>b. The combined air exchange rate for infiltration and mechanical ventilation shall be determined in accordance with Equation 43 of 2001 ASHRAE Handbook of Fundamentals, page 26.24 and the "Whole-house Ventilation" provisions of 2001 ASHRAE Handbook of Fundamentals, page 26.19 for intermittent mechanical ventilation.</p>		

15. Delete Section R503.1.1.1.

13VAC5-63-268. Chapter 15 Roof assemblies and rooftop structures.

A. Change the title of IBC Section 1511 to read:

Roofing and Roofing Repair.

B. Change Section 1511.1 of the IBC to read as follows and delete the remainder of Section 1511 of the IBC:

1511.1 General. Materials and methods of application used for reroofing and roof repair shall comply with the applicable requirements of Chapter 15 and the requirements of Section 303 of the VEBC.

13VAC5-63-270. Chapter 16 Structural design.

A. Change Section 1609.3 of the IBC to read:

1609.3 Basic wind speed. The ultimate design wind speed, V_{ult} , in miles per hour (mph), for the determination of the wind loads shall be determined by Figures ~~1609A~~ 1609.3(1), ~~1609B~~ 1609.3(2), and ~~1609C~~ 1609.3(3). The ultimate design wind speed, V_{ult} , for use in the design of Risk Category II buildings and structures shall be obtained from Figure ~~1609A~~ 1609.3(1). The ultimate design wind speed, V_{ult} , for use in the design of Risk Categories III and IV buildings and structures shall be obtained from Figure ~~1609B~~ 1609.3(2). The ultimate design wind speed, V_{ult} , for use in the design of Risk Category I buildings and structures shall be obtained from Figure ~~1609C~~ 1609.3(3). The ultimate design wind speeds for localities in special wind regions, near mountainous terrains, and near gorges shall be based on elevation. Areas at 4,000 feet in elevation or higher shall use 142 V mph (62.5 m/s) and areas under 4,000 feet in elevation shall use 116 V mph (51 m/s). Gorge areas shall be based on the highest recorded speed per locality or in accordance with local jurisdiction

requirements determined in accordance with Section 26.5.1 of ASCE 7.

In nonhurricane-prone regions, when the ultimate design wind speed, V_{ult} , is estimated from regional climatic data, the ultimate design wind speed, V_{ult} , shall be determined in accordance with Section 26.5.3 of ASCE 7.

B. Add Section 1612.1.1 to the IBC to read:

1612.1.1 Elevation of manufactured homes. New or replacement manufactured homes to be located in any flood hazard zone shall be placed in accordance with the applicable elevation requirements of this code.

Exception: Manufactured homes installed on sites in an existing manufactured home park or subdivision shall be permitted to be placed so that the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches (914 mm) above grade in lieu of being elevated at or above the base flood elevation provided no manufactured home at the same site has sustained flood damage exceeding 50% of the market value of the home before the damage occurred.

13VAC5-63-280. Chapter 17 Special inspections and tests.

A. Change Section 1703.1 of the IBC to read:

1703.1 Approved agency. An approved agency responsible for laboratory testing or special inspections, or both, must comply with the qualification, certification and experience requirements of ASTM E329 or the alternatives listed herein.

B. Change Section 1703.1.1 of the IBC to read:

1703.1.1 Independence. An approved agency shall be objective and competent. The agency shall also disclose possible conflicts of interest so that objectivity can be confirmed. The special inspector and their agents shall be independent from the person, persons or contractor responsible for the physical construction of the project requiring special inspections.

C. Change Section 1703.1.3 of the IBC to read:

1703.1.3 Personnel. An approved agency shall employ experienced personnel educated in conducting, supervising and evaluating tests or inspections, or both. Upon request by the building official, documentation shall be provided demonstrating the applicable agency's accreditation as noted in ASTM E329 and individuals' resumes indicating pertinent training, certifications and other qualifications for special inspection personnel associated with the proposed construction requiring special inspections. The building official may prescribe the manner of qualification documentation and frequency of updating information regarding agency or individual inspector approval.

Firms providing special inspection services or individual inspectors seeking approval of alternative certifications or qualifications, or both, listed in ASTM E329 may submit

documentation demonstrating equivalency. This documentation may include evidence of meeting other recognized standards or alternative certifications to demonstrate that the minimum qualifications, certification and experience intended by ASTM E329 have been met. The building official may, if satisfied that equivalency has been demonstrated, approve the credentials of the firm or individual.

D. Change Section 1704.2 of the IBC to read:

1704.2 Special inspections. Where application is made for construction as described in this section, the owner shall employ one or more special inspectors to provide inspections and tests during construction on the types of work listed under Section ~~1704~~ 1705. All individuals or agents performing special inspection functions shall operate under the direct supervision of an RDP in responsible charge of special inspection activities, also known as the "special inspector." The special inspector shall ensure that the individuals under their charge are performing only those special inspections or laboratory testing that are consistent with their knowledge, training and certification for the specified inspection or laboratory testing.

Exceptions:

1. Special inspections and tests are not required for ~~work construction~~ of a minor nature or as warranted by conditions in the jurisdiction as approved by the building official.
2. Special inspections are not required for building components unless the design involves the practice of professional engineering or architecture as defined by the laws of this Commonwealth and regulations governing the professional registration and certification of engineers and architects.
3. Unless otherwise required by the building official, special inspections are not required for occupancies in Groups R-3, R-4 or R-5 and occupancies in Group U that are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.
4. Special inspections and tests are not required for portions of structures designed and constructed in accordance with the cold-formed steel light-frame construction provisions of Section 2211.7 or the conventional light-frame construction provisions of Section 2308.
5. The contractor is permitted to employ the approved agencies where the contractor is also the owner.

E. Change Section 1704.2.3 of the IBC to read:

1704.2.3 Statement of special inspections. The permit applicant shall submit a statement of special inspections prepared by the RDP in responsible charge in accordance with Section 111.1. This statement shall be in accordance with Section 1704.3.

~~Exceptions~~ Exception:

~~1. A statement of special inspections is not required for structures designed and constructed in accordance with the conventional construction provisions of Section 2308.~~

2. The statement of special inspections is permitted to be prepared by a qualified person approved by the building official for construction not designed by a registered design professional.

F. Change category "12" of Table 1705.3 of the IBC to read:

Verifica- tion and inspection Type	Contin- uous Special Inspec- tion	Periodic Special Inspection	Referenced Standard ^a	IBC Reference
12. Inspect formwork for shape, location and dimen- sions of the concrete member being formed, shoring and reshoring.	--	X	ACI 318: 6.1.1 <u>26.10.1(b)</u>	--

G. Delete Sections ~~1705.16~~ 1705.17, ~~1705.16.1~~ 1705.17.1, and ~~1705.16.2~~ 1705.17.2 of the IBC.

13VAC5-63-290. Chapter 18 Soils and foundations.

A. Change the exception to Section ~~1804.5~~ 1804.6 of the IBC to read:

Exception: Compacted fill material less than 12 inches (305 mm) in depth need not comply with an approved report, provided it is a natural non-organic material that is not susceptible to swelling when exposed to moisture and it has been compacted to a minimum of 90% Modified Proctor in accordance with ASTM D1557. The compaction shall be verified by a qualified inspector approved by the building official. Material other than natural material may be used as fill material when accompanied by a certification from an RDP and approved by the building official.

B. Add an exception to Section 1808.1 of the IBC to read:

Exception: One-story detached accessory structures not exceeding 256 square feet (23.78m²) of building area, provided all of the following conditions are met:

1. The building eave height is 10 feet (3048 mm) or less.
2. The maximum height from the finished floor level to grade does not exceed 18 inches (457.2 mm).
3. The supporting structural elements in direct contact with the ground shall be placed level on firm soil and when such

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elements are wood they shall be approved pressure preservative treated suitable for ground contact use.

4. The structure is anchored to withstand wind loads as required by this code.

5. The structure shall be of light-frame construction with walls and roof of light weight material, not slate, tile, brick or masonry.

13VAC5-63-295. Chapter 23 Wood.

A. Change Item ~~3-2~~ 2 of Section ~~2308.2~~ 2308.2.3 of the IBC to read:

~~3-2. 2.~~ Live loads shall not exceed 40 psf (1916 N/m²) for floors.

Exception: Concrete slab-on-grade live load limited only by allowable soil bearing pressure.

B. Change the indicated rows of Table 2308.8(1) of the IBC to read:

Joist Spacing (inches)	Species and Grade	Dead Load = 10 pounds per square foot				Dead Load = 20 pounds per square foot			
		2x6	2x8	2x10	2x12	2x6	2x8	2x10	2x12
		Maximum floor joist spans							
		(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)
12	Southern Pine SS	12-3	16-2	20-8	25-1	12-3	16-2	20-8	25-1
	Southern Pine #1	11-10	15-7	19-10	24-2	11-10	15-7	18-7	22-0
	Southern Pine #2	11-3	14-11	18-1	21-4	10-9	13-8	16-2	19-1
	Southern Pine #3	9-2	11-6	14-0	16-6	8-2	10-3	12-6	14-9
16	Southern Pine SS	11-2	14-8	18-9	22-10	11-2	14-8	18-9	22-10
	Southern Pine #1	10-9	14-2	18-0	21-4	10-9	13-9	16-1	19-1
	Southern Pine #2	10-3	13-3	15-8	18-6	9-4	11-10	14-0	16-6
	Southern Pine #3	7-11	10-0	12-1	14-4	7-1	8-11	10-10	12-10
19.2	Southern Pine SS	10-6	13-10	17-8	21-6	10-6	13-10	17-8	21-6
	Southern Pine #1	10-1	13-4	16-5	19-6	9-11	12-7	14-8	17-5
	Southern Pine #2	9-6	12-1	14-4	16-10	8-6	10-10	12-10	15-1
	Southern Pine #3	7-3	9-1	11-0	13-1	6-5	8-2	9-10	11-8
24	Southern Pine SS	9-9	12-10	16-5	19-11	9-9	12-10	16-5	19-8
	Southern Pine #1	9-4	12-4	14-8	17-5	8-10	11-3	13-1	15-7
	Southern Pine #2	8-6	10-10	12-10	15-1	7-7	9-8	11-5	13-6
	Southern Pine #3	6-5	8-2	9-10	11-8	5-9	7-3	8-10	10-5

C. Change the indicated rows of Table 2308.8(2) of the IBC to read:

Joist Spacing (inches)	Species and Grade	Dead Load = 10 pounds per square foot				Dead Load = 20 pounds per square foot			
		2x6	2x8	2x10	2x12	2x6	2x8	2x10	2x12
		Maximum floor joist spans							
		(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)
12	Southern Pine SS	11-2	14-8	18-9	22-10	11-2	14-8	18-9	22-10
	Southern Pine #1	10-9	14-2	18-0	21-11	10-9	14-2	16-11	20-1
	Southern Pine #2	10-3	13-6	16-2	19-1	9-10	12-6	14-9	17-5
	Southern Pine #3	8-2	10-3	12-6	14-9	7-5	9-5	11-5	13-6
16	Southern Pine SS	10-2	13-4	17-0	20-9	10-2	13-4	17-0	20-9
	Southern Pine #1	9-9	12-10	16-1	19-1	9-9	12-7	14-8	17-5
	Southern Pine #2	9-4	11-	14-0	16-6	8-6	10-10	12-10	15-1
	Southern Pine #3	7-1	8-11	10-10	12-10	6-5	8-2	9-10	11-8
19.2	Southern Pine SS	9-6	12-7	16-0	19-6	9-6	12-7	16-0	19-6
	Southern Pine #1	9-2	12-1	14-8	17-5	9-0	11-5	13-5	15-11
	Southern Pine #2	8-6	10-10	12-10	15-1	7-9	9-10	11-8	13-9
	Southern Pine #3	6-5	8-2	9-10	11-8	5-11	7-5	9-0	10-8
24	Southern Pine SS	8-10	11-8	14-11	18-1	8-10	11-8	14-11	18-0
	Southern Pine #1	8-6	11-3	13-1	15-7	8-1	10-3	12-0	14-3
	Southern Pine #2	7-7	9-8	11-5	13-6	7-0	8-10	10-5	12-4
	Southern Pine #3	5-9	7-3	8-10	10-5	5-3	6-8	8-1	9-6

D. Change the title and footnote "b" of Table 2308.9.5 of the IBC to read:

Table 2308.9.5

Header and Girder Spans^{a,b} for Exterior Bearing Walls

(Maximum Spans for Douglas Fir Larch, Hem Fir, Southern Pine, and Spruce Pine Fir and Required Number of Jack Studs)

b. Spans are based on minimum design properties for No. 2 Grade lumber of Douglas fir larch, hem fir, and spruce pine fir. No. 1 or better grade lumber shall be used for southern pine.

E. Change the title and footnote "b" of Table 2308.9.6 of the IBC to read:

Table 2308.9.6

Header and Girder Spans^{a,b} for Interior Bearing Walls

(Maximum Spans for Douglas Fir Larch, Hem Fir, Southern Pine, and Spruce Pine Fir and Required Number of Jack Studs)

b. Spans are based on minimum design properties for No. 2 Grade lumber of Douglas fir larch, hem fir, and spruce pine fir. No. 1 or better grade lumber shall be used for southern pine.

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F. Change the indicated rows of Table 2308.10.2(1) of the IBC to read:

Ceiling Joist Spacing	Species and Grade	Dead Load = 5 pounds per square foot			
		2x4	2x6	2x8	2x10
		Maximum ceiling joist spans			
		(ft. in.)	(ft. in.)	(ft. in.)	(ft. in.)
12	Southern Pine SS	12-11	20-3	26-0	26-0
	Southern Pine #1	12-5	19-6	25-8	26-0
	Southern Pine #2	11-10	18-8	24-7	26-0
	Southern Pine #3	10-1	14-11	18-9	22-9
16	Southern Pine SS	11-9	18-5	24-3	26-0
	Southern Pine #1	11-3	17-8	23-4	26-0
	Southern Pine #2	10-9	16-11	21-7	25-7
	Southern Pine #3	8-9	12-11	16-3	19-9
19.2	Southern Pine SS	11-0	17-4	22-10	26-0
	Southern Pine #1	10-7	16-8	22-0	26-0
	Southern Pine #2	10-2	15-7	19-8	23-5
	Southern Pine #3	8-0	11-9	14-10	18-0
24	Southern Pine SS	10-3	16-1	21-2	26-0
	Southern Pine #1	9-10	15-6	20-5	24-0
	Southern Pine #2	9-3	13-11	17-7	20-11
	Southern Pine #3	7-2	10-6	13-3	16-1

G. Change the indicated rows of Table 2308.10.2(2) of the IBC to read:

Ceiling Joist Spacing	Species and Grade	Dead Load = 10 pounds per square foot			
		2x4	2x6	2x8	2x10
		Maximum ceiling joist spans			
		(ft. in.)	(ft. in.)	(ft. in.)	(ft. in.)
12	Southern Pine SS	10-3	16-1	21-2	26-0
	Southern Pine #1	9-10	15-6	20-5	24-0
	Southern Pine #2	9-3	13-11	17-7	20-11
	Southern Pine #3	7-2	10-6	13-3	16-1
16	Southern Pine SS	9-4	14-7	19-3	24-7
	Southern Pine #1	8-11	14-0	17-9	20-9
	Southern Pine #2	8-0	12-0	15-3	18-1
	Southern Pine #3	6-2	9-2	11-6	14-0
19.2	Southern Pine SS	8-9	13-9	18-2	23-1
	Southern Pine #1	8-5	12-9	16-2	18-11
	Southern Pine #2	7-4	11-0	13-11	16-6
	Southern Pine #3	5-8	8-4	10-6	12-9
24	Southern Pine SS	8-1	12-9	16-10	21-6
	Southern Pine #1	7-8	11-5	14-6	16-11
	Southern Pine #2	6-7	9-10	12-6	14-9
	Southern Pine #3	5-1	7-5	9-5	11-5

H. Change the indicated rows of Table 2308.10.3(1) of the IBC to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 pounds per square foot					Dead Load = 20 pounds per square foot				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans									
		(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)
12	Southern Pine SS	11-3	17-8	23-4	26-0	26-0	11-3	17-8	23-4	26-0	26-0
	Southern Pine #1	10-10	17-0	22-5	26-0	26-0	10-6	15-8	19-10	23-2	26-0
	Southern Pine #2	10-4	15-7	19-8	23-5	26-0	9-0	13-6	17-1	20-3	23-10
	Southern Pine #3	8-0	11-9	14-10	18-0	21-4	6-11	10-2	12-10	15-7	18-6
16	Southern Pine SS	10-3	16-1	21-2	26-0	26-0	10-3	16-1	21-2	25-7	26-0
	Southern Pine #1	9-10	15-6	19-10	23-2	26-0	9-1	13-7	17-2	20-1	23-10
	Southern Pine #2	9-0	13-6	17-1	20-3	23-10	7-9	11-8	14-9	17-6	20-8
	Southern Pine #3	6-11	10-2	12-10	15-7	18-6	6-0	8-10	11-2	13-6	16-0
19.2	Southern Pine SS	9-8	15-2	19-11	25-5	26-0	9-8	15-2	19-7	23-4	26-0
	Southern Pine #1	9-3	14-3	18-1	21-2	25-2	8-4	12-4	15-8	18-4	21-9
	Southern Pine #2	8-2	12-3	15-7	18-6	21-9	7-1	10-8	13-6	16-0	18-10
	Southern Pine #3	6-4	9-4	11-9	14-3	16-10	5-6	8-1	10-2	12-4	14-7
24	Southern Pine SS	8-11	14-1	18-6	23-8	26-0	8-11	13-10	17-6	20-10	24-8
	Southern Pine #1	8-7	12-9	16-2	18-11	22-6	7-5	11-1	14-0	16-5	19-6
	Southern Pine #2	7-4	11-0	13-11	16-6	19-6	6-4	9-6	12-1	14-4	16-10
	Southern Pine #3	5-8	8-4	10-6	12-9	15-1	4-11	7-3	9-1	11-0	13-1

I. Change the indicated rows of Table 2308.10.3(2) of the IBC to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 pounds per square foot					Dead Load = 20 pounds per square foot				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans									
		(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)
12	Southern Pine SS	10-3	16-1	21-2	26-0	26-0	10-3	16-1	21-2	26-0	26-0
	Southern Pine #1	9-10	15-6	20-5	26-0	26-0	9-10	15-6	19-10	23-2	26-0
	Southern Pine #2	9-5	14-9	19-6	23-5	26-0	9-0	13-6	17-1	20-3	23-10
	Southern Pine #3	8-0	11-9	14-10	18-0	21-4	6-11	10-2	12-10	15-7	18-6
16	Southern Pine SS	9-4	14-7	19-3	24-7	26-0	9-4	14-7	19-3	24-7	26-0
	Southern Pine #1	8-11	14-1	18-6	23-2	26-0	8-11	13-7	17-2	20-1	23-10
	Southern Pine #2	8-7	13-5	17-1	20-3	23-10	7-9	11-8	14-9	17-6	20-8
	Southern Pine #3	6-11	10-2	12-10	15-7	18-6	6-0	8-10	11-2	13-6	16-0

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19.2	Southern Pine SS	8-9	13-9	18-2	23-1	26-0	8-9	13-9	18-2	23-1	26-0
	Southern Pine #1	8-5	13-3	17-5	21-2	25-2	8-4	12-4	15-8	18-4	21-9
	Southern Pine #2	8-1	12-3	15-7	16-6	21-9	7-1	10-8	13-6	16-0	18-10
	Southern Pine #3	6-4	9-4	11-9	14-3	16-10	5-6	8-1	10-2	12-4	14-7
24	Southern Pine SS	8-1	12-9	16-10	21-6	26-0	8-1	12-9	16-10	20-10	24-8
	Southern Pine #1	7-10	12-3	16-2	18-11	22-6	7-6	11-1	14-0	16-5	19-6
	Southern Pine #2	7-4	11-0	13-11	16-6	19-6	6-4	9-6	12-1	14-4	16-10
	Southern Pine #3	5-8	8-4	10-6	12-9	15-1	4-11	7-3	9-1	11-0	13-1

J. Change the indicated rows of Table 2308.10.3(3) of the IBC to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 pounds per square foot					Dead Load = 20 pounds per square foot				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans									
		(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)
12	Southern Pine SS	9-10	15-6	20-5	26-0	26-0	9-10	15-6	20-5	25-4	26-0
	Southern Pine #1	9-6	14-10	19-0	22-3	26-0	9-0	13-5	17-0	19-11	23-7
	Southern Pine #2	8-7	12-11	16-4	19-5	22-10	7-8	11-7	14-8	17-4	20-5
	Southern Pine #3	6-7	9-9	12-4	15-0	17-9	5-11	8-9	11-0	13-5	15-10
16	Southern Pine SS	8-11	14-1	18-6	23-8	26-0	8-11	14-1	18-5	21-11	25-11
	Southern Pine #1	8-7	13-0	16-6	19-3	22-10	7-10	11-7	14-9	17-3	20-5
	Southern Pine #2	7-6	11-2	14-2	16-10	19-10	6-8	10-0	12-8	15-1	17-9
	Southern Pine #3	5-9	8-6	10-8	13-0	15-4	5-2	7-7	9-7	11-7	13-9
19.2	Southern Pine SS	8-5	13-3	17-5	22-3	26-0	8-5	13-3	16-10	20-0	23-7
	Southern Pine #1	8-0	11-10	15-1	17-7	20-11	7-1	10-7	13-5	15-9	18-8
	Southern Pine #2	6-10	10-2	12-11	15-4	18-1	6-1	9-2	11-7	13-9	16-2
	Southern Pine #3	5-3	7-9	9-9	11-10	14-0	4-8	6-11	8-9	10-7	12-6

24	Southern Pine SS	7-10	12-3	16-2	20-0	23-7	7-10	11-10	15-0	17-11	21-2
	Southern Pine #1	7-1	10-7	13-5	15-9	18-8	6-4	9-6	12-0	14-1	16-8
	Southern Pine #2	6-1	9-2	11-7	13-9	16-2	5-5	8-2	10-4	12-3	14-6
	Southern Pine #3	4-8	6-11	8-9	10-7	12-6	4-2	6-2	7-10	9-6	11-2

K. Change the indicated rows of Table 2308.10.3(4) of the IBC to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 pounds per square foot					Dead Load = 20 pounds per square foot				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans									
		(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)
12	Southern Pine SS	8-4	13-1	17-2	21-11	26-0	8-4	13-1	17-2	21-5	25-3
	Southern Pine #1	8-0	12-3	15-6	18-2	21-7	7-7	11-4	14-5	16-10	20-0
	Southern Pine #2	7-0	10-6	13-4	15-10	18-8	6-6	9-9	12-4	14-8	17-3
	Southern Pine #3	5-5	8-0	10-1	12-3	14-6	5-0	7-5	9-4	11-4	13-5
16	Southern Pine SS	7-6	11-10	15-7	19-11	23-7	7-6	11-10	15-7	18-6	21-10
	Southern Pine #1	7-1	10-7	13-5	15-9	18-8	6-7	9-10	12-5	14-7	17-3
	Southern Pine #2	6-1	9-2	11-7	13-9	16-2	5-8	8-5	10-9	12-9	15-0
	Southern Pine #3	4-8	6-11	8-9	10-7	12-6	4-4	6-5	8-1	9-10	11-7
19.2	Southern Pine SS	7-1	11-2	14-8	18-3	21-7	7-1	11-2	14-2	16-11	20-0
	Southern Pine #1	6-6	9-8	12-3	14-4	17-1	6-0	9-0	11-4	13-4	15-9
	Southern Pine #2	5-7	8-4	10-7	12-6	14-9	5-2	7-9	9-9	11-7	13-8
	Southern Pine #3	4-3	6-4	8-0	9-8	11-5	4-0	5-10	7-4	8-11	10-7
24	Southern Pine SS	6-7	10-4	13-8	16-4	19-3	6-7	10-0	12-8	15-2	17-10
	Southern Pine #1	5-10	8-8	11-0	12-10	15-3	5-5	8-0	10-2	11-11	14-1

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	Southern Pine #2	5-0	7-5	9-5	11-3	13-2	4-7	6-11	8-9	10-5	12-3
	Southern Pine #3	3-10	5-8	7-1	8-8	10-3	3-6	5-3	6-7	8-0	9-6

L. Change the indicated rows of Table 2308.10.3(5) of the IBC to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 pounds per square foot					Dead Load = 20 pounds per square foot				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans									
		(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)
12	Southern Pine SS	8-11	14-1	18-6	23-8	26-0	8-11	14-1	18-6	23-8	26-0
	Southern Pine #1	8-7	13-6	17-10	22-3	26-0	8-7	13-5	17-0	19-11	23-7
	Southern Pine #2	8-3	12-11	16-4	19-5	22-10	7-8	11-7	14-8	17-4	20-5
	Southern Pine #3	6-7	9-9	12-4	15-0	17-9	5-11	8-9	11-0	13-5	15-10
16	Southern Pine SS	8-1	12-9	16-10	21-6	26-0	8-1	12-9	16-10	21-6	25-11
	Southern Pine #1	7-10	12-3	16-2	19-3	22-10	7-10	11-7	14-9	17-3	20-5
	Southern Pine #2	7-6	11-2	14-2	16-10	19-10	6-8	10-0	12-8	15-1	17-9
	Southern Pine #3	5-9	8-6	10-8	13-0	15-4	5-2	7-7	9-7	11-7	13-9
19.2	Southern Pine SS	7-8	12-0	15-10	20-2	24-7	7-8	12-0	15-10	20-0	23-7
	Southern Pine #1	7-4	11-7	15-1	17-7	20-11	7-1	10-7	13-5	15-9	18-8
	Southern Pine #2	6-10	10-2	12-11	15-4	18-1	6-1	9-2	11-7	13-9	16-2
	Southern Pine #3	5-3	7-9	9-9	11-10	14-0	4-8	6-11	8-9	10-7	12-6
24	Southern Pine SS	7-1	11-2	14-8	18-9	22-10	7-1	11-2	14-8	17-11	21-2
	Southern Pine #1	6-10	10-7	13-5	15-9	18-8	6-4	9-6	12-0	14-1	16-8
	Southern Pine #2	6-1	9-2	11-7	13-9	16-2	5-5	8-2	10-4	12-3	14-6
	Southern Pine #3	4-8	6-11	8-9	10-7	12-6	4-2	6-2	7-10	9-6	11-2

M. Change the indicated rows of Table 2308.10.3(6) of the IBC to read:

Rafter Spacing (inches)	Species and Grade	Dead Load = 10 pounds per square foot					Dead Load = 20 pounds per square foot				
		2x4	2x6	2x8	2x10	2x12	2x4	2x6	2x8	2x10	2x12
		Maximum rafter spans									
		(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)
12	Southern Pine SS	7-6	11-0	15-7	19-11	24-3	7-6	11-10	15-7	19-11	24-3
	Southern Pine #1	7-3	11-5	15-0	18-2	21-7	7-3	11-4	14-5	16-10	20-0
	Southern Pine #2	6-11	10-6	13-4	15-10	18-8	6-6	9-9	12-4	14-8	17-3
	Southern Pine #3	5-5	8-0	10-1	12-3	14-6	5-0	7-5	9-4	11-4	13-5
16	Southern Pine SS	6-10	10-9	14-2	18-1	22-0	6-10	10-9	14-2	18-1	21-10
	Southern Pine #1	6-7	10-4	13-5	15-9	18-8	6-7	9-10	12-5	14-7	17-3
	Southern Pine #2	6-1	9-2	11-7	13-9	16-2	5-8	8-5	10-9	12-9	15-0
	Southern Pine #3	4-8	6-11	8-9	10-7	12-6	4-4	6-5	8-1	9-10	11-7
19.2	Southern Pine SS	6-5	10-2	13-4	17-0	20-9	6-5	10-2	13-4	16-11	20-0
	Southern Pine #1	6-2	9-8	12-3	14-4	17-1	6-0	9-0	11-4	13-4	15-9
	Southern Pine #2	5-7	8-4	10-7	12-6	14-9	5-2	7-9	9-9	11-7	13-8
	Southern Pine #3	4-3	6-4	8-0	9-8	11-5	4-0	5-10	7-4	8-11	10-7
24	Southern Pine SS	6-0	9-5	12-5	15-10	19-3	6-0	9-5	12-5	15-2	17-10
	Southern Pine #1	5-9	8-8	11-0	12-10	15-3	5-5	8-0	10-2	11-11	14-1
	Southern Pine #2	5-0	7-5	9-5	11-3	13-2	4-7	6-11	8-9	10-5	12-3
	Southern Pine #3	3-10	5-8	7-1	8-8	10-3	3-6	5-3	6-7	8-0	9-6

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B. Change Table 2308.4.1.1(1) of the IBC to read:

Table 2308.4.1.1(1)																			
Header and Girder Spans ^{A,B} for Exterior Bearing Walls																			
(Maximum spans for Douglas Fir-Larch, Hem-Fir, Southern Pine, and Spruce-Pine-Fir ^B and required number of jack studs)																			
Girders and Headers Supporting	Size	Ground Snow Load (psf) ^C																	
		30						50						70					
		Building Width ^D (feet)																	
		12		24		36		12		24		36		12		24		36	
	Span ^E	N ^F	Span ^E	N ^F	Span ^E	N ^F	Span ^E	N ^F	Span ^E	N ^F	Span ^E	N ^F	Span ^E	N ^F	Span ^E	N ^F	Span ^E	N ^F	
Roof and ceiling	1-2 x 6	4-0	1	3-1	2	2-7	2	3-5	1	2-8	2	2-3	2	3-0	2	2-4	2	2-0	2
	1-2 x 8	5-1	2	3-11	2	2-3	2	4-4	2	3-4	2	2-10	2	3-10	2	3-0	2	2-6	2
	1-2 x 10	6-0	2	4-8	2	3-11	2	5-2	2	4-0	2	3-4	2	4-7	2	3-6	2	3-0	2
	1-2 x 12	7-1	2	5-5	2	4-7	2	6-1	2	4-8	2	3-11	2	5-5	2	4-2	2	3-6	2
	2-2 x 4	4-0	1	3-1	1	2-7	1	3-5	1	2-7	1	2-2	1	3-0	1	2-4	1	2-0	1
	2-2 x 6	6-0	1	4-7	1	3-10	1	5-1	1	3-11	1	3-3	2	4-6	1	3-6	2	2-11	2
	2-2 x 8	7-7	1	5-9	1	4-10	2	6-5	1	5-0	2	4-2	2	5-9	1	4-5	2	3-9	2
	2-2 x 10	9-0	1	6-10	2	5-9	2	7-8	2	5-11	2	4-11	2	6-9	2	5-3	2	4-5	2
	2-2 x 12	10-7	2	8-1	2	6-10	2	9-0	2	6-11	2	5-10	2	8-0	2	6-2	2	5-2	2

	2-2 x 8	9-5	1	7-3	1	6-1	1	8-1	1	6-3	1	5-3	2	7-2	1	5-6	2	4-4	2
	2-2 x 10	11-3	1	8-7	1	7-3	2	9-7	1	7-4	2	6-2	2	8-6	1	6-7	2	5-6	2
	2-2 x 12	13-2	1	10-1	2	8-6	2	11-3	2	8-8	2	7-4	2	10-0	2	7-9	2	6-6	2
	4-2 x 8	10-11	1	8-4	1	7-0	1	9-4	1	7-2	1	6-0	1	8-3	1	6-4	1	5-4	2
	4-2 x 10	12-11	1	9-11	1	8-4	1	11-1	1	8-6	1	7-2	2	9-10	1	7-7	2	6-4	2
	4-2 x 12	15-3	1	11-8	1	9-10	2	13-0	1	10-0	2	8-5	2	11-7	1	8-11	2	7-6	2
Roof, ceiling, and one center- bearing floor	1-2 x 6	3-3	1	2-7	2	2-2	2	3-0	2	2-4	2	2-0	2	2-9	2	2-2	2	1-10	2
	1-2 x 8	4-1	2	3-3	2	2-9	2	3-9	2	3-0	2	2-6	2	3-6	2	2-9	2	2-4	2
	1-2 x 10	4-11	2	3-10	2	3-3	2	4-6	2	3-6	2	3-0	2	4-1	2	3-3	2	2-9	2
	1-2 x 12	5-9	2	4-6	2	3-10	2	5-3	2	4-2	2	3-6	2	4-10	2	3-10	2	3-3	4
	2-2 x 4	3-3	1	2-6	1	2-2	1	3-0	1	2-4	1	2-0	1	2-8	1	2-2	1	1-10	1
	2-2 x 6	4-10	1	3-9	1	3-3	2	4-5	1	3-6	2	3-0	2	4-1	1	3-3	2	2-9	2
	2-2 x 8	6-1	1	4-10	2	4-1	2	5-7	2	4-5	2	3-9	2	5-2	2	4-1	2	3-6	2
	2-2 x 10	7-3	2	5-8	2	4-10	2	6-8	2	5-3	2	4-5	2	6-1	2	4-10	2	4-1	2

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	2-2 x 12	8-6	2	6-8	2	5-8	2	7-10	2	6-2	2	5-3	3	7-2	2	5-8	2	4-10	3
	2-2 x 8	7-8	1	6-0	1	5-1	2	7-0	1	5-6	2	4-8	2	6-5	1	5-1	2	4-4	2
	2-2 x 10	9-1	1	7-2	2	6-1	2	8-4	1	6-7	2	5-7	2	7-8	2	6-1	2	5-2	2
	2-2 x 12	10-8	2	8-5	2	7-2	2	9-10	2	7-8	2	6-7	2	9-0	2	7-1	2	6-1	2
	4-2 x 8	8-10	1	6-11	1	5-11	1	8-1	1	6-4	1	5-5	2	7-5	1	5-11	1	5-0	2
	4-2 x 10	10-6	1	8-3	2	7-0	2	9-8	1	7-7	2	6-5	2	8-10	1	7-0	2	6-0	2
	4-2 x 12	12-4	1	9-8	2	8-3	2	11-4	2	8-11	2	7-7	2	10-4	2	8-3	2	7-0	2
Roof, ceiling, and one clear span roof	1-2 x 6	2-11	2	2-3	2	1-11	2	2-9	2	2-1	2	1-9	2	2-7	2	2-0	2	1-8	2
	1-2 x 8	2-9	2	2-10	2	2-5	3	2-6	2	2-8	2	2-3	3	2-3	2	2-6	3	2-2	3
	1-2 x 10	4-5	2	2-5	3	2-10	3	4-2	2	2-2	3	2-8	3	2-11	2	2-0	2	2-6	3
	1-2 x 12	5-2	2	4-0	3	2-4	3	4-10	3	2-9	3	2-2	4	4-7	3	2-6	3	2-0	4
	2-2 x 4	2-11	1	2-3	1	1-10	1	2-9	1	2-1	1	1-9	1	2-7	1	2-0	1	1-8	1
	2-2 x 6	4-4	1	2-4	2	2-10	2	4-1	1	2-2	2	2-8	2	2-10	1	2-0	2	2-6	2
	2-2 x 8	5-6	2	4-3	2	2-7	2	5-2	2	4-0	2	2-4	2	4-10	2	2-9	2	2-2	2

	2-2 x 10	6-7	2	5-0	2	4-2	2	6-1	2	4-0	2	4-0	2	5-0	2	4-5	2	3-9	2
	2-2 x 12	7-9	2	5-11	2	4-11	2	7-2	2	5-7	2	4-8	2	6-9	2	5-3	2	4-5	2
	3-2 x 8	6-11	1	5-3	2	4-5	2	6-5	1	5-0	2	4-2	2	6-1	1	4-8	2	4-0	2
	3-2 x 10	8-3	2	6-3	2	5-3	2	7-8	2	5-11	2	5-0	2	7-3	2	5-7	2	4-8	2
	3-2 x 12	9-8	2	7-5	2	6-2	2	9-0	2	7-0	2	5-10	2	8-6	2	6-7	2	5-6	2
	4-2 x 8	8-0	1	6-1	1	5-1	2	7-5	1	5-9	2	4-10	2	7-0	1	5-5	2	4-7	2
	4-2 x 10	9-6	1	7-3	2	6-1	2	8-10	1	6-10	2	5-9	2	8-4	1	6-5	2	5-5	2
	4-2 x 12	11-2	2	8-6	2	7-2	2	10-5	2	8-0	2	6-9	2	9-10	2	7-7	2	6-5	2
Roof, ceiling, and two center- bearing floors	1-2 x 6	2-8	2	2-1	2	1-10	2	2-7	2	2-0	2	1-9	2	2-5	2	1-11	2	1-8	2
	1-2 x 8	3-5	2	2-8	2	2-4	2	3-3	2	2-7	2	2-2	2	3-1	2	2-5	2	2-1	2
	1-2 x 10	4-0	2	3-2	2	2-9	2	2-10	2	2-1	2	2-7	2	3-8	2	2-11	2	2-5	2
	1-2 x 12	4-9	2	3-9	2	3-2	4	4-6	2	3-7	2	3-1	4	4-3	2	3-5	2	2-11	4
	2-2 x 4	2-8	1	2-1	1	1-9	1	2-6	1	2-0	1	1-8	1	2-5	1	1-11	1	1-7	1
	2-2 x 6	4-0	1	3-2	2	2-8	2	3-9	1	3-0	2	2-7	2	3-7	1	2-10	2	2-5	2

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	2-2 x 8	5-0	2	4-0	2	3-5	2	4-10	2	3-10	2	3-3	2	4-7	2	3-7	2	3-1	2
	2-2 x 10	6-0	2	4-9	2	4-0	2	5-8	2	4-6	2	3-10	3	5-5	2	4-3	2	3-8	3
	2-2 x 12	7-0	2	5-7	2	4-9	3	6-8	2	5-4	3	4-6	3	6-4	2	5-0	3	4-3	3
	3-2 x 8	6-4	1	5-0	2	4-3	2	6-0	1	4-9	2	4-1	2	5-8	2	4-6	2	3-10	2
	3-2 x 10	7-6	2	5-11	2	5-1	2	7-1	2	5-8	2	4-10	2	6-9	2	5-4	2	4-7	2
	3-2 x 12	8-10	2	7-0	2	5-11	2	8-5	2	6-8	2	5-8	3	8-0	2	6-4	2	5-4	3
	4-2 x 8	7-3	1	5-9	1	4-11	2	5-11	1	5-6	2	4-8	2	6-7	1	5-2	2	4-5	2
	4-2 x 10	8-8	1	6-10	2	5-10	2	8-3	2	6-6	2	5-7	2	7-10	2	6-2	2	5-3	2
	4-2 x 12	10-2	2	8-1	2	6-10	2	9-8	2	7-8	2	6-7	2	9-2	2	7-3	2	6-2	2
Roof ceiling, and two clear span floors	1-2 x 6	2-3	2	1-9	2	1-5	2	2-3	2	1-9	2	1-5	3	2-2	2	1-8	2	1-5	3
	1-2 x 8	2-10	2	2-2	3	1-10	3	2-10	2	2-2	3	1-10	3	2-9	2	2-1	3	1-10	3
	1-2 x 10	3-4	2	2-7	3	2-2	3	3-4	3	2-7	3	2-2	4	3-3	3	2-6	3	2-2	4
	1-2 x 12	4-0	2	3-0	3	2-7	4	4-0	3	3-0	4	2-7	4	3-10	3	3-0	4	2-6	4
	2-2 x 4	2-3	1	1-8	1	1-4	1	2-3	1	1-8	1	1-4	1	2-2	1	1-8	1	1-4	2

2-2 x 6	3-4	1	2-6	2	2-2	2	3-4	2	2-6	2	2-2	2	3-3	2	2-6	2	2-1	2
2-2 x 8	4-3	2	3-3	2	2-8	2	4-3	2	3-3	2	2-8	2	4-1	2	3-2	2	2-8	3
2-2 x 10	5-0	2	3-10	2	3-2	3	5-0	2	3-10	2	3-2	2	4-10	2	3-9	3	3-2	3
2-2 x 12	5-11	2	4-6	3	3-9	3	5-11	2	4-6	3	3-9	3	5-8	2	4-5	3	3-9	3
2-2 x 8	5-3	1	4-0	2	3-5	2	5-3	2	4-0	2	3-5	2	5-1	2	3-11	2	3-4	2
2-2 x 10	6-3	2	4-9	2	4-0	2	6-3	2	4-9	2	4-0	2	6-1	2	4-8	2	4-0	3
2-2 x 12	7-5	2	5-8	2	4-9	3	7-5	2	5-8	2	4-9	3	7-2	2	5-6	3	4-8	3
4-2 x 8	6-1	1	4-8	2	3-11	2	6-1	1	4-8	2	3-11	2	5-11	1	4-7	2	3-11	2
4-2 x 10	7-3	2	5-6	2	4-8	2	7-3	2	5-6	2	4-8	2	7-0	2	5-5	2	4-7	2
4-2 x 12	8-6	2	6-6	2	5-6	2	8-6	2	6-6	2	5-6	2	8-3	2	6-4	2	5-4	3

For SF: 1 inch = 25.4 mm, 1 pound per square foot = 0.0479 kPa.

a. Spans are given in feet and inches.

b. Spans are based on the minimum design properties for No. 2 grade lumber of Douglas Fir-Larch, Hem-Fir, Southern Pine, and Spruce-Pine Fir.

c. Building width is measured perpendicular to the ridge. For widths between those shown, spans are permitted to be interpolated.

d. NJ - Number of jack studs required to support each end. Where the number of required jack studs equals one, the header is permitted to be supported by an approved firming anchor attached to the full-height wall stud and to the header.

e. Use 30 psf ground snow load for cases in which ground snow load is less than 30 psf and the roof live load is equal to or less than 20 psf.

f. Spans are calculated assuming the top of the header or girder is laterally braced by perpendicular framing. Where the top of the header or girder is not laterally braced (e.g., cripple studs bearing on the header), tabulated spans for headers consisting of 2x8, 2x10, or 2x12 sizes shall be multiplied by 0.70 or the header shall be designed.

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C. Change Table 2308.4.1.1(2) of the IBC to read:

Table 2308.4.1.1(2) Header and Girder Spans ^{a, b} for Interior Bearing Walls (Maximum spans for Douglas Fir-Larch, Hem-Fir, Southern Pine, and Spruce-Pine-Fir ^b and required number of jack studs)							
Headers and Girders Supporting	Size	Building Width ^c (feet)					
		12		24		36	
		Span ^e	NJ ^d	Span ^e	NJ ^d	Span ^e	NJ ^d
<u>One floor only</u>	<u>2-2 x 4</u>	<u>4-1</u>	<u>1</u>	<u>2-10</u>	<u>1</u>	<u>2-4</u>	<u>1</u>
	<u>2-2 x 6</u>	<u>6-1</u>	<u>1</u>	<u>4-4</u>	<u>1</u>	<u>3-6</u>	<u>1</u>
	<u>2-2 x 8</u>	<u>7-9</u>	<u>1</u>	<u>5-5</u>	<u>1</u>	<u>4-5</u>	<u>2</u>
	<u>2-2 x 10</u>	<u>9-2</u>	<u>1</u>	<u>6-6</u>	<u>2</u>	<u>5-3</u>	<u>2</u>
	<u>2-2 x 12</u>	<u>10-9</u>	<u>1</u>	<u>7-7</u>	<u>2</u>	<u>6-3</u>	<u>2</u>
	<u>3-2 x 8</u>	<u>9-8</u>	<u>1</u>	<u>6-10</u>	<u>1</u>	<u>5-7</u>	<u>1</u>
	<u>3-2 x 10</u>	<u>11-5</u>	<u>1</u>	<u>8-1</u>	<u>1</u>	<u>6-7</u>	<u>2</u>
	<u>3-2 x 12</u>	<u>13-6</u>	<u>1</u>	<u>9-6</u>	<u>2</u>	<u>7-9</u>	<u>2</u>
	<u>4-2 x 8</u>	<u>11-2</u>	<u>1</u>	<u>7-11</u>	<u>1</u>	<u>6-5</u>	<u>1</u>
	<u>4-2 x 10</u>	<u>13-3</u>	<u>1</u>	<u>9-4</u>	<u>1</u>	<u>7-8</u>	<u>1</u>
<u>4-2 x 12</u>	<u>15-7</u>	<u>1</u>	<u>11-0</u>	<u>1</u>	<u>9-0</u>	<u>2</u>	
<u>Two floors</u>	<u>2-2 x 4</u>	<u>2-7</u>	<u>1</u>	<u>1-11</u>	<u>1</u>	<u>1-7</u>	<u>1</u>
	<u>2-2 x 6</u>	<u>3-11</u>	<u>1</u>	<u>2-11</u>	<u>2</u>	<u>2-5</u>	<u>2</u>
	<u>2-2 x 8</u>	<u>5-0</u>	<u>1</u>	<u>3-8</u>	<u>2</u>	<u>3-1</u>	<u>2</u>
	<u>2-2 x 10</u>	<u>5-11</u>	<u>2</u>	<u>4-4</u>	<u>2</u>	<u>3-7</u>	<u>2</u>
	<u>2-2 x 12</u>	<u>6-11</u>	<u>2</u>	<u>5-2</u>	<u>2</u>	<u>4-3</u>	<u>3</u>
	<u>3-2 x 8</u>	<u>6-3</u>	<u>1</u>	<u>4-7</u>	<u>2</u>	<u>3-10</u>	<u>2</u>
	<u>3-2 x 10</u>	<u>7-5</u>	<u>1</u>	<u>5-6</u>	<u>2</u>	<u>4-6</u>	<u>2</u>
	<u>3-2 x 12</u>	<u>8-8</u>	<u>2</u>	<u>6-5</u>	<u>2</u>	<u>5-4</u>	<u>2</u>
	<u>4-2 x 8</u>	<u>7-2</u>	<u>1</u>	<u>5-4</u>	<u>1</u>	<u>4-5</u>	<u>2</u>
	<u>4-2 x 10</u>	<u>8-6</u>	<u>1</u>	<u>6-4</u>	<u>2</u>	<u>5-3</u>	<u>2</u>
<u>4-2 x 12</u>	<u>10-1</u>	<u>1</u>	<u>7-5</u>	<u>2</u>	<u>6-2</u>	<u>2</u>	

a. Spans are given in feet and inches.

b. Spans are based on the minimum design properties for No. 2 grade lumber of Douglas Fir-Larch, Hem-Fir, Southern Pine, and Spruce-Pine Fir.

c. Building width is measured perpendicular to the ridge. For widths between those shown, spans are permitted to be interpolated.

d. NJ - Number of jack studs required to support each end. Where the number of required jack studs equals one, the header is permitted to be supported by an approved framing anchor attached to the full-height wall stud and to the header.

e. Spans are calculated assuming the top of the header or girder is laterally braced by perpendicular framing. Where the top of the header or girder is not laterally braced (e.g., cripple studs bearing on the header), tabulated spans for headers consisting of 2x8, 2x10, or 2x12 sizes shall be multiplied by 0.70 or the header shall be designed.

13VAC5-63-298. Chapter 26 Plastic.

Change Section 2603.5.5 of the IBC to read:

2603.5.5 Vertical and lateral fire propagation. Exterior wall assemblies shall be tested in accordance with, and comply with, acceptance criteria of NFPA 285. Where noncombustible materials or combustible materials permitted by Sections 603, 803, 806 or 1406 differ from assembly to assembly or within an assembly, multiple tests shall not be required.

~~Exception~~ Exceptions: ~~Exterior wall assemblies are not required to be tested in accordance with, and comply with, acceptance criteria of NFPA 285 where any of the following conditions are met:~~

1. One-story buildings complying with Section 2603.4.1.4.
2. Wall assemblies where the foam plastic insulation is covered on each face by a ~~minimum of~~ not less than 1-inch (25 mm) thickness of masonry or concrete ~~complying with either and meeting one~~ of the following:
 - 2.1. There is no air space between the insulation and the concrete or masonry; ~~or,~~
 - 2.2. The insulation has a flame spread index of not more than 25 as determined in accordance with ASTM E 84 or UL 723 and the maximum air space between the insulation and the concrete or masonry is not more than 1 inch (25 mm).
3. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

13VAC5-63-300. Chapter 27 Electrical.

A. Change Section 2701.1 of the IBC to read:

2701.1 Scope. This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of this code and NFPA 70.

B. Add Section 2701.1.1 to the IBC to read:

2701.1.1 Changes to NFPA 70. The following change shall be made to NFPA 70:

1. Change Sections 334.10(2) and 334.10(3) of NFPA 70 to read:

- (2) Multifamily dwellings not exceeding four floors above grade and multifamily dwellings of any height permitted to be of Types III, IV and V construction except in any case as prohibited in 334.12.
- (3) Other structures not exceeding four floors above grade and other structures of any height permitted to be of Types III, IV and V construction except in any case as prohibited in 334.12. In structures exceeding four floors above grade, cables shall be concealed within walls, floors or ceilings that provide a thermal barrier of

material that has at least a 15-minute finish rating as identified in listings of fire-rated assemblies.

For the purpose of Items 2 and 3 above, the first floor of a building shall be that floor that has 50% or more of the exterior wall surface area level with or above finished grade. One additional level that is the first level and not designed for human habitation and used only for vehicle parking, storage or similar use shall be permitted.

2. Change ~~Exception 2~~ to Section ~~700.12(F)~~ 700.12(F)(2)(6) of NFPA 70 to read:

~~Exception No. 2 (6)~~ Where the normal power branch circuits that supply luminaires providing illumination immediately on the inside and outside of exit doors are supplied by the same service or feeder, the remote heads providing emergency illumination for the exterior of an exit door shall be permitted to be supplied by the unit equipment serving the area immediately inside the exit door.

C. Add Section 2701.1.2 to the IBC to read:

2701.1.2 Temporary connection to dwelling units. The building official shall give permission to energize the electrical service equipment of a one-family or two-family dwelling unit when all of the following requirements have been approved:

1. The service wiring and equipment, including the meter socket enclosure, shall be installed and the service wiring terminated.
2. The grounding electrode system shall be installed and terminated.
3. At least one receptacle outlet on a ground fault protected circuit shall be installed and the circuit wiring terminated.
4. Service equipment covers shall be installed.
5. The building roof covering shall be installed.
6. Temporary electrical service equipment shall be suitable for wet locations unless the interior is dry and protected from the weather.

D. Add Section 2701.1.3 to the IBC to read:

2701.1.3 Assisted living facility generator requirements. Generators installed to comply with regulations for assisted living facilities licensed by the Virginia Department of Social Services shall be permitted to be optional standby systems.

E. Change Section 2702.2.17 of the IBC to read:

2702.2.17 Group I-2 and I-3 occupancies. Emergency power shall be provided in accordance with Section ~~407.11~~ 407.10 for Group I-2 occupancies licensed by the Virginia Department of Health as a hospital, nursing or hospice facility. Emergency power shall be provided for doors in Group I-3 occupancies in accordance with Section 408.4.2.

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13VAC5-63-310. Chapter 28 Mechanical systems.

A. Change Section 2801.1 of the IBC to read:

2801.1 Scope. Mechanical appliances, equipment and systems shall be constructed and installed in accordance with this chapter, the IMC and the IFGC. Masonry chimneys, fireplaces and barbecues shall comply with the IMC and Chapter 21 of this code.

Exception: This code shall not govern the construction of water heaters, boilers and pressure vessels to the extent which they are regulated by the Virginia Boiler and Pressure Vessel Regulations (16VAC25-50). However, the building official may require the owner of a structure to submit documentation to substantiate compliance with those regulations.

B. Add Section 2801.1.1 to the IBC to read:

2801.1.1 Required heating in dwelling units. Heating facilities shall be required in every dwelling unit or portion thereof which is to be rented, leased or let on terms, either expressed or implied, to furnish heat to the occupants thereof. The heating facilities shall be capable of maintaining the room temperature at 65°F (18°C) during the period from October 15 to May 1 during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 60°F (16°C) during other hours when measured at a point three feet (914 mm) above the floor and three feet (914 mm) from the exterior walls. The capability of the heating system shall be based on the outside design temperature required for the locality by this code.

C. Add Section 2801.1.2 to the IBC to read:

2801.1.2 Required heating in nonresidential structures. Heating facilities shall be required in every enclosed occupied space in nonresidential structures. The heating facilities shall be capable of producing sufficient heat during the period from October 1 to May 15 to maintain a temperature of not less than 65°F (18°C) during all working hours. The required room temperature shall be measured at a point three feet (914 mm) above the floor and three feet (914 mm) from the exterior walls.

Processing, storage and operation areas that require cooling or special temperature conditions and areas in which persons are primarily engaged in vigorous physical activities are exempt from these requirements.

D. Add Section 2801.1.3 to the IBC to read:

2801.1.3 Changes to the IMC. The following changes shall be made to the IMC:

1. Add the following definition to Section 202 of the IMC to read:

Pollution control unit. Manufactured equipment that is installed in a grease exhaust duct system for the purpose of extracting smoke, grease particles, and odors from the exhaust flow by means of a series of filters.

2. Change Section ~~403.3~~ 403.3.1.1 of the IMC to read:

~~403.3~~ 403.3.1.1 Outdoor airflow rate. Ventilation systems shall be designed to have the capacity to supply the minimum outdoor airflow rate determined in accordance with this section. In each occupiable space, the ventilation system shall be designed to deliver the required rate of outdoor airflow to the breathing zone.

The occupant load utilized for design of the ventilation system shall not be less than the number determined from the estimated maximum occupant load rate indicated in Table ~~403.3~~ 403.3.1.1. Ventilation rates for occupancies not represented in Table ~~403.3~~ 403.3.1.1 shall be those for a listed occupancy classification that is most similar in terms of occupant density, activities and building construction; or shall be determined by an approved engineering analysis. The ventilation system shall be designed to supply the required rate of ventilation air continuously during the period the building is occupied, except as otherwise stated in other provisions of the code.

With the exception of smoking lounges and other designated areas where smoking is permitted, the ventilation rates in Table ~~403.3~~ 403.3.1.1 are based on the absence of smoking in occupiable spaces.

Exception: The occupant load is not required to be determined based on the estimated maximum occupant load rate indicated in Table ~~403.3~~ 403.3.1.1 where approved statistical data document the accuracy of an alternate anticipated occupant density.

2. ~~3.~~ Add the following areas to Table ~~403.3~~ 403.3.1.1 of the IMC in the occupancy classifications shown:

OCCUPANCY CLASSIFICATION	Occupant Density #/1000 ft ² a	People Outdoor Airflow Rate in Breathing Zone, R _p cfm/person	Area Outdoor Airflow Rate in Breathing Zone, R _a cfm/ft ^{2a}	Exhaust Airflow Rate Cfm/ft ^{2a}
Food and beverage service				
Bars or cocktail lounges designated as an area where smoking is permitted ^b	100	30	--	--
Cafeteria or fast food designated as an area where smoking is permitted ^b	100	20	--	--
Dining rooms designated as an area where smoking is permitted ^b	70	20	--	--

Public spaces				
Lounges designated as an area where smoking is permitted ^b	100	30	--	--

4. Change Section 504.8.2 of the IMC to read:

504.8.2 Duct installation. Exhaust ducts shall be supported at 4-foot (1219 mm) intervals and secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Ducts shall not be joined with screws or similar fasteners that protrude into the inside of the duct.

~~3.~~ 5. Change Section 505.1 of the IMC to read:

505.1 Domestic systems. Where domestic range hoods and domestic appliances equipped with downdraft exhaust are provided, such hoods and appliances shall discharge to the outdoors through sheet metal ducts constructed of galvanized steel, stainless steel, aluminum, or copper. Such ducts shall have smooth inner walls, shall be air tight, shall be equipped with a backdraft damper, and shall be independent of all other exhaust systems.

Exceptions:

1. In Group R buildings, where installed in accordance with the manufacturer's installation instructions and where mechanical or natural ventilation is otherwise provided in accordance with Chapter 4, listed and labeled ductless range hoods shall not be required to discharge to the outdoors.

2. Ducts for domestic kitchen cooking appliances equipped with downdraft exhaust systems shall be permitted to be constructed of Schedule 40 PVC pipe and fittings provided that the installation complies with all of the following:

2.1. The PVC duct shall be installed under a concrete slab poured on grade.

2.2. The underfloor trench in which the PVC duct is installed shall be completely backfilled with sand or gravel.

2.3. The PVC duct shall extend not more than 1 inch (25 mm) above the indoor concrete floor surface.

2.4. The PVC duct shall extend not more than 1 inch (25 mm) above grade outside of the building.

2.5. The PVC duct shall be solvent cemented.

~~4.~~ ~~Add~~ 6. Change Section ~~505.3~~ 505.4 to the IMC to read:

~~505.3~~ 505.4 Other than Group R. In other than Group R occupancies, where electric domestic cooking appliances are utilized for domestic purposes, such appliances shall be provided with domestic range hoods. Hoods and exhaust systems for such electric domestic cooking appliances shall be in accordance with Sections 505.1

and 505.2. In other than Group R occupancies, where fuel-fired domestic cooking appliances are utilized for domestic purposes, a Type I or Type II hood shall be provided as required for the type of appliances and processes in accordance with Section ~~507.2~~ 507.1.

5. Change Section 507.2.3 of the IMC to read:

~~507.2.3 Domestic cooking appliances used for commercial purposes. Domestic cooking appliances utilized for commercial purposes shall be provided with a Type I or Type II hood as required for the type of appliances and processes in accordance with Sections 507.2, 507.2.1, and 507.2.2. Domestic cooking appliances utilized for domestic purposes shall comply with Section 505.~~

~~6.~~ Change Section 908.5 of the IMC to read:

~~908.5 Water supply. Cooling towers, evaporative coolers, and fluid coolers shall be provided with an approved water supply and sized for peak demand. The quality of the water shall be provided in accordance the equipment manufacturer's recommendations. The piping system and protection of the potable water supply shall be installed as required by the IPC.~~

7. Change Item 4 of Section 928.1 of the IMC to read:

~~4. Be provided with an approved water supply and sized for peak demand. The quality of the water shall be provided in accordance the equipment manufacturer's recommendations. The piping system and protection of the potable water supply shall be installed as required by the IPC.~~

7. Change Section 506.5 of the IMC to read:

506.5 Exhaust equipment. Exhaust equipment, including fans and grease reservoirs, shall comply with Sections 506.5.1 through 506.5.6 and shall be of an approved design or shall be listed for the application.

8. Add Section 506.5.6 to the IMC to read:

505.5.6 Pollution control units. The installation of pollution control units shall be in accordance with the manufacturer's installation instructions and all of the following:

1. Pollution control units shall be listed and labeled in accordance with UL 1978.

2. Fans serving pollution control units shall be listed and labeled in accordance with UL 762.

3. Pollution control units shall be mounted and secured in accordance with the manufacturer's installation instructions and the International Building Code.

4. Pollution control units located indoors shall be listed and labeled for such use. Where enclosed duct systems, as required by Section 506.3.11, are connected to a pollution control unit, such unit shall be located in a room or space having the same fire-resistance rating as the duct enclosure. Access shall be provided for serving

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and cleaning of the unit. The space or enclosure shall be ventilated in accordance with the manufacturer's installation instructions.

5. A clearance of not less than 18 inches (457 mm) shall be maintained between the pollution control unit and combustible material.

6. Roof mounted pollution control units shall be listed for exterior installation and shall be mounted not less than 18 inches (457 mm) above the roof.

7. Exhaust outlets for pollution control units shall be in accordance with Section 506.3.13.

8. An airflow differential pressure control shall be provided to monitor the pressure drop across the filter sections of a pollution control unit. When the airflow is reduced below the design velocity, the airflow differential pressure control shall activate a visual alarm located in the area where cooking operations occur.

9. Pollution control units shall be provided with a factory installed fire suppression system.

10. Service space shall be provided in accordance with the manufacturer's instructions for the pollution control unit and the requirements of Section 306.

11. Wash down drains shall discharge through a grease interceptor and shall be sized for the flow. Drains shall be sealed with a trap or other approved means to prevent air bypass. Where a trap is utilized it shall have a seal depth that accounts for the system pressurization and evaporation between cleanings.

12. Protection from freezing shall be provided for the water supply and fire suppression systems where such systems are subject to freezing.

13. Duct connections to pollution control units shall be in accordance with Section 506.3.2.3. Where water splash or carryover can occur in the transition duct as a result of a washing operation, the transition duct shall slope downward toward the cabinet drain pan for a length not less than 18 inches (457 mm). Ducts shall transition to the full size of the unit inlet and outlet openings.

14. Extra heavy duty appliance exhaust systems shall not be connected to pollution control units except where such units are specifically designed and listed for use with solid fuels.

15. Pollution control units shall be maintained in accordance with the manufacturer's instructions.

9. Change Section 607.5.5 of the IMC to read:

607.5.5 Shaft enclosures. Shaft enclosures that are permitted to be penetrated by ducts and air transfer openings shall be protected with approved fire and smoke dampers installed in accordance with their listing.

Exceptions:

1. Fire and smoke dampers are not required where steel exhaust subducts extend at least 22 inches (559 mm)

vertically in exhaust shafts, provided there is a continuous airflow upward to the outside.

2. Fire dampers are not required where penetrations are tested in accordance with ASTM E119 as part of the fire-resistance-rated assembly.

3. Fire and smoke dampers are not required where ducts are used as part of an approved smoke control system in accordance with Section 909 of the International Building Code.

4. Fire and smoke dampers are not required where the penetrations are in parking garage exhaust or supply shafts that are separated from other building shafts by not less than two-hour fire-resistance-rated construction.

5. Smoke dampers are not required where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the International Building Code.

10. Add Section 607.6.2.2 to the IMC to read:

607.6.2.2 Equipment shutdown. Where ceiling radiation dampers are listed as static dampers, the HVAC equipment shall be effectively shut down to stop the airflow prior to the damper closing using one of the following methods:

1. A duct detector installed in the return duct.

2. An area smoke detector interlocked with the HVAC equipment.

3. A listed heat sensor installed in the return duct.

E. Add Section 2801.1.4 to the IBC to read:

2801.1.4 Changes to the IFGC. The following changes shall be made to the IFGC:

1. Change Section 301.1 of the IFGC to read:

301.1 Scope. This code shall apply to the installation of fuel gas piping systems, fuel gas utilization equipment, and related accessories as follows:

1. Coverage of piping systems shall extend from the point of delivery to the connections with gas utilization equipment. (See "point of delivery.")

2. Systems with an operating pressure of 125 psig (862 kPa gauge) or less.

Piping systems for gas-air mixtures within the flammable range with an operating pressure of 10 psig (69 kPa gauge) or less.

LP-Gas piping systems with an operating pressure of 20 psig (140 kPa gauge) or less.

3. Piping systems requirements shall include design, materials, components, fabrication, assembly, installation, testing and inspection.

4. Requirements for gas utilization equipment and related accessories shall include installation, combustion and ventilation air and venting.

This code shall not apply to the following:

1. Portable LP-Gas equipment of all types that are not connected to a fixed fuel piping system.
 2. Installation of farm equipment such as brooders, dehydrators, dryers, and irrigation equipment.
 3. Raw material (feedstock) applications except for piping to special atmosphere generators.
 4. Oxygen-fuel gas cutting and welding systems.
 5. Industrial gas applications using gases such as acetylene and acetylenic compounds, hydrogen, ammonia, carbon monoxide, oxygen, and nitrogen.
 6. Petroleum refineries, pipeline compressor or pumping stations, loading terminals, compounding plants, refinery tank farms, and natural gas processing plants.
 7. Integrated chemical plants or portions of such plants where flammable or combustible liquids or gases are produced by chemical reactions or used in chemical reactions.
 8. LP-Gas installations at utility gas plants.
 9. Liquefied natural gas (LNG) installations.
 10. Fuel gas piping in power and atomic energy plants.
 11. Proprietary items of equipment, apparatus, or instruments such as gas generating sets, compressors, and calorimeters.
 12. LP-Gas equipment for vaporization, gas mixing, and gas manufacturing.
 13. Temporary LP-Gas piping for buildings under construction or renovation that is not to become part of the permanent piping system.
 14. Installation of LP-Gas systems for railroad switch heating.
 15. Installation of LP-Gas and compressed natural gas (CNG) systems on vehicles.
 16. Except as provided in Section 401.1.1, gas piping, meters, gas pressure regulators, and other appurtenances used by the serving gas supplier in the distribution of gas, other than undiluted LP-Gas.
 17. Building design and construction, except as specified herein.
2. Change Sections 310.1 and 310.1.1 of the IFGC to read:
310.1 Pipe and tubing. Each above-group portion of a gas piping system that is likely to become energized shall be electrically continuous and bonded to an effective ground-fault current path. Gas piping shall be considered to be bonded where it is connected to appliances that are connected to the equipment grounding conductor of the circuit supplying that appliance. Corrugated stainless steel tubing (CSST) piping systems listed with an arc resistant jacket or coating system in accordance with ANSI LC 1/CSA 6.26 shall comply with this section. Where any CSST segments of a piping system are not

listed with an arc resistant jacket or coating system in accordance with ANSI LC 1/CSA 6.26, Section 310.1.1 shall apply.

310.1.1 CSST without arc resistant jacket or coating system. CSST gas piping systems and piping systems containing one or more segments of CSST not listed with an arc resistant jacket or coating system in accordance with ANSI LC 1/CSA 6.26 shall be bonded to the electrical service grounding electrode system or, where provided, the lightning protection electrode system and shall comply with Sections 310.1.1.1 through 310.1.1.5.

3. Add Section 404.11.3 to the IFGC to read:

404.11.3 Coating application. Joints in gas piping systems shall not be coated prior to testing and approval.

4. Change Section 614.8.2 of the IFGC to read:

614.8.2 Duct installation. Exhaust ducts shall be supported at 4-foot (1219 mm) intervals and secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Ducts shall not be joined with screws or similar fasteners that protrude into the inside of the duct.

5. Change the following referenced standard in Chapter 8 of the IFGC:

<u>Standard Reference Number</u>	<u>Title</u>	<u>Referenced in Code Section Number</u>
<u>ANSI LC1/CSA 6.26-14</u>	<u>Fuel Gas Piping Systems Using Corrugated Stainless Steel Tubing (CSST)</u>	<u>310.1, 310.1.1, 403.5.4</u>

13VAC5-63-320. Chapter 29 Plumbing systems.

A. Change Section 2901.1 of the IBC to read:

2901.1 Scope. The provisions of this chapter and the IPC shall govern the design and installation of all plumbing systems and equipment, except that as provided for in Section 103.10 for functional design, water supply sources and sewage disposal systems are regulated and approved by the Virginia Department of Health and the Virginia Department of Environmental Quality. The approval of pumping and electrical equipment associated with such water supply sources and sewage disposal systems shall, however, be the responsibility of the building official.

Note: See also the Memorandum of Agreement in the "Related Laws Package," which is available from DHCD.

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B. Add Section 2901.1.1 to the IBC to read:

2901.1.1 Changes to the IPC. The following changes shall be made to the IPC:

1. Add the following definitions to the IPC to read:

Nonpotable fixtures and outlets. Fixtures and outlets that are not dependent on potable water for the safe operation to perform their intended use. Such fixtures and outlets may include, but are not limited to water closets, urinals, irrigation, mechanical equipment, and hose connections to perform operations, such as vehicle washing and lawn maintenance.

Nonpotable water systems. Water systems for the collection, treatment, storage, distribution, and use or reuse of nonpotable water. Nonpotable systems include reclaimed water, rainwater, and gray water systems.

~~Rainwater. Natural precipitation, including snow melt, from roof surfaces only.~~

~~Reclaimed water. Reclaimed water means water resulting from the treatment of domestic, municipal, or industrial wastewater that is suitable for a water reuse that would not otherwise occur. Specifically excluded from this definition is "gray water."~~

Stormwater. Precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

2. Change the following ~~definition~~ definitions in the IPC to read:

Gray water. Water discharged from lavatories, bathtubs, showers, clothes washers, and laundry trays.

Rainwater. Natural precipitation, including snow melt, from roof surfaces only.

Reclaimed water. Reclaimed water means water resulting from the treatment of domestic, municipal, or industrial wastewater that is suitable for a water reuse that would not otherwise occur. Specifically excluded from this definition is "gray water."

3. Change the exception to Section 301.3 of the IPC to read:

Exception: Bathtubs, showers, lavatories, clothes washers and laundry trays shall not be required to discharge to the sanitary drainage system where such fixtures discharge to an approved nonpotable gray water system in accordance with the applicable provisions of Chapter 13.

4. Delete Sections 311 and 311.1 of the IPC.

5. Modify the Group A-5 "Description" category of Table 403.1 of the IPC to read:

Stadiums, amusement parks, pools, bleachers, and grandstands for outdoor sporting events and activities^h

6. Add footnote "h" "f" to Table 403.1 of the IPC to read:

~~h. f.~~ The occupant load for pools shall be in accordance with the "Skating rinks, swimming pools" category of Table 1004.1.2 of the IBC.

7. Add Section 403.1.3 and Table 403.1.3 to the IPC to read:

403.1.3 Marina fixtures. Notwithstanding any provision to the contrary, plumbing fixtures shall be provided for marinas in the minimum number shown in Table 403.1.3. Fixtures shall be located within 500 feet walking distance from the shore end of any dock they serve. Separate facilities shall be provided for each sex with an equal number of fixtures of each type in each facility, except that separate facilities are not required where the number of slips is less than 25. Urinals may be substituted for up to 50% of water closets.

Table 403.1.3 Minimum Number of Required Plumbing Fixtures for Marinas			
Number of Slips	Plumbing Fixtures		
	Water Closets	Lavatories	Showers
1 - 24	1	1	1
25 - 49	4	4	2
50 - 99	6	4	2
100 - 149	8	6	4
150 - 199	10	8	4
200 - 249	12	10	6
250 or greater	Two additional fixtures of each type for each 100 additional slips.		

8. Change Section 403.3.3 of the IPC to read:

403.3.3 Location of toilet facilities in occupancies other than malls. In occupancies other than covered and open mall buildings, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m).

Exceptions:

1. The location and maximum ~~travel~~ distances of travel to required employee facilities in factory and industrial occupancies are permitted to exceed that required by this section, provided that the location and maximum travel distance are approved.

2. The location and maximum ~~travel~~ distances of travel to the required public facilities located on cemetery property are permitted to exceed that required by this

section, provided that the location and maximum travel distance are located on the same property and approved.

9. Change Section 405.3.2 of the IPC to read:

405.3.2 Public lavatories. In employee and public toilet rooms, the required lavatory shall be located in the same room as the required water closet.

Exception: In educational use occupancies, the required lavatory shall be permitted to be located adjacent to the room or space containing the water closet provided that not more than one operational door is between the water closet and the lavatory.

10. Add Section 602.2.1 to the IPC to read:

602.2.1 Nonpotable fixtures and outlets. Nonpotable water shall be permitted to serve nonpotable type fixtures and outlets in accordance with Chapter 13.

11. Add Section 603.3 to the IPC to read:

603.3 Tracer wire. Nonmetallic water service piping that connects to public systems shall be locatable. An insulated copper tracer wire, 18 AWG minimum in size and suitable for direct burial or an equivalent product, shall be utilized. The wire shall be installed in the same trench as the water service piping and within 12 inches (305 mm) of the pipe and shall be installed to within five feet (1524 mm) of the building wall to the point where the building water service pipe intersects with the public water supply. At a minimum, one end of the wire shall terminate above grade to provide access to the wire in a location that is resistant to physical damage, such as with a meter vault or at the building wall.

12. Change Section 608.16.10 of the IPC to read:

608.16.10 Coffee machines and noncarbonated beverage dispensers. The water supply connection to coffee machines and noncarbonated beverage dispensers shall be protected against backflow by a backflow preventer conforming to ASSE 1022 or 1024, or by an air gap.

~~12.~~ 13. Delete Section ~~701.9~~ 701.8 of the IPC.

~~13.~~ 14. Add Section ~~703.6~~ to 703.7 of the IPC to read:

~~703.6~~ 703.7 Tracer wire. Nonmetallic sanitary sewer piping that discharges to public systems shall be locatable. An insulated copper tracer wire, 18 AWG minimum in size and suitable for direct burial or an equivalent product, shall be utilized. The wire shall be installed in the same trench as the sewer within 12 inches (305 mm) of the pipe and shall be installed to within five feet (1524 mm) of the building wall to the point where the building sewer intersects with the public system. At a minimum, one end of the wire shall terminate above grade in an accessible location that is resistant to physical damage, such as with a cleanout or at the building wall.

~~14.~~ 15. Add an exception to Section 1101.2 of the IPC to read:

Exception. Rainwater nonpotable water systems shall be permitted in accordance with Chapter 13.

~~15. Change the title of Chapter 13 of the IPC to "Nonpotable Water Systems."~~

16. Change Sections 1301.1 through 1301.12 and add Sections 1301.13 through 1301.18, including subsections, to the IPC to read:

1301.1 Scope. The provisions of Chapter 13 shall govern the materials, design, construction, and installation of nonpotable water systems subject to this code. In addition to the applicable provision of this section, reclaimed water shall comply with the requirements of Section 1304.

1301.1.1 Design of nonpotable water systems. All portions of nonpotable water systems subject to this code shall be constructed using the same standards and requirements for the potable water systems or drainage systems as provided for in this code unless otherwise specified in this chapter.

1301.2 Makeup water. Makeup water shall be provided for all nonpotable water supply systems. The makeup water system shall be designed and installed to provide supply of water in the amounts and at the pressures specified in this code. The makeup water supply shall be potable and be protected against backflow in accordance with the applicable requirements of Section 608.

1301.2.1 Makeup water sources. Potable water shall be provided as makeup water for reclaimed water systems. Nonpotable water shall be permitted to serve as makeup water for gray water and rainwater systems.

1301.2.2 Makeup water supply valve. A full-open valve shall be provided on the makeup water supply line.

1301.2.3 Control valve alarm. Makeup water systems shall be fitted with a warning mechanism that alerts the user to a failure of the inlet control valve to close correctly. The alarm shall activate before the water within the storage tank begins to discharge into the overflow system.

1301.3 Sizing. Nonpotable water distribution systems shall be designed and sized for peak demand in accordance with approved engineering practice methods that comply with the applicable provisions of Chapter 6.

1301.4 Signage required. All nonpotable water outlets, other than water closets and urinals, such as hose connections, open-ended pipes, and faucets shall be identified at the point of use for each outlet with signage that reads as follows: "Nonpotable water is utilized for (insert application name). Caution: nonpotable water. DO NOT DRINK." The words shall be legibly and indelibly printed on a tag or sign constructed of corrosion-resistant waterproof material or shall be indelibly printed on the

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fixture. The letters of the words shall be not less than 0.5 inches (12.7 mm) in height and in colors in contrast to the background on which they are applied. The pictograph shown in Figure 1301.4 shall appear on the signage required by this section.



1301.5 Potable water supply system connections. Where a potable water supply system is connected to a nonpotable water system, the potable water supply shall be protected against backflow in accordance with the applicable provisions of Section 608.

1301.6 Nonpotable water system connections. Where a nonpotable water system is connected and supplies water to another nonpotable water system, the nonpotable water system that supplies water shall be protected against backflow in accordance with the applicable provisions of Section 608.

1301.7 Approved components and materials. Piping, plumbing components, and materials used in the nonpotable water drainage and distribution systems shall be approved for the intended application and compatible with the water and any disinfection or treatment systems used.

1301.8 Insect and vermin control. Nonpotable water systems shall be protected to prevent the entrance of insects and vermin into storage and piping systems. Screen materials shall be compatible with system material and shall not promote corrosion of system components.

1301.9 Freeze protection. Nonpotable water systems shall be protected from freezing in accordance with the applicable provisions of Chapter 3.

1301.10 Nonpotable water storage tanks. Nonpotable water storage tanks shall be approved for the intended application and comply with Sections 1301.10.1 through 1301.10.12.

1301.10.1 Sizing. The holding capacity of storage tanks shall be sized for the intended use.

1301.10.2 Inlets. Storage tank inlets shall be designed to introduce water into the tank and avoid agitating the contents of the storage tank. The water supply to storage

tanks shall be controlled by fill valves or other automatic supply valves designed to stop the flow of incoming water before the tank contents reach the overflow pipes.

1301.10.3 Outlets. Outlets shall be located at least 4 inches (102 mm) above the bottom of the storage tank and shall not skim water from the surface.

1301.10.4 Materials and location. Storage tanks shall be constructed of material compatible with treatment systems used to treat water. Above grade storage vessels shall be constructed using opaque, UV-resistant materials such as tinted plastic, lined metal, concrete, or wood or painted to prevent algae growth. Above grade storage tanks shall be protected from direct sunlight unless their design specifically incorporates the use of the sunlight heat transfer. Wooden storage tanks shall be provided with a flexible liner. Storage tanks and their manholes shall not be located directly under soil or waste piping or sources of contamination.

1301.10.5 Foundation and supports. Storage tanks shall be supported on a firm base capable of withstanding the storage tank's weight when filled to capacity. Storage tanks shall be supported in accordance with the applicable provisions of the IBC.

1301.10.5.1 Ballast. Where the soil can become saturated, an underground storage tank shall be ballasted, or otherwise secured, to prevent the effects of buoyancy. The combined weight of the tank and hold down ballast shall meet or exceed the buoyancy force of the tank. Where the installation requires a foundation, the foundation shall be flat and shall be designed to support the storage tank weight when full, consistent with the bearing capability of adjacent soil.

1301.10.5.2 Structural support. Where installed below grade, storage tank installations shall be designed to withstand earth and surface structural loads without damage.

1301.10.6 Overflow. The storage tank shall be equipped with an overflow pipe having a diameter not less than that shown in Table 606.5.4. The overflow outlet shall discharge at a point not less than 6 inches (152 mm) above the roof or roof drain, floor or floor drain, or over an open water-supplied fixture. The overflow outlet shall terminate through a check valve. Overflow pipes shall not be directed on walkways. The overflow drain shall not be equipped with a shutoff valve. A minimum of one cleanout shall be provided on each overflow pipe in accordance with the applicable provisions of Section 708.

1301.10.7 Access. A minimum of one access opening shall be provided to allow inspection and cleaning of the tank interior. Access openings shall have an approved locking device or other approved method of securing access. Below grade storage tanks, located outside of the building, shall be provided with either a manhole not less than 24 inches (610 mm) square or a manhole with an

inside diameter not less than 24 inches (610 mm). The design and installation of access openings shall prohibit surface water from entering the tank. Each manhole cover shall have an approved locking device or other approved method of securing access.

Exception: Storage tanks under 800 gallons (3028 L) in volume installed below grade shall not be required to be equipped with a manhole, but shall have an access opening not less than 8 inches (203 mm) in diameter to allow inspection and cleaning of the tank interior.

1301.10.8 Venting. Storage tanks shall be vented. Vents shall not be connected to sanitary drainage system. Vents shall be at least equal in size to the internal diameter of the drainage inlet pipe or pipes connected to the tank. Where installed at grade, vents shall be protected from contamination by means of a U-bend installed with the opening directed downward. Vent outlets shall extend a minimum of 12 inches (304.8 mm) above grade, or as necessary to prevent surface water from entering the storage tank. Vent openings shall be protected against the entrance of vermin and insects. Vents serving gray water tanks shall terminate in accordance with the applicable provisions of Sections 903 and 1301.8.

1301.10.9 Drain. Where drains are provided they shall be located at the lowest point of the storage tank. The tank drain pipe shall discharge as required for overflow pipes and shall not be smaller in size than specified in Table 606.5.7. A minimum of one cleanout shall be provided on each drain pipe in accordance with Section 708.

1301.10.10 Labeling and signage. Each nonpotable water storage tank shall be labeled with its rated capacity and the location of the upstream bypass valve. Underground and otherwise concealed storage tanks shall be labeled at all access points. The label shall read: "CAUTION: NONPOTABLE WATER – DO NOT DRINK." Where an opening is provided that could allow the entry of personnel, the opening shall be marked with the words: "DANGER – CONFINED SPACE." Markings shall be indelibly printed on a tag or sign constructed of corrosion-resistant waterproof material mounted on the tank or shall be indelibly printed on the tank. The letters of the words shall be not less than 0.5 inches (12.7 mm) in height and shall be of a color in contrast with the background on which they are applied.

1301.10.11 Storage tank tests. Storage tanks shall be tested in accordance with the following:

1. Storage tanks shall be filled with water to the overflow line prior to and during inspection. All seams and joints shall be left exposed and the tank shall remain watertight without leakage for a period of 24 hours.
2. After 24 hours, supplemental water shall be introduced for a period of 15 minutes to verify proper drainage of the overflow system and verify that there are no leaks.

3. Following a successful test of the overflow, the water level in the tank shall be reduced to a level that is at 2 inches (50.8 mm) below the makeup water offset point. The tank drain shall be observed for proper operation. The makeup water system shall be observed for proper operation, and successful automatic shutoff of the system at the refill threshold shall be verified. Water shall not be drained from the overflow at any time during the refill test.

4. Air tests shall be permitted in lieu of water testing as recommended by the tank manufacturer or the tank standard.

1301.10.12 Structural strength. Storage tanks shall meet the applicable structural strength requirements of the IBC.

1301.11 Trenching requirements for nonpotable water system piping. Underground nonpotable water system piping shall be horizontally separated from the building sewer and potable water piping by 5 feet (1524 mm) of undisturbed or compacted earth. Nonpotable water system piping shall not be located in, under, or above sewage systems cesspools, septic tanks, septic tank drainage fields, or seepage pits. Buried nonpotable system piping shall comply with the requirements of this code for the piping material installed.

Exceptions:

1. The required separation distance shall not apply where the bottom of the nonpotable water pipe within 5 feet (1524 mm) of the sewer is equal to or greater than 12 inches (305 mm) above the top of the highest point of the sewer and the pipe materials conforms to Table 702.3.
2. The required separation distance shall not apply where the bottom of the potable water service pipe within 5 feet (1524 mm) of the nonpotable water pipe is a minimum of 12 inches (305 mm) above the top of the highest point of the nonpotable water pipe and the pipe materials comply with the requirements of Table 605.4.
3. Nonpotable water pipe is permitted to be located in the same trench with building sewer piping, provided that such sewer piping is constructed of materials that comply with the requirements of Table 702.2.
4. The required separation distance shall not apply where a nonpotable water pipe crosses a sewer pipe, provided that the pipe is sleeved to at least 5 feet (1524 mm) horizontally from the sewer pipe centerline on both sides of such crossing with pipe materials that comply with Table 702.2.
5. The required separation distance shall not apply where a potable water service pipe crosses a nonpotable water pipe provided that the potable water service pipe is sleeved for a distance of at least 5 feet (1524 mm) horizontally from the centerline of the nonpotable pipe

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on both sides of such crossing with pipe materials that comply with Table 702.2.

1301.12 Outdoor outlet access. Sillcocks, hose bibs, wall hydrants, yard hydrants, and other outdoor outlets that are supplied by nonpotable water shall be located in a locked vault or shall be operable only by means of a removable key.

1301.13 Drainage and vent piping and fittings. Nonpotable drainage and vent pipe and fittings shall comply with the applicable material standards and installation requirements in accordance with provisions of Chapter 7.

1301.13.1. Labeling and marking. Identification of nonpotable drainage and vent piping shall not be required.

1301.14 Pumping and control system. Mechanical equipment, including pumps, valves, and filters, shall be accessible and removable in order to perform repair, maintenance, and cleaning. The minimum flow rate and flow pressure delivered by the pumping system shall be designed for the intended application in accordance with the applicable provisions of Section 604.

1301.15 Water-pressure reducing valve or regulator. Where the water pressure supplied by the pumping system exceeds 80 psi (552 kPa) static, a pressure-reducing valve shall be installed to reduce the pressure in the nonpotable water distribution system piping to 80 psi (552 kPa) static or less. Pressure-reducing valves shall be specified and installed in accordance with the applicable provisions of Section 604.8.

1301.16 Distribution pipe. Distribution piping utilized in nonpotable water stems shall comply with Sections 1301.16.1 through 1301.16.4.

1301.16.1 Materials, joints, and connections. Distribution piping and fittings shall comply with the applicable material standards and installation requirements in accordance with applicable provisions of Chapter 6.

1301.16.2 Design. Distribution piping shall be designed and sized in accordance with the applicable provisions of Chapter 6.

1301.16.3 Labeling and marking. Distribution piping labeling and marking shall comply with Section 608.8.

1301.16.4 Backflow prevention. Backflow preventers shall be installed in accordance with the applicable provisions of Section 608.

1301.17 Tests and inspections. Tests and inspections shall be performed in accordance with Sections 1301.17.1 through 1301.17.5.

1301.17.1 Drainage and vent pipe test. Drain, waste, and vent piping used for gray water and rainwater nonpotable water systems shall be tested in accordance with the applicable provisions of Section 312.

1301.17.2 Storage tank test. Storage tanks shall be tested in accordance with the Section 1301.10.11.

1301.17.3 Water supply system test. Nonpotable distribution piping shall be tested in accordance with Section 312.5.

1301.17.4 Inspection and testing of backflow prevention assemblies. The testing of backflow preventers and backwater valves shall be conducted in accordance with Section 312.10.

1301.17.5 Inspection of vermin and insect protection. Inlets and vent terminations shall be visually inspected to verify that each termination is installed in accordance with Section 1301.10.8.

1301.18 Operation and maintenance manuals. Operations and maintenance materials for nonpotable water systems shall be provided as prescribed by the system component manufacturers and supplied to the owner to be kept in a readily accessible location.

17. Change the title of Section 1302 of the IPC to "Gray Water Nonpotable Water Systems."

18. Change Sections 1302.1 through 1302.6, including subsections, of the IPC to read as follows and delete Sections 1302.7 through 1302.13:

1302.1 Gray water nonpotable water systems. This code is applicable to the plumbing fixtures, piping or piping systems, storage tanks, drains, appurtenances, and appliances that are part of the distribution system for gray water within buildings and to storage tanks and associated piping that are part of the distribution system for gray water outside of buildings. This code does not regulate equipment used for, or the methods of, processing, filtering, or treating gray water, that may be regulated by the Virginia Department of Health or the Virginia Department of Environmental Quality.

1302.1.1 Separate systems. Gray water nonpotable water systems, unless approved otherwise under the permit from the Virginia Department of Health, shall be separate from the potable water system of a building with no cross connections between the two systems except as permitted by the Virginia Department of Health.

1302.2 Water quality. Each application of gray water reuse shall meet the minimum water quality requirements set forth in Sections 1302.2.1 through 1302.2.4 unless otherwise superseded by other state agencies.

1302.2.1 Disinfection. Where the intended use or reuse application for nonpotable water requires disinfection or other treatment or both, it shall be disinfected as needed to ensure that the required water quality is delivered at the point of use or reuse.

1302.2.2 Residual disinfectants. Where chlorine is used for disinfection, the nonpotable water shall contain not more than 4 parts per million (4 mg/L) of free chlorine, combined chlorine, or total chlorine. Where ozone is

used for disinfection, the nonpotable water shall not exceed 0.1 parts per million (by volume) of ozone at the point of use.

1302.2.3 Filtration. Water collected for reuse shall be filtered as required for the intended end use. Filters shall be accessible for inspection and maintenance. Filters shall utilize a pressure gauge or other approved method to indicate when a filter requires servicing or replacement. Shutoff valves installed immediately upstream and downstream of the filter shall be included to allow for isolation during maintenance.

1302.2.4 Filtration required. Gray water utilized for water closet and urinal flushing applications shall be filtered by a 100 micron or finer filter.

1302.3 Storage tanks. Storage tanks utilized in gray water nonpotable water systems shall comply with Section 1301.10.

1302.4 Retention time limits. Untreated gray water shall be retained in storage tanks for a maximum of 24 hours.

1302.5 Tank Location. Storage tanks shall be located with a minimum horizontal distance between various elements as indicated in Table 1302.5.1.

Table 1302.5.1 Location of Nonpotable Gray Water Reuse Storage Tanks	
Element	Minimum Horizontal Distance from Storage Tank (feet)
Lot line adjoining private lots	5
Sewage systems	5
Septic tanks	5
Water wells	50
Streams and lakes	50
Water service	5
Public water main	10

1302.6 Valves. Valves shall be supplied on gray water nonpotable water drainage systems in accordance with Sections 1302.6.1 and 1302.6.2.

1302.6.1 Bypass valve. One three-way diverter valve certified to NSF 50 or other approved device shall be installed on collection piping upstream of each storage tank, or drainfield, as applicable, to divert untreated gray water to the sanitary sewer to allow servicing and inspection of the system. Bypass valves shall be installed downstream of fixture traps and vent connections. Bypass valves shall be labeled to indicate the direction of flow, connection, and storage tank or drainfield

connection. Bypass valves shall be provided with access for operation and maintenance. Two shutoff valves shall not be installed to serve as a bypass valve.

1302.6.2 Backwater valve. Backwater valves shall be installed on each overflow and tank drain pipe to prevent unwanted water from draining back into the storage tank. If the overflow and drain piping arrangement is installed to physically not allow water to drain back into the tank, such as in the form of an air gap, backwater valves shall not be required. Backwater valves shall be constructed and installed in accordance with Section 715.

19. Change the title of Section 1303 of the IPC to "Rainwater Nonpotable Water Systems."

20. Change Sections 1303.1 through 1303.10, including subsections, of the IPC to read as follows and delete Sections 1303.11 through 1303.16:

1303.1 General. The provisions of this section shall govern the design, construction, installation, alteration, and repair of rainwater nonpotable water systems for the collection, storage, treatment, and distribution of rainwater for nonpotable applications.

1303.2 Water quality. Each application of rainwater reuse shall meet the minimum water quality requirements set forth in Sections 1303.2.1 through 1303.2.4 unless otherwise superseded by other state agencies.

1303.2.1 Disinfection. Where the intended use or reuse application for nonpotable water requires disinfection or other treatment or both, it shall be disinfected as needed to ensure that the required water quality is delivered at the point of use or reuse.

1303.2.2 Residual disinfectants. Where chlorine is used for disinfection, the nonpotable water shall contain not more than 4 parts per million (4 mg/L) of free chlorine, combined chlorine, or total chlorine. Where ozone is used for disinfection, the nonpotable water shall not exceed 0.1 parts per million (by volume) of ozone at the point of use.

1303.2.3 Filtration. Water collected for reuse shall be filtered as required for the intended end use. Filters shall be accessible for inspection and maintenance. Filters shall utilize a pressure gauge or other approved method to indicate when a filter requires servicing or replacement. Shutoff valves installed immediately upstream and downstream of the filter shall be included to allow for isolation during maintenance.

1303.2.4 Filtration required. Rainwater utilized for water closet and urinal flushing applications shall be filtered by a 100 micron or finer filter.

1303.3 Collection surface. Rainwater shall be collected only from aboveground impervious roofing surfaces constructed from approved materials. Overflow or discharge piping from appliances or equipment, or both, including but not limited to evaporative coolers, water

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heaters, and solar water heaters shall not discharge onto rainwater collection surfaces.

1303.4 Collection surface diversion. At a minimum, the first 0.04 inches (1.016 mm) of each rain event of 25 gallons (94.6 L) per 1000 square feet (92.9 m²) shall be diverted from the storage tank by automatic means and not require the operation of manually operated valves or devices. Diverted water shall not drain onto other collection surfaces that are discharging to the rainwater system or to the sanitary sewer. Such water shall be diverted from the storage tank and discharged in an approved location.

1303.5 Pre-tank filtration. Downspouts, conductors, and leaders shall be connected to a pre-tank filtration device. The filtration device shall not permit materials larger than 0.015 inches (0.4 mm).

1303.6 Roof gutters and downspouts. Gutters and downspouts shall be constructed of materials that are compatible with the collection surface and the rainwater quality for the desired end use. Joints shall be made watertight.

1303.6.1 Slope. Roof gutters, leaders, and rainwater collection piping shall slope continuously toward collection inlets. Gutters and downspouts shall have a slope of not less than 1 unit in 96 units along their entire length and shall not permit the collection or pooling of water at any point.

Exception: Siphonic roof drainage systems installed in accordance with Chapter 11 shall not be required to have slope.

1303.6.2 Size. Gutters and downspouts shall be installed and sized in accordance with Section 1106.6 and local rainfall rates.

1303.6.3 Cleanouts. Cleanouts or other approved openings shall be provided to permit access to all filters, flushes, pipes, and downspouts.

1303.7 Storage tanks. Storage tanks utilized in rainwater nonpotable water systems shall comply with Section 1301.10.

1303.8 Location. Storage tanks shall be located with a minimum horizontal distance between various elements as indicated in Table 1303.8.1.

Element	Minimum Horizontal Distance from Storage Tank (feet)
Lot line adjoining private lots	5
Sewage systems	5
Septic tanks	5

1303.9 Valves. Valves shall be installed in collection and conveyance drainage piping of rainwater nonpotable water systems in accordance with Sections 1303.9.1 and 1303.9.2.

1303.9.1 Influent diversion. A means shall be provided to divert storage tank influent to allow maintenance and repair of the storage tank system.

1303.9.2 Backwater valve. Backwater valves shall be installed on each overflow and tank drain pipe to prevent unwanted water from draining back into the storage tank. If the overflow and drain piping arrangement is installed to physically not allow water to drain back into the tank, such as in the form of an air gap, backwater valves shall not be required. Backwater valves shall be constructed and installed in accordance with Section 715.

1303.10 Tests and inspections. Tests and inspections shall be performed in accordance with Sections 1303.10.1 through 1303.10.2.

1303.10.1 Roof gutter inspection and test. Roof gutters shall be inspected to verify that the installation and slope is in accordance with Section 1303.6.1. Gutters shall be tested by pouring a minimum of one gallon of water into the end of the gutter opposite the collection point. The gutter being tested shall not leak and shall not retain standing water.

1303.10.2 Collection surface diversion test. A collection surface diversion test shall be performed by introducing water into the gutters or onto the collection surface area. Diversion of the first quantity of water in accordance with the requirements of Section 1303.4 shall be verified.

~~21. Add Section 1304 entitled "Reclaimed Water Systems" to the IPC.~~

~~22. Add Change Sections 1304.1 and 1304.2 to the IPC to read as follows and delete Sections 1304.3 and 1304.4:~~

1304.1 General. Reclaimed water, water reclamation systems, reclaimed water distribution systems, and allowable nonpotable reuses of reclaimed water are as defined or specified in and governed by the Virginia Water Reclamation and Reuse Regulation (9VAC25-740). Permits from the Virginia State Water Control Board are required for such systems and reuses. The provisions of Section 1304 shall govern the design, construction, installation, alterations, and repair of plumbing fixtures, piping or piping systems, storage tanks, drains, appurtenances, and appliances that are part of the distribution system for reclaimed water within buildings and to storage tanks for reclaimed water as defined in the Virginia Water Reclamation and Reuse Regulation (9VAC25-740) and associated piping outside of buildings that deliver reclaimed water into buildings. Where conflicts occur between this code and the Virginia Water Reclamation and Reuse Regulation (9VAC25-740), the provisions of the Virginia Water Reclamation

and Reuse Regulation (9VAC25-740) shall apply unless determined otherwise by the Virginia Department of Environmental Quality and DHCD through a memorandum of agreement.

1304.2 Design of reclaimed water systems. The design of reclaimed water systems shall conform to applicable requirements of Section 1301.

Exception: The design of reclaimed water systems shall conform to applicable requirements of the Virginia Water Reclamation and Reuse Regulation (9VAC25-740) for the following:

1. Identification, labeling, and posting of signage for reclaimed water systems in lieu of signage requirements described in Section 1301.4.
2. Sizing of system storage as defined in the Virginia Water Reclamation and Reuse Regulation (9VAC25-740), in addition to storage sizing requirements described in Section 1301.10.1.
3. Signage and labeling for reclaimed water storage in addition to labeling and signage requirements described in Section 1301.10.10.
4. Minimum separation distances and configurations for in-ground reclaimed water distribution piping in lieu of trenching requirements for nonpotable water systems described in Section 1301.11.

23. Add the following referenced standard to Chapter 14 of the IPC:

Standard Reference Number	Title	Referenced in Code Section Number
NSF 50-09	Equipment for Swimming Pools, Spas, Hot Tubs and Other Recreational Water Facilities	1302.6.1

C. Modify the Group A-5 "Description" category of Table 2902.1 of the IBC to read:

Stadiums, amusement parks, pools, bleachers, and grandstands for outdoor sporting events and activities^h

D. Add footnote "h" to Table 2902.1 of the IBC to read:

h. The occupant load for pools shall be in accordance with the "Skating rinks, swimming pools" category of Table 1004.1.2.

13VAC5-63-330. Chapter 30 Elevators and conveying systems.

A. Change Section 3002.4 of the IBC to read:

3002.4 Elevator car to accommodate ambulance stretcher. Where elevators are provided in buildings four or more stories above, or four or more stories below, grade plane, at

least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher 24 inches by 84 inches (610 mm by 2134 mm) with not less than five-inch (127 mm) radius corners, in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than three inches (76 mm) high and shall be placed inside on both sides of the hoistway door frame on the designated and alternate landing floors required to be established by ASME A17.1.

Exception: Elevators in multistory dwelling units or guest rooms.

B. Change Section 3003.3 of the IBC to read:

3003.3 Fire service elevator keys. All elevators shall be equipped to operate with either a standardized or non-standardized fire service elevator key in accordance with the IFC.

C. Change Section ~~3006.4~~ 3005.4 of the IBC to read:

~~3006.4~~ 3005.4 Machine and control rooms, control spaces, and machinery spaces. Elevator machine rooms, rooms and spaces housing elevator controllers, and machinery spaces shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both. The fire-resistance rating shall not be less than the required rating of the hoistway enclosure. Openings in the fire barriers shall be protected with assemblies having a fire protection rating not less than that required for the hoistway enclosure doors.

Exception: In buildings four stories or less above grade plane when elevator machine rooms, rooms and spaces housing elevator controllers, and machinery spaces do not abut and have no openings to the hoistway enclosure they serve, the elevator machine rooms, rooms and spaces housing elevator controllers, and machinery spaces are not required to be fire-resistance rated.

D. Add Section ~~3006.7~~ 3005.7 to the IBC to read:

~~3006.7~~ 3005.7 Machine-room-less designs. Where machine-room-less designs are utilized they shall comply with the provisions of ASME A17.1 and incorporate the following:

1. Where the elevator car-top will be used as a work platform, it shall be equipped with permanently installed guards on all open sides. Guards shall be permitted to be of collapsible design, but otherwise must conform to all applicable requirements of this code for guards.
2. Where the equipment manufacturer's procedures for machinery removal and replacement depend on overhead structural support or lifting points, such supports or lifting points shall be permanently installed at the time of initial equipment installation.

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3. Where the structure that the elevator will be located in is required to be fully sprinklered by this code, the hoistway that the elevator machine is located in shall be equipped with a fire suppression system as a machine room in accordance with NFPA 13. Smoke detectors for the automatic initiation of Phase I Emergency Recall Operation, and heat detectors or other approved devices that automatically disconnect the main line power supply to the elevators, shall be installed within the hoistway.

E. Delete Section 3006 of the IBC in its entirety.

F. Change Section 3008.1 of the IBC to read:

3008.1 General. Where elevators in buildings greater than 420 feet (128 016 mm) in building height are to be used for occupant self-evacuation during fires, all passenger elevators for general public use shall comply with this section.

13VAC5-63-350. ~~Chapter 34 Existing structures. (Repealed.)~~

~~Delete Chapter 34 of the IBC in its entirety.~~

13VAC5-63-360. Chapter 35 Referenced standards.

Change the referenced standards in Chapter 35 of the IBC as follows (standards not shown remain the same):

Standard reference number	Title	Referenced in code section number
ASTM E329-02	Standard Specification for Agencies Engaged in the Testing and/or Inspection of Materials Used in Construction	1703.1, 1703.1.3
API 650-09	Welded Steel Tanks for Oil Storage	426.2 <u>428.2</u>
API 653-09	Tank Inspection, Repair, Alteration and Reconstruction	426.4 <u>428.4</u> , 426.5 <u>428.5</u>
ASME A17.1-2010/CSA B44-10	Safety Code for Elevators and Escalators	907.3.3, 911.1.5, 1007.4, 1607.9.1, 3001.2, 3001.4, 3002.5, 3003.2, 3007.1, 3007.2, 3008.2, 3008.2.1, 3008.7.6m, 3008.8.1

ASME A18.1-2011	Safety Standard for Platform Lifts and Stairway Chairlifts	1109.8, 2702.2.6
<u>NFPA 91-15</u>	<u>Standard for Exhaust Systems for Air Conveying of Vapors, Mists and Particulate Solids</u>	<u>430.3.6</u>
ISPS-12 <u>ISPS-15</u>	International Swimming Pool and Spa Code	202, 3109.1, 3109.1.1
TFI RMIP-09	Aboveground Storage Tanks Containing Liquid Fertilizer, Recommended Mechanical Integrity Practices	426.2 <u>428.2</u> , 426.4 <u>428.4</u> , 426.5 <u>428.5</u>
UL 294-10	Access Control System Units	1008.1.9.8
UL 2075-13	Standard for Gas and Vapor Detectors and Sensors	908.7.3 <u>915.4</u>

13VAC5-63-370. Appendix F Rodent proofing.

The following provisions of Appendix F of the IBC are part of this code:

F101.2 Foundation wall ventilation openings.

F101.6 Pier and wood construction. (Includes all provisions.)

Part II

Rehabilitation Existing Buildings

13VAC5-63-400. Chapter 1 Administration; Section 101 General.

A. Section 101.1 Short title. The Virginia Uniform Statewide Building Code, Part II, Rehabilitation Existing Buildings, may be cited as the "Virginia Rehabilitation Code," "Virginia Existing Building Code" or as the "VRC," "VEBC."

B. Section 101.2 Incorporation by reference. Chapters 2 - 16 of the ~~2012~~ 2015 International Existing Building Code, published by the International Code Council, Inc., are adopted and incorporated by reference to be an enforceable part of the VRC VEBC. The term "IEBC" means the ~~2012~~ 2015 International Existing Building Code, published by the International Code Council, Inc. Any codes and standards referenced in the IEBC are also considered to be part of the incorporation by reference, except that such codes and standards are used only to the prescribed extent of each such reference.

C. Section 101.3 Numbering system. A dual numbering system is used in the ~~VRC~~ VEBC to correlate the numbering system of the Virginia Administrative Code with the numbering system of the IEBC. IEBC numbering system designations are provided in the catchlines of the Virginia Administrative Code sections and cross references between sections or chapters of the ~~VRC~~ VEBC use only the IEBC numbering system designations. The term "chapter" is used in the context of the numbering system of the IEBC and may mean a chapter in the ~~VRC~~ VEBC, a chapter in the IEBC or a chapter in a referenced code or standard, depending on the context of the use of the term. The term "chapter" is not used to designate a chapter of the Virginia Administrative Code, unless clearly indicated.

D. Section 101.4 Arrangement of code provisions. The ~~VRC~~ VEBC is comprised of the combination of (i) the provisions of Chapter 1, Administration, which are established herein, (ii) Chapters 2 - 16 of the IEBC, which are incorporated by reference in Section 101.2, and (iii) the changes to the text of the incorporated chapters of the IEBC that are specifically identified, including any new chapters added. The terminology "changes to the text of the incorporated chapters of the IEBC that are specifically identified, including any new chapters added" shall also be referred to as the "state amendments to the IEBC." Such state amendments to the IEBC are set out using corresponding chapter and section numbers of the IEBC numbering system. In addition, since Chapter 1 of the IEBC is not incorporated as part of the ~~VRC~~ VEBC, any reference to a provision of Chapter 1 of the IEBC in the provisions of Chapters 2 - 16 of the IEBC is generally invalid. However, where the purpose of such a reference would clearly correspond to a provision of Chapter 1 established herein, then the reference may be construed to be a valid reference to such corresponding Chapter 1 provision.

E. Section 101.5 Use of terminology and notes. The provisions of this code shall be used as follows:

1. The term "this code," or "the code," where used in the provisions of Chapter 1, in Chapters 2 - 16 of the IEBC, or in the state amendments to the IEBC, means the ~~VRC~~ VEBC, unless the context clearly indicates otherwise.
2. The term "this code," or "the code," where used in a code or standard referenced in the ~~IEBC~~ VEBC, means that code or standard, unless the context clearly indicates otherwise.
3. The term "USBC" where used in this code, means the VCC, unless the context clearly indicates otherwise. ~~In addition, where the phrase "of the International Building Code under which the building was constructed" is used in the IEBC, it shall be construed to mean the USBC or other code that was in effect when the building was built. Further, the~~
4. The use of notes in Chapter 1 is to provide information only and shall not be construed as changing the meaning of any code provision.

5. Notes in the IEBC, in the codes and standards referenced in the IEBC and in the state amendments to the IEBC, may modify the content of a related provision and shall be considered to be a valid part of the provision, unless the context clearly indicates otherwise.

6. References to International Codes and standards, where used in this code, include state amendments made to those International Codes and standards in the VCC.

Note: See Section 101.2 of the VCC for a list of major codes and standards referenced in the VCC.

F. Section 101.6 Order of precedence. The provisions of this code shall be used as follows:

1. The provisions of Chapter 1 of this code supersede any provisions of Chapters 2 - 16 of the IEBC that address the same subject matter and impose differing requirements.
2. The provisions of Chapter 1 of this code supersede any provisions of the codes and standards referenced in the IEBC that address the same subject matter and impose differing requirements.
3. The state amendments to the IEBC supersede any provisions of Chapters 2 - 16 of the IEBC that address the same subject matter and impose differing requirements.
4. The state amendments to the IEBC supersede any provisions of the codes and standards referenced in the IEBC that address the same subject matter and impose differing requirements.
5. The provisions of Chapters 2 - 16 of the IEBC supersede any provisions of the codes and standards referenced in the IEBC that address the same subject matter and impose differing requirements.

G. Section 101.7 Administrative provisions. The provisions of Chapter 1 establish administrative requirements, which include but are not limited to provisions relating to the scope and enforcement of the code. Any provisions of Chapters 2 - 16 of the IEBC or any provisions of the codes and standards referenced in the IEBC that address the same subject matter to a lesser or greater extent are deleted and replaced by the provisions of Chapter 1. Further, any administrative requirements contained in the state amendments to the IEBC shall be given the same precedence as the provisions of Chapter 1. Notwithstanding the above, where administrative requirements of Chapters 2 - 16 of the IEBC or of the codes and standards referenced in the IEBC are specifically identified as valid administrative requirements in Chapter 1 of this code or in the state amendments to the IEBC, then such requirements are not deleted and replaced.

Note: The purpose of this provision is to eliminate overlap, conflicts and duplication by providing a single standard for administrative, procedural and enforcement requirements of this code.

H. Section 101.8 Definitions. The definitions of terms used in this code are contained in Chapter 2 along with specific provisions addressing the use of definitions. Terms may be

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defined in other chapters or provisions of the code and such definitions are also valid.

13VAC5-63-410. Section 102 Purpose and scope.

A. Section 102.1 Purpose. In accordance with § 36-99.01 of the Code of Virginia, the General Assembly of Virginia has declared that (i) there is an urgent need to improve the housing conditions of low and moderate income individuals and families, many of whom live in substandard housing, particularly in the older cities of the Commonwealth; (ii) there are large numbers of older residential buildings in the Commonwealth, both occupied and vacant, which are in urgent need of rehabilitation and must be rehabilitated if the state's citizens are to be housed in decent, sound, and sanitary conditions; and (iii) the application of those building code requirements currently in force to housing rehabilitation has sometimes led to the imposition of costly and time-consuming requirements that result in a significant reduction in the amount of rehabilitation activity taking place.

The General Assembly further declares that (i) there is an urgent need to improve the existing condition of many of the Commonwealth's stock of commercial properties, particularly in older cities; (ii) there are large numbers of older commercial buildings in the Commonwealth, both occupied and vacant, that are in urgent need of rehabilitation and that must be rehabilitated if the citizens of the Commonwealth are to be provided with decent, sound and sanitary work spaces; and (iii) the application of the existing building code to such rehabilitation has sometimes led to the imposition of costly and time-consuming requirements that result in a significant reduction in the amount of rehabilitation activity taking place.

B. Section 102.2 Scope. The provisions of this code shall control ~~the~~:

1. The rehabilitation, reconstruction, alteration, and repair, and change of occupancy of existing buildings and structures in occupancies other than Group R-5 and shall be permitted to be used as an alternative to compliance with the VCC for additions or portions thereof.

Exception: The use of the VCC for occupancies classified as Group R-5.

2. Additions to existing buildings in any occupancy classification and for reconstruction, alteration or repair in Group R-5 occupancies and structures or portions thereof.

Exception: The use of this code the VCC shall not be permitted for.

3. The change of occupancy involving to other than occupancies classified as Group I-2 or I-3.

Exception: The use of the VCC for change of occupancy to occupancies classified as Group R-5 shall be permitted.

4. Retrofit provisions provided in Chapter 17.

13VAC5-63-430. Chapter 2 Definitions.

A. Change Section 201.3 of the IEBC to read:

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the other International Codes, such terms shall have the meanings ascribed to them in those codes, except that terms that are not defined in this code and that are defined in the VCC shall take precedence over other definitions.

B. Change the following ~~definition~~ definitions in Section 202 of the IEBC to read:

Alteration. Any construction or renovation to an existing structure other than a repair or addition.

Change of occupancy. A change in the use or occupancy of any building or structure that would place the building or structure in a different division of the same group of occupancies or in a different group of occupancies or a change in the purpose or level of activity within a building or structure that involves a change in application of the requirements of this code.

Existing building. A building for which a legal certificate of occupancy has been issued under any edition of the USBC or approved by the building official when no legal certificate of occupancy exists, and that has been occupied for its intended use; or, a building built prior to the initial edition of the USBC.

Substantial improvement. For the purpose of determining compliance with the flood provisions of this code, any improvement, including repair, reconstruction, rehabilitation, alteration, or addition, or other improvement of a building or structure or a portion thereof, the cost of which equals or exceeds 50% of the market value of the building or structure before the improvement or repair is started. If the building or structure or portion thereof has sustained substantial damage, any improvements are considered substantial improvement regardless of the actual improvement performed. The term does not, however, include either:

1. Any project for improvement of a building or structure or portion thereof required to correct existing health, sanitary, or safety code violations identified by the building official and that is the minimum necessary to assure safe living conditions; or

2. Any alteration of a historic structure, provided that the alteration will not preclude the building or structure's continued designation as a historic building or structure.

Work area. That intended room, space, or portion of a building or structure where a wall or walls are added, relocated, or removed. Work area excludes (i) the addition or elimination of any door or window; (ii) the reconfiguration or extension of any system; (iii) the installation of any additional equipment; (iv) the removal of finished flooring or ceiling materials; (v) adjacent rooms or other rooms, spaces, or portions of the building or

structure where incidental work entailed by the intended work must be performed; and (vi) portions of the building or structure where work not initially intended is specifically required by this code.

C. Add the following definitions to Section 202 of the IEBC to read:

Existing structure. A structure (i) for which a legal building permit has been issued under any edition of the USBC, (ii) which has been previously approved, or (iii) which was built prior to the initial edition of the USBC. For application of provisions in flood hazard areas, an existing structure is any building or structure for which the start of construction commenced before the effective date of the community's first flood plain management code, ordinance, or standard.

D. Delete the following definitions from Section 202 of the IEBC:

Approved

Dangerous

Deferred submittal

Facility

Flood hazard area

Registered design professional in responsible charge

Relocatable building

Unsafe

13VAC5-63-431. Chapter 3 Provisions for all compliance methods.

A. Change Section 301.1 of the IEBC to read:

301.1 General. The repair, alteration, change of occupancy, or addition of all existing buildings shall comply with one of the methods listed in Section 301.1.05, 301.1.1, 301.1.2, or 301.1.3, as selected by the applicant. Sections 301.1.05, 301.1.1, 301.1.2, and 301.1.3 shall not be applied in combination with each other. Moved buildings and structures shall comply with Chapter 13 of this code. Where this code requires consideration of the seismic force-resisting system of an existing building subject to repair, alteration, change of occupancy, addition, or relocation of existing buildings, the seismic evaluation and design shall be based on Section 301.1.4 regardless of which compliance method is used.

B. Add Section 301.1.05 to the IEBC to read:

301.1.05 Previous code compliance method. Alterations and repairs complying with the requirements of the building code under which the building or structure or the affected portions thereof was built, or as previously approved by the building official, shall be considered in compliance with the provisions of this code, unless the building or structure or the affected portions thereof is undergoing a substantial structural alteration as described in Section 907.4.2. New structural members added as part

of the alteration or repairs shall comply with the IBC. Alterations and repairs of existing buildings in flood hazard areas shall comply with Section 601.3 for repairs or Section 701.3 for alterations.

C. Change Sections 301.1.1 through 301.1.3 of the IEBC to read:

301.1.1 Prescriptive compliance method. Repairs, alterations, addition, and changes of occupancy complying with Chapter 4 of this code shall be considered in compliance with the provisions of this code.

301.1.2 Proportional compliance method. Repairs, alterations, additions, and changes of occupancy complying with the applicable requirements of Chapters 5 through 12 of this code shall be considered in compliance with the provisions of this code.

301.1.3 Performance compliance method. Repairs, alterations, additions, and changes of occupancy complying with Chapter 14 of this code shall be considered in compliance with the provisions of this code.

D. Add Section 302.6, including subsections and tables, to the IEBC to read:

302.6 Change of occupancy in existing Group B teaching and research laboratories. Where the use of new or different hazardous materials or a change in the amount of hazardous materials in existing Group B testing and research laboratories in educational occupancies above the 12th grade would constitute a change of occupancy, this section shall be permitted to be used as an acceptable alternative to compliance with change of occupancy requirements to permit the increased amounts of hazardous materials stipulated without the laboratories being classified as Group H. In addition, as set out in Section 5001.7 of the SFPC, approval under this section is contingent upon operational requirements in the SFPC being complied with and maintained.

302.6.1 Hazardous materials in existing Group B teaching and research laboratories. The percentage of maximum allowable quantities of hazardous materials per control area and the number of control areas permitted at each floor level within an existing building shall be permitted to comply with Table 302.6.1(1) in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the VCC or shall be permitted to comply with Table 302.6.1(2) in buildings not equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the VCC.

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Table 302.6.1(1)

Design and Number of Control Areas in Existing Buildings Equipped Throughout with an Automatic Sprinkler System in Accordance with Section 903.3.1.1 of the VCC with Group B Teaching and Research Laboratories in Educational Occupancies above the 12th Grade

<u>Floor Level</u>		<u>Percentage of the Maximum Allowable Quantity per Control Area^a</u>	<u>Number of Control Areas per Floor</u>	<u>Fire-Resistance Rating for Fire Barriers and Horizontal Assemblies in Hours^b</u>
<u>Above Grade Plane</u>	<u>Higher than 20</u>	<u>5</u>	<u>1</u>	<u>2</u>
	<u>10-20</u>	<u>10</u>	<u>1</u>	<u>2</u>
	<u>7-9</u>	<u>25</u>	<u>2</u>	<u>2</u>
	<u>4-6</u>	<u>50</u>	<u>2</u>	<u>2</u>
	<u>3</u>	<u>75</u>	<u>2</u>	<u>1</u>
	<u>2</u>	<u>100</u>	<u>3</u>	<u>1</u>
	<u>1</u>	<u>100</u>	<u>4</u>	<u>1</u>
	<u>Below Grade Plane</u>	<u>1</u>	<u>75</u>	<u>3</u>
	<u>2</u>	<u>50</u>	<u>2</u>	<u>1</u>
	<u>Lower than 2</u>	<u>Not Allowed</u>	<u>Not Allowed</u>	<u>Not Allowed</u>

a. Percentage shall be of the maximum allowable quantity per control area shown in Tables 307.1(1) and 307.1(2) of the VCC, with all increases allowed in the notes to those tables.

b. Separation shall include fire barriers and horizontal assemblies as necessary to provide separation from other portions of the building.

Table 302.6.1(2)

Design and Number of Control Areas in Existing Buildings Not Equipped Throughout with an Automatic Sprinkler System in Accordance with Section 903.3.1.1 of the VCC with Group B Teaching and Research Laboratories in Educational Occupancies above the 12th Grade

<u>Floor Level</u>		<u>Percentage of the Maximum Allowable Quantity per Control Area^a</u>	<u>Number of Control Areas per Floor</u>	<u>Fire-Resistance Rating for Fire Barriers and Horizontal Assemblies in Hours^b</u>
<u>Above Grade Plane</u>	<u>Higher than 9</u>	<u>5</u>	<u>1</u>	<u>2</u>
	<u>7-9</u>	<u>10</u>	<u>2</u>	<u>2</u>
	<u>4-6</u>	<u>25</u>	<u>2</u>	<u>2</u>
	<u>3</u>	<u>75</u>	<u>2</u>	<u>1</u>
	<u>2</u>	<u>100</u>	<u>3</u>	<u>1</u>
	<u>1</u>	<u>100</u>	<u>4</u>	<u>1</u>
<u>Below Grade Plane</u>	<u>1</u>	<u>75</u>	<u>3</u>	<u>1</u>
	<u>2</u>	<u>50</u>	<u>2</u>	<u>1</u>
	<u>Lower than 2</u>	<u>Not Allowed</u>	<u>Not Allowed</u>	<u>Not Allowed</u>

a. Percentage shall be of the maximum allowable quantity per control area shown in Tables 307.1(1) and 307.1(2) of the VCC, with all increases allowed in the notes to those tables.

b. Separation shall include fire barriers and horizontal assemblies as necessary to provide separation from other portions of the building.

302.6.1.1 Automatic fire alarm and detection systems. An automatic fire alarm system shall be provided throughout the building in accordance with Section 907 of the VCC. An automatic fire detection system shall be provided in the control area in accordance with Section 907 of the VCC where pyrophics or Class 4 oxidizers are used and the building is not equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the VCC.

302.6.1.2 System supervision and monitoring. Automatic fire detection systems shall be electronically supervised and monitored by an approved supervising station or, where approved, shall initiate an audible and visual signal at a constantly attended onsite location.

E. Add IEBC Section 303 Reroofing and roof repair.

F. Add Sections 303.1 through 303.7, including subsections, to the IEBC to read:

303.1 Reroofing. Materials and methods of application used for recovering or replacing an existing roof covering shall comply with this section and the applicable requirements of Chapter 15 of the IBC.

Exceptions:

1. Roof replacement or roof recover of existing low-slope roof coverings shall not be required to meet the minimum design slope requirement of one-quarter unit vertical in 12 units horizontal (2% slope) in Section 1507 of the IBC for roofs that provide positive roof drainage.

2. Recovering or replacing an existing roof covering shall not be required to meet the requirement for secondary (emergency overflow) drains or scuppers in Section 1503.4 of the IBC for roofs that provide for positive roof drainage.

For the purposes of this exception, existing secondary drainage or scupper systems required in accordance with the IBC shall not be removed unless they are replaced by secondary drains or scuppers designed and installed in accordance with Section 1503.4 of the IBC.

303.2 Structural and construction loads. Structural roof components shall be capable of supporting the roof-covering system and the material and equipment loads that will be encountered during installation of the system.

303.3 Roof replacement. Roof replacement shall include the removal of all existing layers of roof coverings down to the roof deck.

Exception: Where the existing roof assembly includes an ice barrier membrane that is adhered to the roof deck, the existing ice barrier membrane shall be permitted to remain in place and covered with an additional layer of ice barrier membrane in accordance with Section 1507 of the IBC.

303.3.1 Roof recover. The installation of a new roof covering over an existing roof covering shall be permitted where any of the following conditions occur:

1. Complete and separate roofing systems, such as standing-seam metal roof systems, which are designed to transmit the roof loads directly to the building's structural system and do not rely on existing roofs and roof coverings for support, shall not require the removal of existing roof coverings.

2. Metal panel, metal shingle, and concrete and clay tile roof coverings shall be permitted to be installed over existing wood shake roofs when applied in accordance with Section 706.4.

3. The application of a new protective coating over an existing spray polyurethane foam roofing system shall be permitted without tear-off of existing roof coverings.

4. Where the new roof covering is installed in accordance with the roof covering manufacturer's approved instructions.

Exceptions. A roof recover shall not be permitted where any of the following conditions occur:

1. Where the existing roof or roof covering is water soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.

2. Where the existing roof covering is slate, clay, cement, or asbestos-cement tile.

3. Where the existing roof has two or more applications of any type of roof covering.

303.4 Roof recovering. Where the application of a new roof covering over wood shingle or shake roofs creates a combustible concealed space, the entire existing surface shall be covered with gypsum board, mineral fiber, glass fiber or other approved materials securely fastened in place.

303.5 Reinstallation of materials. Existing slate, clay, or cement tile shall be permitted for reinstallation, except that damaged, cracked, or broken slate or tile shall not be reinstalled. Existing vent flashing, metal edgings, drain outlets, collars, and metal counterflashings shall not be reinstalled where rusted, damaged, or deteriorated. Aggregate surfacing materials shall not be reinstalled.

303.6 Flashings. Flashings shall be reconstructed in accordance with approved manufacturer's installation instructions. Metal flashing to which bituminous materials are to be adhered shall be primed prior to installation.

303.7 Roof repair. Roof repairs shall comply with this section. Work on nondamaged components that is necessary for the required repair of damaged components shall be considered part of the roof repair and shall not be subject to the requirements of other parts of this code.

Exception: Routine maintenance required by this section, ordinary repairs exempt from permit in accordance with Section 108.2 of the VCC, and abatement of wear due to normal service conditions shall not be subject to the requirements for roof repairs in this section.

303.7.1 Building materials and systems. Building materials and systems shall comply with the requirements of Sections 303.7.1.1 and 303.7.1.2.

303.7.1.1 Existing materials. Materials already in use in a building in compliance with requirements or approvals in effect at the time of its erection or installation shall be permitted to remain in use unless determined by the building official to be unsafe.

303.7.1.2 New and replacement materials. Except as otherwise required or permitted by this code, materials permitted by the applicable code for new construction shall be used. Like materials shall be permitted for repairs,

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provided no hazard to life, health, or property is created. Hazardous materials shall not be used where the code for new construction would not permit their use in buildings of similar occupancy, purpose and location.

13VAC5-63-432.5. Chapter 4 Prescriptive compliance method.

Delete Section 409 of the IEBC in its entirety.

13VAC5-63-433. Chapter 5 Classification of work.

A. Change Section 501.1 of the IEBC to read:

501.1 Scope. The provisions of this chapter shall be used in conjunction with Chapters 6 through 12 and shall apply to the alteration, repair, addition and change of occupancy of existing structures, including historic structures, as referenced in Section 301.1.2. The work performed on an existing building shall be classified in accordance with this chapter.

B. Change Section 504.1 of the IEBC to read:

504.1 Scope. Level 2 alterations include the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment and shall apply where the work area is less than 50% of the building area.

C. Add Section 505.1.1 to the IEBC to read:

505.1.1 Special provisions. A building separated horizontally in compliance with VCC Section 510.2 shall be considered as separate and distinct buildings for the purpose of determining building area used for application of this section.

D. Delete Section 509 of the IEBC in its entirety.

13VAC5-63-433.5. Chapter 7 Alterations -- Level 1.

A. Delete IEBC Section 706 Reroofing in its entirety.

B. Delete IEBC Sections 707.3, 707.3.1, and 707.3.2.

13VAC5-63-434. Chapter 8 Alterations -- Level 2.

A. Change the exception in Section 801.1 of the IEBC to read:

Exception: Buildings in which the alteration is exclusively the result of compliance with the accessibility requirements of Section 705.2 shall be permitted to comply with Chapter 7.

B. Change Exception 2 of Section 805.2 of the IEBC to read:

2. Means of egress conforming to the requirements of the building code under which the building was constructed shall be considered compliant means of egress.

~~B.~~ C. Change Item 7 of Section 805.3.1.1 of the IEBC to read:

7. In Groups R-2, H-4, H-5 and I occupancies and in rooming houses and childcare centers, a single exit is permitted in a one-story building with a maximum occupant load of 10 and the exit access travel distance does

not exceed 75 feet (22 860 mm). In dwelling units within Group R-2 buildings, an occupant load of 12 shall be permitted to be substituted for the occupant load established above and, in addition, staff of such family day homes shall not be counted for the purposes of establishing occupant loads.

D. Change Section 805.3.2 of the IEBC to read:

805.3.2 Mezzanines. Mezzanines in the work area and with an occupant load of more than 50 or in which the common path of egress travel distance to an exit or exit access doorway exceeds 75 feet (22 860 mm) shall have access to at least two independent means of egress.

Exception: Two independent means of egress are not required where the travel distance to an exit does not exceed 100 feet (30 480 mm) and the building is protected throughout with an automatic sprinkler system.

E. Delete Section 805.3.3 of the IEBC.

F. Change Section 805.4.1.1 of the IEBC to read:

805.4.1.1 Occupant load and travel distance. In any work area, all rooms and spaces having an occupant load greater than 50 or in which the common path of egress travel distance to an exit or exit access doorway exceeds 75 feet (22 860 mm) shall have a minimum of two egress doorways.

Exceptions:

1. Storage rooms having a maximum occupant load of 10.

2. Where the work area is served by a single exit in accordance with Section 805.3.1.1.

G. Change Section 808.3 of the IEBC to read:

808.3 Residential occupancies. In Groups R-2, R-3, R-4, and R-5 occupancies and buildings regulated by the IRC, the requirements of Sections 808.3.1 through 808.3.7 shall be applicable only to work areas located within a dwelling unit.

H. Change Section 809.1 of the IEBC to read:

809.1 Work areas or converted spaces. All work areas intended for occupancy and all spaces converted to habitable or occupiable space in any work area shall be provided with natural or mechanical ventilation in accordance with the International Mechanical Code.

Exception: Existing mechanical ventilation systems shall comply with the requirements of Section 809.2.

13VAC5-63-434.5. Chapter 9 Alterations -- Level 3.

A. Change Section 901.2 of the IEBC to read:

901.2 Compliance. In addition to the provisions of this chapter, work shall comply with all of the requirements of Chapters 7 and 8. The requirements of Sections 803, 804, and 805 shall apply within all work areas whether or not they include exits and corridors shared by more than one tenant and regardless of the occupant load.

Exception: Buildings in which the alteration affecting exits or shared egress access is exclusively the result of compliance with the accessibility requirements of Section 705.2 shall not be required to comply with this chapter.

B. Change Section 903.1 of the IEBC to read:

903.1 Existing stairways. Existing stairways that are part of the means of egress shall be enclosed in accordance with Section 803.2.1, and its exceptions if applicable, from the highest work area floor to and including the level of exit discharge and all floors below.

C. Change Section 904.2 of the IEBC to read:

904.2 Fire alarm and detection systems. Fire alarm and detection shall be provided throughout the work area in accordance with Section 907 of the IBC as required for new construction.

13VAC5-63-435. Chapter 10 Change of occupancy.

Add Group R-5 to the occupancy classifications listed under the fourth relative hazard level in Tables 1012.4 and 1012.5.

13VAC5-63-439. Chapter 13 Relocated or moved buildings.

A. Change the title of Chapter 13 of the IEBC to "Moved Buildings and Structures."

B. Change Section 1301.1 of the IEBC to read:

1301.1 Scope. This chapter provides requirements for moved buildings and structures.

13VAC5-63-440. Chapter 14 Performance compliance methods.

A. Change Section 1401.1 of the IEBC to read:

1401.1 Scope. The provisions of this chapter shall apply to the alteration, repair, addition, and change of occupancy of existing structures, including historic and moved structures, as referenced in Section 301.1.3. The provisions of this chapter are intended to maintain or increase the current degree of public safety, health, and general welfare in existing buildings while permitting repair, alteration, addition, and change of occupancy without requiring full compliance with Chapters 5 through 12, except where compliance with other provisions of this code is specifically required in this chapter.

B. Change Section 1401.2 of the IEBC to read:

1401.2 Applicability. Work involving rehabilitation, additions, alterations, or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 5 through 13. The provisions in Sections 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, I-2, M, R, S, and U. These provisions shall not apply to buildings with occupancies in Group H or I I-1, I-3, or I-4.

Exception: The provisions of this chapter shall not apply to changes of occupancy involving Group I-2.

~~B. C.~~ Add an exception to Section 1401.2.1 of the IEBC to read:

Exception: Plumbing, mechanical and electrical systems in buildings undergoing a change of occupancy shall be subject to any applicable requirements of Chapter 10.

~~C. Change Section 1401.2.5 of the IEBC to read:~~

~~1401.2.5 Accessibility requirements. All portions of the buildings proposed for change of occupancy and all alterations to existing buildings shall conform to the applicable accessibility provisions of Section 410.~~

Part III
Maintenance

13VAC5-63-450. Chapter 1 Administration; Section 101 General.

A. Section 101.1 Short title. The Virginia Uniform Statewide Building Code, Part III, Maintenance, may be cited as the "Virginia Maintenance Code," or as the "VMC."

B. Section 101.2 Incorporation by reference. Chapters 2 - 8 of the ~~2012~~ 2015 International Property Maintenance Code, published by the International Code Council, Inc., are adopted and incorporated by reference to be an enforceable part of the VMC. The term "IPMC" means the ~~2012~~ 2015 International Property Maintenance Code, published by the International Code Council, Inc. Any codes and standards referenced in the IPMC are also considered to be part of the incorporation by reference, except that such codes and standards are used only to the prescribed extent of each such reference.

C. Section 101.3 Numbering system. A dual numbering system is used in the VMC to correlate the numbering system of the Virginia Administrative Code with the numbering system of the IPMC. IPMC numbering system designations are provided in the catchlines of the Virginia Administrative Code sections and cross references between sections or chapters of the Virginia Maintenance Code use only the IPMC numbering system designations. The term "chapter" is used in the context of the numbering system of the IPMC and may mean a chapter in the VMC, a chapter in the IPMC or a chapter in a referenced code or standard, depending on the context of the use of the term. The term "chapter" is not used to designate a chapter of the Virginia Administrative Code, unless clearly indicated.

D. Section 101.4 Arrangement of code provisions. The VMC is comprised of the combination of (i) the provisions of Chapter 1, Administration, which are established herein, (ii) Chapters 2 - 8 of the IPMC, which are incorporated by reference in Section 101.2, and (iii) the changes to the text of the incorporated chapters of the IPMC which are specifically identified. The terminology "changes to the text of the incorporated chapters of the IPMC which are specifically identified" shall also be referred to as the "state amendments to the IPMC." Such state amendments to the IPMC are set out using corresponding chapter and section numbers of the IPMC numbering system. ~~In addition, since Chapter 1 of the~~

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IPMC is not incorporated as part of the VMC, any reference to a provision of Chapter 1 of the IPMC in the provisions of Chapters 2 - 8 of the IPMC is generally invalid. However, where the purpose of such a reference would clearly correspond to a provision of Chapter 1 established herein, then the reference may be construed to be a valid reference to such corresponding Chapter 1 provision.

E. Section 101.5 Use of terminology and notes. The term "this code," or "the code," where used in the provisions of Chapter 1, in Chapters 2 - 8 of the IPMC, or in the state amendments to the IPMC, means the VMC, unless the context clearly indicates otherwise. The term "this code," or "the code," where used in a code or standard referenced in the IPMC, means that code or standard, unless the context clearly indicates otherwise. The term "USBC" where used in this code means the VCC unless the context clearly indicates otherwise. In addition, the use of notes in Chapter 1 is to provide information only and shall not be construed as changing the meaning of any code provision. Notes in the IPMC, in the codes and standards referenced in the IPMC, and in the state amendments to the IPMC, may modify the content of a related provision and shall be considered to be a valid part of the provision, unless the context clearly indicates otherwise.

F. Section 101.6 Order of precedence. The provisions of this code shall be used as follows:

1. The provisions of Chapter 1 of this code supersede any provisions of Chapters 2 - 8 of the IPMC that address the same subject matter and impose differing requirements.
2. The provisions of Chapter 1 of this code supersede any provisions of the codes and standards referenced in the IPMC that address the same subject matter and impose differing requirements.
3. The state amendments to the IPMC supersede any provisions of Chapters 2 - 8 of the IPMC that address the same subject matter and impose differing requirements.
4. The state amendments to the IPMC supersede any provisions of the codes and standards referenced in the IPMC that address the same subject matter and impose differing requirements.
5. The provisions of Chapters 2 - 8 of the IPMC supersede any provisions of the codes and standards referenced in the IPMC that address the same subject matter and impose differing requirements.

G. ~~Section 101.7 Administrative provisions. The provisions of Chapter 1 establish administrative requirements, which include but are not limited to provisions relating to the scope of the code, enforcement, fees, permits, inspections and disputes. Any provisions of Chapters 2 - 8 of the IPMC or any provisions of the codes and standards referenced in the IPMC which address the same subject matter to a lesser or greater extent are deleted and replaced by the provisions of Chapter 1. Further, any administrative requirements contained~~

~~in the state amendments to the IPMC shall be given the same precedence as the provisions of Chapter 1. Notwithstanding the above, where administrative requirements of Chapters 2 - 8 of the IPMC or of the codes and standards referenced in the IPMC are specifically identified as valid administrative requirements in Chapter 1 of this code or in the state amendments to the IPMC, then such requirements are not deleted and replaced.~~

~~Note: The purpose of this provision is to eliminate overlap, conflicts and duplication by providing a single standard for administrative, procedural and enforcement requirements of this code.~~

~~H. Section 101.8 Definitions. The definitions of terms used in this code are contained in Chapter 2 along with specific provisions addressing the use of definitions. Terms may be defined in other chapters or provisions of the code and such definitions are also valid.~~

~~Note: The order of precedence outlined in Section 101.6 may be determinative in establishing how to apply the definitions in the IPMC and in the referenced codes and standards.~~

13VAC5-63-470. Section 103 Application of code.

A. Section 103.1 General. This code prescribes regulations for the maintenance of all existing buildings and structures and associated equipment, including regulations for unsafe buildings and structures.

B. Section 103.2 Maintenance requirements. Buildings ~~and~~ structures and systems shall be maintained and kept in good repair in accordance with the requirements of this code and when applicable in accordance with the USBC under which such building or structure was constructed. No provision of this code shall require alterations to be made to an existing building or structure or to equipment unless conditions are present which meet the definition of an unsafe structure or a structure unfit for human occupancy.

C. 103.2.1 Maintenance of nonrequired components and systems. Nonrequired components and systems may be discontinued in use provided that no hazard results from such discontinuance of use.

~~C. D. 103.2.1 Maintenance of nonrequired fire protection systems. Nonrequired fire protection systems shall be maintained to function as originally installed. If any such systems are to be reduced in function or discontinued, approval shall be obtained from the building official in accordance with Section 103.8.1 of the VCC.~~

~~D. E. Section 103.3 Continued approval. Notwithstanding any provision of this code to the contrary, alterations shall not be required to be made to existing buildings or structures which are occupied in accordance with a certificate of occupancy issued under any edition of the USBC.~~

~~E. F. Section 103.4 Rental Inspections. In accordance with § 36-105.1:1 of the Code of Virginia, these provisions are~~

applicable to rental inspection programs. For purposes of this section:

"Dwelling unit" means a building or structure or part thereof that is used for a home or residence by one or more persons who maintain a household.

"Owner" means the person shown on the current real estate assessment books or current real estate assessment records.

"Residential rental dwelling unit" means a dwelling unit that is leased or rented to one or more tenants. However, a dwelling unit occupied in part by the owner thereof shall not be construed to be a residential rental dwelling unit unless a tenant occupies a part of the dwelling unit that has its own cooking and sleeping areas, and a bathroom, unless otherwise provided in the zoning ordinance by the local governing body.

The local governing body may adopt an ordinance to inspect residential rental dwelling units for compliance with this code and to promote safe, decent and sanitary housing for its citizens, in accordance with the following:

1. Except as provided for in subdivision 3 of this subsection, the dwelling units shall be located in a rental inspection district established by the local governing body in accordance with this section; and
2. The rental inspection district is based upon a finding by the local governing body that (i) there is a need to protect the public health, safety and welfare of the occupants of dwelling units inside the designated rental inspection district; (ii) the residential rental dwelling units within the designated rental inspection district are either (a) blighted or in the process of deteriorating or (b) the residential rental dwelling units are in the need of inspection by the building department to prevent deterioration, taking into account the number, age and condition of residential dwelling rental units inside the proposed rental inspection district; and (iii) the inspection of residential rental dwelling units inside the proposed rental inspection district is necessary to maintain safe, decent and sanitary living conditions for tenants and other residents living in the proposed rental inspection district. Nothing in this section shall be construed to authorize one or more locality-wide rental inspection districts and a local governing body shall limit the boundaries of the proposed rental inspection districts to such areas of the locality that meet the criteria set out in this subsection; or
3. An individual residential rental dwelling unit outside of a designated rental inspection district is made subject to the rental inspection ordinance based upon a separate finding for each individual dwelling unit by the local governing body that (i) there is a need to protect the public health, welfare and safety of the occupants of that individual dwelling unit; (ii) the individual dwelling unit is either (a) blighted or (b) in the process of deteriorating; or (iii) there is evidence of violations of this code that affect the safe,

decent and sanitary living conditions for tenants living in such individual dwelling unit.

For purposes of this section, the local governing body may designate a local government agency other than the building department to perform all or part of the duties contained in the enforcement authority granted to the building department by this section.

Before adopting a rental inspection ordinance and establishing a rental inspection district or an amendment to either, the governing body of the locality shall hold a public hearing on the proposed ordinance. Notice of the hearing shall be published once a week for two successive weeks in a newspaper published or having general circulation in the locality.

Upon adoption by the local governing body of a rental inspection ordinance, the building department shall make reasonable efforts to notify owners of residential rental dwelling units in the designated rental inspection district, or their designated managing agents, and to any individual dwelling units subject to the rental inspection ordinance, not located in a rental inspection district, of the adoption of such ordinance, and provide information and an explanation of the rental inspection ordinance and the responsibilities of the owner thereunder.

The rental inspection ordinance may include a provision that requires the owners of dwelling units in a rental inspection district to notify the building department in writing if the dwelling unit of the owner is used for residential rental purposes. The building department may develop a form for such purposes. The rental inspection ordinance shall not include a registration requirement or a fee of any kind associated with the written notification pursuant to this subdivision. A rental inspection ordinance may not require that the written notification from the owner of a dwelling unit subject to a rental inspection ordinance be provided to the building department in less than 60 days after the adoption of a rental inspection ordinance. However, there shall be no penalty for the failure of an owner of a residential rental dwelling unit to comply with the provisions of this subsection, unless and until the building department provides personal or written notice to the property owner, as provided in this section. In any event, the sole penalty for the willful failure of an owner of a dwelling unit who is using the dwelling unit for residential rental purposes to comply with the written notification requirement shall be a civil penalty of up to \$50. For purposes of this subsection, notice sent by regular first-class mail to the last known address of the owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed compliance with this requirement.

Upon establishment of a rental inspection district in accordance with this section, the building department may, in conjunction with the written notifications as provided for above, proceed to inspect dwelling units in the designated

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rental inspection district to determine if the dwelling units are being used as a residential rental property and for compliance with the provisions of this code that affect the safe, decent and sanitary living conditions for the tenants of such property.

If a multifamily development has more than 10 dwelling units, in the initial and periodic inspections, the building department shall inspect only a sampling of dwelling units, of not less than two and not more than 10% of the dwelling units, of a multifamily development, that includes all of the multifamily buildings that are part of that multifamily development. In no event, however, shall the building department charge a fee authorized by this section for inspection of more than 10 dwelling units. If the building department determines upon inspection of the sampling of dwelling units that there are violations of this code that affect the safe, decent and sanitary living conditions for the tenants of such multifamily development, the building department may inspect as many dwelling units as necessary to enforce these provisions, in which case, the fee shall be based upon a charge per dwelling unit inspected, as otherwise provided in the fee schedule established pursuant to this section.

Upon the initial or periodic inspection of a residential rental dwelling unit subject to a rental inspection ordinance, the building department has the authority under these provisions to require the owner of the dwelling unit to submit to such follow-up inspections of the dwelling unit as the building department deems necessary, until such time as the dwelling unit is brought into compliance with the provisions of this code that affect the safe, decent and sanitary living conditions for the tenants.

Except as provided for above, following the initial inspection of a residential rental dwelling unit subject to a rental inspection ordinance, the building department may inspect any residential rental dwelling unit in a rental inspection district, that is not otherwise exempted in accordance with this section, no more than once each calendar year.

Upon the initial or periodic inspection of a residential rental dwelling unit subject to a rental inspection ordinance for compliance with these provisions, provided that there are no violations of this code that affect the safe, decent and sanitary living conditions for the tenants of such residential rental dwelling unit, the building department shall provide, to the owner of such residential rental dwelling unit, an exemption from the rental inspection ordinance for a minimum of four years. Upon the sale of a residential rental dwelling unit, the building department may perform a periodic inspection as provided above, subsequent to such sale. If a residential rental dwelling unit has been issued a certificate of occupancy within the last four years, an exemption shall be granted for a minimum period of four years from the date of the issuance of the certificate of occupancy by the building department. If the residential rental dwelling unit becomes in violation of this code during the exemption period, the building department

may revoke the exemption previously granted under this section.

A local governing body may establish a fee schedule for enforcement of these provisions, which includes a per dwelling unit fee for the initial inspections, follow-up inspections and periodic inspections under this section.

The provisions of this section shall not in any way alter the rights and obligations of landlords and tenants pursuant to the applicable provisions of Chapter 13 (§ 55-217 et seq.) or Chapter 13.2 (§ 55-248.2 et seq.) of Title 55 of the Code of Virginia.

The provisions of this section shall not alter the duties or responsibilities of the local building department under § 36-105 of the Code of Virginia to enforce the USBC.

Unless otherwise provided for in § 36-105.1:1 of the Code of Virginia, penalties for violation of this section shall be the same as the penalties provided for violations of other sections of the USBC.

13VAC5-63-480. Section 104 Enforcement, generally.

A. Section 104.1 Scope of enforcement. This section establishes the requirements for enforcement of this code in accordance with subdivision C 1 of § 36-105 of the Code of Virginia. The local governing body may also inspect and enforce the provisions of the USBC for existing buildings and structures, whether occupied or not. Such inspection and enforcement shall be carried out by an agency or department designated by the local governing body.

~~If In accordance with subdivision C 3 of § 36-105 of the Code of Virginia, if the local building department receives a complaint that a violation of this code exists that is an immediate and imminent threat to the health or safety of the owner, tenant, or occupants of any building or structure, or the owner, occupant, or tenant of any nearby building or structure, and the owner, occupant, or tenant of the building or structure that is the subject of the complaint has refused to allow the code official or his agent to have access to the subject building or structure, the code official or his agent may present sworn testimony to make an affidavit under oath before a magistrate or a court of competent jurisdiction and request that the magistrate or court grant the code official or his agent an inspection warrant to enable the code official or his agent to enter the subject building or structure for the purpose of determining whether violations of this code exist. After issuing a warrant under this section, the magistrate or judge shall file the affidavit in a manner prescribed by § 19.2-54 of the Code of Virginia. After executing the warrant, the code official or his agents shall return the warrant to the clerk of the circuit court of the city or county wherein the inspection was made.~~ The code official or his agent shall make a reasonable effort to obtain consent from the owner, occupant, or tenant of the subject building or structure prior to seeking the issuance of an inspection warrant under this section.

Note: Generally, official action must be taken by the local government to enforce the VMC. Consultation with the legal counsel of the jurisdiction when initiating or changing such action is advised.

B. Section 104.1.1 Transfer of ownership. In accordance with subdivision C 4 of § 36-105 of the Code of Virginia, if the local building department has initiated an enforcement action against the owner of a building or structure and such owner subsequently transfers the ownership of the building or structure to an entity in which the owner holds an ownership interest greater than 50%, the pending enforcement action shall continue to be enforced against the owner.

C. Section 104.2 Fees. In accordance with subdivision C 7 of § 36-105 of the Code of Virginia, fees may be levied by the local governing body in order to defray the cost of enforcement and appeals. For the purposes of this section, "defray the cost" may include the fair and reasonable costs incurred for such enforcement during normal business hours, but shall not include overtime costs unless conducted outside of the normal working hours established by the locality. A schedule of such costs shall be adopted by the local governing body in a local ordinance. A locality shall not charge overtime rate for inspections conducted during the normal business hours established by the locality. Nothing in this provision shall be construed to prohibit a private entity from conducting such inspections, provided the private entity has been approved to perform such inspections in accordance with the written policy of the code official for the locality.

D. Section 104.3 State buildings. In accordance with § 36-98.1 of the Code of Virginia, this code shall be applicable to state-owned buildings and structures. Acting through the Division of Engineering and Buildings, the Department of General Services shall function as the building official for state-owned buildings.

E. Section 104.3.1 Certification of state enforcement personnel. State enforcement personnel shall comply with the applicable requirements of Sections 104.4.2 through 104.4.4 and 104.4.3 for certification, ~~periodic maintenance training, and continuing education.~~

Note: Continuing education and periodic training requirements for DHCD certifications are set out in the VCS.

F. Section 104.4 Local enforcing agency. In jurisdictions enforcing this code, the local governing body shall designate the agency within the local government responsible for such enforcement and appoint a code official. The local governing body may also utilize technical assistants to assist the code official in the enforcement of this code. A permanently appointed code official shall not be removed from office except for cause after having been afforded a full opportunity to be heard on specific and relevant charges by and before the appointing authority. DHCD shall be notified by the appointing authority within 30 days of the appointment or release of a permanent or acting code official and within 60 days after retaining or terminating a technical assistant.

Note: Code officials and technical assistants are subject to sanctions in accordance with the VCS.

G. Section 104.4.1 Qualifications of code official and technical assistants. The code official shall have at least five years of building experience as a licensed professional engineer or architect, building, fire or trade inspector, contractor, housing inspector or superintendent of building, fire or trade construction or at least five years of building experience after obtaining a degree in architecture or engineering, with at least three years in responsible charge of work. Any combination of education and experience that would confer equivalent knowledge and ability shall be deemed to satisfy this requirement. The code official shall have general knowledge of sound engineering practice in respect to the design and construction of structures, the basic principles of fire prevention, the accepted requirements for means of egress and the installation of elevators and other service equipment necessary for the health, safety and general welfare of the occupants and the public. The local governing body may establish additional qualification requirements.

A technical assistant shall have at least three years of experience and general knowledge in at least one of the following areas: building construction, building, fire or housing inspections, plumbing, electrical or mechanical trades, fire protection, elevators or property maintenance work. Any combination of education and experience which would confer equivalent knowledge and ability shall be deemed to satisfy this requirement. The locality may establish additional certification requirements.

H. Section 104.4.2 Certification of code official and technical assistants. An acting or permanent code official shall be certified as a code official in accordance with the VCS within one year after being appointed as acting or permanent code official. A technical assistant shall be certified in the appropriate subject area within 18 months after becoming a technical assistant. When required by a locality to have two or more certifications, a technical assistant shall obtain the additional certifications within three years from the date of such requirement.

Exception: A code official or technical assistant in place prior to April 1, 1995, shall not be required to meet the certification requirements in this section while continuing to serve in the same capacity in the same locality.

I. Section 104.4.3 Noncertified code official. Except for a code official exempt from certification under the exception to Section 104.4.2, any acting or permanent code official who is not certified as a code official in accordance with the VCS shall attend the core module of the Virginia Building Code Academy or an equivalent course in an individual or regional code academy accredited by DHCD within 180 days of appointment. This requirement is in addition to meeting the certification requirement in Section 104.4.2.

Note: Continuing education and periodic training requirements for DHCD certifications are set out in the VCS.

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~~J. Section 104.4.4 Requirements for periodic maintenance training and education. Code officials and technical assistants shall attend periodic maintenance training as designated by DHCD. In addition to the periodic maintenance training required above, code officials and technical assistants shall attend 16 hours of continuing education every two years as approved by DHCD. If a code official or technical assistant possesses more than one BHCD certificate, the 16 hours shall satisfy the continuing education requirement for all BHCD certificates.~~

~~K. Section 104.4.5 Conflict of interest. The standards of conduct for code officials and technical assistants shall be in accordance with the provisions of the State and Local Government Conflict of Interests Act, Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2 of the Code of Virginia.~~

~~L. K. Section 104.4.6 Records. The local enforcing agency shall retain a record of applications received, permits, certificates, notices and orders issued, fees collected and reports of inspections in accordance with The Library of Virginia's General Schedule Number Six.~~

~~M. L. Section 104.5 Powers and duties, generally. The code official shall enforce this code as set out herein and as interpreted by the State Review Board and shall issue all necessary notices or orders to ensure compliance with the code.~~

~~N. M. Section 104.5.1 Delegation of authority. The code official may delegate powers and duties except where such authority is limited by the local government. When such delegations are made, the code official shall be responsible for assuring that they are carried out in accordance with the provisions of this code.~~

~~O. N. Section 104.5.2 Issuance of modifications. Upon written application by an owner or an owner's agent, the code official may approve a modification of any provision of this code provided the spirit and intent of the code are observed and public health, welfare and safety are assured. The decision of the code official concerning a modification shall be made in writing and the application for a modification and the decision of the code official concerning such modification shall be retained in the permanent records of the local enforcing agency.~~

~~P. O. Section 104.5.2.1 Substantiation of modification. The code official may require or may consider a statement from a professional engineer, architect or other person competent in the subject area of the application as to the equivalency of the proposed modification.~~

~~Q. P. Section 104.5.3 Inspections. The code official may inspect buildings or structures to determine compliance with this code and shall carry proper credentials when performing such inspections. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed, or complex technical issues in accordance with local policies.~~

~~R. Q. Section 104.5.3.1 Observations. When, during an inspection, the code official or authorized representative observes an apparent or actual violation of another law, ordinance, or code not within the official's authority to enforce, such official shall report the findings to the official having jurisdiction in order that such official may institute the necessary measures.~~

~~S. R. Section 104.5.3.2 Approved inspection agencies and individuals. The code official may accept reports of inspections or tests from individuals or inspection agencies approved in accordance with the code official's written policy required by Section 104.5.3.3. The individual or inspection agency shall meet the qualifications and reliability requirements established by the written policy. Reports of inspections by approved individuals or agencies shall be in writing, shall indicate if compliance with the applicable provisions of this code have been met, and shall be certified by the individual inspector or by the responsible officer when the report is from an agency. The code official shall review and approve the report unless there is cause to reject it. Failure to approve a report shall be in writing within five working days of receiving it, stating the reasons for rejection.~~

~~T. S. Section 104.5.3.3 Third-party inspectors. Each code official charged with the enforcement of this code and who accepts third-party reports shall have a written policy establishing the minimum acceptable qualifications for third-party inspectors. The policy shall include the format and time frame required for submission of reports, any prequalification or preapproval requirements before conducting a third-party inspection, and any other requirements and procedures established by the code official.~~

~~U. T. Section 104.5.3.4 Qualifications. In determining third-party qualifications, the code official may consider such items as DHCD inspector certification, other state or national certifications, state professional registrations, related experience, education, and any other factors that would demonstrate competency and reliability to conduct inspections.~~

~~V. U. Section 104.5.4 Notices, reports and orders. Upon findings by the code official that violations of this code exist, the code official shall issue a correction notice or notice of violation to the owner or the person responsible for the maintenance of the structure. Work done to correct violations of this code subject to the permit, inspection and approval provisions of the VCC shall not be construed as authorization to extend the time limits established for compliance with this code.~~

~~W. V. Section 104.5.4.1 Correction notice. The correction notice shall be a written notice of the defective conditions. The correction notice shall require correction of the violation or violations within a reasonable time unless an emergency condition exists as provided under the unsafe building provisions of Section 105. Upon request, the correction notice shall reference the code section that serves as the basis for the~~

defects and shall state that such defects shall be corrected and reinspected in a reasonable time designated by the code official.

~~X.~~ W. Section 104.5.4.2 Notice of violation. If the code official determines there are violations of this code other than those for unsafe structures, unsafe equipment or structures unfit for human occupancy under Section 105, the code official may issue a notice of violation to be communicated promptly in writing to the owner or the person responsible for the maintenance or use of the building or structure in lieu of a correction notice as provided for in Section 104.5.4.1. In addition, the code official shall issue a notice of violation for any uncorrected violation remaining from a correction notice established in Section 104.5.4.1. A notice of violation shall be issued by the code official before initiating legal proceedings unless the conditions violate the unsafe building conditions of Section 105 and the provisions established therein are followed. The code official shall provide the section numbers to the owner for any code provision cited in the notice of violation. The notice shall require correction of the violation or violations within a reasonable time unless an emergency condition exists as provided under the building provisions of Section 105. The owner or person to whom the notice of violation has been issued shall be responsible for contacting the code official within the time frame established for any reinspections to assure the violations have been corrected. The code official will be responsible for making such inspection and verifying the violations have been corrected. In addition, the notice of violation shall indicate the right of appeal by referencing the appeals section of this code.

~~Y.~~ X. Section 104.5.5 Coordination of inspections. The code official shall coordinate inspections and administrative orders with any other state or local agencies having related inspection authority and shall coordinate those inspections required by the Virginia Statewide Fire Prevention Code (13VAC5-51) for maintenance of fire protection devices, equipment and assemblies so that the owners and occupants will not be subjected to numerous inspections or conflicting orders.

Note: The Fire Prevention Code requires the fire official to coordinate such inspections with the code official.

~~Z.~~ Y. Section 104.5.6 Further action when violation not corrected. If the responsible party has not complied with the notice of violation, the code official shall submit a written request to the legal counsel of the locality to institute the appropriate legal proceedings to restrain, correct or abate the violation or to require the removal or termination of the use of the building or structure involved. In cases where the locality so authorizes, the code official may issue or obtain a summons or warrant.

~~AA.~~ Z. Section 104.5.7 Penalties and abatement. Penalties for violations of this code shall be as set out in § 36-106 of the Code of Virginia. The successful prosecution of a violation of the code shall not preclude the institution of

appropriate legal action to require correction or abatement of a violation.

13VAC5-63-490. Section 105 Unsafe structures or structures unfit for human occupancy.

A. Section 105.1 General. This section shall apply to existing structures which are classified as unsafe or unfit for human occupancy. All conditions causing such structures to be classified as unsafe or unfit for human occupancy shall be remedied or as an alternative to correcting such conditions, the structure may be vacated and secured against public entry or razed and removed. Vacant and secured structures shall still be subject to other applicable requirements of this code. Notwithstanding the above, when the code official determines that an unsafe structure or a structure unfit for human occupancy constitutes such a hazard that it should be razed or removed, then the code official shall be permitted to order the demolition of such structures in accordance with applicable requirements of this code.

Note: Structures which become unsafe during construction are regulated under the VCC.

B. Section 105.2 Inspection of unsafe or unfit structures. The code official shall inspect any structure reported or discovered as unsafe or unfit for human habitation and shall prepare a report to be filed in the records of the local enforcing agency and a copy issued to the owner. The report shall include the use of the structure and a description of the nature and extent of any conditions found.

C. Section 105.3 Unsafe conditions not related to maintenance. When the code official finds a condition that constitutes a serious and dangerous hazard to life or health in a structure constructed prior to the initial edition of the USBC and when that condition is of a cause other than improper maintenance or failure to comply with state or local building codes that were in effect when the structure was constructed, then the code official shall be permitted to order those minimum changes to the design or construction of the structure to remedy the condition.

D. Section 105.3.1 Limitation to requirements for retrofitting. In accordance with Section 103.2, this code does not generally provide for requiring the retrofitting of any structure. However, conditions may exist in structures constructed prior to the initial edition of the USBC because of faulty design or equipment that constitute a danger to life or health or a serious hazard. Any changes to the design or construction required by the code official under this section shall be only to remedy the serious hazard or danger to life or health and such changes shall not be required to fully comply with the requirements of the VCC applicable to newly constructed buildings or structures.

E. Section 105.4 Notice of unsafe structure or structure unfit for human occupancy. When a structure is determined to be unsafe or unfit for human occupancy by the code official, a written notice of unsafe structure or structure unfit for human occupancy shall be issued by personal service to the owner,

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the owner's agent or the person in control of such structure. The notice shall specify the corrections necessary to comply with this code, or if the structure is required to be demolished, the notice shall specify the time period within which the demolition must occur. Requirements in Section 104.5.4 for notices of violation are also applicable to notices issued under this section to the extent that any such requirements are not in conflict with the requirements of this section.

Note: Whenever possible, the notice should also be given to any tenants of the affected structure.

F. Section 105.4.1 Vacating unsafe structure. If the code official determines there is actual and immediate danger to the occupants or public, or when life is endangered by the occupancy of an unsafe structure, the code official shall be authorized to order the occupants to immediately vacate the unsafe structure. When an unsafe structure is ordered to be vacated, the code official shall post a notice with the following wording at each entrance: "THIS STRUCTURE IS UNSAFE AND ITS OCCUPANCY (OR USE) IS PROHIBITED BY THE CODE OFFICIAL." After posting, occupancy or use of the unsafe structure shall be prohibited except when authorized to enter to conduct inspections, make required repairs or as necessary to demolish the structure.

G. Section 105.5 Posting of notice. If the notice is unable to be issued by personal service as required by Section 105.4, then the notice shall be sent by registered or certified mail to the last known address of the responsible party and a copy of the notice shall be posted in a conspicuous place on the premises.

H. Section 105.6 Posting of placard. In the case of a structure unfit for human habitation, at the time the notice is issued, a placard with the following wording shall be posted at the entrance to the structure: "THIS STRUCTURE IS UNFIT FOR HABITATION AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE CODE OFFICIAL." In the case of an unsafe structure, if the notice is not complied with, a placard with the above wording shall be posted at the entrance to the structure. After a structure is placarded, entering the structure shall be prohibited except as authorized by the code official to make inspections, to perform required repairs or to demolish the structure. In addition, the placard shall not be removed until the structure is determined by the code official to be safe to occupy, nor shall the placard be defaced.

I. Section 105.7 Revocation of certificate of occupancy. If a notice of unsafe structure or structure unfit for human habitation is not complied with within the time period stipulated on the notice, the code official shall be permitted to request the local building department to revoke the certificate of occupancy issued under the VCC.

J. Section 105.8 Vacant and open structures. When an unsafe structure or a structure unfit for human habitation is open for public entry at the time a placard is issued under Section 105.6, the code official shall be permitted to authorize

the necessary work to make such structure secure against public entry whether or not legal action to compel compliance has been instituted.

K. Section 105.9 Emergency repairs and demolition. To the extent permitted by the locality, the code official may authorize emergency repairs to unsafe structures or structures unfit for human habitation when it is determined that there is an immediate danger of any portion of the unsafe structure or structure unfit for human habitation collapsing or falling and when life is endangered. Emergency repairs may also be authorized where there is a code violation resulting in the immediate serious and imminent threat to the life and safety of the occupants. The code official shall be permitted to authorize the necessary work to make the structure temporarily safe whether or not legal action to compel compliance has been instituted. In addition, whenever an owner of an unsafe structure or structure unfit for human habitation fails to comply with a notice to demolish issued under Section 105.4 in the time period stipulated, the code official shall be permitted to cause the structure to be demolished. In accordance with §§ 15.2-906 and 15.2-1115 of the Code of Virginia, the legal counsel of the locality may be requested to institute appropriate action against the property owner to recover the costs associated with any such emergency repairs or demolition and every such charge that remains unpaid shall constitute a lien against the property on which the emergency repairs or demolition were made and shall be enforceable in the same manner as provided in Articles 3 (~~§ 58.1-3490 et seq.~~) (§ 58.1-3940 et seq.) and 4 (§ 58.1-3965 et seq.) of Chapter 39 of Title 58.1 of the Code of Virginia.

Note: Code officials and local governing bodies should be aware that other statutes and court decisions may impact on matters relating to demolition, in particular whether newspaper publication is required if the owner cannot be located and whether the demolition order must be delayed until the owner has been given the opportunity for a hearing. In addition, historic building demolition may be prevented by authority granted to local historic review boards in accordance with § 15.2-2306 of the Code of Virginia unless determined necessary by the code official.

L. Section 105.10 Closing of streets. When necessary for public safety, the code official shall be permitted to order the temporary closing of sidewalks, streets, public ways or premises adjacent to unsafe or unfit structures and prohibit the use of such spaces.

13VAC5-63-510. Chapter 2 Definitions.

A. Change Section 201.3 of the IPMC to read:

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the IBC, IFC, IFGC, IPC, IMC, International Existing Building Code, IRC, International Zoning Code or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes, except that terms defined in the VCC shall be used

for this code and shall take precedence over other definitions.

B. Change Section 201.5 of the IPMC to read:

201.5 Parts. Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming unit," "housekeeping unit," or "story" are stated in this code, they shall be construed as though they were followed by the words "or part thereof."

B. C. Add the following definitions to Section 202 of the IPMC to read:

Structure unfit for human occupancy. An existing structure determined by the code official to be dangerous to the health, safety and welfare of the occupants of the structure or the public because (i) of the degree to which the structure is in disrepair or lacks maintenance, ventilation, illumination, sanitary or heating facilities or other essential equipment, or (ii) the required plumbing and sanitary facilities are inoperable.

Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment that is in such disrepair or condition that such equipment is determined by the code official to be dangerous to the health, safety and welfare of the occupants of a structure or the public.

Unsafe structure. An existing structure (i) determined by the code official to be dangerous to the health, safety and welfare of the occupants of the structure or the public, (ii) that contains unsafe equipment, or (iii) that is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that partial or complete collapse is likely. A vacant existing structure unsecured or open shall be deemed to be an unsafe structure.

D. Delete the following definitions from Section 202 of the IEBC:

Condemn

Cost of such demolition of emergency repairs

Equipment support

Imminent danger

Inoperable motor vehicle

Labeled

Neglect

Openable area

Pest elimination

Strict liability offense

Ultimate deformation

Workmanlike

13VAC5-63-520. Chapter 3 General requirements.

A. Delete Section 302.1 of the IPMC.

B. Change Section 302.2 of the IPMC to read:

~~302.2 Grading and drainage. All premises shall be graded and maintained to protect the foundation walls or slab of the structure from the accumulation and drainage of surface or stagnant water in accordance with the VCC.~~

C. Change Section 302.3 of the IPMC to read:

~~302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar spaces regulated under the VCC shall be kept in a proper state of repair, and maintained free from hazardous conditions. Stairs shall comply with the requirements of Sections 305 and 702.~~

D. Delete Section 302.4 of the IPMC.

E. Change Section 302.5 of the IPMC to read:

~~302.5 Rodent harborage. All structures and adjacent premises shall be kept free from rodent harborage and infestation where such harborage or infestation adversely affects the structures.~~

F. Delete Sections 302.8 and 302.9 of the IPMC.

G. Delete Section 304.1.1 of the IPMC.

H. Change Section 304.7 of the IPMC to read:

~~304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall be discharged in a manner to protect the foundation or slab of buildings and structures from the accumulation of roof drainage.~~

I. Change Section 304.14 of the IPMC to read:

~~304.14 Insect screens. During the period from April 1 to December 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every screen door used for insect control shall have a self closing device in good working condition.~~

~~Exception: Screens shall not be required where other approved means, such as mechanical ventilation, air curtains or insect repellent fans, are used.~~

J. Delete Sections 304.18, 304.18.1, 304.18.2 and 304.18.3 of the IPMC.

K. Delete Section 305.1.1 of the IPMC.

L. Add Section 305.7 to the IPMC to read:

~~305.7 Carbon monoxide alarms. Carbon monoxide alarms shall be maintained as approved.~~

M. Delete Section 306 of the IPMC in its entirety.

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N. Change Section 308.1 of the IPMC to read as follows and delete the remaining provisions of Section 308:

~~308.1 Accumulation of rubbish and garbage. The interior of every structure shall be free from excessive accumulation of rubbish or garbage.~~

O. Change Section 309.1 of the IPMC to read:

~~309.1 Infestation. This section shall apply to the extent that insect and rodent infestation adversely affects a structure. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.~~

P. Add IPMC Section 310 Lead-Based Paint.

Q. Add Section 310.1 to the IPMC to read:

~~310.1 General. Interior and exterior painted surfaces of dwellings and child care facilities, including fences and outbuildings, that contain lead levels equal to or greater than 1.0 milligram per square centimeter or in excess of 0.50% lead by weight shall be maintained in a condition free from peeling, chipping and flaking paint or removed or covered in an approved manner. Any surface to be covered shall first be identified by an approved warning as to the lead content of such surface.~~

R. Add IPMC Section 311 Aboveground Liquid Fertilizer Storage Tanks (ALFSTs).

S. Add Section 311.1 to the IPMC to read:

~~311.1 General. ALFSTs shall be maintained in accordance with the requirements of Section 1701.16 of the VRC and the requirements of the VCC applicable to such ALFSTs when newly constructed and the requirements of the VRC when undergoing a change of occupancy to an ALFST and when repaired, altered or reconstructed, including the requirements for inspections and for a secondary containment system.~~

A. Delete the following sections from Chapter 3 of the IPMC:

1. Section 301.2 Responsibility.
2. Section 302.1 Sanitation.
3. Section 302.4 Weeds.
4. Section 302.6 Exhaust vents.
5. Section 302.8 Motor vehicles.
6. Section 302.9 Defacement of property.
7. Section 303.2 Enclosures.
8. Section 304.1.1 Unsafe conditions.
9. Section 304.18.1 Doors.
10. Section 304.18.2 Windows.
11. Section 304.18.3 Basement hatchways.
12. Section 305.1.1 Unsafe conditions.

13. Section 306 Component serviceability (all provisions).

14. Section 308.2 Disposal of rubbish.

15. Section 308.2.1 Rubbish storage facilities.

16. Section 308.2.2 Refrigerators.

17. Section 308.3 Disposal of garbage.

18. Section 308.3.1 Garbage facilities.

19. Section 308.3.2 Containers.

20. Section 309.2 Owner.

21. Section 309.3 Single occupant.

22. Section 309.4 Multiple occupancy.

23. Section 309.5 Occupant.

B. Change the following sections in Chapter 3 of the IPMC to read:

1. Section 301.1 Scope. The provisions of this chapter shall govern the minimum conditions for the maintenance of structures and equipment and for the maintenance of exterior property to the extent that this code is applicable.

2. Section 301.3 Vacant structures. Vacant structures shall be maintained in a clean, safe, secure, and sanitary condition as provided for in this code.

3. Section 302.2 Grading and drainage. All premises shall be graded and maintained to protect the foundation walls or slab of the structure from the accumulation and drainage of surface or stagnant water in accordance with the VCC.

4. Section 302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces, and similar spaces regulated under the VCC shall be kept in a proper state of repair and maintained free from hazardous conditions.

5. Section 302.5 Rodent harborage. All structures and adjacent premises shall be kept free from rodent harborage and infestation where such harborage or infestation adversely affects the structures.

6. Section 303.2 Enclosures. Swimming pool, hot tub, and spa barriers shall be maintained as required by the code or ordinance under which such barriers were constructed.

7. Section 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound, and sanitary so as not to pose a threat to the health, safety, or welfare.

8. Section 304.3 Premises identification. Address numbers of buildings shall be maintained when required by the code under which such buildings were constructed or when required by ordinance.

9. Section 304.7 Roofs and drainage. The roof and flashing shall be sound, tight, and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof water shall be discharged in a manner to

protect the foundation or slab of buildings and structures from the accumulation of roof drainage.

10. Section 304.14 Insect screens. During the period from April 1 to December 1, every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with an approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as mechanical ventilation, air curtains, or insect repellent fans, are used.

11. Section 304.18 Building security. Devices designed to provide security for the occupants and property within, when required by the code under which a building was constructed, or when provided, shall be maintained unless their removal is approved by the building official under the VCC.

12. Section 304.19 Gates. To the extent required by the code under which constructed or to the extent provided when constructed, exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

13. Section 305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound, and in a sanitary condition.

14. Section 307.1 General. Handrails and guards required by the code under which a building was constructed or which were provided when a building was constructed shall be maintained.

15. Section 308.1 Accumulation of rubbish or garbage. The interior of every structure shall be free from excessive accumulation of rubbish or garbage.

16. Section 309 Pest Infestation and extermination.

17. Section 309.1 Infestation. This section shall apply to the extent that insect and rodent infestation adversely affects a structure. All structures shall be kept free from insect and rodent infestation. Structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

C. Add the following sections to Chapter 3 of the IPMC:

1. Section 305.7 Carbon monoxide alarms. Carbon monoxide alarms shall be maintained as approved.

2. Section 310 Lead-based paint.

3. Section 310.1 General. Interior and exterior painted surfaces of dwellings and child care facilities, including fences and outbuildings, that contain lead levels equal to or greater than 1.0 milligram per square centimeter or in excess of 0.50% lead by weight shall be maintained in a condition free from peeling, chipping, and flaking paint or removed or covered in an approved manner. Any surface to be covered shall first be identified by an approved warning as to the lead content of such surface.

4. Section 311 Aboveground liquid fertilizer storage tanks (ALFST).

5. Section 311.1 General. ALFSTs shall be maintained in accordance with the requirements of Section 1701.16 of the VEBC and the requirements of the VCC applicable to such ALFSTs when newly constructed and the requirements of the VEBC when undergoing a change of occupancy to an ALFST and when repaired, altered, or reconstructed, including the requirements for inspections and for a secondary containment system.

13VAC5-63-524. Chapter 4 Light, ventilation, and occupancy limitations.

A. Delete the following sections from Chapter 4 of the IPMC:

1. Section 401.2 Responsibility.

2. Section 401.3 Alternative devices.

3. Section 402.2 Common halls and stairways.

4. Section 402.3 Other spaces.

5. Section 403.2 Bathrooms and toilet rooms.

6. Section 403.5 Clothes dryer exhaust.

B. Change the following sections in Chapter 4 of the IPMC to read:

1. Section 401.1 Scope. The provisions of this chapter shall govern the maintenance of structures for light, ventilation, and space for occupancy.

2. Section 402.1 Natural or artificial light. Every habitable space, hallway, stairway, bathroom, and other spaces shall be maintained to provide natural or artificial light to the extent required by the code under which a building was constructed or to the extent provided when such building was constructed.

3. Section 403.1 Natural or mechanical ventilation. Every habitable space, hallway, stairway, bathroom, and other spaces shall be maintained to provide natural or mechanical ventilation to the extent required by the code under which a building was constructed or to the extent provided when such building was constructed.

4. Section 403.4 Process ventilation. Local exhaust systems required by the code under which a building was constructed, or which are provided, that exhaust injurious, toxic, irritating, or noxious fumes, gases, dusts, or mists to the exterior of a building shall be maintained to prevent compromising the required ventilation system.

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C. Add the following section to Chapter 4 of the IPMC:

Section 404.05 Limitation of application of section. The provisions of Section 404 that address construction aspects of occupancy limitations shall apply on the extent that such requirements were part of the code under which a building was constructed. Operational requirements such as the use of rooms or minimum areas per occupant are part of this code to the extent that they do not require alterations to be made to a building.

13VAC5-63-530. Chapter 5 Plumbing facilities and fixture requirements.

A. Add Section 505.5 to the IPMC to read:

~~505.5 Inspection and testing of backflow prevention assemblies. Inspection and testing shall comply with Sections 505.5.1 and 505.5.2.~~

B. Add Section 505.5.1 to the IPMC to read:

~~505.5.1 Inspections. Inspections shall be made of all backflow prevention assemblies and air gaps to determine whether they are operable.~~

C. Add Section 505.5.2 to the IPMC to read:

~~505.5.2 Testing. Reduced pressure principle backflow preventer assemblies, double check valve assemblies, double detector check valve assemblies and pressure vacuum breaker assemblies shall be tested at the time of installation, immediately after repairs or relocation and at least annually. The testing procedure shall be performed in accordance with one of the following standards: ASSE 5010 1013 1, Sections 1 and 2; ASSE 5010 1015 1, Sections 1 and 2; ASSE 5010 1015 2; ASSE 5010 1015 3, Sections 1 and 2; ASSE 5010 1015 4, Sections 1 and 2; ASSE 5010 1020 1, Sections 1 and 2; ASSE 5010 1047 1, Sections 1, 2, 3 and 4; ASSE 5010 1048 1, Sections 1, 2, 3 and 4; ASSE 5010 1048 2; ASSE 5010 1048 3, Sections 1, 2, 3 and 4; ASSE 5010 1048 4, Sections 1, 2, 3 and 4; or CAN/CSA B64.10.~~

D. Change Section 507.1 of the IPMC to read:

~~507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall be discharged in a manner to protect the buildings and structures from the accumulation of overland water runoff.~~

A. Change the title of Chapter 5 of the IPMC to "Plumbing Requirements."

B. Delete the following sections from Chapter 5 of the IPMC:

1. Section 501.2 Responsibility.
2. Section 502 Required facilities (all provisions).
3. Section 503 Toilet rooms (all provisions).
4. Section 505.3 Supply.

C. Change the following sections in Chapter 5 of the IPMC to read:

1. Section 501.1 General. The provisions of this chapter shall govern the maintenance of structures for plumbing systems, facilities, and fixtures.

2. Section 504.1 General. Required or provided plumbing systems and facilities shall be maintained in compliance with the code under which constructed.

3. Section 504.2 Plumbing fixtures. All plumbing fixtures shall be maintained in a safe, sanitary, and working condition. A kitchen sink shall not be used as a substitute for a required lavatory.

4. Section 504.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the public, the occupants, or the structure, the code official shall require the defects to be corrected to eliminate the hazard.

5. Section 505.1 Supply. Required or provided water supply systems shall be maintained in compliance with the code under which the systems were constructed. All water supply systems shall be free from obstructions, defects, and leaks.

6. Section 505.2 Protection of water supply systems. Protection of water supply systems shall be provided to the extent required by the code under which a building was constructed and shall be maintained.

7. Section 505.3 Inspection and testing of backflow prevention systems. Inspection and testing shall comply with Sections 505.3.1 and 505.3.2.

8. Section 505.4 Water heating facilities. Water heating facilities shall be maintained. Combination temperature and pressure-relief valves and relief valve discharge pipes shall be maintained on water heaters.

9. Section 506.1 Drainage and venting. Required or provided sanitary drainage and venting systems shall be maintained in compliance with the code under which the system was constructed.

10. Section 506.2 Maintenance. Every building drainage and sewer system shall function properly and be kept free from obstructions, leaks, and defects.

11. Section 507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall be discharged in a manner to protect the buildings and structures from the accumulation of overland water runoff.

D. Add the following sections to Chapter 5 of the IPMC:

1. Section 504.1.1 Public and employee facilities. Except for periodic maintenance or cleaning, access and use shall be provided to facilities at all times during occupancy of the premises in accordance with the code under which constructed.

2. Section 504.2.1 Fixture clearances. Adequate clearances for usage and cleaning of plumbing fixtures shall be maintained as approved when installed.

3. Section 505.1.1 Tempered water. Tempered water shall be supplied to fixtures and facilities when required by the code under which constructed.

4. Section 505.2.1 Attached hoses. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses are attached and left in place shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

5. Section 505.3.1 Inspections. Inspections shall be made of all backflow assemblies and air gaps to determine whether they are operable.

6. Section 505.3.2 Testing. Reduced pressure principle backflow preventer assemblies, double check-valve assemblies, double-detector check valve assemblies, and pressure vacuum breaker assemblies shall be tested at the time of installation, immediately after repairs or relocation and at least annually. The testing procedure shall be performed in accordance with one of the following standards: ASSE 5010-1013-1, Sections 1 and 2; ASSE 5010-1015-1, Sections 1 and 2; ASSE 5010-1015-2; ASSE 5010-1015-3, Sections 1 and 2; ASSE 5010-1015-4, Sections 1 and 2; ASSE 5010-1020-1, Sections 1 and 2; ASSE 5010-1047-1, Sections 1, 2, 3 and 4; ASSE 5010-1048-1, Sections 1, 2, 3 and 4; ASSE 5010-1048-2; ASSE 5010-1048-3, Sections 1, 2, 3 and 4; ASSE 5010-1048-4, Sections 1, 2, 3 and 4; or CAN/CSA B64.10.

13VAC5-63-540. Chapter 6 Mechanical and electrical requirements.

A. Change Section 602 of the IPMC to read:

Section 602 Heating and Cooling Facilities.

B. Change Section 602.1 of the IPMC to read:

602.1 Facilities required. Heating and cooling facilities shall be maintained and operated in structures as required by this section.

C. Change Section 602.2 of the IPMC to read:

602.2 Heat supply. Every owner and operator of a Group R-2 apartment building or other residential dwelling who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 15 to May 1 to maintain a temperature of not less than 65°F (18°C) in all habitable rooms, bathrooms, and toilet rooms. The code official may also consider modifications as provided in Section 104.5.2 when requested for unusual circumstances or may issue notice approving building owners to convert shared heating and cooling piping HVAC systems 14 calendar days before or after the established dates when extended periods of unusual temperatures merit modifying these dates.

~~Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the IPC.~~

D. Add Section 602.2.1 to the IPMC to read:

602.2.1 Prohibited use. In dwelling units subject to Section 602.2, one or more unvented room heaters shall not be used as the sole source of comfort heat in a dwelling unit.

E. Change Section 602.3 of the IPMC to read:

602.3 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 15 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

- ~~1. Processing, storage and operation areas that require cooling or special temperature conditions.~~
- ~~2. Areas in which persons are primarily engaged in vigorous physical activities.~~

F. Change Section 602.4 of the IPMC to read:

602.4 Cooling supply. Every owner and operator of a Group R-2 apartment building who rents, leases or lets one or more dwelling units, rooming units or guestrooms on terms, either expressed or implied, to furnish cooling to the occupants thereof shall supply cooling during the period from May 15 to October 1 to maintain a temperature of not more than 80°F (27°C) in all habitable rooms. The code official may also consider modifications as provided in Section 104.5.2 when requested for unusual circumstances or may issue notice approving building owners to convert shared heating and cooling piping HVAC systems 14 calendar days before or after the established dates when extended periods of unusual temperatures merit modifying these dates.

~~Exception: When the outdoor temperature is higher than the summer design temperature for the locality, maintenance of the room temperature shall not be required provided that the cooling system is operating at its full design capacity. The summer outdoor design temperature for the locality shall be as indicated in the IECC.~~

G. Change the exception to Section 604.3.1.1 of the IPMC to read:

Exception: The following equipment shall be allowed to be repaired or reused where an inspection report from the equipment manufacturer, an approved representative of the equipment manufacturer, a third party licensed or certified electrician, or an electrical engineer indicates that the exposed equipment has not sustained damage that requires replacement:

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1. Enclosed switches, rated 600 volts or less;
2. Busway, rated 600 volts or less;
3. Panelboards, rated 600 volts or less;
4. Switchboards, rated 600 volts or less;
5. Fire pump controllers, rated 600 volts or less;
6. Manual and magnetic motor controllers;
7. Motor control centers;
8. Alternating current high voltage circuit breakers;
9. Low voltage power circuit breakers;
10. Protective relays, meters and current transformers;
11. Low voltage and medium voltage switchgear;
12. Liquid filled transformers;
13. Cast resin transformers;
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
16. Luminaires that are listed as submersible;
17. Motors;
18. Electronic control, signaling and communication equipment.

H. Change Section 606.1 to the IPMC to read:

~~606.1 General. Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building operator or be posted in a publicly conspicuous location approved by the code official. An annual periodic inspection and test is required of elevators and escalators. A locality shall be permitted to require a six month periodic inspection and test. All periodic inspections shall be performed in accordance with Section 8.11 of ASME A17.1. The code official may also provide for such inspection by an approved agency or through agreement with other local certified elevator inspectors. An approved agency includes any individual, partnership or corporation who has met the certification requirements established by the VCS.~~

A. Delete the following sections from Chapter 6 of the IPMC:

1. Section 601.2 Responsibility.
2. Section 603.6 Energy conservation devices.
3. Section 604.2 Service.
4. Section 604.3.2 Abatement of electrical hazards associated with fire exposure.
5. Section 604.3.2.1 Electrical equipment.

B. Change the following sections in Chapter 6 of the IPMC to read:

1. Section 601.1 General. The provisions of this chapter shall govern the maintenance of mechanical and electrical facilities and equipment.

2. Section 602 Heating and cooling facilities.

3. Section 602.2 Heat supply. Every owner and operator of a Group R-2 apartment building or other residential building who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory, or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 15 to May 1 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms. The code official may also consider modifications as provided in Section 104.5.2 when requested for unusual circumstances or may issue notice approving building owners to convert shared heating and cooling piping HVAC systems 14 calendar days before or after the established dates when extended periods of unusual temperatures merit modifying these dates.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the IPC.

4. Section 602.3 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 15 to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage, and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

5. Section 602.4 Cooling supply. Every owner and operator of a Group R-2 apartment building who rents, leases, or lets one or more dwelling units, rooming units, or guestrooms on terms, either expressed or implied, to furnish cooling to the occupants thereof shall supply cooling during the period from May 15 to October 1 to maintain a temperature of not more than 80°F (27°C) in all habitable rooms. The code official may also consider modifications as provided in Section 104.5.2 when requested for unusual circumstances or may issue notice approving building owners to convert shared heating and cooling piping HVAC systems 14 calendar days before or after the established dates when extended periods of unusual temperatures merit modifying these dates.

Exception: When the outdoor temperature is higher than the summer design temperature for the locality, maintenance of the room temperature shall not be required provided that the cooling system is operating at its full design capacity. The summer outdoor design temperature for the locality shall be as indicated in the IECC.

6. Section 603.1 Mechanical appliances. Required or provided mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances, chimneys, vents, and water heating appliances shall be maintained in compliance with the code under which the appliances, system, or equipment was installed, kept in safe working condition, and capable of performing the intended function.

7. Section 603.2 Removal of combustion products. Where required by the code under which installed, fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

8. Section 603.5 Combustion air. Where required by the code under which installed, a supply of air for complete combustion of the fuel shall be provided for the fuel-burning equipment.

9. Section 604.1 Electrical system. Required or provided electrical systems and facilities shall be maintained in compliance with the code under which the system or facility was constructed.

10. Section 604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

11. Section 604.3.1.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors, and electronic control, signaling, and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the VCC.

Exception: The following equipment shall be allowed to be repaired or reused where an inspection report from the equipment manufacturer, an approved representative of the equipment manufacturer, a third party licensed or certified electrician, or an electrical engineer indicates that the exposed equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated 600 volts or less;
2. Busway, rated 600 volts or less;
3. Panelboards, rated 600 volts or less;
4. Switchboards, rated 600 volts or less;

5. Fire pump controllers, rated 600 volts or less;

6. Manual and magnetic motor controllers;

7. Motor control centers;

8. Alternating current high-voltage circuit breakers;

9. Low-voltage power circuit breakers;

10. Protective relays, meters, and current transformers;

11. Low-voltage and medium-voltage switchgear;

12. Liquid-filled transformers;

13. Cast-resin transformers;

14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;

15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;

16. Luminaires that are listed as submersible;

17. Motors; or

18. Electronic control, signaling, and communication equipment.

12. Section 605.1 Electrical components. Electrical equipment, wiring, and appliances shall be maintained in compliance with the code under which constructed and in a safe manner.

13. Section 605.2 Power distribution and receptacles. Required or provided power circuits and receptacles shall be maintained in accordance with the code under which constructed and ground fault and arc-fault circuit interrupter protection shall be provided where required by the code in effect at the time of construction. All receptacle outlets shall have the appropriate faceplate cover for the location when required by the code under which constructed.

14. Section 605.3 Lighting distribution and luminaires. Required or provided lighting circuits and luminaires shall be maintained in compliance with the code under which constructed.

15. Section 605.4 Flexible cords. Flexible cords shall not be run through doors, windows, or cabinets or concealed within walls, floors, or ceilings.

16. Section 606.1 General. Elevators, dumbwaiters, and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building operator, or be posted in a publicly conspicuous location approved by the code official. An annual periodic inspection and test is required of elevators and escalators. A locality shall be permitted to require a six-month periodic inspection and test. All periodic inspections shall be performed in accordance with Section 8.11 of ASME A17.1. The code official may also provide for such inspection by an approved agency or

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through agreement with other local certified elevator inspectors. An approved agency includes any individual, partnership, or corporation who has met the certification requirements established by the VCS.

C. Add the following sections to Chapter 6 of the IPMC:

1. Section 602.2.1 Prohibited use. In dwelling units subject to Section 602.2, one or more unvented room heaters shall not be used as the sole source of comfort heat in a dwelling unit.

2. Section 607.2 Clothes dryer exhaust duct. Required or provided clothes dryer exhaust systems shall be maintained in compliance with the code under which constructed.

13VAC5-63-545. Chapter 7 Fire safety requirements.

A. Delete the following sections from Chapter 7 of the IPMC:

1. Section 701.2 Responsibility.
2. Section 704.1.2 Fire department connection.
3. Section 704.2.1 Where required.
4. Section 704.2.1.1 Group R-1.
5. Section 704.2.1.2 Groups R-2, R-3, R-4, and I-1.
6. Section 704.2.1.3 Installation near cooking appliances.
7. Section 704.2.1.4 Installation near bathrooms.
8. Section 704.2.2 Interconnection.
9. Section 704.2.3 Power source.
10. Section 704.2.4 Smoke detection system.

B. Change the following sections in Chapter 7 of the IPMC:

1. Section 701.1 General. The provisions of this chapter shall govern the maintenance of fire safety facilities and equipment.

2. Section 702.2 Aisles. The required width of aisles shall be maintained in accordance with the code under which constructed.

3. Section 702.3 Doors. Means of egress doors shall be maintained and, to the extent required by the code in effect at the time of construction, shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge, or effort.

4. Section 702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction and to the extent required by the code in effect at the time of construction shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates, or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool, or force greater than that

which is required for normal operation of the escape and rescue opening.

5. Section 704.1 General. Systems, devices, and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times.

6. Section 704.1.1 Automatic sprinkler systems. Inspection, testing, and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25 for the purpose of operation and maintenance.

7. Section 704.2 Single-station and multiple-station smoke alarms. Required or provided single-station and multiple-station smoke alarms shall be maintained in compliance with the code under which they were constructed.

13VAC5-63-549. Chapter 8 Referenced standards.

Change the referenced standards in Chapter 8 of the IPMC as follows (standards not shown remain the same):

<u>Standard reference number</u>	<u>Title</u>	<u>Referenced in code section number</u>
<u>ASSE 5010-1013-1</u>	<u>Field Test Procedure for a Reduced Pressure Principle Assembly Using a Differential Pressure Gauge, 1991</u>	<u>505.3.2</u>
<u>ASSE 5010-1015-1</u>	<u>Field Test Procedure for a Double Check Valve Assembly Using a Duplex Gauge, 1991</u>	<u>505.3.2</u>
<u>ASSE 5010-1015-2</u>	<u>Field Test Procedure for a Double Check Valve Assembly Using a Differential Pressure Gauge - High- and Low-Pressure Hose Method, 1991</u>	<u>505.3.2</u>
<u>ASSE 5010-1015-3</u>	<u>Field Test Procedure for a Double Check Valve Assembly Using a Differential Pressure Gauge - High Pressure Hose Method, 1991</u>	<u>505.3.2</u>
<u>ASSE 5010-1015-4</u>	<u>Field Test Procedure for a Double Check Valve Assembly Using a Site Tube, 1991</u>	<u>505.3.2</u>
<u>ASSE 5010-1020-1</u>	<u>Field Test Procedures for a Pressure Vacuum Breaker Assembly, 1991</u>	<u>505.3.2</u>

<u>ASSE 5010-1047-1</u>	<u>Field Test Procedure for a Reduced Pressure Detector Assembly Using a Differential Pressure Gauge, 1991</u>	<u>505.3.2</u>
<u>ASSE 5010-1048-1</u>	<u>Field Test Procedure for a Double Check Detector Assembly Using a Duplex Gauge, 1991</u>	<u>505.3.2</u>
<u>ASSE 5010-1048-2</u>	<u>Field Test Procedure for a Double Check Detector Assembly Using a Differential Pressure Gauge - High- and Low-Pressure Hose Method, 1991</u>	<u>505.3.2</u>
<u>ASSE 5010-1048-3</u>	<u>Field Test Procedure for a Double Check Detector Assembly Using a Differential Pressure Gauge - High-Pressure Hose Method, 1991</u>	<u>505.3.2</u>
<u>ASSE 5010-1048-4</u>	<u>Field Test Procedure for a Double Check Detector Assembly Using a Site Tube, 1991</u>	<u>505.3.2</u>
<u>CAN/CSA-B64.10-01</u>	<u>Manual for the Selection and Installation of Backflow Prevention Devices/Manual for the Maintenance and Field Testing of Backflow Prevention Devices</u>	<u>505.3.2</u>

International Zoning Code - 2015 Edition
ICC/ANSI A117.1-09, Accessible and Usable Buildings and Facilities, Approved November 26, 2003
 Air Conditioning Contractors of America, 2800 Shirlington Road, Suite 300, Arlington, VA 22206 (<https://www.acca.org/>):
 Manual J-11, Residential Load Calculation, Eighth Edition
 Manual S-04 S-13, Residential Equipment Selection
 ACI ~~318-11~~ 318-14, Building Code Requirements for Structural Concrete, American Concrete Institute, 38800 Country Club Drive, Farmington Hills, MI 48331 (<http://www.concrete.org/>)
 American Petroleum Institute, 1220 L Street, NW, Washington, DC 20005-4070 (<http://www.api.org/>):
 API 650-09, Welded Tanks for Oil Storage, Eleventh Edition, June 2007 (Addendum 1, November 2008, Addendum 2, November 2009, effective May 1, 2010)
 API 653-09, Tank Inspection, Repair, Alteration, and Reconstruction
ANSI LC1/CSA 6.26-14, Fuel Gas Piping Systems Using Corrugated Stainless Steel Tubing (CSST), American National Standards Institute, 25 West 43rd Street, Fourth Floor, New York, NY 10036
~~ASHRAE 193 2010, Method of Test for Determining the Airtightness of HVAC Equipment, American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc., 1791 Tullie Circle, NE, Atlanta, GA 30329 2305~~ (<https://www.ashrae.org/>)
 American Society of Testing Materials International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959 (<http://www.astm.org/>):
 ASTM ~~C199-84(2005)~~ C199-84(2011), Standard Test Method for Pier Test for Refractory Mortar
 ASTM ~~C315-07~~ C315-07(2011), Standard Specification for Clay Flue Liners and Chimney Pots
 ASTM ~~C1261-07~~ C1261-10, Standard Specification for Firebox Brick for Residential Fireplaces
 ASTM ~~D1557-07~~ D1557-12, Standard Test Methods for Laboratory Compaction Characteristics of Soil Using Modified Effort (56,000 ft-lbf/ft³(2700 kN-m/m³))
ASTM E84-2013A, Test Methods for Surface Burning Characteristics of Building Materials
 ASTM E90-90, Standard Test Method for Laboratory Measurement of Airborne Sound Transmission Loss of Building Partitions
~~ASTM E283-04, Standard Test Method for Determining Rate of Air Leakage Through Exterior Windows, Curtain Walls, and Doors Under Specified Pressure Differences Across the Specimen~~
ASTM E119-2012A, Standard Test Methods for Fire Tests of Building Construction and Materials

DOCUMENTS INCORPORATED BY REFERENCE (13VAC5-63)

International Code Council, Inc., 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070 (<http://www.iccsafe.org/>):
 International Building Code - ~~2012~~ 2015 Edition
 International Energy Conservation Code - ~~2012~~ 2015 Edition
 International Existing Building Code - ~~2012~~ 2015 Edition
 International Fire Code - ~~2012~~ 2015 Edition
 International Fuel Gas Code - ~~2012~~ 2015 Edition
 International Mechanical Code - ~~2012~~ 2015 Edition
 International Property Maintenance Code - ~~2012~~ 2015 Edition
 International Plumbing Code - ~~2012~~ 2015 Edition
 International Residential Code for One and Two Family Dwellings - ~~2012~~ 2015 Edition
 International Swimming Pool and Spa Code - ~~2012~~ 2015 Edition

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ASTM E329-02, Standard Specification for Agencies Engaged in the Testing and/or Inspection of Materials Used in Construction

ASTM F2006-10, Standard Safety Specification for Window Fall Prevention Devices for Nonemergency Escape (Egress) and Rescue (Ingress) Windows

~~ASTM F2090-08~~ F2090-10, Standard Specification for Window Fall Prevention Devices with Emergency Escape (Egress) Release Mechanisms

CAN/CSA-B64.10-01, Manual for the Selection and Installation of Backflow Prevention Devices/Manual for the Maintenance and Field Testing of Backflow Prevention Devices, June 2003, National Standards of Canada, 5060 Spectrum Way, Suite 100, Mississauga, Ontario, Canada L4W5N6 (<http://www.csa.ca>)

American Society of Mechanical Engineers, Three Park Avenue, New York, NY 10016-5990 (<https://www.asme.org/>):

~~ASME A17.1/CSA B44-2007~~ Safety Code for Elevators and Escalators

~~ASME A17.1/CSA B44-2010~~ A17.1/CSA B44-13, Safety Code for Elevators and Escalators

~~ASME A18.1-2011~~, Safety Standard for Platform Lifts and Stairway Chairlifts

American Society of Sanitary Engineering, 901 Canterbury Road, Suite A, Westlake, OH 44145 (<http://www.asse-plumbing.org/>):

ASSE 1010-2004, Performance Requirements for Water Hammer Arrestors

ASSE 1022-03, Performance Requirements for Backflow Preventer for Beverage Dispensing Equipment

ASSE 1024-04, Performance Requirements for Dual Check Valve Type Backflow Preventers (for Residential Supply Service or Individual Outlets)

ASSE 5010-1013-1, Field Test Procedure for a Reduced Pressure Principle Assembly Using a Differential Pressure Gauge, 1991

ASSE 5010-1015-1, Field Test Procedure for a Double Check Valve Assembly Using a Duplex Gauge, 1991

ASSE 5010-1015-2, Field Test Procedure for a Double Check Valve Assembly Using a Differential Pressure Gauge - High- and Low-Pressure Hose Method, 1991

ASSE 5010-1015-3, Field Test Procedure for a Double Check Valve Assembly Using a Differential Pressure Gauge - High Pressure Hose Method, 1991

ASSE 5010-1015-4, Field Test Procedure for a Double Check Valve Assembly Using a Site Tube, 1991

ASSE 5010-1020-1, Field Test Procedures for a Pressure Vacuum Breaker Assembly, 1991

ASSE 5010-1047-1, Field Test Procedure for a Reduced Pressure Detector Assembly Using a Differential Pressure Gauge, 1991

ASSE 5010-1048-1, Field Test Procedure for a Double Check Detector Assembly Using a Duplex Gauge, 1991

ASSE 5010-1048-2, Field Test Procedure for a Double Check Detector Assembly Using a Differential Pressure Gauge - High- and Low-Pressure Hose Method, 1991

ASSE 5010-1048-3, Field Test Procedure for a Double Check Detector Assembly Using a Differential Pressure Gauge - High-Pressure Hose Method, 1991

ASSE 5010-1048-4, Field Test Procedure for a Double Check Detector Assembly Using a Site Tube, 1991

ASCE/SEI 7-10, Minimum Design Loads for Buildings and Other Structures, American Society of Civil Engineers/Structural Engineering Institute, 1801 Alexander Bell Drive, Reston, VA 20191-4400 (<http://www.asce.org/sei/>)

National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471 (<http://www.nfpa.org/>):

~~NFPA 43-10~~ 13-13, Installation of Sprinkler Systems

NFPA 13R-10 13R-13, Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height

~~NFPA 13D-10~~, Standard for the Installation of Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes

NFPA 25-14, Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems

~~NFPA 70-11~~ 70-14, National Electrical Code

~~NFPA 72-10~~, National Fire Alarm Code

NFPA 91-15, Standard for Exhaust Systems for Air Conveying of Vapors, Mists and Particulate Solids

~~NFPA 405-10~~ 105-13, Standard for the Installation of Smoke Door Assemblies

~~NFPA 285-06~~ 285-12, Standard Method of Test for the Evaluation of Flammability Characteristics of Exterior Nonload-bearing Wall Assemblies Containing Combustible Components

~~NFPA 495-01~~ 495-13, Explosive Materials Code

NFPA 701-10, Standard Methods of Fire Tests for Flame-propagation of Textiles and Films

~~NFPA 704-12~~, Standard System for the Identification of the Hazards of Materials for Emergency Response

~~NFPA 720-09~~ 720-15, Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment

NSF 50-2009a, Equipment for Swimming Pools, Spas, Hot Tubs and Other Recreational Water Facilities, NSF International, 789 Dixboro Road, P.O. Box 130140, Ann Arbor, MI 48113 (<http://nsf.org>)

TFI RMIP-09, Aboveground Storage Tanks Containing Liquid Fertilizer, Recommended Mechanical Integrity Practices, December 2009, The Fertilizer Institute, 820 First Street, NE, Suite 430, Washington, DC 20002

Underwriters Laboratories, Inc., 333 Pfingsten Road, Northbrook, IL 60062 (<http://www.ul.com>):

~~UL 87A-12, Outline of Investigation for Power Operated Dispensing Devices for Gasoline and Gasoline/ethanol Blends with Nominal Ethanol Concentrations up to 85 Percent~~

~~UL 294-2010, Access Control System Units (Fifth Edition with revisions through September 17, 2010)~~

UL 217-06, Single- and Multiple-station Smoke Alarms with revisions through April 2012

UL 723-2008, Standard for Test of Surface Burning Characteristics of Building Materials with Revisions through September 2010

UL 762-2010, Outline of Investigation for Power Ventilators for Restaurant Exhaust Appliances

UL 1784-01, Air Leakage Tests of Door Assemblies, revised July 2009

UL 1978-2010, Grease Ducts

UL 2034-2008, Standard for Single and Multiple Station Carbon Monoxide Alarms, revised February 2009

UL 2075-2013, Gas and Vapor Detectors and Sensors (Second Edition, March 5, 2013)

[Interim Remediation Guidance for Homes with Corrosion from Problem Drywall, April 2, 2010, Joint Report, Consumer Products Safety Commission and Department of Housing and Urban Development](#)

VA.R. Doc. No. R16-4664; Filed January 20, 2017, 2:39 p.m.

Proposed Regulation

REGISTRAR'S NOTICE: The Board of Housing and Community Development is claiming an exemption from Article 2 of the Administrative Process Act pursuant to § 2.2-4006 A 12 of the Code of Virginia, which excludes regulations adopted by the Board of Housing and Community Development pursuant to the Statewide Fire Prevention Code (§ 27-94 et seq.), the Industrialized Building Safety Law (§ 36-70 et seq.), the Uniform Statewide Building Code (§ 36-97 et seq.), and § 36-98.3 of the Code of Virginia, provided the board (i) provides a Notice of Intended Regulatory Action in conformance with the provisions of § 2.2-4007.01, (ii) publishes the proposed regulation and provides an opportunity for oral and written comments as provided in § 2.2-4007.03, and (iii) conducts at least one public hearing as provided in §§ 2.2-4009 and 36-100 prior to the publishing of the proposed regulations.

Title of Regulation: **13VAC5-91. Virginia Industrialized Building Safety Regulations (amending 13VAC5-91-160, 13VAC5-91-180, 13VAC5-91-200, 13VAC5-91-240, 13VAC5-91-260, 13VAC5-91-270).**

Statutory Authority: § 36-73 of the Code of Virginia.

Public Hearing Information:

May 15, 2017 - 10 a.m. - Virginia Housing Development Authority Virginia Housing Center, 4224 Cox Road, Glen Allen, VA 23060

Public Comment Deadline: April 21, 2017.

Agency Contact: Elizabeth O. Rafferty, Policy and Legislative Director, Department of Housing and Community Development, Main Street Centre, 600 East Main Street, Suite 300, Richmond, VA 23219, telephone (804) 371-7011, FAX (804) 371-7090, TTY (804) 371-7089, or email elizabeth.rafferty@dhdcd.virginia.gov.

Background: The Virginia Industrialized Building Safety Regulations (IBSR) governs the in-factory construction of industrialized buildings, which are also known as modular buildings. The regulations provide the same standards for construction as those buildings constructed on site and regulated by the Virginia Uniform Statewide Building Code (13VAC5-63). Both regulations utilize nationally recognized model building codes and standards to provide the technical requirements for the actual construction of the regulated buildings. Every three years, new editions of the model codes become available. At that time, the Board of Housing and Community Development initiates a regulatory action to incorporate the newest editions of the model codes into the regulation and accepts proposals for changes to the regulation from affected client groups and the public. The Department of Housing and Community Development staff maintains mailing lists for workgroups involving different subject areas of regulation and conducts workgroup meetings to develop consensus recommendations, when possible, concerning submitted proposals. The department uses an online program incorporating the provisions of the regulation and the model codes and standards to facilitate the submittal of proposals. A public hearing is held during the workgroup meeting stage of the process and a comment period established. Once workgroup meetings are completed, the board holds a series of meetings to consider each proposal, and the approved proposals are incorporated into the proposed regulation. After publication of the proposed regulation, the board establishes a comment period for the acceptance of comments on amendments reflected in the proposed regulation, and an additional public hearing is held. The board then meets to consider proposals and public comments and develops a final regulation to complete the regulatory process.

Summary:

The proposed amendments to the IBSR are as follows:

13VAC5-91-160: Update the referenced model codes and standards to the most recent editions available.

13VAC5-91-180: Remove a re-approval provision for compliance assurance agencies that do the inspection and approval of construction of industrialized buildings in the plants. Added in the last update of the regulation, this requirement has proven to be burdensome and

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unnecessary. The department, which administers the regulation, already has the authority in other provisions of these subsections to review compliance assurance agencies for continued compliance with all requirements applicable to compliance assurance agencies and may revoke or suspend approvals if warranted.

13VAC5-91-200: Delete language authorizing the department's administrator to consider whether the services provided by compliance assurance agencies have been accepted by other jurisdictions. The phrase "and by other jurisdictions" is unclear since this is a state-administered program.

13VAC5-91-240: Add language to permit a manufacturer to apply an approval label on an industrialized building when authorized to do so by a compliance assurance agency. The manufacturers and compliance assurance agencies may work together to assure whatever process works best for them may be used. The administrator has the authority to monitor the activities of both the manufacturers and compliance assurance agencies and audit records to assure that labels are not inappropriately handled.

13VAC5-91-260 E: Add language addressing the refunding of fees for unused registration seals to clarify the process.

13VAC5-91-160. Use of model codes and standards.

A. Industrialized buildings ~~produced~~ entering the production assembly line after the effective date of the ~~2012~~ 2015 edition of this chapter shall comply with all applicable requirements of the codes and standards listed in subsection B of this section except that the following codes and standards may be used for ~~one year~~ industrialized buildings entering the assembly line during a one-year period after the effective date of the ~~2012~~ 2015 edition of this chapter:

1. ICC International Building Code - ~~2009~~ 2012 Edition
2. ICC International Plumbing Code - ~~2009~~ 2012 Edition
3. ICC International Mechanical Code - ~~2009~~ 2012 Edition
4. National Fire Protection Association Standard Number 70 (National Electrical Code) - ~~2008~~ 2011 Edition
5. ICC International Fuel Gas Code - ~~2009~~ 2012 Edition
6. ICC International Energy Conservation Code - ~~2009~~ 2012 Edition
7. ICC International Residential Code - ~~2009~~ 2012 Edition

B. The following documents are adopted and incorporated by reference to be an enforceable part of this chapter:

1. ICC International Building Code - ~~2012~~ 2015 Edition
2. ICC International Plumbing Code - ~~2012~~ 2015 Edition
3. ICC International Mechanical Code - ~~2012~~ 2015 Edition
4. National Electrical Code - ~~2011~~ 2014 Edition
5. ICC International Fuel Gas Code - ~~2012~~ 2015 Edition

6. ICC International Energy Conservation Code - ~~2012~~ 2015 Edition

7. ICC International Residential Code - ~~2012~~ 2015 Edition

Note: As the ~~2012~~ 2015 editions of the International Codes are incorporated by reference as the construction standards for use with these regulations, this chapter is also referred to as the ~~2012~~ 2015 edition of the Virginia Industrialized Building Safety Regulations or the ~~2012~~ 2015 edition of this chapter.

The codes and standards referenced above may be procured from:

International Code Council, Inc.
500 New Jersey Avenue, NW, 6th Floor
Washington, DC 20001-2070

13VAC5-91-180. Compliance assurance agencies.

A. Application shall be made to the SBCO for acceptance as a compliance assurance agency. Application shall be made under oath and shall be accompanied by information and evidence that is adequate for the SBCO to determine whether the applicant is specially qualified by reason of facilities, personnel, experience, and demonstrated reliability to investigate, test, and evaluate industrialized buildings for compliance with this chapter, and to provide adequate follow-up and compliance assurance services at the point of manufacture.

B. Following a determination by the SBCO that an application is complete, the information contained in the application and any other information deemed necessary by the SBCO will be reviewed for approval or disapproval. If the application is approved, the applicant will be notified with an approval letter ~~for a two year period from the date of the approval letter~~. If the application is disapproved, the applicant will be notified in writing of the reasons for the disapproval. The applicant may then resubmit the application within 30 days of the receipt of the notification of disapproval for reconsideration of approval.

~~C. Compliance assurance agencies that are already approved by the SBCO at the time of the effective date of this provision shall have 90 days from the effective date of this provision to apply for reapproval in accordance with subsections A and B of this section. Such agencies shall continue to be approved while the SBCO evaluates the reapplication. Compliance assurance agencies receiving an approval letter from the SBCO after the effective date of this provision shall apply for reapproval within 90 days prior to the expiration of the two-year approval period if continued approval as a compliance assurance agency is desired.~~

~~D.~~ The SBCO may suspend or revoke the approval of a compliance assurance agency upon a determination that (i) approval or reapproval was based upon fraudulent or inaccurate information, (ii) a change in facts or circumstances renders the agency incapable of meeting its duties and responsibilities as a compliance assurance agency in a

satisfactory manner, or (iii) the agency failed to discharge its duties and responsibilities as a compliance assurance agency in a satisfactory manner. In such cases, the SBCO will issue a suspension or revocation notice to the agency outlining the reasons for the actions and the terms, if any, for reinstatement.

13VAC5-91-200. Information required by the administrator.

All of the following information and criteria will be considered by the administrator in designating initial approval and re-approval of compliance assurance agencies:

1. Names of officers and location of offices.
2. Specification and description of services proposed to be furnished under this chapter.
3. Description of qualifications of personnel and their responsibilities, including an assurance that personnel involved in system analysis, design and plans review, and compliance assurance inspections; and their supervisors comply with the requirements of the American Society for Testing and Material (ASTM) Standard Number E541-08 - Standard Specification for Agencies Engaged in System Analysis and Compliance Assurance for Manufactured Building or shall obtain ICC or DHCD certifications in the appropriate subject area within 18 months of employment and maintain such certifications in an active status.
4. Summary of experience within the organization.
5. General description of procedures and facilities to be used in proposed services, including evaluation of the model, factory follow-up, quality assurance, labeling of production buildings, and specific information to be furnished on or with labels.
6. Procedures to deal with any defective buildings resulting from oversight.
7. Acceptance of these services by independent accrediting organizations and by other jurisdictions.
8. Proof of independence and absence of conflict of interest.

The ASTM Standard Number E541-08 may be procured from:

American Society for Testing and Materials
100 Barr Harbor Drive
West Conshohocken, PA 19428-2959

13VAC5-91-240. Control of compliance assurance agency certification label.

The labels shall be under direct control of the compliance assurance agency ~~until and shall be applied by the manufacturer~~ to buildings that comply fully with this chapter. The labels shall be applied by the compliance assurance agency or by the manufacturer when authorized to do so by the compliance assurance agency. The manufacturer shall place its order for labels with the compliance assurance

agency. The manufacturer is not permitted to acquire labels from any other source. Each compliance assurance agency shall keep a list of the serial numbers of labels issued to each manufacturer's plant in such manner that a copy of the record can be submitted to the administrator upon request.

13VAC5-91-260. Registration seal for industrialized buildings.

A. Registered industrialized buildings shall be marked with approved registration seals issued by the SBCO. The seals shall be applied to a registered industrialized building intended for sale or use in Virginia prior to the shipment of the building from the place of manufacture. The seals shall be applied by the compliance assurance agency or by the manufacturer when authorized to do so by the compliance assurance agency.

B. Registered industrialized buildings shall bear one registration seal on each manufactured section or module, or, as an alternative, the registration seal for each manufactured section or module may be placed in one location in the completed building.

C. Approved registration seals shall be purchased by the compliance assurance agency from the SBCO in advance of use. The fee for each registration seal shall be \$75, except that the fee for each registration seal for buildings constructed as Group R-5 under Part I of the USBC shall be \$50. Fees shall be submitted by checks made payable to "Treasurer of Virginia" or shall be submitted by electronic means. Payment for the seals must be received by the SBCO before the seals can be sent to the user. The compliance assurance agency shall maintain permanent records of seals purchased, including a record of any manufacturers receiving such seals.

D. To the extent practicable, the registration seal shall be installed so that it cannot be removed without destroying it. The seal shall be applied in the vicinity of the electrical distribution panel or in another location that is readily accessible for inspection and shall be installed near the certification label.

E. ~~Refunds of seals shall be in~~ In accordance with § 36-85.1 of the Code of Virginia, any person or corporation having paid the fee for an approved registration seal that it will not use may, unless and except as otherwise specifically provided, within one year from the date of the payment of any such fee, apply to the administrator for a refund, in whole or in part, of the fee paid; provided that no payment shall be recovered unless the approved registration seal is returned unused and in good condition to the administrator. ~~An~~ Additionally, as a requirement of this chapter, an administrative and processing fee of 25% of the amount of the refund due shall be deducted from the refund; however, such deduction shall not exceed \$250.

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13VAC5-91-270. Manufacturer's installation instructions and responsibilities of installers.

A. The manufacturer of each industrialized building shall provide specifications or instructions, or both, with each building for handling, installing, or erecting the building. Such instructions may be included as part of the label from the compliance assurance agency or may be furnished separately by the manufacturer of the building. The manufacturer shall not be required to provide the foundation and anchoring equipment for the industrialized building.

B. Persons or firms installing or erecting registered industrialized buildings shall install or erect the building in accordance with the manufacturer's instructions.

C. Where the installation or erection of an industrialized building utilizes components that are to be concealed, the installer shall notify and obtain approval from the building official prior to concealment of such components unless the building official has agreed to an alternative method of verification.

Note: The Virginia Department of Professional and Occupational Regulation's Board for Contractors requires licenses for certain activities related to the industrialized building industry. For more information, contact the Board for Contractors at 9960 Mayland Drive, Suite 400, Richmond, VA 23233; (804) 367-8511.

DOCUMENTS INCORPORATED BY REFERENCE (13VAC5-91)

International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070 (<http://shop.iccsafe.org/codes.html>):

ICC International Plumbing Code -- ~~2009 and~~ 2012 and 2015 Editions

ICC International Mechanical Code -- ~~2009 and~~ 2012 and 2015 Editions

ICC International Building Code -- ~~2009 and~~ 2012 and 2015 Editions

ICC International Residential Code -- ~~2009 and~~ 2012 and 2015 Editions

ICC International Fuel Gas Code -- ~~2009 and~~ 2012 and 2015 Editions

ICC International Energy Conservation Code -- ~~2009 and~~ 2012 and 2015 Editions

NFPA 70, National Electrical Code -- ~~2008 and~~ 2011 and 2014 Editions, National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471 (<http://www.nfpa.org/>)

ASTM Standard Number E541-08 -- Standard Specification for Agencies Engaged in System Analysis and Compliance Assurance for Manufactured Building, American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959 (<http://www.astm.org/>)

VA.R. Doc. No. R16-4666; Filed January 20, 2017, 2:41 p.m.

GUIDANCE DOCUMENTS

Sections 2.2-4008 and 2.2-4103 of the Code of Virginia require annual publication in the *Virginia Register* of guidance document lists from state agencies covered by the Administrative Process Act and the Virginia Register Act. A guidance document is defined as "...any document developed by a state agency or staff that provides information or guidance of general applicability to the staff or public to interpret or implement statutes or the agency's rules or regulations..." Agencies are required to maintain a complete, current list of all guidance documents and make the full text of such documents available to the public.

Generally, the format for the guidance document list is: document number (if any), title of document, date issued or last revised, and citation of Virginia Administrative Code regulatory authority or Code of Virginia statutory authority. Questions concerning documents or requests for copies of documents should be directed to the contact person listed by the agency.

BOARD OF ACCOUNTANCY

Copies of the following documents may be viewed or obtained on regular work days from 8:15 a.m. until 5 p.m. at the Board of Accountancy, 9960 Mayland Drive, Suite 402, Henrico, VA 23233, telephone (804) 367-8505, or FAX (804) 527-4409. There are no costs associated with obtaining printed copies of the documents listed.

Questions regarding obtaining copies, interpretation or implementation of these documents may be directed to Wade A. Jewell, Executive Director, at the above address.

Guidance Documents:

[3638, Board of Accountancy Rights and Responsibilities under FOIA](#), 6/27/2016

[3639, Adjudication Manual](#), 11/20/2013

[5970, Board Policy #1: Trust Account](#), 4/15/2015

[5971, Board Policy #2: Continuing Professional Education \(CPE\) Guidelines for Sponsors](#), 12/11/2015

[5972, Board Policy #3: Substantially Equivalent Jurisdictions](#), 9/18/2012

[5973, Board Policy #4: Continuing Professional Education \(CPE\) Guidelines for CPAs](#), 6/30/2015

[5974, Board Policy #5: Publication of Board Disciplinary Action](#), 11/10/2016

[5975, Board Policy #6: CPA and International Qualification Examinations](#), 4/30/2015

[5976, Board Policy #7: Peer Review Oversight Committee \(PROC\)](#), 6/30/2015

[5977, Board Policy #8: Ethics Committee](#), 12/11/2015

[5978, Board Policy #9: Active - CPE Exempt Status Procedure for Approval/Denial/Appeal](#), 10/7/2014

[5979, Board Policy #10: Electronic Participation in Virginia Board of Accountancy Meetings](#), 4/30/2015

[5980, Supplement to Adjudication Manual](#), 1/12/2016

[6132, Education Handbook](#), 10/1/2015

[6133, Providing Volunteer Services as a Virginia CPA](#), 4/23/2012

DEPARTMENT OF ACCOUNTS

Copies of the following documents may be viewed during regular work days from 8 a.m. until 5 p.m. in the office of the Department of Accounts, 101 North 14th Street, 2nd Floor, Richmond, VA 23219. Electronic copies are available online at the Department of Accounts website at <http://www.doa.virginia.gov>.

Questions regarding interpretation or implementation of these documents may be directed to Douglas N. Page, Director of Finance and Administration, telephone (804) 225-3136 or email doug.page@doa.virginia.gov.

Guidance Documents:

[Agency Risk Management and Internal Control Standards \(ARMICS\)](#), is updated routinely. This document provides risk management and internal control standards for state agencies and institutions.

[Commonwealth Accounting Policies and Procedures \(CAPP\) Manual](#), is prepared annually. This document provides accounting guidance for state agencies and institutions.

[Financial Statement Directives and Authoritative Guidance](#), is prepared annually. There are two documents: one for agencies and one for institutions that provide reporting requirements that are necessary to compile the Comprehensive Annual Financial Report (CAFR) of the Comptroller as required by the Code of Virginia.

[Fiscal Year-End Closing Procedures](#), prepared annually. This document provides guidance to agencies and institutions regarding requirements for fiscal year end.

DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES

All guidance documents are available electronically at no charge from the Regulatory Town Hall at www.townhall.virginia.gov or from the department website where indicated. However, documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. at the

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department's central office location at 8004 Franklin Farms Drive, Richmond, VA 23229. Contact the individual listed in the document link for more information. If no listing appears, contact Vanessa S. Rakestraw, 8004 Franklin Farms Drive, Richmond, VA 23229, telephone (804) 662-7612. Costs for printing hard copies of these documents vary with the document requested.

Guidance Documents:

- 4519, [Virginia Guide to Supported Employment and Job Coach Training Services](#), 5/13/2015
- 4520, [Consumer's Guide to Self Employment](#), 7/1/2012
- 4523, [DARS Services Reference Manual - Fee Schedule](#), 9/1/2016
- 4524, [DRS Training and Facilities Manual](#), 12/1/2014
- 4525, [Long Term Employment Support Services \(LTESS\) and Extended Employment Services \(EES\) Policy Manual](#), 12/1/2015
- 4526, [State Plan for the State Vocational Rehabilitation Services Program](#), 10/1/2014
- 4527, [Your Path To Work - the VR Program Explained](#), 11/25/2015
- 4528, [DARS Services for Employers](#), 12/4/2015
- 4529, [New Counselor Skills and Competencies Checklist](#), 3/1/2015
- 4531, [Human Research Procedures Manual](#), 12/1/2011
- 4532, [Personal Assistance Services Program Handbook](#), 9/12/2011
- 4540, [State Plan for Independent Living](#), 9/1/2016
- 5079, [Vendor Application for Licensed Behavioral Health Services Provider A1205 - Guidance Document](#), 8/1/2014
- 5081, [Guidance for Provision of Therapeutic Behavioral Services \(TBS\)](#), 1/1/2017
- 5100, [Virginia's State Plan for Aging \(October 1, 2011 - September 30, 2015\)](#), 10/1/2015
- 5101, [VDA Service Standard: Adult Day Care](#), 11/23/2004
- 5102, [VDA Service Standard: Care Coordination](#), 4/14/2003
- 5103, [VDA Service Standard: CCEVP Level One](#), 10/18/2011
- 5104, [VDA Service Standard: CCEVP Level Two](#), 10/18/2011
- 5105, [VDA Service Standard: CCEVP S.O.S.](#), 10/18/2011
- 5106, [VDA Service Standard: Checking](#), 4/14/2003
- 5107, [VDA Service Standard: Chore](#), 10/1/2013
- 5133, [VDA Service Standard: Congregate Nutrition](#), 10/1/2014
- 5134, [VDA Service Standard: Communication, Referral and Information and Assistance \(CRIA\)](#), 10/3/2011
- 5135, [VDA Service Standard: Elder Abuse Prevention](#), 4/14/2003
- 5136, [VDA Service Standard: Emergency](#), 4/22/2003
- 5137, [VDA Service Standard: Employment Title III](#), 4/22/2003
- 5138, [Senior Community Service Employment Program State Plan for Program Years 2012-2015](#), 3/8/2013
- 5139, [VDA Service Standard: Home Delivered Nutrition](#), 10/1/2014
- 5140, [VDA Service Standard: Health Education and Screening](#), 1/3/2012
- 5142, [VDA Service Standard: Home Health](#), 4/14/2003
- 5143, [VDA Service Standard: Homemaker](#), 10/1/2013
- 5144, [VDA Service Standard: ID Discount](#), 4/29/2003
- 5145, [VDA Service Standard: Legal Assistance](#), 10/14/2008
- 5146, [VDA Service Standard: Long-Term Care Coordinating Activities](#), 4/14/2003
- 5147, [VDA Service Standard: Medication Management](#), 7/31/2012
- 5148, [VDA Service Standard: Money Management](#), 4/29/2003
- 5149, [VDA Service Standard: Options Counseling](#), 5/11/2012
- 5150, [VDA Service Standard: Personal Care](#), 10/1/2013
- 5151, [VDA Service Standard: Public Information and Education](#), 6/30/2003
- 5152, [VDA Service Standard: Preparation and Administration of the Area Plan](#), 4/14/2003
- 5153, [VDA Service Standard: Residential Repair and Renovation](#), 10/14/2004
- 5154, [VDA State Plan: Socialization and Recreation Services, Multipurpose Senior Center](#), 1/3/2012
- 5155, [VDA Service Standard: Transportation Services](#), 10/1/2003
- 5156, [VDA Service Standard: Volunteer](#), 4/22/2003
- 5157, [Procurement Guidelines - Minimum Procurement Guidelines \(2003\)](#), 6/1/2003
- 5332, [AS Broadcast 9904 State Median Income for Adult Services](#), 8/17/2016

5335, AS Assisted Living Facility Private Pay Assessment Manual, 12/1/2015

5338, AS Broadcast 8023 Revised Guidance Concerning Rights of Alleged Perpetrators in Substantiated Cases of Adult Abuse, Neglect or Exploitation, 6/28/2013

5339, AS Broadcast 7913 Right of an Alleged Perpetrator in a Substantiated Case of Adult Abuse, Neglect or Exploitation, 4/16/2013

5343, AS Broadcast 5696 Revised Adult Protective Services (APS) Minimum Training Standards, 6/1/2009

5345, AS Broadcast 7658 Guidelines for Pre-Admission Screening of Children with Disabilities Seeking Long-Term Care Services, 10/25/2012

5346, AS Auxiliary Grant Policy Manual Chapters A-L and Transmittals, 8/24/2015

5348, AS Assisted Living Facility Assessment Manual, 6/1/2016

5349, AS Adult Services Manual, Chapters 1-9, 7/1/2016

5451, Therapeutic Behavioral Services (TBS) Description of DARS Service Item Code H2019, 10/1/2013

5876, Beneficiary Fact Sheet on the Ticket to Work Program, 12/14/2015

5877, Receiving Social Security Benefits? Worried about What Happens to Your Benefits When You Work?, 12/14/2015

5879, Ticket to Work At-A-Glance Checklist for DRS Counselors, 6/1/2012

4518, DARS Agency Brochure, 12/4/2013

4521, Vocational Evaluation Best Practices Manual, 10/28/1993

4522, DRS Policy and Procedure Manual, 12/1/2016

4533, Personal Assistance Services Policy and Procedures Manual Chapters 1-5, 1/1/2015

4534, Personal Assistance Services Policy and Procedures Manual Chapters 6-14, 1/1/2015

4541, Centers for Independent Living General Policies and Procedures Manual, 11/26/2012

4545, Wilson Workforce and Rehabilitation Center Governance Manual, 10/1/2016

4546, WWRC Transition Academy Training and Reference Manual, 6/29/2015

4547 ADM-200, WWRC Service Listing/Fee Schedule, 7/1/2011

4549, PERT Training and Reference Manual, 12/7/2016

5082, Guidance for the Provision of Community Support Services (CSS) - A1205, 12/15/2016

5141, VDA Service Standard: Disease Prevention and Health Promotion, 2/26/2016

5158, VDA National Family Caregiver Support Guidance, 7/12/2012

5159, VDA Cost Sharing/Fee for Service Policy, 12/3/2013

5160, VDA Grants Manual, 4/7/2016

5161, VDA Farm Market Fresh for Seniors Handbook for Farmers, 2/1/2016

5162, Criminal Background Check Policy for Area Agencies on Aging and Subcontractors, 5/1/2015

5163, DRS Transition Services Guide, 9/27/2013

5350, AS Preadmission Screening Technical Assistance for Hospitals, 3/7/2016

5875, Ticket-To-Work Procedures, 7/17/2013

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Guidance documents are available at the Oliver W. Hill Building, 102 Governor Street, Richmond, VA 23219. For information about guidance documents of the Department of Agriculture and Consumer Services, including their interpretation, please contact:

For guidance documents relating to dairy and foods, contact Ryan Davis at (804) 786-8899.

For guidance documents relating to meat and poultry, contact Barry Jones at (804) 786-4569.

For guidance documents relating to approved capture drugs, methods approved for animal euthanasia, commercial breeder guidelines, and the Animal Shelter Civil Penalty Matrix, contactCarolynn Bissett, DVM at (804) 692-4001.

For guidance documents relating to avian influenza, contact Charles Broaddus, DVM at (804) 786-2483.

For guidance documents relating to the State Milk Commission, contact Crafton Wilkes at (804) 786-2013.

For guidance documents relating to agricultural stewardship, contact Darrell Marshall at (804) 786-3538.

For guidance documents relating to pesticides, contact Liza Fleeson Trossbach at (804) 371-6559.

For guidance documents relating to honey bees, contact Keith Tignor at (804) 786-3515.

For guidance documents relating to charitable gaming and charitable solicitations, contact Michael Menefee at (804) 786-3983.

Guidance Documents

For guidance documents relating to weights and measures (including motor fuel), contact Joel Maddux at (804) 786-1274.

For guidance documents relating to industrial co-products, gypsy moths, or ginseng, contact Debra Martin at (804) 786-3515.

Costs associated with obtaining printed copies of these documents from the agency vary. Guidance documents are available electronically using the links below or for no charge on the Regulatory Town Hall at www.townhall.virginia.gov.

Guidance Documents:

Charitable Gaming Board

[4310, Progressive Games](#), 6/2/2010

[4309, Use of Proceeds](#), 12/1/2012

[4311, Electronic Pull-Tab Game Displays, Themes, and Sounds](#), 11/14/2012

Board of Agriculture and Consumer Services

[750, Guidelines for the Virginia Ginseng Management Program](#), 12/16/2016

[2552, Virginia Shipping Requirements for Package Bees and Queens](#), 12/16/2016

[3255, Approved Capture Drugs and Drug Administering Equipment](#), 7/20/2009

[3256, Methods Prescribed or Approved for Animal Euthanasia and Competency Certification Requirements](#), 5/20/2013

[3747, Guidelines for Enforcement of the Virginia Weights and Measures Law - Civil Penalty Assessment Decision Matrix](#), 10/1/2008

[3748, Guidelines for Enforcement of the Virginia Code Relating to Motor Fuels and Lubricating Oils - Civil Penalty Assessment Decision Matrix](#), 10/1/2008

[4099, Office of Weights and Measures Technical Bulletin Number 2011-1 - Labeling of Motor Fuel Dispensers outside Reformulated Gasoline Areas](#), 6/1/2011

[4100, Office of Weights and Measures Technical Bulletin Number 2011-2 - Advertisement Signs and Posted Signs with Taxes Included or Excluded and the Total Price Displayed at the Pump](#), 7/1/2011

[4307, Commercial Breeder Guidelines](#), 1/20/2009

[4308, Office of Weights and Measures Technical Bulletin Number 2011-3 - Taxes Charged for the Purchase of Gasoline, Diesel, Off-Road Diesel, Heating Oil and Kerosene](#), 7/1/2011

[4698, Health Spa Contract Requirements](#), 7/29/2010

[4954, Virginia Animal Shelter Civil Penalty Matrix - Guidelines for Enforcement](#), 12/8/2016

[5023, Agents of Virginia Cooperative Extension Program Proctoring Commercial Applicator Examinations](#), 7/3/2012

[5024, Answering Telephone Requests for Pesticide Applicator or Pesticide Business License Examination Scores](#), 7/3/2012

[5025, Applicator Recertification Options; Approval Procedures for Recertification Courses](#), 9/5/2012

[5026, Applicator Testing in Order to Recertify](#), 7/3/2012

[5028, Commercial Carpet Cleaners Who Apply Pesticides for Flea and Tick Control](#), 7/3/2012

[5029, Discontinuance Policy](#), 7/6/2012

[5030, Division of Consumer Protection - Administrative Procedure for Compliance Actions](#), 8/7/2012

[5031, Guidelines for Enforcement of the Virginia Pesticide Control Act; Civil Penalty Assessment Decision Matrix](#), 7/2/2012

[5032, Interpreting Personal Protection Equipment Standards on Pesticide Labels](#), 9/5/2012

[5033, Product Registration - When Two Pesticide Products May Be Registered For A Single Fee](#), 9/29/2010

[5034, Product Registration - Submission of 24c - Special Local Need Registration](#), 12/11/2014

[5035, Production Registration - Submission of Labels](#), 12/11/2014

[5036, Registration Label Review](#), 12/11/2014

[5037, Supervision of Registered Technicians Including Government Employees and Not-for-Hire Individuals](#), 7/3/2012

[5328, Model Ordinance for Use by Localities in Their Regulation of Charitable Solicitations](#), 9/13/2013

[5443, Office of Veterinary Services Guidance Documents](#), 12/18/2015

[5617, A Guide to Virginia's Meat and Poultry Inspection Programs](#), 12/18/2015

[5937, Obtaining State Meat and Poultry Inspection](#), 12/28/2015

[5938, Meat and Poultry Establishment Design and Construction Guidebook](#), 12/28/2015

[5941, Obtaining a Custom Permit of Exemption for a Meat or Poultry Establishment](#), 5/25/2016

[6032, Emergency Waiver of Reid Vapor Pressure Requirements Prescribed in 2VAC5-425](#), 9/19/2016

[6126, Virginia Livestock and Poultry Law and Related Regulations Civil Penalty Matrix, 12/8/2016](#)

[6127, Guidance for Determining Whether a Poultry Operation is Exempt from Inspection, 12/27/2016](#)

[1115, Industrial Co-Products Guidelines, 12/16/2016](#)

[1743, Agricultural Stewardship Act Guidelines, 4/1/2010](#)

[740, Dairy Services Procedure Manual, 8/15/2012](#)

[751, Virginia Cooperative Gypsy Moth Suppression Program, 2017 Guidelines, 9/1/2016](#)

[754, Food Safety Operations Manual, 12/15/2014](#)

[756, Virginia Entry Requirements for Honey Bee Hives and Appliances, 12/16/2016](#)

[OPIS 2012-01, Guidelines for Beehive Grant Program, 12/10/2014](#)

[OPS-AdminProc, Office of Pesticide Services - Administrative Procedure for Compliance Actions, 7/21/2016](#)

[OWM 2016-01, Handling of Diesel Exhaust Fluid Dispensed for Testing, 5/1/2016](#)

State Milk Commission

[2727, Virginia State Milk Commission Monthly Report Audit Manual, 11/27/2012](#)

COMMISSION ON VIRGINIA ALCOHOL SAFETY ACTION PROGRAM

A copy of the following document may be viewed on regular work days between the hours of 8:30 a.m. and 4:30 p.m. in the office of the Commission on Virginia Alcohol Safety Action Program, 701 East Franklin Street, Suite 1110, Richmond, VA 23219. Please call in advance to schedule an appointment. A copy may also be obtained free of charge by contacting Richard Foy at the same address, telephone (804) 786-5895, FAX (804) 786-6286, or email rfoyl@vasap.virginia.gov.

Questions regarding interpretation or implementation of this document may be directed to Christopher Morris, Special Projects Coordinator, Commission on Virginia Alcohol Safety Action Program, 701 East Franklin Street, Suite 1110, Richmond, VA 23219, telephone (804) 786-5895, FAX (804) 786-6286, or email cmorris.vasap@state.va.us.

Guidance Document:

[Ignition Interlock Process & Procedure Manual](#), revised January 2016, §§ 18.2-270.1 and 18.2-270.2, 24VAC35-60

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

Copies of guidance documents may be viewed during regular workdays from 8:15 a.m. until 5 p.m. in the office of the Virginia Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, VA 23220. Copies may be obtained free of charge from and questions regarding interpretation or implementation of these documents may be directed to Tonya Hucks, Legal Liaison, at the same address, telephone (804) 213-4698, FAX (804) 213-4574, or email at latonya.hucks@abc.virginia.gov. Guidance documents are available electronically for no charge on the Virginia Regulatory Town Hall at www.townhall.virginia.gov.

Guidance Documents:

[3394, Circular Letter 06-01, CO₂ Filters Provided to Retailers, 2/14/2006](#)

[3398, Circular Letter 07-01, Limitations on Wine and Beer Shippers, 4/23/2007](#)

[3400, Circular Letter 07-03, Expenditures by Manufacturers at Tasting Events, 6/29/2007](#)

[5949, Circular Letter 15-06, Temporary Extensions-Increase, 12/30/2015](#)

[5958, Circular Letter 16-01, Distillery Store Events, 2/2/2016](#)

[5983, Circular Letter 16-02, Wineries, Farm Wineries and Brewery Tasting Rooms, 3/23/2016](#)

[16-03, Circular Letter 16-03, Licensees with On-Premises and Mixed Beverage Privileges, 4/7/2016](#)

[Issued Quarterly, Licensee Newsletter - Spring 2003, 3/1/2003](#)

Alcoholic Beverage Control Board

[1850, Virginia's Licensing Process Brochure, 1/1/2002](#)

[1851, Retail Licensee Guide, 1/1/2001](#)

[1854, Circular Letter 84-3, Wholesaler Financial Interest, 1/1/1984](#)

[1855, Licensee Bulletin Vol.56, No. 3 - Types of Licenses, 1/1/2000](#)

[1856, Licensee Bulletin Vol. 56, No. 4 - Operating a Licensed Club, 1/1/2000](#)

[1857, Wholesale Licensee Bulletin, 9/1/1997](#)

[1858, Circular Letter 84-4, Record Keeping, 12/26/1984](#)

[1859, Circular Letter 85-5, Retail License Food Requirements, 3/26/1985](#)

[1860, Circular Letter 85-6, Wholesalers and Manufacturers Non-Alcoholic Merchandise, 5/31/1985](#)

Guidance Documents

1861, Circular Letter 87-1, Gifts and Contributions, 1/28/1987

1864, Circular Letter 88-3, Gifts of Money or Property, 9/7/1988

1866, Circular Letter 90-1, Information Exchange with Virginia Department of Taxation, 3/1/1990

1870, Circular Letter 94-1, Suspension of Licenses, 3/16/1994

1871, Circular Letter 98-1, Sponsoring Public Events, 1/1/1998

1872, Circular Letter 98-2, Wine Festivals, 2/1/1998

1873, Circular Letter 01-1, Cooperative Advertising - Alcoholic Beverages, 1/1/2001

1874, Circular Letter 01-2, Coupons, 2/1/2001

1876, Circular Letter 84-8, Retailer Shelf Space Plans, 12/26/1984

1881, Circular Letter 85-9, Cooperative Advertising of Non-Alcoholic Merchandise, 1/1/1985

3397, Circular Letter 06-04, Solicitor Tasting Permits, 9/1/2006

3401, Circular Letter 07-04, Off-Premises Retail Delivery Permit, 7/1/2007

3402, Circular Letter 07-05, In State Delivery Permit, 7/1/2007

3403, Circular Letter 07-08, Tasting Events, 12/15/2007

5750, Virginia ABC License Application, 9/3/2012

5805, Circular Letter 15-04, Special Events, 6/5/2015

5806, Circular Letter 15-03, Advertising via Social Media, 8/4/2015

5807, Circular Letter 15-02, Limited Brewery Licenses - Process Guidance, 8/4/2015

5808, Circular Letter 15-01, Distilled Spirits - Table Service, 8/4/2015

5809, Circular Letter 14-03, Infusion of Distilled Spirits, 8/4/2015

5810, Circular Letter 14-02, Brewery Licenses - Interstate Transfer and Sale of Beer, 8/4/2015

5811, Circular Letter 14-01, Product Approval of Gift Packages, 8/4/2015

5812, Circular Letter 13-03, Brewery Licenses - Registration and Product Approval, 8/4/2015

5813, Circular Letter 13-01, Prices Charged to Wholesale Distributors by Wineries and Breweries, 8/4/2015

5814, Circular Letter 12-02, Purchase Orders, 8/4/2015

5815, Circular Letter 09-01, Wine and Beer Wholesaler Invoices, 8/4/2015

5817, Beer Wholesalers Letter 2015 - Monthly Reporting and Payment of Tax, 8/7/2015

5818, Wine Wholesalers - Monthly Reporting and Payment of Tax, 8/10/2015

5819, Farm Wineries - Records, Reporting and Taxes, 8/10/2015

5820, Vendors and Brokers - Supplier Manual, 8/10/2015

5850, Circular Letter 15-05, Delivery of Samples to Retail Licensees, 11/18/2015

1843, Farm Winery Remote - Festivals Bulletin, 7/19/2001

1847, Licensee Bulletin - Vol. 56, No. 1 - Mixed Beverage Restaurant, 1/1/2000

OFFICE OF THE ATTORNEY GENERAL

Copies of the following documents may be viewed on regular work days from 8:30 a.m. until 5 p.m. in the offices of the Department of Law, Office of the Attorney General, 900 East Main Street, Richmond, VA 23219. Copies may be obtained by contacting Kristina Alexander, Senior Assistant Attorney General/Regulatory Coordinator, at the same address, telephone (804) 371-8329, FAX (804) 786-4839, or email kalexander@oag.state.va.us. The documents are also available using the links below.

Questions regarding the interpretation or implementation of these documents may be directed to the Assistant Attorney General named above.

Guidance Documents:

[Synopsis of the Division of Human Rights \(DHR\) Investigative Process](#)

[Frequently Asked Questions Regarding Residential Landlord-Tenant Issues](#)

BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/aud> and the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at audbd@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Leslie L. Knachel,

Executive Director of the Board, at the address above or by telephone at (804) 367-4630. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/aud/aud_guidelines.htm

30-1, Sanctioning reference points; instruction manual, revised November 3, 2011

30-2, Bylaws of the Board of Audiology and Speech-Language Pathology, revised March 13, 2014

30-3, Board guidance on use of confidential consent agreements, readopted October 9, 2008

30-4, Board guidance for process of delegation of informal fact-finding to an agency subordinate, revised September 2010

30-6, Board guidance on interpretation of active practice, revised September 8, 2016

30-8, Practice and the need for licensure as a speech-language pathologist, revised September 8, 2016

30-9, Continuing education audits and sanctions for failure to comply, revised September 8, 2016

30-10, Disposition of disciplinary cases for practicing on expired licenses, adopted November 3, 2011

30-11, Guidelines for processing applications, revised September 8, 2016

AUDITOR OF PUBLIC ACCOUNTS

You may view an electronic copy of guidance documents for the Auditor of Public Accounts (APA) at no charge on the Virginia Regulatory Town Hall at www.townhall.virginia.gov, or on the APA's website at http://www.apa.virginia.gov/APA_Reports/guidelines.aspx.

Questions regarding interpretation or implementation of these documents may be directed to Rachel Reamy, Auditor, Auditor of Public Accounts, telephone (804) 225-3350, ext. 360, or email rachel.reamy@apa.virginia.gov.

Printed copies may be viewed on weekdays from 8:15 a.m. until 5 p.m. (EST) in the office of the APA, 101 North 14th Street, 8th Floor, Richmond, VA 23219. Copies may be obtained by contacting Rachel Reamy at P.O. Box 1295, Richmond, VA 23218, telephone (804) 225-3350, ext. 360, or email rachel.reamy@apa.virginia.gov.

The following charges shall apply for obtaining a printed copy:

Specification for Audits of Counties, Cities, and Towns-- \$10

Specification for Audits of Authorities, Boards, and Commissions-- \$10

Uniform Financial Reporting Manual--\$10

Virginia Sheriffs Accounting Manual--\$10

Guidance Documents:

[ABC SPEC16, Specifications for Audits of Authorities, Boards, and Commissions, 8/5/2016](#)

[CCT SPEC16, Specifications for Audits of Counties, Cities, and Towns, 8/5/2016](#)

[Sheriffs16, Virginia Sheriffs Accounting Manual, 8/1/2016](#)

[UFRM16, Uniform Financial Reporting Manual, 9/1/2016](#)

VIRGINIA DEPARTMENT OF AVIATION

For questions regarding the Airport Program Manual or to request a copy, please contact Susan Simmers, Airport Services Division, Virginia Department of Aviation, 5702 Gulfstream Road, Richmond, VA 23250, telephone (804) 236-3632, or email susan.simmers@doav.virginia.gov.

This guidance document is available electronically for no charge on the Regulatory Town Hall at www.townhall.virginia.gov.

A printed copy of the Airport Program Manual may be viewed at the Virginia Department of Aviation office at 5702 Gulfstream Road, Richmond, VA 23250. A printed copy may be obtained from DOAV at no charge.

Guidance Document:

[Program Manual, Virginia Department of Aviation Airport Program Manual, 8/19/2016](#)

DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

Included in the detailed listing for each Department of Behavioral Health and Developmental Services (DBHDS) guidance document is the name and contact information of the staff person who can respond to interpretive or implementation questions. All departmental guidance documents are available electronically on the Regulatory Town Hall at www.townhall.virginia.gov without charge. There may be a nominal charge if an individual requests that the department mail a paper copy of any of these documents. Any questions regarding the posting of any DBHDS guidance documents should be directed to Ruth Anne Walker, Regulatory Coordinator, email ruthanne.walker@dbhds.virginia.gov, telephone (804) 225-2252, or FAX (804) 786-8623.

Guidance Documents:

[CSB 1, FY 2017-2018 Community Services Performance Contract Renewal and Revision Cover Memo, 5/6/2016](#)

[CSB 1a, FY 2017-2018 Community Services Performance Contract Renewal and Revision, 5/6/2016](#)

Guidance Documents

[CSB 1b, FY 2017-2018 Community Services Performance Contract Administrative Requirements, 5/6/2016](#)

[CSB 1c, FY 2017-2018 Community Services Performance Contract Renewal and Revision Partnership Agreement, 5/6/2016](#)

[CSB 2, Core Services Taxonomy 7.3, 6/30/2014](#)

[CSB 3, CCS 3 Extract Specifications Version 7.3.2.1, 7/1/2016](#)

[CSB MH-1, Discharge Protocols for Community Services Boards and State Mental Health Facilities, 8/1/2014](#)

[CSB MH-2, Discharge Assistance Program Manual, 7/1/2014](#)

[FOR 1, Guidelines for the Management of Individuals Found Not Guilty By Reason of Insanity, 5/28/2003](#)

[FOR 2, List of Standardized Measures of Intellectual Functioning, 11/5/2008](#)

[HR 1, Office of Human Rights, Protocols, Procedures and Practices Manual, 2/5/2016](#)

[LIC 1, Office of Licensing: Protocols, 12/1/2010](#)

[LIC 2, Licensing Intensive In-Home Guidance, 3/1/2011](#)

[LIC 4, Process for Adding a New Location of a Licensed Service in the Same Region, 12/14/2011](#)

[LIC 5, Human Services and Related Fields Approved Degrees/Experience, 5/3/2013](#)

[LIC 6, Guidance for Selected Licensing Regulations, 11/25/2014](#)

[LIC 7, CRF Safety Memorandum Notification, 9/21/2015](#)

[MH 1, Mandatory Outpatient Treatment Guidance, 8/15/2012](#)

[MH 1a, Mandatory Outpatient Treatment Guidance, 12/30/2016](#)

[MH 2, Medical Screening and Assessment Guidance, 4/1/2014](#)

[Part C 5, Child Indicators Booklet, 2/22/2013](#)

[Part C 8, Supporting Young Children with Autism Spectrum Disorders and their Families, 1/31/2012](#)

[Plan 1, Comprehensive State Plan 2016-2022, 12/1/2016](#)

DEPARTMENT FOR THE BLIND AND VISION IMPAIRED

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 4:30 p.m. at the administrative headquarters building of the Department for the Blind and Vision Impaired, 397 Azalea Avenue, Richmond, VA 23227. Note that policy and procedures directives are issued occasionally for the purpose of updating program service manuals. Copies of these documents, as well

as those listed below, may be obtained at a cost of \$.10 per page by contacting Henry A. Street at the same address, telephone (804) 371-3145, FAX (804) 371-3157, or email henry.street@dbvi.virginia.gov.

Questions regarding the interpretation or implementation of these documents may be directed to Susan Davis Payne, MS, CRC, Policy and Training Coordinator, Department for the Blind and Vision Impaired, Richmond, VA 23227, telephone (804) 371-3184, FAX (804) 371-3351, or email susan.payne@dbvi.virginia.gov.

Guidance Documents:

[DS-16-01, Determination of Eligibility for Vocational Rehabilitation Services, 2/23/2016](#)

[DS-16-03, Deafblind Policy Update, 5/20/2016](#)

[DS-16-04, Definitions of Significant and Most Significant Disabilities, 9/19/2016](#)

[DS-16-05, Referral Process for Vocational Rehabilitation, 7/19/2016](#)

[DS-16-06, Criteria for Supported Employment Services, 7/19/2016](#)

[DS-16-07, Virginia Rehabilitation Center for the Blind and Vision Impaired Student Computer Policy and Procedure, 9/20/2016](#)

[DS-GM-16-01, Consent to Release Information, 1/19/2016](#)

[DS-GM-16-02, Older Blind Grant Outreach Reports, 1/25/2016](#)

[DS-PPD-16-1, 2016 Income Need Guidelines, 2/22/2016](#)

OFFICE OF CHILDREN'S SERVICES

Copies of the following documents may be viewed on regular work days between the hours of 8 a.m. and 4:30 p.m. at the Office of Children's Services. Copies may be obtained free of charge by contacting Marsha Mucha, 1604 Santa Rosa Road, Suite 137, Richmond, VA 23229, telephone (804) 662-9815, FAX (804) 662-9831, or email marsha.mucha@csa.virginia.gov. The documents are also available on the Regulatory Town Hall at www.townhall.virginia.gov and using the links shown on the document list below.

Questions regarding interpretation or implementation of these documents may be directed to Scott Reiner, Executive Director, 1604 Santa Rosa Road, Suite 137, Richmond, VA 23229, telephone (804) 662-9815, FAX (804) 662-9831, or email scott.reiner@csa.virginia.gov.

Guidance Documents:

[Policy Manual of the State Executive Council for Children's Services](#)

[User Guide for the Children's Services Act](#)

CHRISTOPHER NEWPORT UNIVERSITY

Copies of the Christopher Newport University guidance documents may be viewed during regular workdays from 9 a.m. until 4 p.m. in the Office of Institutional Research, Analysis and Reports, 1 Avenue of the Arts, Newport News, Virginia, 23606. Copies may be obtained free of charge by contacting Tamra McGrath at the same address, telephone (757) 594-7609, or email irar@cnu.edu. Copies are also available free of charge from the Regulatory Town Hall website at <http://townhall.virginia.gov/L/GDocs.cfm>. Questions regarding interpretation or implementation of these documents may also be directed to Tamra McGrath at the same address and contact points.

Guidance Documents:

[Catalog_01, Undergraduate Catalog 1617, 1/11/2017](#)
[Catalog_02, Graduate Catalog 1617, 1/11/2017](#)
[Handbook_01, University Handbook 1617, 1/11/2017](#)
[Handbook_02, Student Handbook 1617, 1/11/2017](#)
[Handbook_03, Residence Life Handbook 1617, 1/11/2017](#)

DEPARTMENT OF CONSERVATION AND RECREATION

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the Policy Office of the Department of Conservation and Recreation, 600 East Main Street, 24th Floor, Richmond, VA 23219. The Policy Office serves as the central repository for the Department of Conservation and Recreation, the Board of Conservation and Recreation, the Virginia Soil and Water Conservation Board, the Virginia Cave Board, and the Virginia Land Conservation Foundation. Individual copies of listed publications may be obtained free of charge, unless a price is listed, by contacting the Regulatory Coordinator at the above address, telephone (804) 786-6124, or FAX (804) 786-6141. Most manuals and reports listed without a price attached were produced in very limited quantities and are available for copying charges. For documents with a cost associated, please refer to the document listings. In some cases, individual copies of certain documents may also be viewed at the department's regional offices or at Virginia State Parks.

Questions regarding availability, interpretation, or implementation of these documents may be directed to Lisa McGee, Policy and Planning Director, Department of Conservation and Recreation, 600 East Main Street, 24th Floor, Richmond, VA 23219, telephone (804) 786-4378, FAX (804) 786-6141, or email lisa.mcgee@dcr.virginia.gov. Other staff may be assigned by Ms. McGee to answer specific questions regarding these documents.

Guidance Documents:

[DCR-BCR-002, Scenic River Designation Factsheet, 12/14/2014](#)
[DCR-BCR-003, A Guide to Citizen Involvement in the Scenic River Designation Process, 12/15/2015](#)
[DCR-BCR-006, Virginia's Scenic Rivers Program, 1/24/2013](#)
[DCR-BCR-007, Virginia Scenic Rivers List, 5/1/2015](#)
[DCR-BCR-008, Virginia Scenic Rivers Status, 12/17/2014](#)

Board of Conservation and Recreation

[DCR-DS-006, The Floodplain Management Plan for the Commonwealth of Virginia, 12/1/2005](#)
[DCR-DS-009, Virginia Citizen's Guide to Floodplain Management, 12/1/2005](#)
[DCR-DS-010, Virginia Local Official's Guide to Floodplain Management, 12/1/2005](#)
[DCR-NH-064, Natural Heritage Resources of Virginia - Rare Animal Species, 2/1/2016](#)
[DCR-NH-065, The Natural Communities of Virginia: Ecological Groups and Community Types, 7/1/2013](#)
[DCR-NH-074, Virginia's Precious Heritage: A Report on the Status of Virginia's Natural Communities, Plants, and Animals, 12/1/2003](#)
[DCR-NH-075, Natural Heritage Resources of Virginia - Rare Plants, 4/1/2015](#)
[DCR-PRR-001, 2013 Virginia Outdoors Plan, 1/12/2014](#)
[DCR-PRR-002, Virginia Recreational Trails Program, 10/1/2013](#)
[DCR-PRR-003, Land and Water Conservation Fund Grant Application Manual 2013, 11/1/2012](#)
[DCR-PRR-010, Bear Creek State Park Master Plan, 2/25/2015](#)
[DCR-PRR-011, Belle Isle State Park Master Plan, 3/22/2011](#)
[DCR-PRR-012, Caledon State Park Master Plan, 4/1/2012](#)
[DCR-PRR-013, Chippokes State Park Master Plan, 4/1/2012](#)
[DCR-PRR-014, Claytor Lake State Park Master Plan, 12/29/2015](#)
[DCR-PRR-015, Douthat State Park Master Plan, 10/15/2014](#)
[DCR-PRR-016, False Cape State Park Master Plan, 6/15/2010](#)
[DCR-PRR-017, First Landing State Park Master Plan, 6/15/2010](#)

Guidance Documents

- DCR-PRR-018, Hungry Mother State Park Master Plan, 8/5/2015
- DCR-PRR-019, James River State Park Master Plan, 10/15/2014
- DCR-PRR-020, Kiptopeke State Park Master Plan, 8/5/2015
- DCR-PRR-021, Lake Anna State Park Master Plan, 9/2/2011
- DCR-PRR-022, Mason Neck State Park Master Plan, 6/15/2010
- DCR-PRR-023, New River Trail State Park Master Plan, 3/23/2012
- DCR-PRR-024, Natural Tunnel State Park Master Plan, 2/25/2015
- DCR-PRR-025, Occoneechee State Park Master Plan, 12/29/2015
- DCR-PRR-026, Pocahontas State Park Master Plan, 10/21/2013
- DCR-PRR-027, Raymond R. Guest, Jr. Shenandoah River State Park, 9/26/2012
- DCR-PRR-028, Sailor's Creek Battlefield Historical State Park Master Plan, 10/15/2014
- DCR-PRR-029, Sky Meadows State Park Master Plan, 9/2/2011
- DCR-PRR-030, Smith Mountain Lake State Park Master Plan, 3/22/2011
- DCR-PRR-031, Staunton River Battlefield State Park Master Plan, 12/29/2015
- DCR-PRR-032, Wilderness Road State Park Master Plan, 7/7/2014
- DCR-PRR-033, Grayson Highlands State Park Master Plan, 9/2/2011
- DCR-PRR-034, Leesylvania State Park Master Plan, 6/15/2010
- DCR-PRR-035, Holliday Lake State Park Master Plan, 7/7/2014
- DCR-PRR-036, Twin Lakes State Park Master Plan, 7/7/2014
- DCR-PRR-037, York River State Park Master Plan, 12/29/2015
- DCR-PRR-038, Westmoreland State Park Master Plan, 1/5/2012
- DCR-PRR-039, Fairy Stone State Park Master Plan, 3/22/2011
- DCR-PRR-040, Powhatan State Park Master Plan, 8/6/2012
- DCR-PRR-041, High Bridge Trail State Park Master Plan, 9/27/2012
- DCR-PRR-042, Seven Bends State Park Master Plan, 8/6/2014
- DCR-PRR-043, Widewater State Park Master Plan, 8/15/2014
- DCR-PRR-044, Southwest Virginia Museum Historical State Park Master Plan, 9/2/2011
- DCR-PRR-045, Middle Peninsula State Park Master Plan, 6/1/2015
- DCR-PRR-046, Staunton River State Park Master Plan, 7/7/2014
- DCR-PRR-047, Biscuit Run State Park Master Plan, 10/21/2013
- DCR-SP-001, Booklet about Virginia State Parks, 1/1/2016
- DCR-SW-017, Grant Project Management Manual, 4/15/2011
- DCR-VLCF-002, Virginia Land Conservation Foundation's 2016 Grant Program Manual, 5/18/2016
- DCR-VLCF-003, Land Preservation Tax Credits - Conservation Value Review Criteria, 3/27/2009
- DCR-VLCF-004, Procedural Guidelines for Land Conservation Tax Credits Conservation Value Review, 12/12/2006
- DCR-VLCF-005, Virginia's Land Preservation Tax Credit Brochure, 12/27/2012
- DCR-VLCF-006, Land Preservation Tax Credit Questions and Answers, 9/1/2012
- DCR-VLCF-007, Virginia Land Conservation Foundation Guidance Document on Conservation Easement Dispute Resolution, 10/27/2015
- Virginia Soil and Water Conservation Board**
- DCR-VSWCB-018, Virginia Dam Safety, Flood Prevention and Protection Assistance Fund Loan and Grant Manual, 3/11/2014
- DCR-VSWCB-019, Virginia Soil and Water Conservation Board Guidance Document on Impounding Structure Ownership, 9/7/2016
- DCR-VSWCB-021, Guidance Document on Credits and Refunds of Dam Safety Certificate Application Fees, 11/30/2010
- DCR-VSWCB-022, Guidance Document on Agricultural Exemption Requirements, 11/30/2010
- DCR-VSWCB-023, Guidance Document on Roadways on or below Impounding Structures, 11/30/2010
- DCR-VSWCB-025, Guidance Document on Supplemental Environmental Projects, 10/27/2011

[DCR-VSWCB-031, Policy on Soil and Water Conservation District Administration and Operations Funding Allocations for Fiscal Year 2017, 5/24/2016](#)

[DCR-VSWCB-032, Policy and Procedures on Soil and Water Conservation District Cost-Share and Technical Assistance Funding Allocations \(Fiscal Year 2017\), 5/24/2016](#)

[DCR-VSWCB-033, Financial Commitments for Establishment of a New Soil and Water Conservation District \(SWCD/district\), or Realignment of an Existing District, 10/15/2003](#)

[DCR-VSWCB-034, Virginia Dam Owner's Handbook, Second Edition, 3/31/2014](#)

[DCR-VSWCB-036, Virginia Soil and Water Conservation Board Guidance Document on Freedom of Information Act Requirements for Resource Management Plans Program Implementation by Soil and Water Conservation District Boards and Technical Review Committees, 5/20/2015](#)

[DCR-VSWCB-037, Guidance Document on New Probable Maximum Precipitation \(PMP\) Implementation, 3/23/2016](#)

[DCR-VSWCB-038, Dam Break Inundation Zone Modeling and Mapping Procedures, 9/7/2016](#)

[DCR-VSWCB-039, Impounding Structure Hazard Classification Procedures, 9/7/2016](#)

[DCR-VSWCB-040, The Determination of Insurance Levels in Accordance with § 10.1-605 of the Code of Virginia, 9/7/2016](#)

[DCR-VSWCB-041, Virginia Dam Safety Program Enforcement Manual, 9/7/2016](#)

STATE CORPORATION COMMISSION

Office of the Clerk of the Commission

Copies of the following business entity and Uniform Commercial Code (UCC) forms and documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the State Corporation Commission, Clerk's Office, 1st Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Copies may be obtained free of charge by contacting the Clerk's Office by telephone (804) 371-9733, toll-free in Virginia (866) 722-2551, or FAX (804) 371-9521. Most of the forms may be downloaded from the Clerk's Office section on the State Corporation Commission's website at <http://www.scc.virginia.gov/clk>.

Questions regarding interpretation or implementation of these forms and documents may be directed to Joel H. Peck, Clerk of the Commission, State Corporation Commission, 1st Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9834, toll-free in Virginia

(866) 722-2551, or FAX (804) 371-9912. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197.

Guidance Documents:

For business entity forms, use the following link: <http://www.scc.virginia.gov/clk/formfee.aspx>

For UCC forms, use the following link: <http://www.scc.virginia.gov/clk/uccfile.aspx>

SCC 21.2, Expedited Service Request Form - Business Entity Filing, July 2014, § 12.1-21.2

SCC 21.2, Expedited Service Request Form - Business Entity Filing Instructions, July 1, 2015, § 12.1-21.2

SCC 544, Articles of Incorporation of a Virginia Professional Stock Corporation, revised July 2005, § 13.1-544

SCC 607/807, Guide for Articles of Correction for a Virginia Corporation, revised July 2008, §§ 13.1-607 and 13.1-807

SCC 615/815, Corporate Annual Registration Fee Notice, revised annually, §§ 13.1-615 and 13.1-815

SCC 619, Articles of Incorporation of a Virginia Stock Corporation, revised September 2015, § 13.1-619

SCC 631/830, Application for Reservation or for Renewal of Reservation of a Business Entity Name, revised July 2015, §§ 13.1-631, 13.1-830, 13.1-1013, 13.1-1215 and 50-73.3

SCC 632/831, Application for Registration or for Renewal of Registration of Corporate Name (Foreign Corporations), revised April 2016, §§ 13.1-632 and 13.1-831

SCC 635/834, Statement of Change of Registered Office and/or Registered Agent of a Corporation, revised April 2016, §§ 13.1-635, 13.1-764, 13.1-834 and 13.1-926

SCC 636/835, Statement of Resignation of Registered Agent of a Corporation, revised July 2010, §§ 13.1-636, 13.1-765, 13.1-835 and 13.1-927

SCC 710, Guide for Articles of Amendment - Virginia Stock Corporation, revised April 2008, § 13.1-710

SCC 710N, Articles of Amendment - Changing the Name of a Virginia Stock Corporation by Unanimous Consent of the Shareholders, revised July 2007, § 13.1-710

SCC 711, Guide for Articles of Restatement of a Virginia Stock Corporation, revised April 2008, § 13.1-711

SCC 720, Guide for Articles of Merger of a Virginia Stock Corporation, revised September 2015, § 13.1-720

SCC 722.4, Guide for Articles of Domestication (Foreign Stock Corporation Intending to Become a Virginia Stock Corporation), revised April 2008, § 13.1-722.4

SCC 722.5, Guide for Articles of Incorporation Surrender (Virginia Stock Corporation to be Domesticated under the

Guidance Documents

Laws of Another Jurisdiction), revised July 2015, § 13.1-722.5

SCC 722.12, LLC, Guide for Articles of Entity Conversion (Virginia Stock Corporation Converting to a Virginia Limited Liability Company), revised September 2016, § 13.1-722.12

SCC 743, Articles of Dissolution (Virginia Stock Corporation), revised July 2007, § 13.1-743

SCC 744, Articles of Revocation of Dissolution (Virginia Stock Corporation), revised July 2007, § 13.1-744

SCC 750, Articles of Termination of Corporate Existence (Virginia Stock Corporation), revised July 2007, § 13.1-750

SCC 751, Articles of Termination of Corporate Existence (By the Initial Directors or the Incorporators of a Virginia Stock Corporation), revised July 2007, § 13.1-751

SCC 754P, Reinstatement Requirements Packet, §§ 13.1-754, 13.1-769.1, 13.1-916 and 13.1-931.1

SCC 759/921, Application for a Certificate of Authority to Transact Business in Virginia, revised June 2016, §§ 13.1-759 and 13.1-921

SCC 760/922, Application for an Amended Certificate of Authority to Transact Business in Virginia, revised August 2016, §§ 13.1-760 and 13.1-922

SCC 767/929, Application for a Certificate of Withdrawal of a Foreign Corporation Authorized to Transact Business in Virginia, revised July 2016, §§ 13.1-767 and 13.1-929

SCC 819, Articles of Incorporation of a Virginia Nonstock Corporation, revised June 2014, § 13.1-819

SCC 888, Guide for Articles of Amendment - Nonstock Corporation, revised September 2011, § 13.1-888

SCC 888N, Articles of Amendment - Changing the Name of a Virginia Nonstock Corporation by Unanimous Consent of the Members or by the Directors without Member Action, revised July 2007, § 13.1-888

SCC 889, Guide for Articles of Restatement of a Virginia Nonstock Corporation, revised April 2008, § 13.1-889

SCC 896, Guide for Articles of Merger of a Virginia Nonstock Corporation, revised July 2009, § 13.1-896

SCC 898.4, Guide for Articles of Domestication (Foreign Nonstock Corporation Intending to Become a Virginia Nonstock Corporation), revised April 2008, § 13.1-898.4

SCC 898.5, Guide for Articles of Incorporation Surrender (Virginia Nonstock Corporation to be Domesticated under the Laws of Another Jurisdiction), revised July 2015, § 13.1-898.5

SCC 904, Articles of Dissolution (Virginia Nonstock Corporation), revised July 2007, § 13.1-904

SCC 905, Articles of Revocation of Dissolution (Virginia Nonstock Corporation), revised July 2007, § 13.1-905

SCC 912, Articles of Termination of Corporate Existence (Virginia Nonstock Corporation), revised July 2007, § 13.1-912

SCC 913, Articles of Termination of Corporate Existence (By the Initial Directors or the Incorporators of a Virginia Nonstock Corporation), revised July 2007, § 13.1-913

Corporate Annual Report of Principal Office and Officers and Directors, revised annually, §§ 13.1-775 and 13.1-936

LPA-73.5, Statement of Change of Registered Office and/or Registered Agent of a Limited Partnership, revised April 2016, § 50-73.5

LPA-73.6, Statement of Resignation of Registered Agent of a Limited Partnership, revised July 2010, § 50-73.6

LPA-73.11, Certificate of Limited Partnership, revised July 2010, § 50-73.11

LPA-73.11:3, Certificate of Limited Partnership of a Domestic or Foreign Partnership Converting to a Virginia Limited Partnership, revised July 2010, § 50-73.11:3

LPA-73.12, Certificate of Amendment of a Certificate of Limited Partnership, revised July 2013, § 50-73.12

LPA-73.52:4, Certificate of Cancellation of a Virginia Limited Partnership, revised July 2010, § 50-73.52:4

LPA-73.52:7P, Reinstatement Requirements Packet, §§ 50-73.52:7 and 50-73.58:3

LPA-73.54, Application for a Certificate of Registration to Transact Business in Virginia as a Foreign Limited Partnership, revised July 2010, § 50-73.54

LPA-73.57, Amended Application for Registration as a Foreign Limited Partnership, revised July 2010, § 50-73.57

LPA-73.58, Application for a Certificate of Cancellation of a Foreign Limited Partnership Registered to Transact Business in Virginia, revised July 2013, § 50-73.58

LPA-73.67, Limited Partnership - Annual Registration Fee Assessment Notice, revised annually, § 50-73.67

LPA-73.77, Amended and Restated Certificate of Limited Partnership, revised July 2010, § 50-73.77

LLC-1011, Articles of Organization of a Virginia Limited Liability Company, revised October 2011, § 13.1-1011

LLC-1011.1, Guide for Articles of Correction to the Articles of Organization of a Virginia Limited Liability Company, revised February 2013, § 13.1-1011.1

LLC-1014, Guide for Articles of Amendment - Virginia Limited Liability Company, revised April 2010, § 13.1-1014

- LLC-1014N, Articles of Amendment - Changing the Name of a Virginia Limited Liability Company - By the Members, February 2015, § 13.1-1014
- LLC-1014.1, Guide for Articles of Restatement of the Articles of Organization of a Virginia Limited Liability Company, revised April 2010, § 13.1-1014.1
- LLC-1016, Statement of Change of Registered Office and/or Registered Agent of a Limited Liability Company, revised April 2016, § 13.1-1016
- LLC-1017, Statement of Resignation of Registered Agent of a Limited Liability Company, revised July 2010, § 13.1-1017
- LLC-1018.1, Statement of Change of the Principal Office Address of a Limited Liability Company, April 2010, § 13.1-1018.1
- LLC-1050, Articles of Cancellation of a Virginia Limited Liability Company, revised May 2016, § 13.1-1050
- LLC-1050.4P, Reinstatement Requirements Packet, §§ 13.1-1050.4 and 13.1-1056.3
- LLC-1052, Application for a Certificate of Registration to Transact Business in Virginia as a Foreign Limited Liability Company, revised June 2016, § 13.1-1052
- LLC-1055, Amended Application for Registration as a Foreign Limited Liability Company, revised August 2016, § 13.1-1055
- LLC-1056, Application for a Certificate of Cancellation of a Foreign Limited Liability Company Registered to Transact Business in Virginia, revised May 2016, § 13.1-1056
- LLC-1062, Limited Liability Company Annual Registration Fee Assessment Notice, revised annually, § 13.1-1062
- LLC-1077, Guide for Articles of Domestication (Foreign Limited Liability Company Intending to Become a Virginia Limited Liability Company), revised August 2016, § 13.1-1077
- LLC-1078, Guide for Articles of Organization Surrender (Virginia Limited Liability Company to be Domesticated under the Laws of Another Jurisdiction), revised August 2016, § 13.1-1078
- LLC1085-CORP, Guide for Articles of Entity Conversion (Virginia Limited Liability Company Converting to a Virginia Stock Corporation), revised July 2016, § 13.1-1085
- LLC-1103, Articles of Organization for a Domestic Professional Limited Liability Company, revised July 2006, § 13.1-1103
- UPA-93, Statement of Partnership Authority, revised April 2015, § 50-73.93
- UPA-94, Statement of Denial for a Partnership, revised July 2010, § 50-73.94
- UPA-115, Statement of Dissociation from a Partnership, revised July 2010, § 50-73.115
- UPA-121, Statement of Dissolution of a Partnership, revised July 2010, § 50-73.121
- UPA-83D-CANC, Cancellation of Partnership Statement, revised July 2010, § 50-73.83 D
- UPA-83D-AMEND, Amendment to Partnership Statement, revised July 2010, § 50-73.83 D
- UPA-83D-RENEW, Renewal of a Statement of Partnership Authority, revised July 2010, § 50-73.83 D
- UPA-132, Statement of Registration as a Virginia Registered Limited Liability Partnership, revised July 2010, § 50-73.132
- UPA-134, Annual Continuation Report of a Virginia or Foreign Registered Limited Liability Partnership, revised annually, § 50-73.134
- UPA-134P, Restoration Requirements Packet, § 50-73.134
- UPA-135, Certificate of Change of Registered Office and/or Registered Agent of a Registered Limited Liability Partnership, revised April 2016, § 50-73.135
- UPA-135-RESIGN, Certificate of Resignation of Registered Agent of a Registered Limited Liability Partnership, revised July 2010, § 50-73.135
- UPA-136, Statement of Amendment of a Statement of Registration of a Virginia or Foreign Registered Limited Liability Partnership, revised July 2010, § 50-73.136
- UPA-137, Statement of Cancellation of a Statement of Registration of a Virginia Registered Limited Liability Partnership, revised July 2010, § 50-73.137
- LLC1085-PART, Guide for Articles of Entity Conversion (Virginia Partnership or Limited Partnership Converting to a Virginia Limited Liability Company), revised July 2016, § 13.1-1085
- UPA-138, Statement of Registration as a Foreign Registered Limited Liability Partnership, revised July 2010, § 50-73.138
- UPA-139, Statement of Cancellation of Registration as a Foreign Registered Limited Liability Partnership, revised July 2010, § 50-73.139
- BTA 1212, Articles of Trust of a Domestic Business Trust, revised July 2005, § 13.1-1212
- BTA 1213, Guide for Articles of Correction to the Articles of Trust of a Domestic Business Trust, revised April 2008, § 13.1-1213
- BTA 1216, Guide for Articles of Amendment to the Articles of Trust of a Domestic Business Trust, revised April 2008, § 13.1-1216

Guidance Documents

BTA 1217, Guide for Articles of Restatement of the Articles of Trust of a Domestic Business Trust, revised April 2008, § 13.1-1217

BTA 1221, Statement of Change of Registered Office and/or Registered Agent of a Business Trust, revised April 2016, § 13.1-1221

BTA 1222, Statement of Resignation of Registered Agent of a Business Trust, revised July 2010, § 13.1-1222

BTA 1238, Articles of Cancellation of a Virginia Business Trust, revised April 2009, § 13.1-1238

BTA 1239P, Reinstatement Requirements Packet, §§ 13.1-1239 and 13.1-1246.3

BTA 1242, Application for a Certificate of Registration to Transact Business in Virginia as a Foreign Business Trust, revised April 2009, § 13.1-1242

BTA 1245, Amended Application for Registration as a Foreign Business Trust, revised April 2009, § 13.1-1245

BTA 1246, Application for a Certificate of Cancellation of a Foreign Business Trust Registered to Transact Business in Virginia, revised July 2013, § 13.1-1246

BTA 1251, Business Trust Annual Registration Fee Assessment Notice, revised annually, § 13.1-1251

SOP-19.1, Service of Process, Notice, Order or Demand on the Clerk of the State Corporation Commission as Statutory Agent, revised October 2014, § 12.1-19.1

SOP-19.1, Service of Process, Notice, Order or Demand on the Clerk of the State Corporation Commission as Statutory Agent Instructions, revised December 3, 2014, § 12.1-19.1

UCC1, UCC Financing Statement, revised April 20, 2011, § 8.9A-509

UCC1Ad, UCC Financing Statement Addendum, revised April 20, 2011, § 8.9A-509

UCC1AP, UCC Financing Statement Additional Party, revised August 22, 2011, § 8.9A-509

UCC3, UCC Financing Statement Amendment, revised April 20, 2011, § 8.9A-512

UCC3Ad, UCC Financing Statement Amendment Addendum, revised April 20, 2011, § 8.9A-512

UCC3AP, UCC Financing Statement Amendment Additional Party, revised August 22, 2011, § 8.9A-512

UCC5, Information Statement, revised July 19, 2012, § 8.9A-518

UCC11, Information Request, revised July 19, 2012, 5VAC5-30-40

Annual Corporation Requirements, revised March 2008, §§ 13.1-775, 13.1-775.1, 13.1-936 and 13.1-936.1

Charter Fee/Entrance Fee Scheduled for Domestic and Foreign Corporations, revised March 2008, §§ 13.1-615.1, 13.1-616, 13.1-815.1 and 13.1-816

Notice to Virginia Corporations, revised June 2014, § 13.1-601 et seq. and § 13.1-801 et seq.

Notice to Foreign Corporations, revised June 2014, § 13.1-757 et seq. and § 13.1-919 et seq.

Notice to Virginia Limited Liability Companies, revised March 2013, § 13.1-1000 et seq.

Notice to Foreign Limited Liability Companies, revised March 2013, § 13.1-1051 et seq.

EINFRM, Request for Refund, revised December 2013, §§ 13.1-615, 13.1-815, 13.1-1065, 13.1-1255, 50-73.70 and 50-73.83

Frequently Asked Questions Regarding:

Annual Registration Fees, http://scc.virginia.gov/clk/befaq/an_regfees.aspx

Annual Reports, http://scc.virginia.gov/clk/befaq/an_repts.aspx

Business Entity Names, <http://scc.virginia.gov/clk/befaq/name.aspx>

Fictitious Names, <http://scc.virginia.gov/clk/befaq/fict.aspx>

Foreign Business Entities, <http://scc.virginia.gov/clk/befaq/forinva.aspx>

Registered Agents, <http://scc.virginia.gov/clk/befaq/ra.aspx>

SCC eFile, <http://scc.virginia.gov/clk/befaq/sccefile.aspx>

Virginia Nonstock Corporations, <http://scc.virginia.gov/clk/befaq/vanon.aspx>

Uniform Commercial Code, <http://scc.virginia.gov/clk/uccfaq.aspx>

Division of Public Utility Regulation

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the State Corporation Commission, Division of Public Utility Regulation, 4th Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218. Contact Kelli Gravely at the same address, telephone (804) 371-9611, FAX (804) 371-9350, or email kelli.gravely@scc.virginia.gov. Questions regarding interpretation or implementation of these documents may also be directed to Kelli Gravely. Additional information regarding the Division of Public Utility Regulation may be obtained at <http://www.scc.virginia.gov/pur>.

Communications Related Guidance Documents:

Letter, Division of Public Utility Regulation, dated December 12, 2016, Concerning Annual Payphone Service Provider

Registration for 2017 including the letter and the forms for the payphone service provider annual registration, 20VAC5-407. Contact the Division of Public Utility Regulation at (804) 371-9611.

Letter, Division of Public Utility Regulation, dated December 12, 2016, Concerning Annual Operator Service Provider Registration for 2017 including the letter and the forms for the operator service provider annual registration, 20VAC5-407. Contact the Division of Public Utility Regulation at (804) 371-9611.

Application for Registration as an Operator Service Provider, December 2016, 20VAC5-407, <http://scc.virginia.gov/publicforms/149/osp.pdf>

Application for Registration as a Payphone Service Provider, December 2016, 20VAC5-407, <http://scc.virginia.gov/publicforms/147/psp.pdf>

Instructions and Form for Competitive Local Exchange Carrier Performance/Surety Bond, http://scc.virginia.gov/publicforms/510/bond_blank.doc

Energy Related Guidance Documents:

Memorandum to All Electric Utilities regarding underground electric distribution facilities, July 10, 1970, § 56-265.1 et seq., http://www.scc.virginia.gov/pur/docs/und_dist.pdf

Tree Trimming Guidelines, September 1, 1996, House Joint Resolution No. 155 - 1989 Acts of Assembly, <http://www.scc.virginia.gov/pur/docs/tree.pdf>

Guidelines regarding application requirements for a certificate of public convenience and necessity for water and sewerage utilities, November 1, 2006, § 56-265.1 et seq., <http://www.scc.virginia.gov/pur/docs/ws.pdf>

Guidelines of Minimum Requirements for Transmission Line Applications, May 10, 1991, §§ 56-46.1 and 56-265.1 et seq., <http://www.scc.virginia.gov/pur/docs/trans.pdf>

Letter to All Electric and Gas Utilities regarding collection of monthly bills (cold weather - termination of service) and filing of complaint procedures, November annually, § 56-247.1, <http://www.scc.virginia.gov/pur/docs/cold.pdf>

Form NMIN, Agricultural Net Metering or Net Metering Interconnection Notification, revised December 28, 2015, 20VAC5-315, <http://www.scc.virginia.gov/publicforms/153/notification.pdf>

Electric Utility Integrated Resource Planning Guidelines, revised December 23, 2008, §§ 56-597, 56-598 and 56-599, <http://www.scc.virginia.gov/pur/docs/irp.pdf>

Gas Utility Five-Year Forecast Information Requirements, revised August 2016, § 56-248.1, <http://www.scc.virginia.gov/pur/docs/forecast.pdf>

Guidelines Regarding Notice Information for a Third Party Renewable Power Purchase Agreement, December 2013, Chapter 382 of the 2013 Acts of Assembly, <http://www.scc.virginia.gov/pur/pilot.aspx>

Bureau of Financial Institutions

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the State Corporation Commission, Bureau of Financial Institutions, Tyler Building, 8th Floor, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 640, Richmond, VA 23218-0640. Copies may be obtained free of charge by contacting the bureau at the same address, telephone (804) 371-9657, FAX (804) 371-9416, or email bfquestions@scc.virginia.gov.

Questions regarding interpretation or implementation of these documents may be directed to E. J. Face, Jr., Commissioner of Financial Institutions, Bureau of Financial Institutions, Tyler Building, 8th Floor, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9659, FAX (804) 371-9416, or email bfquestions@scc.virginia.gov. The mailing address is P.O. Box 640, Richmond, VA 23218-0640. Guidance documents and other information are available online at the bureau's website at <http://www.scc.virginia.gov/bfi/>.

Guidance Documents:

The following documents are available at http://www.scc.virginia.gov/bfi/files/admin_lets.pdf:

Banking Act

BFI-AL-0201, Application for a Branch Office, revised and reissued June 1, 2011, §§ 6.2-831 and 6.2-1133 of the Code of Virginia

BFI-AL-0202, Investments by Banks in Shares of Investment Companies, issued August 10, 1987, § 6.2-874 of the Code of Virginia

BFI-AL-0203, Loans Secured by Stock of Financial Institutions Holding Companies, revised and reissued June 1, 2011, §§ 6.2-874, 6.2-1186 and 6.2-1187 of the Code of Virginia

BFI-AL-0204, Investment in Community Development Corporations, issued September 8, 1988, § 6.2-874 of the Code of Virginia

BFI-AL-0205, Securities Rating Services, revised and reissued June 1, 2011, § 6.2-875 of the Code of Virginia

BFI-AL-0206, Loans in Violation of § 6.2-875, revised and reissued June 1, 2011, § 6.2-875 of the Code of Virginia

BFI-AL-0207, Obligations Subject to the Limits Specified, revised and reissued June 1, 2011, § 6.2-875 of the Code of Virginia

Guidance Documents

BFI-AL-0208, Exceptions to Lending Limits for State-Chartered Banks, revised and reissued June 1, 2011, § 6.2-875 of the Code of Virginia

BFI-AL-0209, Right of Offset by Holders of Subordinated Bank Debt, revised and reissued June 1, 2011, §§ 6.2-875 and 6.2-890 of the Code of Virginia

BFI-AL-0210, Loans Secured by Real Estate, revised and reissued June 1, 2011, §§ 6.2-878 and 6.2-879 of the Code of Virginia

BFI-AL-0212, Outside Auditor Access to Virginia Examination Reports, revised and reissued June 1, 2011, §§ 6.2-904 and 6.2-1195 of the Code of Virginia

BFI-AL-0214, Responsibility of Directors for Legal Lending Limit Violations, revised and reissued June 1, 2011, § 6.2-875 H of the Code of Virginia

BFI-AL-0215, Bank-Owned Life Insurance, revised and reissued June 1, 2011, §§ 6.2-808, 6.2-814 A, 13.1-627 A 14, 13.1-627 A 15, and 38.2-302 A 3 of the Code of Virginia

BFI-AL-0216, Payment of Dividends, issued March 27, 2012, §§ 6.2-869 and 6.2-708 of the Code of Virginia

Savings Institutions Act

BFI-AL-0201, Application for a Branch Office, revised and reissued June 1, 2011, §§ 6.2-831 and 6.2-1133 of the Code of Virginia

BFI-AL-0203, Loans Secured by Stock of Financial Institutions Holding Companies, revised and reissued June 1, 2011, §§ 6.2-874, 6.2-1186 and 6.2-0187 of the Code of Virginia

BFI-AL-0212, Outside Auditor Access to Virginia Examination Reports, revised and reissued June 1, 2011, §§ 6.2-904 and 6.2-1195 of the Code of Virginia

BFI-AL-0301, Investment in Capital Stock of USL Savings Institutions Insurance Group, Ltd., revised and reissued June 1, 2011, §§ 6.2-1110 and 6.2-1186 A 22 of the Code of Virginia

BFI-AL-0303, Investment by Virginia Savings Institutions in Shares of Open-End Management Investment Companies, revised and reissued June 1, 2011, § 6.2-1186 A 21 of the Code of Virginia

Credit Union Act

BFI-AL-0401, Investments of Funds by Credit Unions, revised and reissued June 1, 2011, § 6.2-1376 of the Code of Virginia

Consumer Finance Act

BFI-AL-0601, Sales of Automobile Club Memberships, revised and reissued June 1, 2011, § 6.2-1518 of the Code of Virginia

Interest and Usury

BFI-AL-0701, Judgment Rate of Interest, revised and reissued June 1, 2011, § 6.2-302 of the Code of Virginia

BFI-AL-0702, Charges on Subordinate Mortgage Loans by Certain Lenders, revised and reissued June 1, 2011, § 6.2-327 of the Code of Virginia

BFI-AL-0703, Rebate of Unearned Installment Loan Interest by Banks - Rule of 78, revised and reissued June 1, 2011, §§ 6.2-401, 6.2-403, 6.2-423 and 6.2-1409 of the Code of Virginia

Mortgage Lenders and Brokers

BFI-AL-1601, Mortgage Brokers as Named Payee on Mortgage Loan Notes, revised and reissued June 1, 2011, § 6.2-1600 of the Code of Virginia

BFI-AL-1603, Compensating, or Offering to Compensate, Unlicensed Mortgage Brokers, revised and reissued June 1, 2011, § 6.2-1600 of the Code of Virginia

BFI-AL-1604, Funds Available to Licensed Mortgage Lenders for Business Operation, revised and reissued June 1, 2011, §§ 6.2-1606 and 6.2-1619 of the Code of Virginia

BFI-AL-1605, Compensation of Unlicensed Mortgage Brokers, revised and reissued June 1, 2011, § 6.2-1625 of the Code of Virginia

BFI-AL-1606, Charging "Assignment Fees" to Borrowers, revised and reissued June 1, 2011, § 6.2-326 of the Code of Virginia

BFI-AL-1607, Fees Charged by Mortgage Brokers, revised and reissued June 1, 2011, § 6.2-1616 B 4 of the Code of Virginia

BFI-AL-1609, Minimum Mortgage Lender and Broker Surety Bond, revised and reissued June 1, 2011, § 6.2-1604 of the Code of Virginia

BFI-AL-1610, Prepayment Penalties in Alternative Mortgage Transactions, revised and reissued June 1, 2011, §§ 6.2-422 and 6.2-423 of the Code of Virginia

BFI-AL-1611, Nontraditional Mortgage Products, revised and reissued June 1, 2011

Payday Lenders

BFI-AL-1802, Threatening Criminal Proceedings, revised and reissued June 1, 2011, § 6.2-1816 of the Code of Virginia

Forms and Instructions:

Banks

Bank Directors Responsibilities, revised October 2010, <http://www.scc.virginia.gov/publicforms/47/bankresp.pdf>

CCB-1117, Bank Directors Responsibilities Certification, revised October 2010, <http://www.scc.virginia.gov/publicforms/46/ccb1117.pdf>

CCB-1121, Application of a New Bank or a New Savings and Loan Association for a Certificate of Authority to Begin Business in Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/45/ccb1121.pdf>

CCB-1122, Oath of Office for Multiple Directors, revised January 2000, <http://www.scc.virginia.gov/publicforms/65/ccb1122.pdf>

CCB-1122A, Oath of Office for Single Director, revised January 2000, <http://www.scc.virginia.gov/publicforms/65/ccb1122.pdf>

CCB-1123, Personal Financial Report and Disclosure Statement, revised September 2012, <http://www.scc.virginia.gov/publicforms/48/ccb1123.pdf>

CCB-1125, Application of a Virginia Bank to Establish a Branch, revised October 2010, <http://www.scc.virginia.gov/publicforms/53/ccb1125.pdf>

CCB-1126, Application to Change the Location of a Main Office or Branch Pursuant to Title 6.2 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/54/ccb1126.pdf>

CCB-1127, Application by a Bank to Engage in the Trust Business Pursuant to Title 6.2, Chapter 8, Article 3 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/66/ccb1127.pdf>

CCB-1128, Application for Approval of Merger Pursuant to Title 6.2 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/56/ccb1128.pdf>

CCB-1129, Application of a Subsidiary Trust Company for a Certificate of Authority to Begin Business Pursuant to Title 6.2, Chapter 10, Article 3 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/64/ccb1129.pdf>

CCB-1131, Application of an Interim Institution to Begin Business in Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/102/ccb1131.pdf>

CCB-1133, Notice to Establish an EFT Terminal, revised October 2010, <http://www.scc.virginia.gov/publicforms/55/ccb1133.pdf>

CCB-1137, Application for Permission to Acquire Voting Shares of a Virginia Financial Institution Pursuant to § 6.2-704 A of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/57/ccb1137.pdf>

CCB-1137A, Consent to Service of Process, revised October 2010, <http://www.scc.virginia.gov/publicforms/58/ccb1137a.pdf>

CCB-1138, Notice of Intent to Acquire a Bank Outside Virginia Pursuant to § 6.2-715 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/61/ccb1138.pdf>

CCB-1139, Application to Acquire a Virginia Bank Holding Company or Virginia Bank Pursuant to Title 6.2, Chapter 7 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/59/ccb1139.pdf>

CCB-1140, Oath of Office of Organizing Directors of Financial Institutions, revised October 2010, <http://www.scc.virginia.gov/publicforms/49/ccb1140.pdf>

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised September 2012, <http://www.scc.virginia.gov/publicforms/60/ccb1143.pdf>

CCB-1144, Application of a Bank Holding Company to Acquire a Federal Savings Institution Pursuant to § 6.2-1146 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/62/ccb1144.pdf>

CCB-1146, Application to Convert Pursuant to Title 6.2 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/52/ccb1146.pdf>

CCB-1147, Certification - Interagency Biographical and Financial Report, revised April 1998, <http://www.scc.virginia.gov/publicforms/50/ccb1147.pdf>

CCB-1150, Employment and Business Affiliation Disclosure Form, revised October 2010, <http://www.scc.virginia.gov/publicforms/51/ccb1150.pdf>

CCB-9905, Application to Establish a Trust Office, revised October 2010, <http://www.scc.virginia.gov/publicforms/67/ccb9905.pdf>

Savings Institutions

Responsibilities of Savings Institutions' Directors, revised September 1991

CCB-1121, Application of a New Bank or a New Savings and Loan Association for a Certificate of Authority to Begin Business in Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/45/ccb1121.pdf>

CCB-1122, Oath of Office for Multiple Directors, revised January 2000, <http://www.scc.virginia.gov/publicforms/65/ccb1122.pdf>

CCB-1122A, Oath of Office for Single Director, revised January 2000, <http://www.scc.virginia.gov/publicforms/65/ccb1122.pdf>

CCB-1123, Personal Financial Report and Disclosure Statement, revised September 2012, <http://www.scc.virginia.gov/publicforms/48/ccb1123.pdf>

CCB-1126, Application to Change the Location of a Main Office or Branch Pursuant to Title 6.2 of the Code of

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Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/54/ccb1126.pdf>

CCB-1137A, Consent to Service of Process, revised October 2010,
<http://www.scc.virginia.gov/publicforms/58/ccb1137a.pdf>

CCB-1140, Oath of Office of Organizing Directors of Financial Institutions, revised October 2010
<http://www.scc.virginia.gov/publicforms/49/ccb1140.pdf>

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised September 2012,
<http://www.scc.virginia.gov/publicforms/60/ccb1143.pdf>

CCB-1146, Application to Convert Pursuant to Title 6.2 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/52/ccb1146.pdf>

CCB-1147, Certification - Interagency Biographical and Financial Report, revised April 1998,
<http://www.scc.virginia.gov/publicforms/50/ccb1147.pdf>

CCB-1150, Employment and Business Affiliation Disclosure Form, revised October 2010,
<http://www.scc.virginia.gov/publicforms/51/ccb1150.pdf>

CCB-2201, Application of a Virginia Savings Institution to Establish a Branch, revised October 2010,
<http://www.scc.virginia.gov/publicforms/104/ccb2201.pdf>

CCB-2206, Supplemental Sheet - Application of Savings Institutions for a Certificate of Authority to Begin Business, revised March 2008,
<http://www.scc.virginia.gov/publicforms/101/ccb2206.pdf>

CCB-2207, Application of a Savings Institution Holding Company for Acquisition of Control Pursuant to § 6.2-1147 of the Code of Virginia and 10VAC5-30-10 et seq., revised October 2010,
<http://www.scc.virginia.gov/publicforms/107/ccb2207.pdf>

CCB-2209, Application by an Out-of-State Savings Institution to Transact a Savings Institution Business in Virginia Pursuant to Title 6.2, Chapter 11, Article 5 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/108/ccb2209.pdf>

CCB-2210, Application to Acquire a Virginia Savings Institution Holding Company or Virginia Savings Institution Pursuant to Title 6.2, Chapter 11, Article 5 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/109/ccb2210.pdf>

CCB-2211, Notice of Intent to Acquire a Savings Institution Outside Virginia Pursuant to § 6.2-1160 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/110/ccb2211.pdf>

CCB-2212, Notice of Proposed Change of Location (within one mile) of a Main Office or Branch of a Savings Institution,

revised October 2010,
<http://www.scc.virginia.gov/publicforms/105/ccb2212.pdf>

CCB-2213, Notice of Intent to Establish a Non-Depository Office by a Savings Institution Pursuant to § 6.2-1133 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/106/ccb2213.pdf>

CCB-2215, Application for a Certificate of Authority to Begin Business as a Savings Bank Pursuant to Title 6.2, Chapter 11, Article 2 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/103/ccb2215.pdf>

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CCB-1123, Personal Financial Report and Disclosure Statement, revised September 2012,
<http://www.scc.virginia.gov/publicforms/48/ccb1123.pdf>

CCB-1137A, Consent to Service of Process, revised October 2010,
<http://www.scc.virginia.gov/publicforms/58/ccb1137a.pdf>

CCB-1150, Employment and Business Affiliation Disclosure Form, revised October 2010,
<http://www.scc.virginia.gov/publicforms/51/ccb1150.pdf>

CCB-3302, Application for Permission to Establish and Operate a Credit Union Pursuant to § 6.2-1321 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/80/ccb3302.pdf>

CCB-3304, Consent to Service of Process (Insurer of Shares), revised October 2010,
<http://www.scc.virginia.gov/publicforms/82/ccb3304.pdf>

CCB-3305, Application by an Out-of-State Credit Union to Conduct Business as a Credit Union in Virginia Pursuant to § 6.2-1379 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/81/ccb3305.pdf>

CCB-3306, Application for Approval of Merger of Credit Unions Pursuant to § 6.2-1344 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/83/ccb3306.pdf>

CCB-3307, Application of a Credit Union to Establish a Service Facility Pursuant to § 6.2-1326 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/84/ccb3307.pdf>

CCB-3308, Credit Union Request for Field of Membership Expansion, revised October 2010,
<http://www.scc.virginia.gov/publicforms/79/ccb3308.pdf>

Consumer Finance Companies

CCB-1123, Personal Financial Report and Disclosure Statement, revised September 2012,
<http://www.scc.virginia.gov/publicforms/48/ccb1123.pdf>

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised September 2012, <http://www.scc.virginia.gov/publicforms/60/ccb1143.pdf>

CCB-1149, Depository Institution Authorization Form, revised December 2004, <http://www.scc.virginia.gov/publicforms/69/ccb1149.pdf>

CCB-1150, Employment and Business Affiliation Disclosure Form, revised October 2010, <http://www.scc.virginia.gov/publicforms/51/ccb1150.pdf>

CCB-4401, Annual Report of a Consumer Finance Company, revised December 2016, <http://www.scc.virginia.gov/publicforms/119/ccb4401.pdf>

CCB-4402, Application for a Consumer Finance License Pursuant to Chapter 15 of Title 6.2 of the Code of Virginia, revised May 2013, <http://www.scc.virginia.gov/publicforms/68/ccb4402.pdf>

CCB-4403, Notice to Conduct Consumer Finance Business and Other Business at Same Location, revised October 2010, <http://www.scc.virginia.gov/publicforms/70/ccb4403.pdf>

CCB-4406, Notice of Intent to Change the Location of a Consumer Finance Office, revised October 2010, <http://www.scc.virginia.gov/publicforms/71/ccb4406.pdf>

CCB-4407, Application for an Additional Consumer Finance Office Pursuant to § 6.2-1507 B of the Consumer Finance Act, revised October 2010, <http://www.scc.virginia.gov/publicforms/72/ccb4407.pdf>

CCB-4408, Application for Permission to Acquire Control of a Consumer Finance Licensee Pursuant to § 6.2-1510 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/73/ccb4408.pdf>

Money Order Sellers and Money Transmitters

CCB-1123, Personal Financial Report and Disclosure Statement, revised September 2012, <http://www.scc.virginia.gov/publicforms/48/ccb1123.pdf>

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised September 2012, <http://www.scc.virginia.gov/publicforms/60/ccb1143.pdf>

CCB-1149, Depository Institution Authorization Form, revised December 2004, <http://www.scc.virginia.gov/publicforms/69/ccb1149.pdf>

CCB-1150, Employment and Business Affiliation Disclosure Form, revised October 2010, <http://www.scc.virginia.gov/publicforms/51/ccb1150.pdf>

CCB-5500, Application for a License to Engage in the Money Transmission and/or Money Order Sales Business Pursuant to Chapter 19 of Title 6.2 of the Code of Virginia, revised June 2014, <http://www.scc.virginia.gov/publicforms/85/ccb5500.pdf>

CCB-5507, Annual Report of Money Transmitters, revised December 2016, <http://www.scc.virginia.gov/publicforms/121/ccb5507.pdf>

CB-5509, Surety Bond for Money Order Sales and Money Transmission, revised October 2010, <http://www.scc.virginia.gov/publicforms/86/ccb5509.pdf>

CCB-5511, Transaction Report of Money Order Sellers and Money Transmitters for the Semi-Annual Period, revised 2011, <http://www.scc.virginia.gov/publicforms/122/ccb5511.pdf>

CCB-5512, Transaction Report of Money Order Sellers and Money Transmitters for the Quarter, revised 2011, <http://www.scc.virginia.gov/publicforms/123/ccb5512.pdf>

CCB-5513, Deposit Agreement under Virginia Code Title 6.2, Chapter 19 (Money Order Sales), revised October 2010, <http://www.scc.virginia.gov/publicforms/87/ccb5513.pdf>

CCB-5514, Application for Permission to Acquire Control of a Money Transmitter Licensee Pursuant to § 6.2-1914 of the Code of Virginia, revised June 2014, <http://www.scc.virginia.gov/publicforms/88/ccb5514.pdf>

Check Cashers

CCB-5510, Check Casher Registration Form, revised October 2010, <http://www.scc.virginia.gov/publicforms/44/ccb5510.pdf>

Payday Lenders

CCB-1123, Personal Financial Report and Disclosure Statement, revised September 2012, <http://www.scc.virginia.gov/publicforms/48/ccb1123.pdf>

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised September 2012, <http://www.scc.virginia.gov/publicforms/60/ccb1143.pdf>

CCB-1149, Depository Institution Authorization Form, revised December 2004, <http://www.scc.virginia.gov/publicforms/69/ccb1149.pdf>

CCB-1150, Employment and Business Affiliation Disclosure Form, revised October 2010, <http://www.scc.virginia.gov/publicforms/51/ccb1150.pdf>

CCB-5515, Application for a Payday Lender License Pursuant to Chapter 18 of Title 6.2 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/95/ccb5515.pdf>

CCB-5516, Surety Bond Pursuant to § 6.2-1804 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/96/ccb5516.pdf>

CCB-5517, Application for an Additional Office or Relocation of an Existing Office Pursuant to § 6.2-1807 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/97/ccb5517.pdf>

Guidance Documents

CCB-5518, Application for Permission to Acquire Control of a Payday Lender Licensee Pursuant to § 6.2-1808 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/98/ccb5518.pdf>

CCB-5519, Application to Conduct the Business of Making Payday Loans and Other Business at Same Location, revised October 2010, <http://www.scc.virginia.gov/publicforms/99/ccb5519.pdf>

CCB-5521, Annual Report of Payday Lenders, revised December 2016, <http://www.scc.virginia.gov/publicforms/120/ccb5521.pdf>

CCB-5529, Annual Report of Motor Vehicle Title Lenders, revised December 2016, <http://www.scc.virginia.gov/publicforms/591/ccb5529.pdf>

Industrial Loan Associations

CCB-6602, Annual Report of Industrial Loan Associations, revised December 2016, <http://www.scc.virginia.gov/publicforms/124/ccb6602.pdf>

Credit Counseling Agencies

CCB-1123, Personal Financial Report and Disclosure Statement, revised September 2012, <http://www.scc.virginia.gov/publicforms/48/ccb1123.pdf>

CCB-1148, Personal Information and Disclosure Statement for Directors of Credit Counseling Agencies, revised June 2006, <http://www.scc.virginia.gov/publicforms/75/ccb1148.pdf>

CCB-1149, Depository Institution Authorization Form, revised December 2004, <http://www.scc.virginia.gov/publicforms/69/ccb1149.pdf>

CCB-1150, Employment and Business Affiliation Disclosure Form, revised October 2010, <http://www.scc.virginia.gov/publicforms/51/ccb1150.pdf>

CCB-7700, Application to Engage in the Business of a Credit Counseling Agency Pursuant to Chapter 20, Title 6.2 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/74/ccb7700.pdf>

CCB-7702, Application for an Additional Office or the Relocation of an Existing Office Pursuant to § 6.2-2006 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/77/ccb7702.pdf>

CCB-7703, Surety Bond Pursuant to § 6.2-2003 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/76/ccb7703.pdf>

CCB-7704, Application for Permission to Acquire Control of a Credit Counseling Licensee Pursuant to § 6.2-2007 of the Code of Virginia, revised October 2010, <http://www.scc.virginia.gov/publicforms/78/ccb7704.pdf>

CCB-7705, Semi-Annual Report of Agencies Providing Debt Management Plans, revised December 2016, <http://www.scc.virginia.gov/publicforms/126/ccb7705.pdf>

CCB-7706, Annual Report of Agencies Providing Debt Management Plans, revised December 2016, <http://www.scc.virginia.gov/publicforms/125/ccb7706.pdf>

Mortgage Lenders and Mortgage Brokers

Effective January 3, 2011, mortgage lenders and mortgage brokers licensed pursuant to Chapter 16, Title 6.2 of the Code of Virginia began transitioning to the National Mortgage Licensing System (NMLS). Also, applicants for mortgage lender and mortgage broker licenses and for additional offices are required to apply online through NMLS.

CCB-1149, Depository Institution Authorization, <http://www.scc.virginia.gov/publicforms/69/ccb1149.pdf>

CCB-1150, Employment and Business Affiliation Disclosure Form, revised October 2010, <http://www.scc.virginia.gov/publicforms/51/ccb1150.pdf>

CCB-8805, Annual Report of Mortgage Lenders and Brokers, revised December 2015, <http://www.scc.virginia.gov/publicforms/118/ccb8805.pdf>

CCB-8808, Application for Permission to Acquire Control of a Mortgage Lender/Broker Licensed Pursuant to § 6.2-1608 of the Code of Virginia, revised November 2012

CCB-8811, Application for Exclusive Agent Qualification, Pursuant to Chapter 16 of Title 6.2 of the Code of Virginia, revised October 2010

CCB-8812, Criminal History Records Consent and Fingerprinting, revised October 2011

CCB-8813, Surety Bond Pursuant to §§ 6.2-1604 and 6.2-1703 of the Code of Virginia, revised October 2010

CCB-8816, Virginia Mortgage Business Certification Form, revised October 2010

CCB-8820, Annual Report of Exempt Mortgage Lenders and Brokers, revised December 2015, <http://www.scc.virginia.gov/publicforms/590/ccb8820.pdf>

Mortgage Loan Originators

MU4 Form, Reminder: Virginia jurisdiction specific forms, available from the NMLS site must be downloaded and submitted to the Bureau at the time the MU4 is electronically filed.

CCB-1123, Personal Financial Report and Disclosure Statement, revised September 2012

CCB-1143, Limited Personal Financial Report and Disclosure Statement, revised September 2012

CCB-8814, Surety Bond Pursuant to § 6.1-431.4 of the Code of Virginia, revised October 2010

CCB-8815, Employment Verification Form, revised October 2010

CCB-8817, MLO Personal Financial Report, revised November 2009

Trust Companies

CCB-1122, Oath of Office for Multiple Directors, revised January 2000,
<http://www.scc.virginia.gov/publicforms/65/ccb1122.pdf>

CCB-1122A, Oath of Office for Single Director, revised January 2000,
<http://www.scc.virginia.gov/publicforms/65/ccb1122.pdf>

CCB-1123, Personal Financial Report and Disclosure Statement, revised September 2012,
<http://www.scc.virginia.gov/publicforms/48/ccb1123.pdf>

CCB-1140, Oath of Office of Organizing Directors of Financial Institutions, revised October 2010,
<http://www.scc.virginia.gov/publicforms/49/ccb1140.pdf>

CCB-1150, Employment and Business Affiliation Disclosure Form, revised October 2010,
<http://www.scc.virginia.gov/publicforms/51/ccb1150.pdf>

CCB-9900, Application of a Trust Company for a Certificate of Authority to Begin Business Pursuant to Title 6.2, Chapter 10, Article 2 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/111/ccb9900.pdf>

CCB-9901, Certificate of a Control Person of a Trust Company Pursuant to § 6.2-1024 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/112/ccb9901.pdf>

CCB-9902, Bond for a Trust Company, revised October 2010,
<http://www.scc.virginia.gov/publicforms/113/ccb9902.pdf>

CCB-9904, Dual Service Certificate - Affiliated Trust Companies, revised January 2005,
<http://www.scc.virginia.gov/publicforms/114/ccb9904.pdf>

CCB-9905, Application to Establish a Trust Office, revised October 2010,
<http://www.scc.virginia.gov/publicforms/67/ccb9905.pdf>

CCB-9906, Application for Permission to Acquire Voting Shares of a Trust Company Pursuant to § 6.2-1023 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/116/ccb9906.pdf>

CCB-9907, Application of a Trust Company to Change the Location of a Main Office or Branch Pursuant to § 6.2-1028 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/115/ccb9907.pdf>

CCB-9908, Notice of Intent to Engage in Business as a Private Trust Company, revised October 2010,
<http://www.scc.virginia.gov/publicforms/117/ccb9908.pdf>

Settlement Agents

CCB-10001, Settlement Agent Registration Form for a Financial Institution or its Affiliate or Subsidiary Pursuant to Chapter 27.3 of Title 55 of the Code of Virginia, revised October 2010,
<http://www.scc.virginia.gov/publicforms/520/ccb10001.pdf>

Publications:

"The Compliance Connection," a newsletter for consumer finance companies, mortgage lenders, mortgage brokers, and industrial loan associations, published quarterly,
http://www.scc.virginia.gov/bfi/cc_news.aspx

"The Virginia State Banker," a newsletter for state-chartered banks, published quarterly,
http://www.scc.virginia.gov/bfi/sb_news.aspx

"Regulatory Report," regulatory news for Virginia payday lender and motor vehicle title lender licensees, published on an as-needed basis,
http://www.scc.virginia.gov/bfi/rr_news.aspx

Virginia Mortgage Law and Regulation Overview, revised April 6, 2010,
<http://www.scc.virginia.gov/bfi/files/mortguide.pdf>

Bureau of Insurance

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 4:30 p.m. in the office of the State Corporation Commission, Bureau of Insurance, Tyler Building, 6th Floor, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1157, Richmond, VA 23218. For general information call the Bureau of Insurance at telephone (804) 371-9741 or toll free in Virginia (800) 552-7945.

Questions regarding interpretation or implementation of these documents may be directed to Van Tompkins, Special Assistant to the Commissioner of Insurance. Single copies of each document listed may be obtained free of charge by contacting Ms. Tompkins at P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9694, or FAX (804) 371-9873. Many of these documents are available online at the bureau's website at <http://www.scc.virginia.gov/boi>.

Administrative Letters:

Administrative Letter 1977-4, 1977 Insurance Legislation, issued April 15, 1977,
<http://www.scc.virginia.gov/boi/adminlets/77-4.pdf>

Administrative Letter 1977-5, Readable Insurance Policies - Automobile, Fire, and Homeowners Policies, issued May 9, 1977, §§ 38.2-2107 (formerly § 38.1-367.1) and 38.2-2224 (formerly § 38.1-387.1),
<http://www.scc.virginia.gov/boi/adminlets/77-5.pdf>

Administrative Letter 1977-6, 1977 Acts of the General Assembly of Virginia, issued May 9, 1977, §§ 38.2-2201

Guidance Documents

(formerly § 38.1-380.1), 38.2-2202 (formerly § 38.1-380.2) and 46.2-465 (formerly § 46.1-497.1), <http://www.scc.virginia.gov/boi/adminlets/77-6.pdf>

Administrative Letter 1977-7, Assignment of Driving Record Points, issued May 9, 1977, § 38.2-1904 (formerly § 38.1-279.33), <http://www.scc.virginia.gov/boi/adminlets/77-7.pdf>

Administrative Letter 1977-8, 1977 Acts of the General Assembly of Virginia, issued May 12, 1977, §§ 38.2-2118 (formerly § 38.1-279.49:1), 38.2-2204 (formerly § 38.1-381), 38.1-389.3 (Repealed 1996) and 38.2-2807 (formerly § 38.1-781), <http://www.scc.virginia.gov/boi/adminlets/77-8.pdf>

Administrative Letter 1977-9, 161 Private Passenger Car Class Plan, issued May 26, 1977, §§ 38.2-1904 (formerly § 38.1-279.33), 38.2-1910 (formerly § 38.1-279.38) and 38.2-2213 (formerly § 38.1-381.6), <http://www.scc.virginia.gov/boi/adminlets/77-9.pdf>

Administrative Letter 1977-11, Automobile Rate Classification Statement, issued July 15, 1977, § 38.2-2214 (formerly § 38.1-381.7), <http://www.scc.virginia.gov/boi/adminlets/77-11.pdf>

Administrative Letter 1977-14, Assignment of Driving Record Points, issued July 26, 1977, §§ 38.2-1904 (formerly § 38.1-279.33) and 38.2-1928 (formerly § 38.1-279.56), <http://www.scc.virginia.gov/boi/adminlets/77-14.pdf>

Administrative Letter 1977-15, Amendment of § 38.1-348.7 of the Code of Virginia Relating to Coverages for Mental Emotional or Nervous Disorders, Alcoholism and Drug Addiction, issued October 11, 1977, § 38.2-3412 (formerly § 38.1-348.7), <http://www.scc.virginia.gov/boi/adminlets/77-15.pdf>

Administrative Letter 1978-2, 1978 Acts of the General Assembly of Virginia, issued May 31, 1978, <http://www.scc.virginia.gov/boi/adminlets/78-2.pdf>

Administrative Letter 1978-5, (1) Amendment of §§ 38.1-348.7 and 38.1-348.8 of the Code of Virginia Relating to Coverages for Mental, Emotional or Nervous Disorders, Alcohol and Drug Dependence; (2) Enactment of § 38.1-348.9 of the Code of Virginia Relating to Optional Obstetrical Services Coverages in Group Insurance Plans and Policies; and (3) Enactment of § 38.1-348.10 of the Code of Virginia to Prohibit Exclusion or Reduction of Benefits under a Group Accident and Sickness Insurance Policy on a Group Prepaid Service Plan Issued Pursuant to Title 32.1 of the Code of Virginia on the Basis of Such Benefits Being Also Payable under an Individual Policy or Contract, issued June 15, 1978, §§ 38.2-3412 (formerly § 38.1-348.7), 38.2-3413 (formerly § 38.1-348.8), 38.2-3414 (formerly § 38.1-348.9) and 38.2-3415 (formerly § 38.1-348.10), <http://www.scc.virginia.gov/boi/adminlets/78-5.pdf>

Administrative Letter 1978-7, Policy Form Filings (for Maintenance of Mutual Assessment Fire Insurance Company

Policy Form Filings), issued June 8, 1978, <http://www.scc.virginia.gov/boi/adminlets/78-7.pdf>

Administrative Letter 1978-8, The Use and Filing of Policy Forms (for Title Insurance Policies and Interim Binders), issued July 31, 1978, § 38.2-1003 (formerly § 38.1-76), <http://www.scc.virginia.gov/boi/adminlets/78-8.pdf>

Administrative Letter 1978-10, Notice of Refusal to Renew, issued September 12, 1978, § 38.2-2212 (formerly § 38.1-381.5), <http://www.scc.virginia.gov/boi/adminlets/78-10.pdf>

Administrative Letter 1978-12, ISO Copyright on Standard Forms, issued October 11, 1978, <http://www.scc.virginia.gov/boi/adminlets/78-12.pdf>

Administrative Letter 1978-13, Street Address of Branch Offices, issued October 25, 1978, <http://www.scc.virginia.gov/boi/adminlets/78-13.pdf>

Administrative Letter 1979-9, Charges for Motor Vehicle Accident and Conviction Reports, issued March 19, 1979, §§ 38.2-310 (formerly § 38.1-337) and 38.2-1904 (formerly § 38.1-279.33), <http://www.scc.virginia.gov/boi/adminlets/79-9.pdf>

Administrative Letter 1979-12, 1979 Acts of the General Assembly of Virginia, issued April 13, 1979, <http://www.scc.virginia.gov/boi/adminlets/79-12.pdf>

Administrative Letter 1979-14, 1979 Legislation Pertaining to Life Insurance and Accident and Sickness Insurance, issued May 10, 1979, §§ 38.2-508.3 (formerly § 38.1-52 (7) (c)), 38.2-3407 (formerly § 38.1-347.2), 38.2-3408 (formerly § 38.1-347.1), 38.2-3412 (formerly § 38.1-348.7) and 38.2-3541 (formerly § 38.1-348.11), <http://www.scc.virginia.gov/boi/adminlets/79-14.pdf>

Administrative Letter 1979-15, 1979 Legislation Pertaining to Fire Insurance, Homeowners Insurance and Motor Vehicle Insurance, issued May 18, 1979, §§ 38.2-2105 (formerly § 38.1-366), 38.2-2206 (formerly § 38.1-381), 38.2-2214 (formerly § 38.1-381.7), 8.01-66, 8.01-66.1 and 46.2-372 (formerly § 46.1-400), <http://www.scc.virginia.gov/boi/adminlets/79-15.pdf>

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Administrative Letter 2012-07, Certificates of Insurance, issued July 1, 2012, <http://www.scc.virginia.gov/boi/adminlets/12-07.pdf>

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Administrative Letter 2015-04, Rules Governing the Reporting of Cost and Utilization Data Relating to Mandated Benefits and Mandated Providers - 2014 Reporting Period, issued March 12, 2015, <https://www.scc.virginia.gov/boi/adminlets/15-04.pdf>

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Administrative Letter 2015-09, Withdrawal of Administrative Letters 1981-11, 1983-6, 1985-13, 1985-15, 1986-20, 1987-15, 1988-9, 1988-14, 1990-13, 1992-8, 1992-14, 1992-15, 1992-16, 1992-17, 1992-24, 1993-16, 1997-1, 1997-13, 1998-4, 1998-6, 1998-7, and 1999-9, issued May 1, 2015, <https://www.scc.virginia.gov/boi/adminlets/15-09.pdf>

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Administrative Letter 2016-02, Rules Governing Long Term Care Insurance 14VAC5-200-125 Annual Rate Reports, issued March 23, 2016, <http://scc.virginia.gov/boi/adminlets/16-02.pdf>

Administrative Letter 2016-03, Compliance with Statutory Rate Standards in File and Use Lines of Insurance (Price Optimization), issued April 15, 2016, <http://scc.virginia.gov/boi/adminlets/16-03.pdf>

Administrative Letter 2016-04, Insurance-Related Legislation Enacted by the 2016 Virginia General Assembly, issued May 4, 2016, <http://scc.virginia.gov/boi/adminlets/16-04.pdf>

Administrative Letter 2016-05, Mandatory Notices; Withdrawal of Administrative Letter 2015-05 - All

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Companies Licensed to Write Fire and Fire in Combination with Other Coverages Including Policies Providing Homeowners Coverage, Coverage on Owner-Occupied Dwellings, and Coverage for Tenants; and Interested Parties, issued July 1, 2016, <http://scc.virginia.gov/boi/adminlets/16-05.pdf>

Administrative Letter 2016-06, Mandatory Notices; Withdrawal of [Administrative Letter 2015-06](#) - All Insurers Licensed to Write Motor Vehicle Policies and Interested Parties, issued July 1, 2016, <http://scc.virginia.gov/boi/adminlets/16-06.pdf>

Administrative Letter 2016-07, Implementation of Principle-Based Reserving for Life, Annuity, and Accident and Health Contracts pursuant to Article 10 of Chapter 13 of the Code of Virginia, issued July 1, 2016, <http://scc.virginia.gov/boi/adminlets/16-07.pdf>

Administrative Letter 2016-08, 2016 Legislative Changes to POM Requirements and § 38.2-231 Commercial Liability Policies - Notices of Premium Increase, Cancellation, and Refusal to Renew. Withdraws [Administrative Letter 2006-12](#), issued August 1, 2016, <http://scc.virginia.gov/boi/adminlets/16-08.pdf>

Administrative Letter 2016-09, Provider Discount Arrangements, issued November 15, 2016, <http://scc.virginia.gov/boi/adminlets/16-09.pdf>

Financial Regulation Unit Guidance Documents:

Future Year-End Reserve Valuation Submissions to the Virginia Bureau of Insurance, January 1993, (This letter is available upon request from the Actuarial Support Section of the Financial Regulation Division by calling (804) 371-9589).

Future Year-End Reserve Valuation Submissions Other Than by Hard Copy to the Virginia Bureau of Insurance, September 2002, (This letter is available upon request from the Actuarial Support Section of the Financial Regulation Division by calling (804) 371-9589).

Future Year-End Reserve Valuation Submissions Other Than by Hard Copy to the Virginia Bureau of Insurance, November 2005, (This letter is available upon request from the Actuarial Support Section of the Financial Regulation Division by calling (804) 371-9589).

Letter to Insurers Prior to an Examination Specifying the Date of the Upcoming Examination and Requesting Specific Documentation the Insurer is to Provide to the Bureau of Insurance Staff, revised December 2014, (This letter is available upon request from the Financial Examination Section of the Financial Regulation Division by calling (804) 371-9123).

Annual renewal letters for all entities licensed, approved, registered, authorized, accredited, or certified by the Virginia Bureau of Insurance, December 2016, (This letter is available

upon request from the Financial Analysis Section of the Financial Regulation Division by calling (804) 371-9869).

The following documents are available at <http://scc.virginia.gov/boi/co/miscforms.aspx>:

Certified Reinsurers, Form CR-F and Instructions for Form CR-F

Certified Reinsurers Form CR-S and Instructions for Form CR-S

The following documents are available at http://www.scc.virginia.gov/boi/co/lic_reg.aspx:

Dental Plan Organizations Requirements for Organizing and Licensing in Virginia, revised April 2012, § 38.2-6102

Instructions for Completing the Initial Reinsurance Intermediary License Application, revised April 2007, § 38.2-1348

Requirements for Surplus Lines Approval in Virginia for an Alien Insurer, revised January 2016, § 38.2-4805.1

Requirements for Surplus Lines Approval in Virginia for a Foreign Carrier, revised January 2016, § 38.2-4805.1

Application for the Establishment of a Managed Care Health Insurance Plan (MCHIP), revised July 2011, § 38.2-5800

Home Protection Company Requirements for Organizing and Licensing in Virginia, revised August 2012, §§ 38.2-1024 and 38.2-2603

Home Service Contract Provider Requirements for Organizing and Licensing in Virginia, revised March 2016, Article 2 of Chapter 26 of Title 38.2

Captive Insurers Requirements for Organizing and Licensing in Virginia, revised April 2012, §§ 38.2-1024 and 38.2-1102

Health Services Plan Requirements for Organizing and Licensing in Virginia, revised April 2012, § 38.2-4200

Health Maintenance Organizations Requirements for Organizing and Licensing in Virginia, revised April 2012, § 38.2-4301

Limited Health Maintenance Organizations Requirements for Organizing and Licensing in Virginia, revised April 2012, § 38.2-4301

Virginia Legal Services Plan Requirements for Organizing and Licensing in Virginia, revised April 2012, § 38.2-4413

Dental Services Plan Requirements for Organizing and Licensing in Virginia, revised September 2014, § 38.2-4517

Optometric Services Plan Requirements for Organizing and Licensing in Virginia, revised September 2014, § 38.2-4517

Insurance Premium Finance Company Requirements for Organizing and Licensing in Virginia, revised August 2015, § 38.2-4701

Community-Based Continuing Care Providers Registration and Disclosure Filing Guidelines, August 2012, § 38.2-4919

Continuing Care Providers Registration and Disclosure Filing Guidelines, revised August 2012, § 38.2-4901

Viatical Settlement Providers Requirements for Operating in Virginia, revised September 2014, § 38.2-6002

Multiple Employer Welfare Arrangements Requirements for Operating in Virginia, revised January 2014, Article 3 of Chapter 34 of Title 38.2

Requirements for Accredited Substantially Similar, and Trusteed Reinsurers, October 2013, § 38.2-1316.2

Requirements for Certified Reinsurers, October 2013, § 38.2-1316.2 B

Requirements for Organizing and Licensing of a Group Self-Insurance Association, revised December 2010, § 65.2-802

Licensing Procedures for Managing General Agents to Obtain Authority in Virginia (Procedures, Instructions and Application), revised October 2005, § 38.2-1359

Information Concerning Purchasing Group Registration, August 2016, § 38.2-5108

Information Concerning Risk Retention Group Registration, September 2014, §§ 38.2-5102 and 38.2-5103

The following document is available at http://www.naic.org/industry_ucaa.htm:

Uniform Certificate of Authority Application, revised August 2014, §§ 38.2-1024 and 38.2-1206,

The following documents are available at <http://www.scc.virginia.gov/boi/co/holdco.aspx>:

Form A, Instructions for Application for Approval of Acquisition of Control of or Merger with a Domestic Insurer Pursuant to § 38.2-1323, revised January 2015, 14VAC5-260

Form B, Instructions for Insurance Holding Company System Annual Registration Statement Pursuant to § 38.2-1329, revised January 2015, 14VAC5-260

Form C, Instructions for Summary of Changes to Registration Statement Pursuant to § 38.2-1329, revised January 2015, 14VAC5-260

Form D, Instructions for Prior Notice and Application for Approval of Certain Transactions Pursuant to § 38.2-1330 B, revised January 2015, 14VAC5-260

Form E, Instructions for Pre-Acquisition Notification Form Regarding the Potential Competitive Impact of a Proposed Merger or Acquisition by a Nondomiciliary Insurer Doing Business in this Commonwealth or by a Domestic Insurer Pursuant to § 38.2-1323, revised January 2015, 14VAC5-260

Form F, Instructions for Enterprise Risk Report Pursuant to § 38.2-1329 L, May 2015, 14VAC5-260

Form G, Instructions for Notice of Dividends and Distributions to Shareholders Pursuant to §§ 38.2-1329 F and 38.2-1330.1, revised January 2015, 14VAC5-260

The following documents are available at http://www.scc.virginia.gov/boi/co/an_renew.aspx

NAIC Financial Standard State Filing Checklists for filings due in 2017 for Fraternal Societies, Health Organizations, Life, Accident and Health Companies, Property and Casualty Companies, and Title Companies

Virginia Specific Financial and License Renewal Forms:

Form R01, [Analysis of Excess Capital and Surplus Investments Report](#)

Form R2A, [Application for Renewal of License](#)

Form R2B, [Application for Renewal of License - Fraternal Benefit Society](#)

Form R17, [Application for Renewal of License - Home Service Contract Provider](#)

Form R03, [Audited Financial Statements Exemption Affidavit](#)

Form R05, [Certificate of Assuming Insurer](#)

Form R05Q, [Certificate of Assuming Insurer Quarterly Update](#)

Form R15, [Certificate of Certified Reinsurer](#)

Form R06, [Costs of HMO's Indemnification and Nonparticipating Referral Provider Arrangements](#)

Form R18, [Home Service Contract Provider Demographic Information and Requirements for Doing Business in Virginia](#)

Form R19, [Multiple Employer Welfare Arrangement Policy Verification](#)

[Multiple Employer Welfare Arrangement Renewal](#)

[PG Annual Renewal](#)

[Premium Finance Annual Statement Form](#)

Form R08, [Producer-Controlled Insurer Report](#)

[Reinsurance Intermediary License Renewal Application](#)

Form R09, [Report of Assessable Ocean and Inland Marine Premium](#)

Form R10, [Report of Assets Pledged, Hypothecated or Encumbered](#)

Form R12, [Request for Information Regarding Reinsurance Intermediaries \(RIs\)](#)

Form R13, [Statement of Material Changes](#)

Guidance Documents

Form R14, [Supplementary Statement of Covered and Uncovered Expenses](#)

Form R16, [Surplus Lines Annual Filing Information](#)

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<http://www.scc.virginia.gov/boi/co/health/lcforms.aspx>

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NAIC Product Review Filing Checklists for Life and Health, revised September 2014, http://www.scc.virginia.gov/boi/co/health/lh_check.aspx

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Virginia Property and Casualty Filing Guidelines Handbook, revised June 2015, http://www.scc.virginia.gov/boi/co/pc/files/pc_handbook.pdf

Workers' Compensation Voluntary Market Loss Costs Multipliers, revised October 2016, http://www.scc.virginia.gov/boi/co/pc/files/wclc_mult.pdf

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State Health Exchanges: What You Need to Know to (Re) Enroll, <http://www.scc.virginia.gov/boi/pubs.aspx> (select Health Insurance)

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Virginia Health Insurance Guide for Consumers, revised June 2015, http://www.scc.virginia.gov/boi/pubs/conshealth_14.pdf

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Title Insurance Consumer's Guide, 2009, <http://www.scc.virginia.gov/boi/pubs/titleguide.pdf>

Virginia Commercial Insurance Consumer's Guide, revised 2012, <http://www.scc.virginia.gov/boi/pubs/commguide.pdf>

When a Disaster Strikes: What to Do after an Insured Commercial Property Loss, revised 2012, http://www.scc.virginia.gov/boi/pubs/comm_dis.pdf

When a Disaster Strikes: What to Do after an Insured Homeowners Loss, revised 2012, http://www.scc.virginia.gov/boi/pubs/ho_dis.pdf

Forms and Guides Respecting Licensing of Individuals and Agencies:

Form 3001, Application for Individual Insurance License, July 2016, <http://scc.virginia.gov/PublicForms/550/3001.pdf>

Form 4052, Application for Business Entity Insurance License, March 2014, <http://scc.virginia.gov/PublicForms/580/4052.pdf>

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Form 5001, Service Request Form, September 2015
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<http://www.scc.virginia.gov/boi/pro/slb.aspx>

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Public Adjuster Licensing, Renewal and Continuing Education Guide, May 2014,
http://www.scc.virginia.gov/boi/pro/files/adj_guide.pdf

Form PA-2, Bond for Public Adjusters, July 2014,
<http://www.scc.virginia.gov/publicforms/603/pa2bond.pdf>

Division of Securities and Retail Franchising

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the State Corporation Commission, Division of Securities and Retail Franchising, 9th Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Copies may be obtained free of charge by contacting Kathy O'Sullivan at the same address, telephone (804) 371-9784, or FAX (804) 371-9911.

Questions regarding interpretation or implementation of these documents may be directed to Amanda Blanks, Investor

Education Coordinator, at the same address, telephone (804) 371-9088, or FAX (804) 371-9911.

Guidance Documents:

Capital Formation Alternatives for Small Business in Virginia, October 2013,
www.scc.virginia.gov/srf/bus/smbusalt.aspx

NASAA Statements of Policy, July 2009 (Virginia Securities Act, 21VAC5-30-80),
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Investor Education Publications:

Invest in Your Future: A Guide to Investment Planning, May 2016, <http://www.scc.virginia.gov/srf/cons/pubs.aspx>

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Securities Complaint Form, June 2003 (Virginia Securities Act),
<http://www.scc.virginia.gov/publicforms/266/complnt.pdf>

Virginia Securities Act Forms:

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Broker-Dealer's Surety Bond (Form S.A. 11), July 1999,
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<http://www.scc.virginia.gov/srf/bus/forms.aspx>

Affidavit of Undertaking to the Virginia Division of Securities and Retail Franchising (Form AFF 1), April 2015,
<http://www.scc.virginia.gov/srf/bus/forms.aspx>

Broker-Dealer Agent

Application for Renewal of Registration as an Agent of an Issuer (Form S.D. 4), 1997,
<http://www.scc.virginia.gov/publicforms/271/sd4.pdf>

Non-FINRA Broker-Dealer or Issuer Agents to be Renewed Exhibit (Form S.D. 4 A), 1974,
<http://www.scc.virginia.gov/publicforms/272/sd4a.pdf>

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Affidavit Regarding SCOR Offering (Form Aff), July 1999, <http://www.scc.virginia.gov/publicforms/275/scoraff.pdf>

Investment Advisor

Uniform Application for Registration of Investment Advisors (Form ADV), July 2010, <http://www.scc.virginia.gov/srf/bus/forms.aspx>

IA Surety Bond Form (Form IA-sure), July 1999, <http://www.scc.virginia.gov/publicforms/277/iasb.pdf>

Notice of Withdrawal from Registration as Investment Advisor (Form ADV-W), October 2003, <http://www.scc.virginia.gov/srf/bus/forms.aspx>

Affidavit of Understanding to the Virginia Division of Securities and Retail Franchising (Form AFF 2), April 2015, <http://www.scc.virginia.gov/srf/bus/forms.aspx>

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Investment Advisor Representative

Uniform Application for Securities Industry Registration or Transfer (Form U-4), May 2009, <http://www.scc.virginia.gov/srf/bus/forms.aspx>

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Securities Registration

Intrastate Crowdfunding Exemption (ICE) Notice Filing Form (Form ICE), July 2015, <http://www.scc.virginia.gov/publicforms/625/ice.docm>

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Uniform Consent to Service of Process (Form U-2), July 1981, <http://www.scc.virginia.gov/publicforms/281/u2.pdf>

Uniform Form of Corporate Resolution (Form U-2a), July 1999, <http://www.scc.virginia.gov/publicforms/282/u2a.pdf>

Small Company Offering Registration (SCOR) (Form U-7), September 1999, <http://www.scc.virginia.gov/srf/bus/forms.aspx>

Registration by Notification - Original Issue (Form S.A. 4), November 1996, <http://www.scc.virginia.gov/publicforms/283/sa4.pdf>

Registration by Notification - Non-Issuer Distribution (Form S.A. 5), November 1996, <http://www.scc.virginia.gov/publicforms/284/sa5.pdf>

Registration by Notification - Pursuant to 21VAC5-30-50 Non-Issuer Distribution "Secondary Trading" (Form S.A. 6), 1989, <http://www.scc.virginia.gov/publicforms/285/sa6.pdf>

Registration by Qualification (Form S.A. 8), July 1991, <http://www.scc.virginia.gov/publicforms/286/sa8.pdf>

Escrow Agreement (Form # S.A. 12), 1971, <http://www.scc.virginia.gov/publicforms/287/sa12.pdf>

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Notice of Limited Offering of Securities (Form VA-1), November 1996, <http://www.scc.virginia.gov/publicforms/289/va1.pdf>

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Application for Coordinated State Review - Coordinated Review-Equity (Form CR-Equity-1), August 2003, http://www.scc.virginia.gov/publicforms/292/cr_equity1.pdf

Small Business Securities Offering Application for Mid-Atlantic Regional Review Form (Form CR-SCOR Mid-Atlantic), May 2002, http://www.scc.virginia.gov/publicforms/293/cr_scor.pdf

Virginia Retail Franchising Act Forms:

Uniform Franchise Registration Application (Form A), July 2008, <http://www.scc.virginia.gov/publicforms/294/forma.pdf>

Franchisor's Costs and Sources of Funds (Form B), July 2008, <http://www.scc.virginia.gov/publicforms/295/formb.pdf>

Uniform Franchise Consent to Service of Process (Form C), July 2008, <http://www.scc.virginia.gov/publicforms/296/formc.pdf>

Affidavit of Compliance - Franchise Amendment and Renewal (Form E), July 2008, <http://www.scc.virginia.gov/publicforms/298/forme.pdf>

Guarantee of Performance (Form F), March 2013, <http://www.scc.virginia.gov/publicforms/299/formf.pdf>

Franchisor's Surety Bond (Form G), July 1999, <http://www.scc.virginia.gov/publicforms/300/formg.pdf>

Notice of Claim of Exemption (Form H), July 2008, <http://www.scc.virginia.gov/publicforms/301/formh.pdf>

Escrow Agreement (Form K), July 2007, <http://www.scc.virginia.gov/publicforms/302/formk.pdf>

Application for Coordinated Review of Franchise Registration (Form CR-FRAN), June 1999, http://www.scc.virginia.gov/publicforms/303/cr_fran.pdf

Virginia Trademark Act Forms:

Application for Registration of a Trademark or Service Mark (Form TM1), November 2014, <http://www.scc.virginia.gov/publicforms/304/tmapp.pdf>

Application for Renewal Registration of a Trademark or Service Mark (Form TM2), November 2014, <http://www.scc.virginia.gov/publicforms/305/tm2.pdf>

Certificate of Name Change of an Applicant or Registrant (Form TM3), November 2014, <http://www.scc.virginia.gov/publicforms/306/tm3.pdf>

Assignment of Trademark or Service Mark Registration (Sample TM4), November 2014, <http://www.scc.virginia.gov/publicforms/307/tm4.pdf>

Division of Utility and Railroad Safety

Copies of the following documents may be viewed during regular work days from 8:15 a.m. to 5 p.m. in the office of the State Corporation Commission, Division of Utility and Railroad Safety, 4th Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218. Copies may be obtained at a charge of \$.50 per page. To obtain copies, contact Renee Salmon at the same address, telephone (804) 371-9947, FAX (804) 371-9734, or email renee.salmon@scc.virginia.gov. Some of the documents may be downloaded from the division website at <http://www.scc.virginia.gov/urs/mutility/pubs.aspx>.

Questions regarding interpretation or implementation of these documents may be directed to James Hotinger, Assistant Director, Division of Utility and Railroad Safety, 1300 East Main Street, 4th Floor, Richmond, VA 23219, telephone (804) 371-9843, FAX (804) 371-9734, or email

james.hotinger@scc.virginia.gov. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197.

Outreach Documents:

Marking Color Code Card, 2 pages, <http://www.scc.virginia.gov/urs/mutility/docs/colorcode.pdf>

Virginia Professional Excavator's Manual, revised April 2014, 90 pages, <http://www.scc.virginia.gov/urs/mutility/docs/exman.pdf>

Homeowner's Brochure, March 2015, 2 pages, <http://www.scc.virginia.gov/urs/mutility/docs/hobroch.pdf>

Virginia Underground Utility Marking Standards, February 2014, 24 pages, http://www.scc.virginia.gov/urs/mutility/docs/va_uums.pdf

Exposing Underground Utility Lines Requirements and Best Practices, August 2005, 11 pages, http://www.scc.virginia.gov/urs/mutility/docs/exp_bp.pdf

Impact Mole Requirements and Best Practices, January 2011, 14 pages, http://www.scc.virginia.gov/urs/mutility/docs/imole_bp.pdf

Trenchless Excavation Requirements and Best Practices, January 2011, 14 pages, <http://www.scc.virginia.gov/urs/mutility/docs/te.pdf>

Liquefied Petroleum Gas: A Guide to Understanding Regulatory Requirements in Virginia, May 2016, 12 pages, <http://www.scc.virginia.gov/urs/pipe/lpgguide.pdf>

Plumbers Beware: A Safety Precautions Brochure, July 2007, 2 pages, <http://www.scc.virginia.gov/urs/mutility/docs/plumber.pdf>

Coloring Book for Children: Wally's Digging Adventure, 20 pages, <http://www.scc.virginia.gov/urs/mutility/docs/color.pdf>

For copies of the following DVDs, email vadamageprevention@scc.virginia.gov:

Dig with C.A.R.E. Keep Virginia Safe, Training DVD, English and Spanish versions, August 2008

Dig With C.A.R.E. Keep Virginia Safe, Requirements and Best Practices for Trenchless Excavation, Training DVD, English and Spanish versions, January 2011

Wally's Digging Adventure DVD, July 2010. A children's DVD for use in conjunction with the Wally's Digging Adventure Coloring Book for Children.

Advisory Committee Information:

Damage Prevention Advisory Committee Bylaws, July 2009, § 56-265.31 et seq., 5 pages, <http://www.scc.virginia.gov/urs/mutility/docs/bylaws.pdf>

Guidance Documents

La información en Español:

CARE Folleto: Virginia Guía para Excavar o Demoler sin Peligro, May 2007, 2 pages, <http://www.scc.virginia.gov/urs/mutility/docs/folleto.pdf>

Tarjeta de Código de Colores, 2 pages, <http://www.scc.virginia.gov/urs/mutility/docs/colores.pdf>

Division of Utility Accounting and Finance

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the Virginia State Corporation Commission, Division of Utility Accounting and Finance, 1300 East Main Street, 4th Floor, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Contact Yolanda Suitte at (804) 371-9700 to make an appointment. Copies may be obtained at the cost of \$.50 per page.

Questions regarding interpretation or implementation of these documents may be directed to Kimberly Pate, Director, or Kent Peterson, Patrick Carr, Scott Armstrong, or Lawrence T. Oliver, Deputy Directors, Division of Utility Accounting and Finance, 1300 East Main Street, 4th Floor, Richmond, VA 23219, telephone (804) 371-9950, or FAX (804) 371-9447. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Some of the listed documents may be downloaded from the Division of Utility Accounting and Finance Section on the State Corporation Commission's website at <http://www.scc.virginia.gov>. Hard copies are available. Contact the Division of Utility Accounting and Finance at (804) 371-9950 or by email at accounting@scc.virginia.gov.

Guidance Documents:

Uniform System of Accounts for Telecommunications Companies, Part 32 of Federal Communications Commission Rules and Regulations, revised October 1, 2015 § 56-249

Uniform System of Accounts for Electric Utilities, Part 101 promulgated by the Federal Energy Regulatory Commission, revised April 1, 2016, § 56-249

Uniform System of Accounts for Natural Gas Companies, Part 201 promulgated by the Federal Energy Regulatory Commission, revised April 1, 2016, § 56-249

Uniform System of Accounts for Class A Water Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 144 pages, § 56-249

Uniform System of Accounts for Class C Water Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 62 pages, § 56-249

Uniform System of Accounts for Class A Wastewater Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 145 pages, § 56-249

Uniform System of Accounts for Class C Wastewater Utilities, promulgated by the National Association of Regulatory Utility Commissioners, revised 1996, 61 pages, § 56-249

Accounting Requirements for Rural Utilities Service Electric Borrowers, Electric Cooperatives, Part 1767 promulgated by the Department of Agriculture, revised January 1, 2016, § 56-249

Forms for Annual Reports:

Annual Financial and Operating Report for Electric Companies, consisting of the Federal Energy Regulatory Commission Form 1 and supplemental schedules, § 56-249. Length of report varies by company.

Annual Financial and Operating Report for Gas Companies, consisting of the Federal Energy Regulatory Commission Form 2 and supplemental schedules, § 56-249. Length of report varies by company.

Annual Financial and Operating Report for Telephone Companies, § 56-249. Length of report varies by company, http://www.scc.virginia.gov/uaf/TelephoneRequestForm_resp.aspx

Annual Financial and Operating Report for Class A Water and/or Sewer Companies, National Association of Regulatory Utility Commissioners Form, § 56-249. Length of report varies by company.

Annual Financial and Operating Report for Class C Water and/or Sewer Companies, National Association of Regulatory Utility Commissioners Form, § 56-249. Length of report varies by company, http://www.scc.virginia.gov/uaf/WaterRequestForm_resp.aspx

Guidelines:

Guidelines for Filing Affiliate/Merger Applications (Title 56, Chapter 4, Regulation of Relations with Affiliated Interests; and Title 56, Chapter 5, Utility Transfers Act), <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Revised Guidelines for Filing Chapter 4 Applications, 6 pages, §§ 56-76 through 56-87, <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Revised Guidelines for Filing Chapter 5 Applications, 3 pages, §§ 56-88 through 56-92, <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Supplemental Guidelines for Filing Chapter 5 Applications under Streamlined Review, 1 page, §§ 56-88 through 56-92, <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Chapter 4 - Transaction Summary - Affiliate Transactions, 7 pages, §§ 56-76 through 56-87, <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Chapter 5 - Transaction Summary - Utilities Transfers Act, 11 pages, §§ 56-88 through 56-92, <http://www.scc.virginia.gov/uaf/ch4ch5.aspx>

Interest Rate to be Paid on Customer Deposits, updated December 9, 2016, 20VAC5-10-20, updated annually, <http://www.scc.virginia.gov/uaf/fileguide.aspx>

Instructions for Filing Securities Applications by Investor-Owned Utilities, revised June 20, 2000, § 56-60, <http://www.scc.virginia.gov/uaf/fileguide.aspx>

Instructions for Filing Securities Applications by Electric Cooperative Utilities, revised June 20, 2000, § 56-60, <http://www.scc.virginia.gov/uaf/fileguide.aspx>

Instructions for Submitting Annual Financing Plans by Investor-Owned Utilities, revised June 20, 2000, § 56-56, <http://www.scc.virginia.gov/uaf/fileguide.aspx>

Instructions for Submitting Annual Financing Plans by Electric Cooperative Utilities, June 20, 2000, § 56-56, <http://www.scc.virginia.gov/uaf/fileguide.aspx>

Division of Public Service Taxation

Copies of the following documents may be viewed during regular work days from 8 a.m. until 5 p.m. in the State Corporation Commission, Office of the Public Service Taxation Division, Tyler Building, 9th Floor, 1300 East Main Street, Richmond, VA 23219. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197. Copies may be obtained free of charge by contacting Dee Deskins at the same address, telephone (804) 371-9855, FAX (804) 371-9797, or email dee.deskins@scc.virginia.gov. Many of these forms are available on the website at <http://www.scc.virginia.gov/pst>.

Questions regarding interpretation or implementation of these documents may be directed to Dee Deskins, Manager, Public Service Taxation Division, State Corporation Commission, Tyler Building, 9th Floor, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9855, (FAX) 804 371-9797, or email dee.deskins@scc.virginia.gov. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197.

Guidance Documents:

CCTD-1, State Tax Bills, all updated annually, Chapter 26 of Title 58.1 (Contact the Division of Public Service Taxation at (804) 371-9855.)

CCTD-3, Tax Report, Electric Companies, revised December 2014, § 58.1-2628, <http://www.scc.virginia.gov/publicforms/129/etax.pdf>

CCTD-6, Tax Report, Telecommunications Companies, revised December 2014, § 58.1-2628, <http://www.scc.virginia.gov/publicforms/143/teltax.pdf>

CCTD-7, Tax Report, Gas Companies, revised December 2014, § 58.1-2628, <http://www.scc.virginia.gov/publicforms/133/gtax.pdf>

CCTD-8, Tax Report, Water Companies, revised December 2014, § 58.1-2628, <http://www.scc.virginia.gov/publicforms/145/wtax.pdf>

CCTD-9, Report of Certificated Motor Vehicle Carriers for the Assessment of Rolling Stock, revised December 2014, § 58.1-2654, <http://www.scc.virginia.gov/publicforms/137/rolstock.pdf>

CCTD-10, Report for Special Tax on Common Carriers by Motor Vehicle, revised December 2014, § 58.1-2663, <http://www.scc.virginia.gov/publicforms/135/mctax.pdf>

CCTD-11, Report for Special Tax on Virginia Pilots' Association, revised December 2014, § 58.1-2663, <http://www.scc.virginia.gov/publicforms/139/patax.pdf>

CCTD-12, Report of Railroad Companies - Statement of Gross Transportation Receipts, revised December 2014, § 58.1-2663, <http://www.scc.virginia.gov/publicforms/141/rrtax.pdf>

CCTD-ET-1, Declaration of Estimated Gross Receipts Tax, December 2014, §§ 58.1-2640 and 58.1-2647, (Contact the Division of Public Service Taxation at (804) 371-9855)

CCTD-EUCT, Electric Utility Consumption Tax Monthly Report, revised January 2010, §§ 58.1-2901 and 58.1-2902, <http://www.scc.virginia.gov/publicforms/131/emon.pdf>

CCTD-NGCT, Natural Gas Consumption Tax Monthly Report, revised January 2010, §§ 58.1-2905 and 58.1-2906, <http://www.scc.virginia.gov/publicforms/132/gmon.pdf>

Real Estate Transaction Form Purchase/Conveyance, 2013, § 58.1-2628, <http://www.scc.virginia.gov/publicforms/128/restran.pdf>

Motor Vehicle Carriers, Urban-Suburban Statement for Special Tax Exemption, 1963, § 58.1-2660, (Contact the Division of Public Service Taxation at (804) 371-9855)

Application for Registration as a Payphone Service Provider, revised December 2013, <http://www.scc.virginia.gov/publicforms/147/psp.pdf>

Application for Registration as an Operator Service Provider, revised December 2013, <http://www.scc.virginia.gov/publicforms/149/osp.pdf>

State Corporation Commission Annual Reports:

The State Corporation Commission issues an annual report each year that contains the leading matters disposed of by formal orders that year. The annual reports of the commission may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the State Corporation Commission, Clerk's Office, 1st Floor, Tyler Building, 1300 East Main Street, Richmond,

Guidance Documents

VA 23219. Annual Reports for the years 2002 through 2015 are available on the commission website at http://scc.virginia.gov/comm/an_rept.aspx.

Questions regarding interpretation of the annual reports may be directed to Joel H. Peck, Clerk of the Commission, State Corporation Commission, 1st Floor, Tyler Building, 1300 East Main Street, Richmond, VA 23219, telephone (804) 371-9834, toll-free in Virginia (866) 722-2551, or FAX (804) 371-9912. The mailing address is P.O. Box 1197, Richmond, VA 23218-1197.

DEPARTMENT OF CORRECTIONS

Copies of guidance documents may be viewed at Virginia Department of Corrections Headquarters during regular workdays from 8 a.m. until 5 p.m. at 6900 Atmore Drive, Richmond, VA 23225.

Copies of guidance documents may be obtained, at a cost of \$.10 per page, by contacting Jim Bruce, Department of Corrections, Regulatory Coordinator, at the above address, telephone (804) 887-8215, or email james.bruce@vadoc.virginia.gov. Interpretive or implementation questions may be obtained from the same contact.

Guidance documents may also be viewed and printed at no cost on the Regulatory Town Hall at www.townhall.virginia.gov.

Guidance Documents:

[BOC Policy 10-1, Board of Corrections Policy Process](#), 6/1/2013

[BOC Policy 10-2, Board of Corrections Regulations](#), 6/1/2013

[BOC Policy 10-3, Equal Employment Opportunity](#), 6/1/2013

[BOC Policy 10-4, Budget](#), 6/1/2013

[BOC Policy 10-7, Negotiations with Low Bidder](#), 6/1/2013

[BOC Policy 10-8, Volunteer Program](#), 6/1/2013

[BOC Policy 20-10, Agribusiness](#), 6/1/2013

[BOC Policy 20-11, Correctional Enterprises](#), 6/1/2013

[BOC Policy 20-13, Offender Co-Payment Program for Health Care Services](#), 1/1/2012

[BOC Policy 20-14, Offender Health Records](#), 1/1/2012

[BOC Policy 20-7, Inmate Pay](#), 6/1/2013

[BOC Policy 20-8, Extending Limits of Confinement for Work and Educational Programs](#), 6/1/2013

[BOC Policy 20-9, Good Conduct Allowance and Earned Sentence Credits](#), 6/1/2013

[BOC Policy 30-1, Local Correctional Facility Standards](#), 6/1/2013

[BOC Policy 30-2, Furlough, Work, Educational and Rehabilitative Releases from Local Correctional Facilities](#), 6/1/2013

[BOC Policy 30-5, Purchase of Services Authorized](#), 1/1/2012

[BOC Policy 30-6, Cost of Maintenance of Jails](#), 6/1/2013

[BOC Policy 30-7, Regional Contracts for Cooperative Jailing of Offenders](#), 6/1/2013

[BOC Policy 30-8, Community Facilities for Offenders](#), 6/1/2013

[BOC Policy 30-9, Approval for Jail Construction and Reimbursement](#), 6/1/2013

[Compliance Jail 2015, Compliance Documentation for Jails effective January 1, 2015, audits](#), 11/10/2014

[Compliance LU 2013, Compliance documentation for Lockups effective July 1, 2013](#), 12/13/2012

[Joint Policy 1-1, Graduated Release from Confinement](#), 6/1/2013

BOARD OF COUNSELING

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/counseling> or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at coun@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Jaime Hoyle, Executive Director of the Board, at the address above or by telephone at (804) 367-4610. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/counseling/counseling_guidelines.htm

115-1.1, Possible disciplinary or alternative actions for noncompliance with continuing education requirements, Revised May 1, 2015

115-1.2, Bylaws of the board, revised November 15, 2013

115-1.4, Guidance on technology-assisted counseling and technology-assisted supervision, revised November 13, 2015

115-1.5, Instruction manual for use of sanction reference points in disciplinary cases, adopted May 20, 2016

115.8, Examinations approved by the board for rehabilitation provider certification, adopted September 11, 2015

115.9, Certifications approved by the board for endorsement as a certified substance abuse counselor, adopted August 19, 2016

115-2, Impact of criminal convictions, impairment, and past history on licensure or certification, adopted November 15, 2013

115-2.1, Guidance on whether hypnosis is an appropriate counseling tool, re-adopted August 8, 2008

115-2.2, Guidance on participation by substance abuse counselors in planned interventions, revised November 13, 2015

115-4.1, Evidence of clinical practice for licensure by endorsement, adopted August 7, 2009

115-4.3, Direct client contact hours in an internship that can be applied towards the residency, adopted February 19, 2010

115-4.11, Board guidance on use of confidential consent agreements, February 27, 2004

115-5, Board guidance on the process of conducting informal fact-finding proceedings by an agency subordinate, revised September, 2010

115-6, Coursework necessary to begin supervision for licensure as a professional counselor, adopted February 18, 2011

115-7, Supervised experience for the delivery of clinical services for professional counselor licensure, revised November 13, 2015

DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the office of the Department of Criminal Justice Services, 1100 Bank Street, 12th Floor, Richmond, VA 23219, website <http://www.dcjs.virginia.gov>. Copies may be obtained by contacting Shannon Dion at the above address, telephone (804) 225-4300, FAX (804) 786-0588, or email shannon.dion@dcjs.virginia.gov. Copies of guidance documents are free and can be accessed on the agency's website or Regulatory Town Hall at www.townhall.virginia.gov. Questions regarding interpretation or implementation of these documents may be directed to Shannon Dion at the above address, telephone (804) 225-4300, FAX (804) 786-0588, or email shannon.dion@dcjs.virginia.gov.

Guidance Documents:

5465, [Guidance on Emergency Manager Designee](#), 11/17/2013

5482, [Grant Guidelines for New Grant Funding for Pretrial and Local Probation Services for Unserved Localities](#), 12/31/2013

5483, [Local Community-Based Probation and Pretrial Services Grant Application Guide for FY 2015-2016 Continuation Funding](#), 2/27/2015

Criminal Justice Services Board

5124, [Virginia Criminal Justice Training Reference Manual](#), 5/19/2016

5459, [Virginia Juvenile Law Handbook for School Administrators](#), 10/18/2016

5460, [Guidance for School Systems in the Event That Victims Arise from an Emergency](#), 2/22/2016

5461, [Threat Assessment in Virginia Public Schools: Model Policies, Procedures and Guidelines](#), 8/1/2016

5462, [Governor's School and Campus Safety Task Force - Legislation and Summary of Requirements for Schools - 2013](#), 7/17/2013

5463, [2016 School Safety Inspection Checklist for Virginia Public Schools](#), 10/19/2016

5464, [Guidance on School Safety Inspection Checklist](#), 8/8/2013

5468, [Critical Incident Response for School Faculty and Staff](#), 2/20/2015

5469, [Certified Crime Prevention Community Program Manual](#), 12/31/2009

5470, [Certified Crime Prevention Community Program Recertification Guidelines](#), 10/14/2016

5481, [CASA/CJA Advisory Committee Guidance Policy for Court Appointed Special Advocates Programs](#), 12/31/2013

5693, [Virginia Criminal Justice Training Reference Manual for Basic Corrections Officer](#), 5/19/2016

5851, [Field Training Officer Requirements](#), 11/19/2015

5852, [Guidance for Divisionwide Safety Audit Committee Formation and Responsibilities](#), 1/21/2014

5853, [Guidance for Technical Assistance for Threat Assessment and Management Teams for Virginia Schools and Institutions of Higher Education](#), 2/10/2015

5854, [Guidance for Threat Assessment Teams and Reporting](#), 10/20/2016

5855, [Virginia Educator's Guide to Conducting Emergency Drills](#), 9/30/2016

5859, [2016 School Crisis, Emergency Management and Medical Response Plan](#), 6/3/2016

5860, [2016 School Crisis, Emergency Management and Medical Response Plan Quick Guide](#), 7/27/2016

5943, [Forfeited Asset Sharing Program Manual](#), 7/1/2015

Guidance Documents

6048, Virginia Bus Driver and Monitor Safety and Security Manual, 3/16/2016

6049, 2016 Guidance on Required Drills, 9/27/2016

6050, School Safety Audit Information, 8/1/2016

6051, K12 Threat Assessment in Virginia: A Prevention Overview for School Staff, Parents, and Community Members, 10/26/2016

6052, School Safety Audit Template for Schools, 8/1/2016

6053, School Safety Audit Template for Divisions, 8/1/2016

6054, Threat Assessment in Virginia Schools Updates to the Code of Virginia, 8/1/2016

6055, Threat Assessment Updates for Higher Education, 10/26/2016

VIRGINIA SCHOOL FOR THE DEAF AND THE BLIND

Guidance documents may be obtained from the agency's website at <http://www.vsdbs.virginia.gov/> or by using the links below. For assistance with accessing documents, contact Nathan McLamb, Director of Human Resources, Virginia School for the Deaf and the Blind, P.O. Box 2069, Staunton, VA 24402, by telephone at (540) 332-9065 or email nathan.mclamb@vsdbs.virginia.gov. Questions regarding interpretation or implementation of these documents may also be addressed to Nathan McLamb at the contact information listed above.

Guidance Documents:

[VSDB Policy Manual](#)

[Program of Studies](#)

[Student Handbook and Code of Conduct](#)

[VSDB Board of Visitors Bylaws](#), revised March 2010

BOARD OF DENTISTRY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/dentistry> or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at denbd@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Sandra K. Reen, Executive Director of the Board, at the address above or by telephone at (804) 367-4538. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/dentistry/dentistry_guidelines.htm

60-1, Board policy on confidential consent agreements, revised September 13, 2013

60-2, Sanction reference point instruction manual, revised December 11, 2015

60-3, Periodic inspection of sedation and anesthesia in dental offices, revised December 11, 2015

60-4, Questions and answers about sedation, revised December 11, 2015

60-5, Sanctioning for violations for continuing education requirements, revised September 16, 2016

60-6, Policy on sanctioning for practicing with an expired license, revised December 11, 2015

60-7, Chart on delegable duties for dental assistants, revised March 9, 2012

60-8, Educational requirements for Dental Assistant II, revised December 11, 2015

60-9, Code of conduct for board members, June 12, 2009

60-10, Policy on sanctioning for failure to comply with advertising guidelines, revised December 11, 2015

60-11, Guidance on treatment of patient if fees not paid, revised September 12, 2008

60-12, Board guidance on administration of topical oral fluorides by dental hygienists in the Virginia Department of Health, revised September 7, 2007

60-13, Remote supervision of dental hygienists, adopted September 16, 2016

60-14, Bylaws of the Board of Dentistry, revised March 7, 2013

60-15, Standards for professional conduct in the practice of dentistry, revised September 16, 2016

60-17, Policy on recovery of disciplinary costs, revised September 16, 2016

60-18, Dental laboratory work order, revised December 11, 2015

60-19, Dental laboratory subcontractor work order, adopted December 7, 2012

60-20, Guidance on radiation certification, revised December 11, 2015

60-21, Policy on sanctions for failure to report to the Prescription Monitoring Program, adopted June 10, 2016

60-22, Policy on sanctioning for failure to comply with insurance and billing practices, revised December 11, 2015

60-23, Policy on teledentistry, adopted December 11, 2015

60-24, Guidance on dental practices, adopted March 11, 2016

76-24.3, Inspection report for dental offices, revised December 11, 2015

VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP

Documents of the Virginia Economic Development Partnership (VEDP) are available using the links below, which will link the user to the guidance document on VEDP's Ally Information Exchange website at <http://virginiaallies.org>.

Questions regarding these documents may be directed to Alexander R. Thorup, Manager, Legislation and Policy, Virginia Economic Development Partnership, 901 East Cary Street, P.O. Box 798, Richmond, VA 23218-0798, telephone (804) 545-5600.

Guidance Documents:

[Guidelines for the Clean Energy Manufacturing Incentive Grant Program, FY 2015, §§ 59.1-284.25 through 59.1-284.27](#)

[Guidelines for the Commonwealth's Development Opportunity Fund Program, FY 2017, § 2.2-115](#)

[Guidelines for the Major Eligible Employer Grant Program, FY 2017, §§ 2.2-5100 through 2.2-5104](#)

[Major Employment and Investment \(MEI\) Project Site Planning Grant Program Guidelines, August 2010, § 2.2-2240.2](#)

[Brownfield Restoration and Economic Redevelopment Assistance Fund Guidelines, FY 2012, § 10.1-1237](#)

[Guidelines for the Virginia Economic Development Incentive Grant Program, FY 2017, §§ 2.2-5100 through 2.2-5104](#)

[Guidelines for the Virginia Investment Partnership Grant Program, FY 2017, §§ 2.2-5100 through 2.2-5104](#)

DEPARTMENT OF EDUCATION

For copies of documents, please contact Emily Webb at the Virginia Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2924, FAX (804) 225-2524, or email emily.webb@doe.virginia.gov. Questions may be directed to Mrs. Webb.

Guidance Documents:

[Adult Education, High School Equivalency \(HSE\) Examination Guidelines, 9/22/2016](#)

[Assessment, Limited English Proficient Students: Guidelines for Participation in the Standards of Learning Assessments, 12/30/2010](#)

[Assessment, Process for School Divisions to Submit Locally-Developed and/or Selected English Language Proficiency Assessments for Board Approval, 1/30/2003](#)

[Assessment, Protocol for State-Directed Investigations of Testing Irregularities, 4/30/2008](#)

[Assessment, Local Alternative Assessment Guidelines for 2016-2017 through 2018-2019, 10/27/2016](#)

[Assessment, Guidelines for Instruction-Based Assessments, 12/31/2004](#)

[Assessment, Eligibility Criteria for Expedited Retakes on Spring 2015 Grades 3 through 8 Nonwriting Standards of Learning Tests, 3/26/2015](#)

[Employment & License, Guidelines for Mentor Teachers Programs, 6/30/2000](#)

[Employment & License, Virginia License Renewal Manual, 1/19/2011](#)

[Employment & License, Hiring of Retired Public School Teachers and Administrators for Critical Shortage Areas, 8/7/2001](#)

[Employment & License, The Virginia Requirements of Quality and Effectiveness for Beginning Teacher Mentor Programs in Hard-to-Staff Schools, 6/30/2004](#)

[Employment & License, Virginia's High Objective Uniform State Standard of Evaluation \(HOUSSE\) for Experienced Teachers, 4/30/2005](#)

[Employment & License, Virginia's Definition of Alternate Route for Highly Qualified Teachers, 4/30/2004](#)

[Employment & License, Virginia Requirements to be a Highly Qualified Special Education Teacher, 9/30/2006](#)

[Employment & License, Virginia High Objective Uniform State Standard of Evaluation \(HOUSSE\) for Visiting International Faculty \(VIF\) Cultural Exchange Teachers, 3/30/2007](#)

[Employment & License, Guidelines for Prescribed Professional Teacher's Examinations, 1/8/2011](#)

[Employment & License, High-Quality Professional Development Criteria, 4/30/2004](#)

[Employment & License, Criteria for Implementing Experiential Learning Credits for Alternate Route Applicants Seeking Initial Licensure, 10/30/2005](#)

[Employment & License, Policy Statement for Implementing in Virginia Approved Programs the Virginia Communication and Literacy Assessment, 11/30/2005](#)

[Employment & License, Virginia Standards for the Professional Practice of Teachers, 4/28/2011](#)

Guidance Documents

Employment & License, Advancing Virginia's Leadership Agenda Guidance Document: Standards and Indicators for School Leaders and Documentation for the Principal of Distinction (Level II) Administration and Supervision Endorsement, 9/27/2012

Employment & License, Guidelines Pertaining to the Employment of Substitute Teachers, 3/24/2011

Employment & License, Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, 7/23/2015

Employment & License, Guidelines for Uniform Performance Standards and Evaluation Criteria for Superintendents, 7/23/2015

Employment & License, Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals, 7/23/2015

Employment & License, Guidelines for Distributing National Board Incentive Awards, 6/28/2012

ESEA, Guidelines for Implementation of No Child Left Behind Act of 2001 Public School Choice Requirements, 11/30/2002

ESEA, Criteria for the Providers of Supplemental Educational Services Under the No Child Left Behind Act of 2001, 11/30/2002

Finance & Operations, Use of Literary Fund Proceeds, 6/29/2007

Finance & Operations, Guidelines for Establishing Joint or Regional Continuation High Schools or Programs, 5/28/2004

Finance & Operations, Eligibility Criteria and Procedures for Supplemental Funding for School Divisions in the Commonwealth of Virginia that Enter into Cost-Saving or Service-Sharing Agreements, 7/23/2009

Finance & Operations, Criteria for Making Distributions from the Public Charter School Fund, 1/10/2008

Flag/Moment of Silence, Guidelines on the Recitation of the Pledge of Allegiance, Including Guidelines for Appropriate Etiquette and Conventions for Respecting the Dignity of the Flag, 7/26/2001

Flag/Moment of Silence, Guidelines on the Minute of Silence Requirements, 6/13/2000

Flag/Moment of Silence, Guidelines Concerning Religious Activity in Public Schools, 12/30/1995

Instruction, Guidelines for the K-3 Record for Reading and Mathematics, 5/30/2003

Instruction, Objectives for Personal Living and Finance, 12/30/2006

Instruction, Criteria for Character Education, 7/26/2012

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DEPARTMENT OF ELECTIONS

The Virginia Department of Elections is located in the Washington Building, 1100 Bank Street, 1st Floor, Richmond, VA 23219. The Virginia State Board of Elections (SBE) is the policymaking board responsible for approving regulations, forms, and guidance documents. Copies of guidance documents authorized to be provided are subject to costs stated in the agency's FOIA policy published on its website and may be viewed on regular work days from 8:30 a.m. until 4:30 p.m. Questions regarding interpretation or implementation of these documents may be directed to the above office address in person, via telephone (804) 864-8901 or toll free (800) 552-9745, FAX (804) 371-0194, or email info@elections.virginia.gov. Questions will be directed to the appropriate staff member for response.

To obtain the most up-to-date information on many of the State Board of Elections and Department of Elections guidance documents, visit the Department of Elections website at <http://www.elections.virginia.gov>. Additionally, most of these guidance documents are available electronically for no charge through the Regulatory Town Hall at www.townhall.virginia.gov.

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DEPARTMENT OF EMERGENCY MANAGEMENT

Copies of the guidance document may be viewed at <http://www.vaemergency.gov/em-community/plans/2012COVEOP>. The document may be printed without restrictions.

Questions regarding interpretation or implementation of this document may be directed to Marilyn Harris, Virginia Department of Emergency Management, 10501 Trade Court, Richmond, VA 23236, telephone (804) 897-9715, or email marilyn.harris@vdem.virginia.gov.

Guidance Document:

[COVEOP, Commonwealth of Virginia Emergency Operations Plan, 9/1/2011](#)

VIRGINIA EMPLOYMENT COMMISSION

Copies of the following documents may be viewed during regular work days from 8 a.m. until 5 p.m. in the central office of the Virginia Employment Commission, 703 East Main Street, Richmond, VA 23219. Copies of the guidance documents may be obtained by contacting Lisa J. Rowley, at the Virginia Employment Commission, Office of Commission Appeals, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-4140, FAX (804) 786-9034, or email lisa.rowley@vec.virginia.gov. Unless otherwise indicated, there is a \$1.00 per document copying charge. These documents may be accessed from the Virginia Employment Commission's website at www.vec.virginia.gov or Regulatory Town Hall at www.townhall.virginia.gov. Documents may be downloaded from the website at no charge.

Questions regarding interpretation or implementation of the guidance documents may be directed to Lisa J. Rowley, Chief Administrative Law Judge, Virginia Employment Commission, Office of Commission Appeals, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 786-4140, FAX (804) 786-9034, or email lisa.rowley@vec.virginia.gov.

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DEPARTMENT OF ENVIRONMENTAL QUALITY

The following list contains documents prepared by the department. It does not include documents that merely restate regulatory provisions in a different format such as checklists or boilerplates nor does it include guidance documents developed by other federal and state agencies. Requests for copies of those documents not available electronically on the Regulatory Town Hall at www.townhall.virginia.gov, or copies of any of the documents listed are considered a request for information under the Freedom of Information Act. There is a charge for copies. Unless a cost is specifically listed, the charge will be based on the department's FOIA Policy.

For FOIA requests, please contact DEQ's FOIA Officer at (804) 698-4085. For a listing of regional office FOIA contacts, please go to our FOIA webpage at <http://www.deq.virginia.gov/ConnectWithDEQ/FreedomofInformationAct/RegionalFOIAContacts.aspx>.

Copies may also be requested by writing to: FOIA Officer, Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23218.

Requests for copies or questions regarding interpretation of the Litter Prevention and Recycling documents should be directed to Coordinator, Recycling and Tire Program, Department of Environmental Quality, 629 East Main Street, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4193.

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DEPARTMENT OF FIRE PROGRAMS

To obtain copies of the agency's guidance documents, please contact the Director of Administration at telephone (804) 371-0220 or toll free at 18664VAFIRE.

Please contact the Grant and Local Aid Manager at telephone (804) 371-0220 or toll free at 18664VAFIRE for interpretive or implementation questions regarding the Virginia Fire Services Board guidance documents.

Please contact the State Fire Marshal's Office, Headquarters Office at telephone (804) 371-0220 or toll free at 18664VAFIRE for interpretive or implementation questions regarding the issuance of permits.

Copies of the guidance documents can be retrieved, free of charge, via the agency's website at www.vafire.com, under the Grants & Local Aid link and the State Fire Marshal's Office link.

Copies of the agency's guidance documents are also available, free of charge, via the Regulatory Town Hall at www.townhall.virginia.gov.

Copies of the agency's guidance documents can also be viewed at the Virginia Department of Fire Program, Headquarters Office, 1005 Technology Park Drive, Glen Allen, VA 23059. Please contact the Director of Administration at telephone (804) 371-0220 or toll free at 18664VAFIRE to schedule an appointment to view the guidance documents.

Guidance Documents:

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Guidance Documents

SFMO - 3, [Application for Annual Permit to Manufacture Explosives](#), 7/14/2014

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SFMO - 7, [Application for a Background Clearance Card \(BCC\) Application for Certification of a Blaster or Pyrotechnician](#), 6/28/2011

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Virginia Fire Services Board

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DEPARTMENT OF FORENSIC SCIENCE

The following documents are available on the department's website at <http://dfs.virginia.gov>. Questions regarding these documents may be directed to Amy M. Curtis, Department Counsel, Department of Forensic Science, 700 North 5th Street, Richmond, VA 23219, telephone (804) 786-2281, or email amy.curtis@dfs.virginia.gov.

Guidance Documents:

5070, [Evidence Handling and Laboratory Capabilities Guide](#), 7/28/2016

5942, [Breath Test Operator Instructional Manual Intox EC/IR II](#), 7/7/2008

DEPARTMENT OF FORESTRY

Copies of the following documents may be viewed during regular work days from 7 a.m. until 5:30 p.m., Monday through Thursday, in the office of the Department of Forestry, 900 Natural Resources Drive, Suite 800, Charlottesville, VA 22903. The documents may be downloaded from the Department of Forestry's website <http://www.dof.virginia.gov>.

Copies of the Alternate Management Plans and Reforestation of Timberlands Policy may be obtained free of charge by contacting Dean Cumbia at the same address, telephone (434) 220-9042, FAX (434) 296-2369, or email dean.cumbia@dof.virginia.gov. Questions regarding interpretation or implementation of Alternate Management Plans or Reforestation of Timberland Policy also may be directed to Dean Cumbia.

Copies of the Water Quality Enforcement documents may be obtained free of charge by contacting Matt Poirot at the same address, telephone (434) 220-9027, FAX (434) 296-2369, or email matt.poirot@dof.virginia.gov. Questions regarding interpretation or implementation of Water Quality Enforcement documents also may be directed to Matt Poirot.

Attached is the guidance document list from the Department of Forestry. Please address any questions concerning the attached list to Andres Alvarez, telephone (434) 220-9022, or email andres.alvarez@dof.virginia.gov.

For additional information about the Reforestation of Timberlands (RT) program or the Seed Law, including Alternate Management Plans, please contact your local forester at <http://dof.virginia.gov/locations/index.htm>.

Guidance Documents:

6165, [Reforestation of Timberlands \(RT\)](#), 1/9/2017

6166, [Seed tree law and alternate management plans](#), 1/9/2017

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at www.dhp.virginia.gov or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at fanbd@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Lisa R. Hahn, Executive Director of the Board, at the address above or by telephone at (804) 367-4479. Copies are free of charge.

Guidance Documents:

- 65-1, Guidance on time credit for continuing education, adopted June 5, 2007
- 65-2, Disposition of disciplinary cases for practicing on an expired licensed, adopted July 16, 2012
- 65-3, Processing applications for licensure, adopted October 18, 2016
- 65-4, Aiding and abetting unlicensed practice, adopted January 13, 2015
- 65-5, Reciprocal agreement with the District of Columbia Board of Funeral Directors, adopted December 7, 1995
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- 65-7, Memorandum of Understanding with the Virginia Department of Agriculture and Consumer Services, May 11, 1998
- 65-9, Memorandum of Understanding between the Cemetery Board of the Department of Professional and Occupational Regulation and the Board of Funeral Directors and Embalmers of the Department of Health Professions, April 2, 1999
- 65-10, Bylaws of the Board, adopted March 8, 2000, revised October 18, 2016
- 65-11, Inspection Guidance Document, adopted December 7, 2004, revised July 20, 2010
- 65-12, Board action on Confidential Consent Agreements, adopted March 9, 2004
- 65-13, Guidance for Conduct of an Informal Conference by an Agency Subordinate, adopted December 8, 2004
- 65-14, Sanction Reference Points Manual, revised April 13, 2010
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- 76-21.3:1, Inspection report for funeral establishments, revised January 12, 2016
- 76-21.3:2, Inspection report for crematories, revised September 30, 2013

DEPARTMENT OF GENERAL SERVICES

Copies of the following guidance documents are available on the Regulatory Town Hall at no cost at <http://www.townhall.virginia.gov>. Copies of the Guidance Documents are also available by contacting the Department of General Services. Contact Rhonda Bishton, Regulatory Coordinator, Virginia Department of General Services, 1100 Bank Street, Suite 420, Richmond, VA 23219, or visit the website at www.dgs.virginia.gov.

Guidance Documents:

- [4554, DGS Tenant Handbook](#), 6/8/2011
- [4557, Real Property Manual Chapter Two, Fee Acquisition](#), 12/10/2002
- [6170, Office of Fleet Management Policies and Procedures Manual](#), 1/11/2017
- [APSPM, Agency Procurement and Surplus Property Manual](#), 7/8/2010
- [DGS Directive No. 15, DGS Directive 15 Indoor Clean Air Act](#), 12/11/2008
- [DGS Directive 16, DGS Directive 16 - Banning Open Carrying of Firearms](#), 11/13/2015
- [DGS Parking Policy, DGS Parking Policies and Procedures for Use of Parking Facilities](#), 6/24/2011
- [IBR 1VAC30-41, Documents Incorporated by Reference, 1VAC30-41](#), 5/28/2013
- [Real Property Manual, Real Property Manual Chapter 1, Acquisition by Lease](#), 11/4/2010
- [Reg for Cap Square, Regulations for Capitol Square](#), 8/1/2007
- [Surplus SPO, Virginia Federal Property Agency State Plan of Operation](#), 3/24/2009
- [Vendors Manual, Vendors Manual](#), 7/8/2010

GEORGE MASON UNIVERSITY

Copies of the following documents may be viewed during regular work days from 9 a.m. to 4 p.m. in the Office of Compliance, Equity, and Diversity, c/o University Ethics Officer and Policy Manager, 368 Aquia Hall, George Mason University, 4400 University Drive, Fairfax, VA. Copies may be obtained free of charge by contacting Elizabeth Woodley, University Ethics Officer and Policy Manager, at the same address, telephone (703) 993-8730, FAX (703) 993-8899, or email ewoodley@gmu.edu. The documents may be downloaded from the George Mason University website at <http://www.gmu.edu>.

Questions regarding interpretation or implementation of these guidance documents may be directed to Ms. Woodley.

Guidance Documents

Guidance Documents:

Board of Visitors Bylaws, <http://bov.gmu.edu/board-of-visitors-bylaws/>

Faculty Handbook, <http://www.gmu.edu/resources/facstaff/handbook/>

Employee Handbook, <http://hr.gmu.edu/handbook/>

University Catalog, <http://catalog.gmu.edu/>

Honor Code, <http://oai.gmu.edu/the-mason-honor-code-2/>

Student Conduct Policies, <http://studentconduct.gmu.edu/university-policies/>

Housing Policies, <https://housing.gmu.edu/resources/policies>

Annual Security Reports, <http://police.gmu.edu/annual-security-report/>

Parking and Traffic Procedures, <http://parking.gmu.edu/>

University Policies, <http://universitypolicy.gmu.edu/>

DEPARTMENT OF HEALTH

This process is free and is the most efficient means by which citizens and others may obtain access to these documents. (The provision by the agency of a paper copy of a guidance document, upon a particular request, may involve a fee to be paid by the person requesting a document.)

Questions regarding interpretation or implementation of these documents may be directed to the Virginia Department of Health, Regulatory Coordinator, Joseph Hilbert, 109 Governor Street, Richmond VA 23219, telephone (804) 864-7006, or email joe.hilbert@vdh.virginia.gov.

Mr. Hilbert will redirect such questions to knowledgeable program administrators.

Guidance Documents:

EPI-414, VDH - Division of Disease Prevention - TB Guidelines for Determination of Completion of Treatment, 12/30/2016

EPI-415, VDH Recommendations and Procedures for the Use of Therapeutic Drug Monitoring (TDM), 12/30/2016

EPI-606, VDH Freshwater Beach Monitoring Guidance, 12/30/2016

FAM-600, Sickle Cell Disease Handbook, 12/30/2016

FAM-601, First Aid Guide for Child Care and School Emergencies, 12/30/2016

ORH-720-N, NRC Gamma Knife Guide, 5/25/2016

PRM-004, Virginia Nursing Scholarship Program Guidelines, 2017, 12/30/2016

State Board of Health

ADJ-004.1, COPN (Certificate of Public Need) IFFC (Informal Fact Finding Conference) Policies and Procedures, 10/30/2013

ADJ-005, Suggested Instructions and Model Petition for Good Cause in COPN Cases, 6/3/2005

CHS-002, Eligibility Guidance Document, 8/9/2007

CHS-005, Managing Accounts Receivable for Patient Care, 2/1/2005

COM-501(Reg), Memo on New Public Participation Guidelines (PPGs), 12/15/2008

EMS-1014, Guidelines for the Expenditure of the 26% Return to Locality Share of Four-for-Life Funds, 12/9/2014

EMS-1015, EMS Surge Planning Template, 10/30/2008

EMS-1050, Virginia Office of EMS Accreditation of PSAP, Guidelines, 12/15/2009

EMS-2001, Regional Council Designation Manual, 12/14/2007

EMS-3010, Medication Kit Storage Clarification Letter, 12/26/2013

EMS-3011, EVOC Requirements Clarification, 3/8/2012

EMS-3012, EVOC Equivalents, 3/8/2012

EMS-3013, Alternative Site Application for EMS Programs in Virginia, 12/18/2014

EMS-3014, EMT Accreditation Self Study, 12/18/2014

EMS-3015, Institutional Self Study for Intermediate Programs in Virginia, 12/18/2014

EMS-3015A, Institutional Self-Study For Reaccreditation of Intermediate Programs in Virginia, 12/18/2014

EMS-3017, Self Study - Advanced EMT, Accreditation and Application, 12/18/2014

EMS-3019, CoAEMSP Standards and Guidelines, 4/30/2015

EMS-3021, Training Program Administration Manual, 7/28/2016

EMS-3040A, ALS Coordinator Application, 12/18/2014

EMS-3042F, BLS Student Permission Form, 6/7/2012

EMS-3043, Clinical Training Record, 8/16/2012

EMS-3044F, Course Approval Request Form, 5/30/2016

EMS-3046, Course Roster, 2/9/2012

EMS-3047, Initial BLS Student Paperwork, 5/14/2012

EMS-3048, Initial ALS Student Paperwork, 5/25/2012

- EMS-3049, Scope of Practice - Formulary, 12/18/2014
- EMS-3050, Scope of Practice - Procedures, 12/18/2014
- EMS-6011F, EMS Accommodation Request Form, 12/1/2002
- EMS-6015, Federal Agency Exemption from EMS Regulations Notice, 7/29/2004
- EMS-6018F, EMS Ground Ambulance Checklist, 12/26/2013
- EMS-6019F, Nontransport EMS Vehicle Checklist, 12/26/2013
- EMS-6020, Oxygen Cylinder Guidance, 10/5/2011
- EMS-6021F, Air Ambulance Checklist, 10/18/2012
- EMS-6024F, EMS Agency Drug Diversion Report Form, 1/26/2015
- EMS-6026F, Application for EMS Agency License, 12/9/2014
- EMS-6028F, EMS Physician Application for Endorsement, 10/11/2012
- EMS-6029, EMS Provider Variance/Exemption Request, 12/9/2011
- EMS-6030, EMS Agency Variance/Exemption, 12/9/2011
- EMS-6035, EMS Agency Status Report, 6/4/2015
- EMS-6036, Criminal History Record Verification, Challenge-Appeal Process, 6/2/2014
- EMS-6038, Criminal History Record Verification, Disqualifying Factors, 6/2/2014
- EMS-6038A, Criminal History Record Verification, Frequently Asked Questions, 6/2/2014
- EMS-7008B, Trauma Center Fund Disbursement Policy, 8/26/2013
- EMS-7015, Virginia Statewide Trauma Registry Reporting Requirements, 12/14/2009
- EMS-7016, VPHIB Administrative User Logon, 12/14/2009
- EMS-7017, VPHIB Vendor Import Instructions, 12/14/2009
- EMS-7020, Virginia Minimum Data Set, 12/14/2009
- EMS-7021, VPHIB Security Agreement, 12/14/2009
- EMS-7024, Required Submission of Prehospital Patient Care Reports by Nontransport EMS Agencies, 12/14/2009
- EMS-7025, VPHIB Data Dictionary, 3/21/2011
- EMS-7026, VPHIB Minimum Dataset and Submission Schedule, 3/21/2011
- EMS-7101F, How to Complete the Durable DNR Form, 4/13/2006
- EMS-7102, How to Purchase Durable Do Not Resuscitate Bracelets and Necklaces, 12/14/2009
- EMS-7103F, How to Request Durable Do Not Resuscitate Forms, 4/3/2006
- EMS-7104F, Virginia Durable DNR Request Form, 4/1/2006
- EMS-7105, DDNR Sample Form, 12/14/2007
- EMS-7106, DDNR Training Presentation, 7/7/2007
- EMS-8001, RSAF Grant Program - Reimbursement Instructions, 12/17/2014
- EMS-8002, E-Gift Agency Super User Guide, 7/1/2015
- EMS-8004, E-Gift Financial Officer Guide, 12/18/2014
- EMS-8005, E-Gift Financial Officer User Guide - Nonlicensed agency, 12/18/2014
- EMS-8006, E-Gift RSAF Grant Application for EMS agency, 8/15/2015
- EMS-8009, E-Gift User Guider for Non-EMS agency, 8/15/2015
- EMS-8010, E-GIFT OMD User Guide, 12/18/2014
- ENV-1990-01, Private Well Regulations Implementation Manual, 9/1/1990
- ENV-1992-01, ENV-066 Environmental Health Considerations of Sewage, 9/4/1992
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WTR-884(W), Use of Emergency Wells, 6/27/2005

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WTR-894(W), Sample Collection and Analysis - Special Sampling Procedures, 5/9/2014

WTR-895(W), Surveillance and Regulations - Stage 2DBP - Initial Distribution System Evaluation - System Specific Study and Standard Monitoring Plan, 5/23/2013

WTR-896(W), Permits and Project Review - Policy for Issuing Operation Permits, 9/4/2014

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WTR-898(W), Compliance Sampling and Reporting Guidance Manual, 8/24/2016

WTR-899(W), Ozone Treatment and Disinfection Credit, 11/18/2010

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WTR-906(W), Procedures for Arsenic Removal Treatment Systems, 5/27/2008

WTR-908(W), State Only - Nonfederal - Violations, 8/12/2010

WTR-909(W), Stage 2 Disinfectants and Disinfection Byproduct Rule - Initial Distribution System Evaluation Final, 4/22/2010

WTR-910(W), Surveillance and Regulations - Ground Water Rule Implementation Procedures, 10/14/2015

WTR-912(W), Transition between Stage 1 and Stage 2 DDBP Rules and Stage 2 Rule Extension Requests, 4/26/2012

WTR-914(W), Virginia's Optimization Program (VOP), 10/5/2012

WTR-915(W), Disinfection of Groundwater Sources, 5/6/2015

WTR-917(W), Revised Total Coliform Rule (RTCR) Implementation Procedures, 12/12/2016

WTR-918(W), Disinfection of Water Mains, Distribution Storage Tanks, Wells and Treatment Facilities, 9/22/2015

BOARD OF HEALTH PROFESSIONS

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/> or from the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at bhp@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Elizabeth Carter, Ph.D., Executive Director of the Board, at the address above or by telephone at (804) 367-4403. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/bhp/bhp_guidelines.htm

75-2, Appropriate Criteria in Determining the Need for Regulation of Any Health Care Occupation or Professions, adopted February 1998.

75-3, Mission and Vision of the Board of Health Professions, adopted April 1998

75-4, Bylaws of the Board of Health Professions, adopted January 12, 2005

DEPARTMENT OF HEALTH PROFESSIONS

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the Department's webpage at <http://www.dhp.virginia.gov> or from the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested at elaine.yeatts@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Elaine Yeatts, Agency Regulatory Coordinator, at the address above or by telephone at (804) 367-4688. Copies are free of charge.

Department Policies:

http://www.dhp.virginia.gov/dhp_guidelines/default.htm

76-1.1, Mission statement of the department, April 20, 2010

76-1.6, Disclosure of information, revised October 21, 2015

76-1.7, Disclosure of information to Health Practitioner Monitoring Program, April 13, 2010

76-1.8, Conduct of surveys, April 20, 2010

76-1.9, Internet privacy policy, April 22, 2010

76-1.12, Extension of time for active duty servicemen, revised March 26, 2015

76-1.17, Publication of notices and orders on the department website, revised July 15, 2013

76-1.18, Website policies, April 22, 2010

76-1.22, Reproduction of a public meeting, August 13, 2010

76-1.24, Summary suspensions and restrictions, December 9, 2011

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76-2.5, Prescription Drug Monitoring Advisory Committee, August 12, 2016

76-3.1, Execution of disciplinary orders, December 28, 2009

76-3.2, Providing Sanction Reference Point worksheets to respondents, July 19, 2011

76-3.3, Subpoenas for disciplinary hearings, revised January 9, 2012

76-3.4, Complainant notification of case proceedings, May 6, 2011

76-3.5, Reporting to the National Data Bank, May 19, 2014

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76-3.8 Disclosure of health records and health services in confidential exhibits in Notices and Orders, July 1, 2016

76-4.1, Receipt and investigation of allegations of misconduct, October 20, 2010

76-4.4, Requesting information from the national data banks, May 19, 2014

76.4.5, Disciplinary cases involving board members, August 26, 2013

76-4.6, Agency standards for case resolution, April 30, 2010

76-5.1, Procurement of nonprofessional services, revised November 16, 2015

76-5.2, Procurement of goods, revised November 16, 2015

76-5.3, Sole source approval for examination services, revised November 16, 2015

76-5.5, Principles/establishment of fees, April 21, 2010

76-5.8, Equal opportunity in agency procurement, revised November 16, 2015

76-6.1, Recruitment and filling vacant positions, April 23, 2010

76-7.3, Custodians of records, revised July 22, 2011

76-20, The Adjudication Process, revised July 1, 2014

76-32, Letter to Sentara on Confidentiality Agreements, April 24, 2002

Guidance Documents

76-33, Foreign Applicants; Requirement to Provide Social Security Numbers, November 15, 2013

76-34, Requirements Imposed on Hospitals, Other Health Care Institutions, and Health Care Professionals to Report Disciplinary Actions Against and Allegations of Misconduct by Certain Health Care Practitioners to the Virginia Department of Health Professions, revised November, 2015

76-35, Rights and Responsibilities: the Virginia Freedom of Information Act, revised July 12, 2016

76-39, Guidelines for Pro Hac Vice Admission of out-of-state counsel and practice by non-lawyers, adopted August 26, 2010

Enforcement Document:

76-20, Adjudication Manual - Disciplinary process, October 1, 2009.

Inspection Plans and Inspection Reports:

76-21.1, Pharmacy inspection report, January 2013

76-21.1:1, New/change of location/remodel pharmacy inspection report, November 2015

76-21.1:2, Inspection deficiency notice and consent order, February 2012

76-21.1:4, Humane society and animal shelter inspection report, June 2010

76-21.1:10, Controlled substance registration inspection report A, September 2014

76-21.1:11, Controlled substance registration inspection report B, September 2014

76-21.1:12, Medical equipment supplier inspection report, September 2013

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76-21.1:14, Wholesale distributor inspection report, December 2010

76-21.1:15, Warehouse inspection report, December 2010

76-21.1:16, Physicians selling drugs inspection report, February 2016

76-21.1:17, Permitted physicians inspection report, December 2009

76-21.1:18, Manufacturer, restricted and unrestricted, inspection report, April 2011

76-21.2:1, Veterinary establishment inspection report, October 2013

76-21.3:1, Funeral establishment inspection report, January 2016

76-21.3:2, Crematory inspection report, September 2013

76-21.4, Inspection summary, May 2006

76-24.3, Dental office inspection report, December 2015

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the office of the State Council of Higher Education for Virginia, 101 North 14th Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Lee Ann Rung, at the same address, telephone (804) 225-2600, FAX (804) 225-2604, or email leeannrung@schev.edu. All documents are available on SCHEV's website at <http://www.schev.edu>.

Guidance Documents:

[2855, Policies and Procedures for Program Approval, 4/1/2016](#)

[2857, Program Productivity/Viability at Public Institutions, 10/1/2013](#)

[2858, Organizational Changes at Public Institutions: Policies and Procedures for Internal and Off-Campus Organizational Changes, 8/1/2013](#)

[2859, Policies and Procedures for Maintaining Auxiliary Enterprise Reserves and Investments Yields, 4/30/1990](#)

[2860, Higher Education Facilities Condition Reporting Guidelines, 3/23/2001](#)

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[2863, Chart of Accounts for Virginia State-Supported Colleges and Universities, 12/14/2015](#)

[2868, Higher Education Fixed Assets Guidelines for Educational and General Programs, 11/1/2010](#)

[2869, Equipment Trust Funds Policies and Procedures, 6/26/2013](#)

[3121, Tuition Relief Guidelines, 12/18/2006](#)

[5018, Academic Credentialing Evaluation Services, 8/23/2012](#)

[5272, Guidelines on Course Registration Policies for Military-Related Students at Virginia Public Higher Education Institutions, 3/19/2013](#)

[5798, Virginia Two-Year College Transfer Grant Program, 7/1/2015](#)

[5864, Public Institutions Conflict of Interest Guidelines for Contracts, 6/1/2015](#)

5898, [Financial Assistance for Industry-Based Certification and Related Programs](#), 7/22/2015

3122, [Tuition Relief Guidelines](#), 9/21/2010

4044, [Domicile Guidelines](#), 10/25/2016

5452, [Domicile Guidelines - Addendum A](#), 1/12/2010

5453, [Domicile Guidelines - Addendum B](#), 10/15/2009

6059, [Policy on Out-of-State Postsecondary Institutions Providing Distance Education to Virginia Residents](#), 11/30/2016

6060, [Guidance for Institutions Providing Instruction through Distance Education Modalities](#), 11/30/2016

DEPARTMENT OF HISTORIC RESOURCES

All agency guidance documents are available on the Regulatory Town Hall at www.townhall.virginia.gov and on the agency website. Hard copies can be made available during regular work days from 8:30 a.m. until 4:30 p.m. in the main office of the Virginia Department of Historic Resources, 2801 Kensington Avenue, Richmond, VA 23221 or at any of its regional offices. Copying costs may apply for large orders or for documents that are out of print. Copies can be obtained by contacting the regional offices, from staff coordinating the program covered by particular documents, or from the agency archives manager, Quatro Hubbard, at the address above, telephone (804) 482-6102, or FAX (804) 367-2391.

Interpretation or implementation questions should be addressed to staff working in the appropriate program area. A staff listing by unit and program area can be found on the agency website at http://www.dhr.virginia.gov/homepage_features/staff3.htm.

Regional office addresses and phone numbers are as follows (the Capital Regional Preservation Office is collocated at the central office address given above): Agency forms, information in the documents listed below and the agency publication lists are also available on the agency website at <http://www.dhr.virginia.gov>.

Western Regional Preservation Office, Department of Historic Resources, 962 Kime Lane, Salem, VA 24153, telephone (540) 387-5396.

Northern Regional Preservation Office, Department of Historic Resources, P.O. Box 519, 5357 Main Street, Stephens City, VA 22655 (send all mail inquiries to the P.O. Box), telephone (540) 868-7029.

Guidance Documents:

6146, [Easement Application Form - Architectural Resource](#), 12/31/2016

6147, [Easement Application Form - Battlefield Properties Partial Gift-Partial Sale Transaction](#), 12/31/2016

6148, [Easement Application Form - Battlefield Properties Full Donation Transaction](#), 12/31/2016

6149, [Easement Application Form - Battlefield Properties Nonprofit Fee Simple Acquisition Transaction](#), 12/31/2016

4630, [Historic Preservation Easement Program Policies \(1 through 11\)](#), 12/31/2016

5684, [Easement Program Information Packet](#), 12/29/2016

Board of Historic Resources

4593, [Virginia's Historic Registers: A Guide for Property Owners](#), 12/30/2014

4594, [Preliminary Information Form: Archaeological Site](#), 12/30/2014

4595, [Preliminary Information Form: Individual Property \(Building, Structure, Site, etc.\)](#), 12/30/2014

4596, [Preliminary Information Form: Historic District](#), 12/30/2014

4597, [National Register of Historic Places Nomination Form](#), 12/30/2014

4600, [National Register of Historic Places and Virginia Landmarks Register Evaluation Process](#), 12/30/2014

4601, [Application and Criteria for a State Historical Highway Marker](#), 12/30/2014

4636, [Permit for Application for Archaeological Removal of Human Burial](#), 7/1/1998

4598, [Legal Notification Form - State/Federal Register Process](#), 12/29/2016

4599, [Photographic Guidance for National Register Nominations in Virginia](#), 12/29/2016

Department of Historic Resources

4593, [Virginia's Historic Registers: A Guide for Property Owners](#), 12/30/2014

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4596, [Preliminary Information Form: Historic District](#), 12/30/2014

4597, [National Register of Historic Places Nomination Form](#), 12/30/2014

4600, [National Register of Historic Places and Virginia Landmarks Register Evaluation Process](#), 12/30/2014

4629, [Instructions to Apply for State and Federal Rehabilitation Tax Credits](#), 11/12/2010

Guidance Documents

4631, [DHR State Collections Management Standards](#), 6/16/2011

4632, [Guidelines for Conducting Historic Resources Survey in Virginia](#), 12/30/2014

4634, [Citizen Cemetery Recordation Form](#), 8/4/2010

4635, [Eligible and Ineligible Expenses in Tax Credit Project](#), 10/1/2007

4637, [Application for Archaeological Investigation on State Lands](#), 7/1/1998

4638, [Cell Tower Review Submission Guidelines](#), 7/1/2010

4639, [Guidelines for Assessing Visual Effects on Historic Properties](#), 6/30/2010

4640, [Guidelines for Assessing Impacts of Proposed Electric Transmission Lines and Associated Facilities on Historic Resources in the Commonwealth of Virginia](#), 1/8/2010

4641, [How to Apply for Designation as a Certified Local Government in Virginia](#), 12/28/2015

6150, [Audit Report for Rehabilitation Tax Credit program](#), 12/31/2016

6151, [Agreed-Upon Procedures Report for Rehabilitation Tax Credit program](#), 12/31/2016

6152, [Schedule of Rehabilitation Expenses](#), 12/31/2016

6153, [Schedule of Construction Costs for Rehabilitation Tax Credit Program](#), 12/31/2016

6154, [Certification Requirements for Rehabilitation Tax Credit Program](#), 12/31/2016

6155, [Billing Statement for Rehabilitation Tax Credit program](#), 12/31/2016

4598, [Legal Notification Form - State/Federal Register Process](#), 12/29/2016

4599, [Photographic Guidance for National Register Nominations in Virginia](#), 12/29/2016

4642, [Virginia Battlefield Preservation Fund Grants Guidelines for Applications, Prioritization and Award of Grants 2016-2017](#), 12/29/2016

4643, [Virginia Battlefield Preservation Fund Grants 2016 Grants Application Form](#), 12/29/2016

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Copies of the following documents may be viewed during regular workdays from 8:30 a.m. until 5 p.m. at the Department of Housing and Community Development, 600 East Main, Suite 300, Richmond, VA 23219, <http://www.dhcd.virginia.gov>. Copies may be

obtained at agency cost by contacting Kyle Flanders at the same address or by telephone (804) 786-6761.

Questions regarding interpretation or implementation of these documents may be directed to Kyle Flanders at the above address or telephone number or by email at kyle.flanders@dhcd.virginia.gov.

Guidance Documents:

5888, [Virginia Main Street - Program Guidelines](#), 12/16/2015

5889, [Virginia Main Street Designation Application](#), 12/16/2015

5890, [Indoor Plumbing Rehabilitation Program](#), 11/1/2016

5891, [2017 Industrial Revitalization Fund Program Design](#), 4/1/2016

5892, [Vibrant Community Initiative](#), 10/1/2016

5893, [Building Collaborative Communities Program Guidelines](#), 7/1/2016

5894, [Neighborhood Stabilization Program \(NSP\) Manual](#), 12/16/2015

5895, [Virginia Appalachian Regional Commission 2017 Request for Proposals](#), 9/1/2016

5896, [Four-Year Development Plan for the Appalachian Region of Virginia](#), 12/16/2015

5901, [HOME Ownership Down Payment and Closing Assistance Program Guidelines](#), 11/1/2015

5903, [Affordable and Special Needs Housing - Consolidated Application Program Guidelines](#), 10/1/2016

5904, [Communities of Opportunity - Virginia Tax Credit Program Guidelines](#), 1/1/2016

5905, [Child Care for Homeless Children Grant Program Guidelines](#), 12/18/2015

5906, [Virginia Homeless Solutions Program Guidelines](#), 12/1/2016

5907, [Virginia Weatherization Assistance Program Operations Manual](#), 12/18/2015

5908, [Housing Trust Fund: Competitive Loan Pool Program Guidelines](#), 12/18/2015

5909, [Housing Trust Fund: Homeless Reduction Grants Program Guidelines](#), 9/1/2016

5910, [2016 Virginia Private Activity Bond Allocation Guidelines](#), 12/18/2015

5911, [Livable Home Tax Credit Program \(LHTC\) Application](#), 6/1/2016

5923, [2016 Community Development Block Grant \(CDBG\) Program Design](#), 3/1/2016

5924, [Virginia Department of Housing and Community Development Emergency Home and Accessibility Repairs Program, 6/23/2015](#)

5925, [Community Housing Development Organization \(CHDO\) Capacity Self-Assessment Tool, 12/21/2015](#)

5926, [Affordable Housing Preservation \(AHP\) Program Minimum Design, Construction, and Housing Rehabilitation Standards, 12/21/2015](#)

5927, [Lead Safe Housing Policies and Procedures with HOME Program Funds, 12/21/2015](#)

5928, [Environmental Review of Projects Assisted with HOME Program Funds, 11/6/2012](#)

5931, [Acquisition and Relocation, 12/21/2015](#)

5933, [Section 3 Policies and Procedures for Recipients of HOME Program Funds, 12/21/2015](#)

5934, [Section 504 Procedures for Recipients of HOME Program Funds, 5/1/2013](#)

5935, [Federal Labor Standards with HOME Program Funds, 12/21/2015](#)

5960, [Building Entrepreneurial Economies Program Design and Grant Application Instruction Manual, 3/1/2016](#)

6061, [Virginia Individual Development Accounts: Program Design, 1/1/2012](#)

6084, [Downtown Investment Grant Manual, 3/1/2016](#)

6085, [Financial Feasibility Grant Manual, 3/1/2016](#)

6086, [Virginia Telecommunications Initiative Program Guidelines and Criteria, 11/1/2016](#)

6088, [GO Virginia Regional Council Guidelines, 12/13/2016](#)

Board of Housing and Community Development

5884, [Grant Year 2016 Job Creation Grant Instruction Manual, 12/1/2016](#)

5885, [Grant Year 2016 Real Property Investment Grant Instruction Manual, 12/1/2016](#)

5886, [Grant Year 2016 CPA Agreed-Upon Procedures Instruction Manual, 12/1/2016](#)

5887, [Local Zone Administrator's Management Manual, 12/16/2015](#)

5902, [Continuing Education Policy Applicable to BHCD Certified Code Enforcement Personnel, 10/1/2012](#)

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the offices of the Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, VA 23220. Copies may be

obtained free of charge by contacting Paul Brennan at the same address or by telephone at (804) 343-5798. All of these documents are available electronically for no charge on the Regulatory Town Hall at www.townhall.virginia.gov.

Questions regarding interpretation or implementations of these documents may be directed to Paul Brennan at the above address or telephone number.

Guidance Documents:

4368, [Multi-Family Development Policy and Procedures Manual, 12/20/2016](#)

5629, [Homebuyer Handbook, 4/28/2016](#)

5630, [Homebuyer Handbook - Spanish Version, 12/13/2016](#)

5631, [Homeownership Originations Guide, 7/31/2015](#)

5632, [Housing Choice Voucher Program Operations Manual, 5/1/2016](#)

5633, [Low-Income Housing Tax Credit Manual, 12/19/2016](#)

5634, [Compliance and Asset Management Operations Manual, 12/19/2014](#)

5635, [Homeownership Originations Policies Manual, 4/22/2016](#)

5914, [Multifamily Loan Compliance Guidelines - Taxable Bonds, 2/5/2014](#)

5916, [Multifamily Loan Compliance Guidelines - REACH, 2/5/2014](#)

5917, [Multifamily Loan Compliance Guidelines - Tax Exempt AMT Bonds, 2/5/2014](#)

5918, [Multifamily Loan Compliance Guidelines - Tax Exempt Bonds 20% @ 80%, 2/5/2014](#)

5919, [Multifamily Loan Compliance Guidelines - Tax Exempt Bonds 20% @ 80% AFS, 2/5/2014](#)

5932, [Mortgage Credit Certificates \(MCC\) Program Guide, 7/31/2015](#)

DEPARTMENT OF HUMAN RESOURCE MANAGEMENT

Copies of the following documents may be viewed during regular workdays from 8:30 a.m. until 4:30 p.m. in the Office of Health Benefits, James Monroe Building, 101 North 14th Street, 13th Floor, Richmond, VA 23219. Copies may be obtained by contacting Barbara Owens at the same address, or by telephone at (804) 786-4045, FAX at (804) 371-0231, or by email at barbara.owens@dhrm.virginia.gov. Unless otherwise noted, copies are available at no charge. Questions regarding interpretation or implementation of these documents may be directed to Barbara Owens.

Guidance Documents

Guidance Documents:

Human Resource Policy Manual - ongoing updates,
<http://www.dhrm.virginia.gov/hrpolicies>

Employee Handbook,
<http://www.dhrm.virginia.gov/docs/default-source/hr/manuals/employeehandbook.pdf?sfvrsn=4>, revised October 2014

Employee Recognition Program Handbook,
<http://www.dhrm.virginia.gov/docs/default-source/hr/manuals/emprechbnk.pdf?sfvrsn=2>, September 2000

Handbook for Agency Heads,
<http://www.dhrm.virginia.gov/docs/default-source/hr/manuals/agyheadhandbook.pdf?sfvrsn=4>, revised - February 2014.

2017 - Compensation Authorizations - Posted August 2016

- [Authorizations and Compensation Activities for Fiscal Year 2017](#)
- [Performance Management Guidance for Performance Cycle ending Oct 24 2016](#)
- [Performance Management Quick-Reference Card](#)

FAQs -Work Hours Limitation for Wage Employees,
<http://www.dhrm.virginia.gov/docs/default-source/hrpolicy/assets/faqworkhourlimitationsforwageemployees.pdf?sfvrsn=2>, published April 2013

Human Resource Management Manual,
<http://www.dhrm.virginia.gov/docs/default-source/hr/manuals/hrmanual.pdf?sfvrsn=2>, revised July 2003

Job Structure,
<http://www.dhrm.virginia.gov/agencyhumanresourceservices/joborganizationstructure>, revised September 2000

Personnel Management Information System (PMIS) User Guides

PMIS Layoff Guide 2016,
<http://web1.dhrm.virginia.gov/itech/guidesandmanuals.html>

PMIS PSE200 Rollback Transaction 2016,
<http://web1.dhrm.virginia.gov/itech/guidesandmanuals.html>

Revised PMIS PSE001 Original Appointment Transaction 2016,
<http://web1.dhrm.virginia.gov/itech/guidesandmanuals.html>

HurBits Live Videos - PSE001 Original Appointment Transaction 2016,
<http://web1.dhrm.virginia.gov/itech/hurbitstoc.html>

HurBits Live Videos - What's New in PMIS? 2016,
<http://web1.dhrm.virginia.gov/itech/hurbitstoc.html>

PMIS Layoff Guide 2016,
<http://web1.dhrm.virginia.gov/itech/guidesandmanuals.html>

PMIS PSE200 Rollback Transaction 2016,
<http://web1.dhrm.virginia.gov/itech/guidesandmanuals.html>

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HurBits Live Videos - PSE001 Original Appointment Transaction 2016,
<http://web1.dhrm.virginia.gov/itech/hurbitstoc.html>

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<http://web1.dhrm.virginia.gov/itech/hurbitstoc.html>

Enhanced Retirement PMIS Keying Guide 2015,
<http://web1.dhrm.virginia.gov/itech/guidesandmanuals.html>

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<http://web1.dhrm.virginia.gov/itech/guidesandmanuals.html>

PMIS Screen Changes Employee Time Status Guide 2015,
<http://web1.dhrm.virginia.gov/itech/guidesandmanuals.html>

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<http://web1.dhrm.virginia.gov/itech/guidesandmanuals.html>

New PMIS PSE200 Rollback Transaction 2015,
<http://web1.dhrm.virginia.gov/itech/guidesandmanuals.html>

EPR421 Faculty Keying Guide,
<http://web1.dhrm.virginia.gov/itech/files/PMISEPR421FacultyKeyingGuide.pdf>, 2012

PMIS Top Ten Transaction Guide,
<http://web1.dhrm.virginia.gov/itech/>, 2012

Reset Your PMIS Password,
<http://web1.dhrm.virginia.gov/itech/>, 2012

EPR Keying Guide,
<http://web1.dhrm.virginia.gov/itech/files/EPRKeyingGuide.pdf>, 2012

FAQs,
<http://web1.dhrm.virginia.gov/itech/files/PMISFAQs.pdf>, published 2013

PSE029 RESTORE New Transaction and Training Guide,
<http://web1.dhrm.virginia.gov/itech/files/AccessingPSE029TrainingInTheKnowledgeCenter.pdf>, published 2013

PMIS Screen Changes Employee Time Status Guide,
<http://web1.dhrm.virginia.gov/itech/>, published October 2014

Policies and Procedures Manual (individual policies are updated on a regular basis),
<http://www.dhrm.virginia.gov/hrpolicies>, revised October 2014

Salary Structure, <http://www.dhrm.virginia.gov/docs/default-source/compensationdocuments/salarystructure072513.pdf?sfvrsn=2>, revised August 10, 2015

Talent Management and Workforce Planning, <http://web1.dhrm.virginia.gov/itech/talentmanagement/index.html>, September 2012

Telework and Alternate Work Schedule Guidance, <http://www.dhrm.virginia.gov/agencyhumanresourceservices/telework>, revised April 2014

Teleworking Work Mode Categories Guide, http://www.dhrm.virginia.gov/docs/default-source/hrpolicy/assets/pol1_61workcategoriesmatrix.pdf?sfvrsn=4, Revised July 2014

Mental Health Crisis Guides for the Workplace 2015, <http://www.dhrm.virginia.gov/docs/default-source/hr/Mental-Health-Guides/mental-health-crisis-in-the-workplace.pdf?sfvrsn=0>

Workers' Compensation Claims Procedure Manual, <http://www.dhrm.virginia.gov/docs/default-source/workerscomp/agencyclaimsmanual.pdf?sfvrsn=2>, December 2010

State Health Benefits Program

COVA Care Member Handbook, <http://www.dhrm.virginia.gov/docs/default-source/benefitsdocuments/ohb/handbooks/covacarememberhandbook2015.pdf?sfvrsn=0>, revised July 2015

COVA HDHP Member Handbook, <http://www.dhrm.virginia.gov/docs/default-source/benefitsdocuments/ohb/handbooks/covahdhpmemberhandbk2008.pdf?sfvrsn=2>, published July 2008

COVA HealthAware Member Handbook, <http://www.dhrm.virginia.gov/docs/default-source/benefitsdocuments/ohb/handbooks/covahealthawarememberhandbook.pdf?sfvrsn=0>, revised July 2015

Flexible Spending Account (FSA) Sourcebook, <http://www.dhrm.virginia.gov/docs/default-source/benefitsdocuments/ohb/Open-Enrollment-2016/anthem-fsa-sourcebook-2016.pdf?sfvrsn=4> revised 2016

State Retiree Health Benefits Program

Medicare Coordinating Handbook, <http://www.dhrm.virginia.gov/docs/default-source/benefitsdocuments/ohb/handbooks/covamedicarecoordinatingplans.pdf?sfvrsn=2>, July 2011

Dental/Vision Handbook Insert, <http://www.dhrm.virginia.gov/docs/default-source/benefitsdocuments/ohb/retiree/2016-state-medicare-dental-vision-insert.pdf?sfvrsn=0>, revised January 2016

Prescription Drug Handbook Insert, <http://www.dhrm.virginia.gov/docs/default-source/benefitsdocuments/ohb/retiree/2016-state-medicare-prescription-drug-insert.pdf?sfvrsn=0>, revised January 2016

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Express Scripts Medicare Prescription Plan 2017 Formulary, <http://www.dhrm.virginia.gov/docs/default-source/benefitsdocuments/ohb/retiree/cova-medicare-formulary-2017.pdf?sfvrsn=0>

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2011 The Local Choice Key Advantage Member Handbook, <http://www.thelocalchoice.virginia.gov/planinfo/handbooks/keyadvmemberhandbook.pdf> revised 2011

Key Advantage Member Handbook 2014 Amendment, <http://www.thelocalchoice.virginia.gov/planinfo/handbooks/KeyAdvantage2014HandbookAmendment.pdf>

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2016 The Local Choice Key Advantage 250 Benefits Summary Insert, http://www.thelocalchoice.virginia.gov/planinfo/plans2016_2017/TLCKeAdvantage250BenefitSummary.pdf, effective July 1, 2016

2016 The Local Choice Key Advantage 500 Benefits Summary Insert, http://www.thelocalchoice.virginia.gov/planinfo/plans2016_2017/TLCKeAdvantage500BenefitSummary.pdf, effective July 1, 2016

2016 The Local Choice Key Advantage 1000 Benefits Summary Insert, http://www.thelocalchoice.virginia.gov/planinfo/plans2016_2017/TLCKeAdvantage1000BenefitSummary.pdf, effective July 1, 2016

The Local Choice Prescription Drugs - Key Advantage Plans, <http://www.thelocalchoice.virginia.gov/planinfo/prescriptiondrugs.html>, effective July 1, 2015

2016 The Local Choice Kaiser Permanente Benefits Summary, http://www.thelocalchoice.virginia.gov/planinfo/plans2016_2017/TLCKaiserPermanenteBenefitSummary.pdf, effective July 1, 2016

Guidance Documents

2011 The Local Choice Member Handbook Medicare Coordinating Plans, <http://www.thelocalchoice.virginia.gov/planinfo/handbooks/TLCMedicareHandook092011.pdf>, revised 2011

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2016 The Local Choice Advantage 65 Medical Only Benefits Summary Insert, http://www.thelocalchoice.virginia.gov/planinfo/plans2016_2017/TLCAdvantage65BenefitSummary.pdf, effective January 1, 2016

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2008 TLC HDHP Member Handbook, <http://www.thelocalchoice.virginia.gov/planinfo/handbooks/HDHPmemberhandbook2008.pdf>, published 2008

2016 HDHP Benefits Summary Insert, http://www.thelocalchoice.virginia.gov/planinfo/plans2016_2017/TLCHDHPBenefitSummary.pdf, effective July 1, 2016

2014 HDHP Amendment, <http://www.thelocalchoice.virginia.gov/planinfo/handbooks/HDHPAmendment2014.pdf>, effective July 1, 2012

2014 HDHP Amendment on Residential Treatment, http://www.thelocalchoice.virginia.gov/planinfo/plans2014_15/amendments/TLCHDHPAmendmentResidentialTreatment011215.pdf, effective July 1, 2014

2010 Chiropractic Amendment, <http://www.thelocalchoice.virginia.gov/planinfo/handbooks/HDHPChiroNotificationofChanges.pdf>, effective October 1, 2010

VIRGINIA INDIGENT DEFENSE COMMISSION

Copies of the following documents may be viewed on regular work days from 8 a.m. until 5 p.m. in the office of the Virginia Indigent Defense Commission, 1604 Santa Rosa Road, Suite 200, Richmond, VA 23229. Free copies may be accessed and downloaded from the Commission's website at <http://www.indigentdefense.virginia.gov>.

Questions regarding interpretation and implementation of these documents may be directed to Maria Jankowski, Deputy

Executive Director, 1604 Santa Rosa Road, Suite 200, Richmond, VA 23229, telephone (804) 662-7249 ext. 144, FAX (804) 662-7359, or email mjankowski@adm.idc.virginia.gov.

Guidance Documents:

Court Appointed Attorney Initial Certification Application in Non-Capital Cases, updated Court Appointed Attorney Certification Application: Counsel in Capital Cases, and Waiver attached

Court Appointed Attorney Initial Certification Application for Current Prosecutor in Non-Capital Cases

Court Appointed Attorney Certification Renewal Application Standards of Practice for Indigent Defense Counsel

Standards of Practice Complaint Process (guidelines for removal of an attorney from the certified counsel list)

Standards of Practice Complaint Form

VIRGINIA INFORMATION TECHNOLOGIES AGENCY

Copies of the following documents may be obtained free of charge on the Virginia Information Technologies Agency website at <http://www.vita.virginia.gov/default.aspx?id=537>. Printed copies are not produced, but are available by request for copying and mailing charges.

Questions regarding interpretation or implementation of these documents may be directed to Eric Link, Deputy CIO, Virginia Information Technologies Agency, 11751 Meadowville Lane, Chester, VA 23836, telephone (804) 416-6879, FAX (804) 416-6355. Other staff may be assigned to answer specific questions regarding these documents.

Guidance Documents:

GOV102-02, [Information Technology Resource Management Policy](#), 6/01/2016

EA 200-03, [Enterprise Architecture Policy](#), 6/01/2016

SEC 519-00, [IT Information Security Policy](#), 6/17/2014

GOV 105-04, [Technology Management Policy](#), 12/2/2013

GOV101-01, [Governance Document Development Process Standard](#), 12/8/2004

EA 225-11, [Enterprise Architecture Standard](#), 2/13/2013

GOV103-00, [Information Technology Accessibility Standard](#), 6/1/2016

OTH 702-00, [Virginia Geographic Information Network \(VGIN\) Administrative Boundary Data Standard](#), 9/1/2015

SEC501-09, [Information Technology Information Security Standard](#), 5/1/2015

[SEC502-02.2, Information Technology Security Audit Standard](#), 1/6/2013

[SEC511-00, Information Technology Standard Use of Non-Commonwealth Computing Devices to Telework](#), 7/1/2007

[SEC514-04, Removal of Commonwealth Data from Electronic Media Standard](#), 12/21/2015

[SEC520-00, Information Technology Risk Management Standard](#), 2/12/2014

[SEC503-02, Secure Remote Access to Online Court Documents Standard](#), 3/28/2005

[SEC505-00, Virginia Real Property Electronic Recording Standard](#), 5/1/2007

[CPM 112-03.3, Project Management Standard](#), 7/1/2016

[CPM 111-03, Project Manager Selection and Training Standard](#), 12/21/2015

[CPM 301-02, Program Management Standard](#), 11/10/2016

[CPM 516-01, Information Technology Investment Management Information Technology Investment Management Standard](#), 5/9/2012

[OTH701-00, Model Virginia Map Accuracy Standards Guideline](#), 3/15/2009

[SEC517-00, Information Systems Facilities Security Guideline](#), 4/27/2009

[SEC508-00, Information Technology Contingency Planning Guideline](#), 4/18/2007

[SEC507-00, Information Technology Data Protection Guideline](#), 7/2/2007

[SEC509-00, Information Technology Logical Access Control Guideline](#), 4/18/2007

[SEC513-00, Information Technology Personnel Security Guideline](#), 2/15/2008

[SEC512-01, Information Technology Security Audit Guideline](#), 7/1/2013

[SEC510-00, Information Technology Security Threat Management Guideline](#), 7/1/2007

[SEC518-00, Information Technology Systems Asset Management Guideline](#), 4/27/09

[SEC515-00, Information Technology Systems Security Guideline](#), 7/17/2008

[CPM 110-03, Commonwealth Project Management Guideline](#), 3/14/2011

[CPM 302-00, Program Management Guideline](#), 2/20/2015

OFFICE OF THE STATE INSPECTOR GENERAL

Copies of the following documents may be viewed or obtained on regular work days from 8 a.m. until 5 p.m. at the Office of the State Inspector General, James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, VA 23219, telephone (804) 625-3255, or FAX (804) 786-2341. There are no costs associated with obtaining printed copies of the documents listed. These documents may be viewed using the links below.

Questions regarding obtaining copies, interpretation, or implementation of these documents may be directed to Julie C. Grimes, Communications Coordinator, telephone (804) 625-3276, or email julie.grimes@osig.virginia.gov.

Guidance Documents:

[AuditGD2014, Oversight of State and Specific Nonstate Agencies' Internal Audit Programs](#), 3/16/2015

[HotlineGD2014, State Fraud, Waste, and Abuse Hotline Policies and Procedures Manual](#), 9/15/2014

[WhistleBlowerGD2014, The Fraud and Abuse Whistle Blower Protection Act Regulations, Policies, and Procedures Manual](#), 8/1/2014

JAMES MADISON UNIVERSITY

Copies of the following documents are available by contacting the Office of Public Affairs at James Madison University, MSC 8505, 217 South Liberty Street, Harrisonburg, VA 22801, telephone (540) 568-5322. All of the documents are available at www.jmu.edu and may be viewed using the links below.

Guidance Documents:

[Classified Employee Handbook](#)

[Faculty Handbook](#)

[Financial Procedures Manual](#)

[Graduate Catalog](#)

[University Policies](#)

[Parking Regulations](#)

[Student Handbook](#)

[Undergraduate Catalog](#)

[Wage Employee Handbook](#)

DEPARTMENT OF JUVENILE JUSTICE

Address questions concerning the guidance document list to Janet Van Cuyk, telephone (804) 588-3879, or email janet.vancuyk@djj.virginia.gov.

Guidance Documents

Certification

Copies of the following document may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the Certification Unit of the Department of Juvenile Justice, 600 East Main Street, Richmond, VA 23218. Copies may be obtained free of charge by contacting Kenneth E. Bailey, Certification Unit, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 516-9491, or FAX (804) 371-6490, or email kenneth.e.bailey@djj.virginia.gov.

Questions regarding interpretation or implementation of this document may be directed to Kenneth E. Bailey, Certification Unit, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 516-9491, FAX (804) 371-6490, or email kenneth.e.bailey@djj.virginia.gov.

Guidance Documents:

[3371, Guidance Document for Standards for Nonresidential Services Available to Juvenile and Domestic Relations District Courts, 7/1/2011](#)

[3652, Guidelines for Transporting Juveniles in Detention, 9/8/2004](#)

[4225, Guidelines for Determining the Length of Stay of Juveniles Indeterminately Committed to the Department of Juvenile Justice, 10/15/2015](#)

[4226, Guidelines for Approval & Reimbursement for Local Facility Construction, 7/27/2010](#)

[3710, Compliance Manual Regulation Governing Juvenile Group Homes and Halfway House, 11/25/2014](#)

[3720, Compliance Manual Regulation Governing Juvenile Correctional Centers, 11/25/2014](#)

[3730, Compliance Manual Regulation Governing Juvenile Secure Detention Centers, 11/25/2014](#)

Design and Construction of Juvenile Facilities

Copies of the following document may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the Capital Outlay Office of the Department of Juvenile Justice, 600 East Main Street, Richmond, VA 23218. Copies may be obtained free of charge by contacting Bob Wilburn, Capital Outlay Unit, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 588-3847, FAX (804) 786-1557, or email robert.wilburn@djj.virginia.gov.

Questions regarding interpretation or implementation of this document may be directed to Angela Valentine, Chief Deputy Director, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 588-3903, or email angela.valentine@djj.virginia.gov.

Guidance Document:

Virginia Department of Juvenile Justice Guidelines for Minimum Standards in Design and Construction of Juvenile Facilities, revised January 10, 2001, § 16.1-309.5 (see Detention Homes and other services)

(NOTE: This document is also included in the Step-by-Step Procedures for Approval and Reimbursement for Local Facility Construction, Enlargement and Renovation, which may be obtained from Angela Valentine, Chief Deputy Director, at (804) 588-3903, or email angela.valentine@djj.virginia.gov.)

Virginia Juvenile Community Crime Control Act

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the Community Programs Unit at the Department of Juvenile Justice, 600 East Main Street, Richmond, VA 23219. Copies may be obtained free of charge through email (if available) or paper copy by contacting Beth Stinnett, Statewide Program Manager, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 588-3908, or email beth.stinnett@djj.virginia.gov.

Questions regarding interpretation or implementation of the documents may be directed to, Beth Stinnett, Statewide Program Manager, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 588-3908, or email beth.stinnett@djj.virginia.gov.

Guidance Document:

[3373, Virginia Community Crime Control Act Manual, 7/1/2014](#)

Grants Manual

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the Legislative and Research Division, Department of Juvenile Justice, 600 East Main Street, Richmond, VA 23219. Copies may be obtained free of charge through email (if available) or paper copy by contacting Jared Miller, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 588-3920, or email jared.miller@djj.virginia.gov.

Questions regarding interpretation or implementation of the documents may be directed to, Janet Van Cuyk, Legislative and Research Manager, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 588-3879, or email janet.vancuyk@djj.virginia.gov.

Guidance Document:

[3326, Department of Juvenile Justice Grants Manual, 1/1/2003](#)

Community Programs Reporting System

Copies of the following document may be viewed during regular work days from 8:30 a.m. until 5 p.m. at the Department of Juvenile Justice, 600 East Main Street, Richmond, VA 23218. Copies may be obtained free of charge by contacting Angela Valentine at P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 588-3903, or email angela.valentine@djj.virginia.gov.

Questions regarding interpretation or implementation of the document may be directed to Angela Valentine at P.O. Box 1110, Richmond, VA 23218-1110, telephone (804) 588-3903, or email angela.valentine@djj.virginia.gov.

Guidance Document:

[4256, Community Programs Reporting: A Quick Reference Guide for Reporting Community-Based Service Data to the Virginia Department of Juvenile Justice, § 16.1-322.3, 7/1/2009](#)

Interstate Compact Relating to Juveniles

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the Interstate Compact Unit, Community Programs Unit (20th floor), Department of Juvenile Justice, 600 East Main Street, Richmond, VA 23218. Copies may be obtained free of charge and questions regarding the interpretation or implementation of these documents may be directed to Natalie Dalton at the same address, telephone (804) 588-3904, or FAX (804) 371-6490, or email natalie.dalton@djj.virginia.gov, or postal mail at Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23219-1110.

Guidance Documents:

[Interstate Compact Relating to Juveniles, Form I: Requisition for Runaway Juvenile](#), revised February 2016, § 16.1-323

[Interstate Compact Relating to Juveniles, Form II: Requisition for Escape or Absconder, Requisition for Accused Delinquent](#), revised February 2016, § 16.1-323

[Interstate Compact Relating to Juveniles, Form III: Consent for Voluntary Return Of Out Of State Juvenile](#), revised November 2016, § 16.1-323

[Interstate Compact Relating to Juveniles, Form IV: Parole or Probation Investigation Request](#), revised February 2016, § 16.1-323

[Interstate Compact Relating to Juveniles, Form V: Report of Sending State Upon Parolee or Probationer Being Sent To The Receiving State](#), revised January 2011, § 16.1-323

[Interstate Compact Relating to Juveniles, Form IA/VI: Application for Services and Waiver](#), revised February 2015, § 16.1-323

[Interstate Compact Relating to Juveniles, Form VII: Out of State Travel Permit and Agreement to Return](#), revised November 2016, § 16.1-323

[Interstate Compact Relating to Juveniles, Form VIII, Home Evaluation Report](#), revised February 2016

[Interstate Compact Relating to Juveniles, Form IX, Quarterly Progress, Violation or Absconder Report](#), revised February 2016

[Interstate Compact Relating to Juveniles, Form X, Case Closure Notification](#), revised February 2016

[Interstate Compact Relating to Juveniles, Form A, Petition for Requisition to Return a Runaway Juvenile](#), revised February 2016

[Interstate Compact Relating to Juveniles, Petition for Hearing on Requisition for Escapee, Absconder, or Accused Delinquent](#), revised February 2016

[Interstate Compact Relating to Juveniles, Petition for Hearing on Requisition for Runaway Juvenile](#), revised February 2016

[Interstate Compact Relating to Juveniles, Victim Notification Supplement Form](#), revised February 2016

Board of Juvenile Justice

Guidance Documents:

[HRRC, Confidentiality Agreement \(Human Research\)](#), 1/1/2016

[HRRC, Research Agreement](#), 1/1/2016

[HRRC, Human Research Proposal Form](#), 12/30/2015

DEPARTMENT OF LABOR AND INDUSTRY

For questions regarding guidance documents used by the Virginia Department of Labor and Industry, contact the following:

Boiler and Pressure Vessel Safety - Ed Hilton, telephone (804) 786-3262, or email ed.hilton@doli.virginia.gov

Cooperative Programs - Warren Rice, telephone (804) 786-6613, or email warren.rice@doli.virginia.gov

Labor and Employment Law - Division of Labor and Employment Law, telephone (804) 786-0574, or email laborlaw@doli.virginia.gov

Occupational Health - Ron Graham, telephone (804) 786-0574, or email ron.graham@doli.virginia.gov

Occupational Safety - Jennifer Rose, telephone (804) 786-7776, or email jennifer.rose@doli.virginia.gov

Registered Apprenticeship - Kathleen Eddington, telephone (804) 786-2382, or email kathleen.eddington@doli.virginia.gov

Guidance Documents

Virginia Occupational Safety and Health (VOSH) Program - for copies of documents, Regina Cobb, telephone (804-786-0610, or email regina.cobb@doli.virginia.gov

Voluntary Protection Program - Milford Stern, telephone (540) 562-3580, or email milford.stern@doli.virginia.gov

Copies of these guidance documents may be viewed during regular workdays from 8:30 a.m. until 4:30 p.m. at the Virginia Department of Labor and Industry, Main Street Center, 600 East Main Street, Suite 207, Richmond, VA 23219, or at any of the department's regional offices.

Guidance Documents:

12-152E, Occupational Injury and Illness Recording and Reporting Requirements, 1904.0 through 1904.46 and Amendments, 12/1/2016

Apprenticeship Council

APP - 01, Bylaws of the Virginia Apprenticeship Council, 11/18/2010

APP - 02, State Apprenticeship Standards for Cosmetology, Barbering, and Nail Technology Consisting of Minimum Standards for Apprenticeship, 5/10/2010

APP - 03, Virginia Surveyor Apprenticeship Standards, 1/3/2003

APP - 05, Standards of Apprenticeship for Opticians, 7/1/2000

APP - 08, Cooperative Working Agreement between the State of Virginia Apprenticeship Council and the Bureau of Apprenticeship and Training, U.S. Department of Labor, 7/23/2002

APP - 09, Apprenticeship Directive 81-4, Granting Credit for Previous Experience, 5/21/1981

APP - 10, Apprenticeship Directive 86-4, Part-Time Cosmetology Student/Apprentices, 9/15/1986

APP - 12, Apprenticeship Directive 01-1, Signature on Standards (VAC & Industry Specific), 8/15/2001

APP - 13, Apprenticeship Directive 03-3, Exemption from Full-Time Employment, 12/13/2007

APP - 14, Apprenticeship Directive 03-04, Temporary Staffing Agencies, 3/21/2002

APP - 15, Apprenticeship Directive 03-05, Guidelines Governing Out-of-State Businesses, 3/21/2002

APP - 16, Apprenticeship Directive 03-07, Registration for Barber, Cosmetology, Nail Technician, 9/7/1998

APP - 17, Apprenticeship Directive 03-09, Progressive Wage Policy, 3/20/2003

APP - 18, Commonwealth of Virginia Registered Apprenticeship Field Operation Manual, 9/30/2013

APP - 19, Minimum Standards for Apprenticeship, 7/1/2015

APP - 11, Apprenticeship Directive 90-3, Participation by Minors Between the Ages of 16 and 18 in Certain Hazardous Occupations, 4/27/1990

LEL - 00, Field Operations Manual Disclaimer, 3/30/2010

LEL - 01, Division of Labor and Employment Law Field Operations Manual - Chapter 1 Minimum Wage Act, 7/30/2009

LEL - 02, Division of Labor and Employment Law Field Operations Manual - Chapter 2 Use of Polygraphs in Certain Employment Situations, 10/30/2007

LEL - 03, Division of Labor and Employment Law Field Operations Manual - Chapter 3 Equal Pay, 1/20/2000

LEL - 04, Division of Labor and Employment Law Field Operations Manual - Chapter 4 Prevention of Employment, 1/30/2000

LEL - 05, Division of Labor and Employment Law Field Operations Manual - Chapter 5 Payment of Medical Exams as a Condition of Employment, 1/30/2000

LEL - 06, Division of Labor and Employment Law Field Operations Manual - Chapter 6 Right To Work, 3/1/2010

LEL - 07, Division of Labor and Employment Law Field Operations Manual - Chapter 7 Garnishment, 7/30/2009

LEL - 09, Division of Labor and Employment Law Field Operations Manual - Chapter 9 Child Labor, 8/30/2007

LEL - 10, Division of Labor and Employment Law Field Operations Manual - Chapter 10 Payment of Wage, 4/30/2015

LEL - 11, Individual Liability for Wage claims, 4/6/2015

LEL - 12, Administrative Subpoenas Issued in Accordance with Virginia Code, 4/30/2015

LEL - 13, Requesting Employment Records in Wage Claim Investigations, 5/2/2016

Safety and Health Codes Board

01-001C, Program Directive Development, Classification and Numbering System for VOSH, 5/1/2015

01-003, VOSH Internal Performance Audit Program, 3/15/1992

01-004SR, Responsibilities of the Central and Regional Office Directors and Managers, 5/1/2000

01-007, Cancellation of Selected VOSH Program Directives, 12/1/1994

- 01-008, Statewide Settlement Agreements, 3/1/1996
- 01-009A, Citation Policy for Paperwork and Written Program Requirement Violations, 10/15/2007
- 01-010, Local Emphasis Programs: Development and Approval of Special Targeting Activities, 2/15/2014
- 01-015A, State Plan Policies and Procedures Manual (Through CH-5), 3/1/1996
- 01-017, Expedited Informal Settlement Agreement (EISA) Program, 3/1/2005
- 01-020, OSHA Support of NIOSH "FACE" Program, 3/1/2005
- 01-024, Cancellation and Revision of VOSH/OSHA Instructions Related to Standard Alleged Violation Elements (SAVEs), 8/1/2010
- 02-001G, VOSH Field Operations Manual (FOM), 10/1/2013
- 02-003Q, VOSH Procedures to comply with OSHA Enforcement Exemptions and Limitations under the Federal Appropriations Act, OSHA Instruction CPL 02-00-051 (formerly CPL 2-0.51J); Appendix "A" Revision, 5/5/2016
- 02-004A, Collection of OSHA-300 Log Data, 2/15/2004
- 02-006B, Abatement Verification Regulation, § 307 of the VOSH Administrative Regulations Manual (ARM) - Enforcement Policies and Procedures, 1/1/2010
- 02-009B, Prison Inmate Form Letter, 1/15/2014
- 02-010, Information to be Included in Closing Conferences, 8/15/1993
- 02-011, Temporary Help Supply Services Used by Employers, 10/1/1993
- 02-012, Complaint Policies and Procedures, 4/1/2003
- 02-013, Compliance Policy for Emergency Action Plans and Fire Prevention Plans, 4/1/2003
- 02-016, Safety and Health Information Bulletins, 2/15/2004
- 02-020, VOSH Response to Significant Events of Potentially Catastrophic Consequence, 1/15/1994
- 02-021, Interpretative Rule Addressing OSHA's Policy on Employee Rescue Efforts, 29 CFR 1903.14, 8/15/1995
- 02-022A, 29 CFR 1913.10, Rules of Agency Practice and Procedure Concerning OSHA Access to Employee Medical Records, 11/1/2009
- 02-023, Citation and IMIS Guidance for the Administrative Regulations Manual (ARM), 8/15/2009
- 02-024A, Severe Violator Enforcement Program (SVEP), 9/1/2013
- 02-032, Guidelines for Implementing the Field Sanitation Standard, § 1928.110, 4/15/1993
- 02-033, Quick-Fix Program, 12/15/1996
- 02-050A, General Schedule Inspection Errors: Guidance for Inspection of Establishments, 12/15/2013
- 02-053C, Procedures for Photographs, Audio and Video Recordings Taken During VOSH Inspections or Investigations, 8/15/2011
- 02-054A, Process Safety Management of Highly Hazardous Chemicals, 1910.119 - Inspection Procedures and Interpretive Guidance, 8/1/1999
- 02-058, Procedures for Combining, Grouping and Assessing Penalties for Willful Violations, 1/15/1988
- 02-060B, Inspection Procedures for the Hazard Communication Standard, 1910.1200, 1915.99, 1917.28, 1918.90, 1926.59 and 1928.21, 2/1/2016
- 02-061, Citation Policy Regarding 29 CFR 1926.20, 29 CFR 1926.21 and Related General Safety and Health Provisions, 4/4/1988
- 02-062A, Application of the Permit-Required Confined Spaces (PRCS) Standards, § 1910.146, 4/1/2003
- 02-064A, Procedure for Handling Issuance of Citations to VDOT, 12/15/2007
- 02-065B, Virginia Construction and Telecommunications Industries Confined Space Standard Procedures and Interpretations Manual, CNSP 146 and 1910.268 (t), 9/15/1993
- 02-067C, Overhead High Voltage Line Safety Inspection Procedures and Interpretations, 10/15/2005
- 02-071, Inspection Guidelines for Post-Emergency Response Operations Under 29 CFR 1910.120, 9/15/1991
- 02-072B, Index of General Industry Standards Applicable to the Construction Industry, 5/15/1994
- 02-073B, Inspection Procedures for 29 CFR 1910.120 and 1926.65, Paragraph (q): Emergency Response to Hazardous Substance Releases, 10/1/2007
- 02-076, Revision of the Gravity Based Penalty (GBP) Scale, 10/1/2009
- 02-101, OSHA/U.S. Coast Guard Authority over Vessels, 11/15/1998
- 02-105A, Inspection Scheduling for Construction, 1/15/2014
- 02-106, Nursing and Residential Care Facilities, Inspection Procedures, 6/1/2013
- 02-206A, Inspection of Grain Handling Facilities, § 1910.272, 11/15/1998

Guidance Documents

02-208A, Acceptance of U.S. Department of Transportation (DOT) Exemption DOT-E 8845 of the Select Fire Oil-Well Perforating System Detonator Interruption Device (DID), 9/1/1994

02-209, Fixed Ladders Used on Outdoor Advertising Structures/Billboards in the Outdoor Advertising Industry, 4/15/1993

02-210, Excavation and Trench Procedures and Interpretations Manual, 3/5/1990

02-211B, The Control of Hazardous Energy - Enforcement Policy and Inspection Procedures, 5/1/2008

02-213, Inspection Procedures and Guidelines for Lift-Slab Construction Operations, 9/1/1991

02-214, Home-Based Worksites, 10/1/2000

02-215, Enforcement Authority at the Department of Energy's Government Owned, Contractor Operated (GOCO) Sites, 5/1/1992

02-216, Electrical Safety-Related Work Practices-Inspection Procedures and Interpretive Guidelines, 7/15/1992

02-217, Guarding of Three-Roller Printing Ink Mills, 9/1/1994

02-218, Awareness Barriers Installed on Metal Cutting Shears, 9/1/1994

02-223, Abrasive Operations Using Cutoff Wheels and Masonry Saws, §§ 1910.215, 1926.303 and 1926.702(i), 8/15/1995

02-224B, Inspection Policy and Procedures for OSHA's Steel Erection Standards for Construction; Clarification of OSHA's Enforcement Policies Relating to floors/nets and Shear Connectors; Cancellation of CPL 02-01-046, 12/1/2010

02-225D, Focused Inspections in Construction - Renewal, 7/1/2013

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[\[LVA-LDND-001\] Virginia Public Library Trustees Handbook \(7/1/05\)](#)

[\[LVA-LDND-002\] Planning for Library Excellence \(1/13/09\)](#)

[\[LVA-LDND-003\] FY2015 Instructions for the Expenditure of State Aid Grants \(2/11/14\)](#)

[\[LVA-RM-001\] The Virginia Public Records Management Manual \(10/1/14\)](#)

[\[LVA-RM-002\] Guidance Document on the Timely Destruction of Records \(7/30/06\)](#)

BOARD OF LONG-TERM CARE ADMINISTRATORS

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/nha> or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at lrc@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Corie Tillman Wolf, J.D., Executive Director of the Board, at the address above or by telephone at (804) 367-4595. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/nha/nha_guidelines.htm

95-1, Memorandum of Understanding with the Virginia Department of Health, Division of Licensure and Certification, revised July 7, 2011

95-2, Board Procedures for Auditing Continuing Education, revised July 7, 2011

95-3, Sanction Reference Manual, March 8, 2010

95-4, Board policy on confidential consent agreements, revised July 7, 2011

95-5, Document of Department of Health; Common understanding of definitions and terms used to identify resident mistreatment, April 17, 2000

95-6, Board policy on process for delegation of informal fact-finding to an agency subordinate, October 13, 2004

95-7, Board policy on Qualifying for Licensure: Required Content for College Coursework, revised July 7, 2011

95-8, Bylaws of the Board of Long-Term Care Administrators, revised July 7, 2011

95-9, Board policy on continuing competency hours for dually licensed administrators, October 28, 2008

95-10, Memorandum of Understanding with the Virginia Department of Social Services, Division of Licensing Programs on Assisted Living Facilities, September 27, 2011

95-11, Disposition of cases for practicing with an expired license, June 19, 2012

95-12, Processing applications for licensure: examination, endorsement, and reinstatement, adopted September 201, 2016

LONGWOOD UNIVERSITY

Copies of the following documents may be viewed during regular work days from 8 a.m. until 5 p.m. in the Office of the Vice President for Administration and Finance, 201 High

Street, Lancaster 207, Farmville, VA 23909. Copies may be obtained free of charge by contacting the Office of the Vice President for Administration and Finance at the same address, telephone (434) 395-2016, FAX (434) 395-2635, or email copelandpk@longwood.edu. The documents are also available using the links below.

Questions concerning the interpretation or implementation of these documents may also be directed to the Vice President for Administration and Finance, at the above address.

Guidance Documents:

Longwood University 2014-2015 Student Handbook, <http://www.longwood.edu/media/student-conduct-and-integrity/public-site/StudentHandbook.pdf>

Longwood University 2014-2015 Graduate Catalog, http://www.longwood.edu/media/college-of-graduate-and-professional-studies/public-site/2016-2017_GraduateCatalog.pdf

Longwood University 2014-2015 Undergraduate Catalog, http://www.longwood.edu/media/academic-affairs/public-site/Final_2016-2017Undergraduate-Catalog.pdf

Longwood University Faculty Policies and Procedures Manual 2014-2015, http://solomon.longwood.edu/media/academic-affairs/solomon/2016_17_FPPM_PrintCopy.pdf

Longwood University Administrative Policies, <http://solomon.longwood.edu/policies--procedures/?policyOwner=&policyBoardApproved=Board-Approved>

VIRGINIA LOTTERY

Copies of the following documents may be viewed during regular work days from 8:30 a.m. to 5 p.m. Requests for copies as well as questions regarding interpretation or implementation of these documents may be directed to Virginia Lottery, Amy P. Roper, Policy, Process, and Legal Document Administrator, 600 East Main Street, Richmond, VA 23219, telephone (804) 692-7133, FAX (804) 692-7688, or email aroper@valottery.com.

Director's Orders:

All Director's Orders are issued by the department's Executive Director as Administrative Orders. These Orders interpret and implement the Virginia Lottery's regulations relating to the licensing of lottery sales agents (11VAC5-31) and the games, promotions, and retailer incentives conducted by the Virginia Lottery (11VAC5-41).

31(94), Special Licensing Program: Virginia Department of Alcoholic Beverage Control, 8/15/1994

02(99), Establishment of a Sliding Scale for Surety Bonding Requirements, 2/22/1999

Guidance Documents

- 59(05), Final Rules for Operation; "Subscription Program," for Virginia Lottery Online Games (ends 1/10/2017), 8/8/2005
- 70(09), Virginia Lottery's Retailer Cashing Bonus Program Final Rules for Operation, 10/13/2009
- 13(13), Virginia's Instant Game Lottery 1390; "Silver and Gold" Final Rules for Game Operation, 5/17/2013
- 49(13), Virginia Lottery's "On the Spot Award Program" Retailer Incentive Final Requirements for Operation, 5/17/2013
- 125(13), Virginia's Instant Game Lottery 1466; "\$52 Million Cash Spectacular" Final Rules for Game Operation, 11/26/2013
- 4(14), Virginia's Instant Game Lottery 1428; "Wild Number Bingo" Final Rules for Game Operation, 10/23/2013
- 5(14), Virginia's Instant Game Lottery 1464; "\$3,000,000 Jackpot" Final Rules for Game Operation, 11/14/2013
- 8(14), Virginia's Instant Game Lottery 1467; "\$100 Million Cash Extravaganza" Final Rules for Game Operation, 11/14/2013
- 10(14), Virginia's Instant Game Lottery 1343; "Lucky Cherry Slots" Final Rules for Game Operation, 11/15/2013
- 14(14), Virginia's Instant Game Lottery 1472; "\$4 Million Mega Multiplier" Final Rules for Game Operation, 12/20/2013
- 54(14), Virginia's Instant Game Lottery 1478; "\$5,000,000 Cash Blowout!" Final Rules for Game Operation, 4/22/2014
- 72(14), Virginia's Instant Game Lottery 1497; "All About the Benjamins" Final Rules for Game Operation, 5/12/2014
- 75(14), Virginia's Instant Game Lottery 1489; "Big Winning Numbers" Final Rules for Game Operation, 5/14/2014
- 99(14), Virginia's Instant Game Lottery 1473; "Win it All" Final Rules for Game Operation, 8/5/2014
- 35(15), Virginia's Instant Game Lottery 1538; "Winner Take All" Final Rules for Game Operation, 3/19/2015
- 72(15), Virginia Lottery's Instant Game 1563: "\$5,000 Bankroll" Final Rules for Game Operation, 6/17/2015
- 73(15), Virginia Lottery's Instant Game 1577: "Cash is King" Final Rules for Game Operation, 6/17/2015
- 77(15), Virginia Lottery's Instant Game 1544: "Platinum Payout" Final Rules for Game Operation, 6/15/2015
- 94(15), Virginia Lottery's Instant Game 1555: "10X the Money" Final Rules for Game Operation, 7/16/2015
- 102(15), Virginia Lottery's Instant Game 1572: "Deuces Wild" Final Rules for Game Operation, 7/30/2015
- 103(15), Virginia Lottery's Instant Game 1580: "Cash Club" Final Rules for Game Operation, 7/30/2015
- 110(15), Virginia Lottery's Instant Game 1559: "Double Dollar Fortune" Final Rules for Game Operation, 8/11/2015
- 112(15), Virginia Lottery's Instant Game 1561: "\$2,500,000 Cash Winfall" Final Rules for Game Operation, 8/3/2015
- 114(15), Virginia Lottery's Instant Game 1571: "Cash Blast" Final Rules for Game Operation, 8/11/2015
- 135(15), Virginia Lottery's Instant Game 1575: "Green" Final Rules for Game Operation, 9/20/2015
- 137(15), Virginia Lottery's Instant Game 1550: "Jewel 7's" Final Rules for Game Operation, 9/20/2015
- 148(15), Virginia Lottery's Instant Game 1585: "\$3,500,000 Ultimate Millions" Final Rules for Game Operation, 9/20/2015
- 175(15), Virginia Lottery's Instant Game 1639: "Lucky 7 Crossword" Final Rules for Game Operation, 12/15/2015
- 182(15), Virginia Lottery's Instant Game 1576: "\$3,000,000 Fortune" Final Rules for Game Operation, 11/30/2015
- 183(15), Virginia Lottery's Instant Game 1624: "Blackjack" Final Rules for Game Operation, 12/15/2015
- 189(15), Virginia Lottery's Instant Game 1645: "Jacks are Wild" Final Rules for Game Operation, 12/16/2015
- 191(15), Virginia Lottery's Instant Game 1612: "50X the Money" Final Rules for Game Operation, 12/18/2015
- 192(15), Virginia Lottery's Computer-Generated Game: "Bank a Million" Final Rules for Game Operation, 12/10/2015
- 193(15), Virginia Lottery's Computer-Generated Game: "Cash4Life - Virginia-specific" Final Rules for Game Operation, 12/10/2015
- 195(15), Virginia Lottery's Computer-Generated Game: "Mega Millions - Virginia-Specific" Final Rules for Game Operation, 12/10/2015
- 196(15), Virginia Lottery's Computer-Generated Game: "Pick 3" Final Rules for Game Operation, 12/10/2015
- 197(15), Virginia Lottery's Computer-Generated Game: "Pick 4" Final Rules for Game Operation, 12/10/2015
- 198(15), Virginia Lottery's Computer-Generated Game: "Powerball - Virginia-Specific" Final Rules for Game Operation, 12/10/2015
- 7(16), Virginia Lottery's Scratch Game 1638: "Cash Multiplier" Final Rules for Game Operation, 1/21/2016
- 10(16), Virginia Lottery's Scratch Game 1631: "Mustache Cash" Final Rules for Game Operation, 1/21/2016

- 11(16), Virginia Lottery's Scratch Game 1647: "Super Red Hot Crossword" Final Rules for Game Operation, 1/21/2016
- 27(16), Virginia Lottery's Scratch Game 1658: "Cash in a Flash" Final Rules for Game Operation, 2/18/2016
- 28(16), Virginia Lottery's Scratch Game 1620: "Golden Spaces" Final Rules for Game Operation, 2/18/2016
- 32(16), Virginia Lottery's Scratch Game 1640: "7X the Money" Final Rules for Game Operation, 2/18/2016
- 34(16), Virginia Lottery's Scratch Game 1616: "Hot Millions Multiplier" Final Rules for Game Operation, 2/18/2016
- 35(16), Virginia Lottery's Scratch Game 1646: "Lucky 5's" Final Rules for Game Operation, 2/18/2016
- 36(16), Virginia Lottery's Scratch Game 1652: "We're Game for Education" for Game Operation, 2/18/2016
- 39(16), Virginia Lottery's Scratch Game 1633: "Bonus Ball Bingo" Final Rules for Game Operation, 2/18/2016
- 40(16), Virginia Lottery's Scratch Game 1642: "\$1,000,000 Bankroll" Final Rules for Game Operation, 2/18/2016
- 41(16), Virginia Lottery's Scratch Game 1635: "10X the Money" Final Rules for Game Operation, 2/18/2016
- 42(16), Virginia Lottery's Scratch Game 1653: "Frogger" Final Rules for Game Operation, 2/18/2016
- 45(16), Virginia Lottery's Scratch Game 1605: "Bankroll Bonus" Final Rules for Game Operation, 3/4/2016
- 46(16), Virginia Lottery's Scratch Game 1602: "Money Bag Doubler" Final Rules for Game Operation, 3/4/2016
- 52(16), Virginia Lottery's Scratch Game 1582: "Queen of Hearts" Final Rules for Game Operation, 3/9/2016
- 62(16), Virginia Lottery's Scratch Game 1655: "5X the Money" Final Rules for Game Operation, 4/24/2016
- 64(16), Virginia Lottery's Scratch Game 1689: "20X the Money" Final Rules for Game Operation, 4/25/2016
- 66(16), Virginia Lottery's Scratch Game 1696: "In the Money" Final Rules for Game Operation, 4/25/2016
- 67(16), Virginia Lottery's Scratch Game 1690: "Double Payout!" Final Rules for Game Operation, 4/25/2016
- 68(16), Virginia Lottery's Scratch Game 1664: "\$1,000,000 Instant Cashout" Final Rules for Game Operation, 4/25/2016
- 86(16), Virginia Lottery's "Sheetz First Half FY17 Retailer Incentive" Final Requirements for Operation, 5/23/2016
- 87(16), Virginia Lottery's Scratch Game 1663: "\$500 Frenzy" Final Rules for Game Operation, 5/23/2016
- 88(16), Virginia Lottery's Scratch Game 1698: "Lucky Loot Tripler" Final Rules for Game Operation, 5/23/2016
- 89(16), Virginia Lottery's Scratch Game 1676: "Jewel 7's" Final Rules for Game Operation, 5/23/2016
- 90(16), Virginia Lottery's Scratch Game 1675: "Lucky Dog Doubler" Final Rules for Game Operation, 5/23/2016
- 91(16), Virginia Lottery's Computer-Generated Game: "Cash 5" Final Rules for Game Operation, 5/23/2016
- 92(16), Virginia Lottery's Scratch Game 1680: "Hog Mania" Final Rules for Game Operation, 5/23/2016
- 93(16), Virginia Lottery's Scratch Game 1682: "Give Me \$100's" Final Rules for Game Operation, 5/23/2016
- 94(16), Virginia Lottery's Scratch Game 1703: "Big Bills" Final Rules for Game Operation, 6/6/2016
- 95(16), Virginia Lottery's Scratch Game 1684: "Hot Winnings" Final Rules for Game Operation, 6/6/2016
- 98(16), Virginia Lottery's "Subscription Rules Program" for Virginia Lottery Computer-Generated Games (begins 10/31/16), 9/28/2016
- 100(16), Virginia Lottery's "Premium Registration Coupon (Q1 & Q2 FY17) Promotion" Final Rules for Operation, 7/19/2016
- 101(16), Virginia Lottery's Scratch Game 1701: "Thrills, Chills, and \$50 Bills" Final Rules for Game Operation, 7/19/2016
- 106(16), Virginia Lottery's Scratch Game 1668: "Super Triple 777" Final Rules for Game Operation, 7/20/2016
- 107(16), Virginia Lottery's Scratch Game 1697: "100X the Money" Final Rules for Game Operation, 8/2/2016
- 108(16), Virginia Lottery's Scratch Game 1707: "\$15 Million Payout" Final Rules for Game Operation, 8/2/2016
- 109(16), Virginia Lottery's Scratch Game 1715: "5X the Money" Final Rules for Game Operation, 8/2/2016
- 110(16), Virginia Lottery's Scratch Game 1712: "Turkey Payout" Final Rules for Game Operation, 9/7/2016
- 111(16), Virginia Lottery's "Vegas VIP Promotion" Final Rules for Operation, 8/2/2016
- 113(16), Virginia Lottery's "Holiday Games Llama Sign (December, 2016) Retailer Incentive" Final Requirements for Operation, 9/7/2016
- 114(16), Virginia Lottery's "Lucky 15 (November/December, 2016) Retailer Incentive" Final Requirements for Operation, 9/7/2016
- 117(16), Virginia Lottery's Scratch Game 1705: "Amazing 8's" Final Rules for Game Operation, 9/14/2016
- 118(16), Virginia Lottery's Scratch Game 1710: "Million \$\$ Match" Final Rules for Game Operation, 9/20/2016

Guidance Documents

119(16), Virginia Lottery's Scratch Game 1716: "Tripling Bonus Crossword" Final Rules for Game Operation, 9/20/2016

120(16), Virginia Lottery's "Game Guy Promotion" Final Rules for Operation, 9/16/2016

121(16), Virginia Lottery's Scratch Game 1739: "2017" Final Rules for Game Operation, 9/20/2016

122(16), Virginia Lottery's Scratch Game 1753: "Ch Ch Ch Chia Cash" Final Rules for Game Operation, 9/20/2016

123(16), Virginia Lottery's Scratch Game 1726: "Season's Winnings" Final Rules for Game Operation, 9/20/2016

124(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Blackjack" Final Rules for Game Operation, 9/20/2016

125(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Bonus Bingo" Final Rules for Game Operation, 9/20/2016

126(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Daily Crossword" Final Rules for Game Operation, 9/20/2016

127(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Extreme Crossword" Final Rules for Game Operation, 9/20/2016

128(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Platinum Crossword" Final Rules for Game Operation, 9/20/2016

129(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Smokin' Hot Crossword" Final Rules for Game Operation, 9/30/2016

130(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Gold Bar Bingo" Final Rules for Game Operation, 9/30/2016

131(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play High Stakes Blackjack" Final Rules for Game Operation, 9/30/2016

132(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Hot 'n Spicy Bingo" Final Rules for Game Operation, 9/30/2016

133(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Lucky Bingo" Final Rules for Game Operation, 9/30/2016

134(16), Virginia Lottery's Scratch Game 1713: "Win it All Doubler" Final Rules for Game Operation, 9/30/2016

135(16), Virginia Lottery's "eXTRA Chances Promotion (Q2 FY17)" Final Rules for Operation, 9/26/2016

136(16), Virginia Lottery's "Wegmans Bin Sales Retailer Incentive Promotion" Final Requirements for Operation, 11/18/2016

137(16), Virginia Lottery's "Speedway Sip 'n Sell Retailer Incentive Promotion" Final Requirements for Operation, 10/10/2016

138(16), Virginia Lottery's "Sheetz District Battle Retailer Incentive Promotion" Final Requirements for Operation, 10/10/2016

139(16), Virginia Lottery's "Pit Stop Mega Free Coffee Retailer Incentive Promotion" Final Requirements for Operation, 10/10/2016

140(16), Virginia Lottery's "Handy Mart 2 Ways to Win Scratch Retailer Incentive Promotion" Final Requirements for Operation, 10/10/2016

141(16), Virginia Lottery's "FasMart Stretch Your Scratch Goal (Feb-Mar) Retailer Incentive Promotion" Final Requirements for Operation, 10/10/2016

142(16), Virginia Lottery's "FasMart Mega Lunch Fridays Retailer Incentive Promotion" Final Requirements for Operation, 10/10/2016

143(16), Virginia Lottery's "March Bowling Challenge Retailer Incentive Promotion - Handy Mart" Final Requirements for Operation, 11/18/2016

144(16), Virginia Lottery's "March Bowling Challenge Retailer Incentive Promotion - Multi-Chain" Final Requirements for Operation, 10/10/2016

145(16), Virginia Lottery's "7-Eleven Market Battles (Jan & Mar) Retailer Incentive Promotion" Final Requirements for Operation, 11/18/2016

146(16), Virginia Lottery's "Social Media Contest Rules (FY17)" Final Rules for Operation, 9/26/2016

148(16), Virginia Lottery's "We're Game for Education Promotion" Final Rules for Operation, 9/26/2016

150(16), Virginia Lottery's Scratch Game 1732: "20 Years of Cash" Final Rules for Game Operation, 11/4/2016

151(16), Virginia Lottery's Scratch Game 1738: "\$4,000,000 Spectacular Riches" Final Rules for Game Operation, 11/4/2016

152(16), Virginia Lottery's Scratch Game 1736: "10X the Money" Final Rules for Game Operation, 11/4/2016

153(16), Virginia Lottery's Scratch Game 1686: "Triple Play" Final Rules for Game Operation, 11/4/2016

154(16), Virginia Lottery's Scratch Game 1709: "Extreme Green" Final Rules for Game Operation, 11/4/2016

155(16), Virginia Lottery's Computer-Generated Game "Virginia's New Year's Millionaire Raffle" Final Rules for Game Operation, 10/19/2016

157(16), Virginia Lottery's "Retailer Recruitment Program - FY2017" Final Requirements for Operation, 10/1/2016

158(16), Virginia Lottery's Scratch Game 1722: "Festive \$50's" Final Rules for Game Operation, 10/31/2016

159(16), Virginia Lottery's Scratch Game 1723: "Sneak a Peek" Final Rules for Game Operation, 10/21/2016

160(16), Virginia Lottery's Scratch Game 1724: "Tacky Sweater Surprise" Final Rules for Game Operation, 10/21/2016

161(16), Virginia Lottery's Scratch Game 1725: "Holiday Riches" Final Rules for Game Operation, 10/21/2016

162(16), Virginia Lottery's "Farm Fresh Season's Winnings Retailer Incentive Promotion" Final Requirements for Operation, 11/18/2016

163(16), Virginia Lottery's Scratch Game 1729: "Diamond Dig" Final Rules for Game Operation, 11/18/2016

164(16), Virginia Lottery's "Farm Fresh Big Money Super Ticket Promotion" Final Rules for Operation, 11/18/2016

165(16), Virginia Lottery's Scratch Game 1670: "Jumbo Bucks" Final Rules for Game Operation, 11/18/2016

166(16), Virginia Lottery's "2017 Super Teacher Awards Contest" Final Rules for Operation, 11/18/2016

167(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Blackjack Classic" Final Rules for Game Operation, 12/9/2016

168(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Bullseye Bingo" Final Rules for Game Operation, 12/9/2016

169(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Horoscope Crossword" Final Rules for Game Operation, 12/9/2016

170(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Money Bag Crossword" Final Rules for Game Operation, 12/9/2016

171(16), Virginia Lottery's Computer-Generated Game: "Print 'n Play Rockin' Bingo" Final Rules for Game Operation, 12/9/2016

172(16), Virginia Lottery's Scratch Game 1758: "Virginia Lotteria" Final Rules for Game Operation, 12/9/2016

173(16), Virginia Lottery's Scratch Game 1771: "Gold Bar Bonanza" Final Rules for Game Operation, 12/9/2016

174(16), Virginia Lottery's Scratch Game 1773: "\$40,000 Taxes Paid" Final Rules for Game Operation, 12/9/2016

175(16), Virginia Lottery's Scratch Game 1761: "Blackjack" Final Rules for Game Operation, 12/9/2016

176(16), Virginia Lottery's "Convenience Cash Raffle Promotion" Final Rules for Operation, 12/20/2016

177(16), Virginia Lottery's Amendment Order for Print 'n Play Luck Bingo (133 16), 12/15/2016

179(16), Virginia Lottery's Scratch Game 1733 "2 for \$1" Final Rules for Game Operation, 12/20/2016

180(16), Virginia Lottery's "eXTRA Chances Promotion (Q3 FY17)" Final Rules for Operation, 12/22/2016

MARINE RESOURCES COMMISSION

Documents are available on the Regulatory Town Hall at www.townhall.virginia.gov. Questions regarding interpretation or implementation of habitat documents may be directed to Tony Watkinson, Chief, Habitat Division, Marine Resources Commission, Newport News, VA 23607, telephone (757) 247-2250, or FAX (757) 247-8062.

Questions regarding interpretation or implementation of law-enforcement documents may be directed to Colonel Rick Lauderman, Chief, Law Enforcement Division, Marine Resources Commission, Newport News, VA 23607, telephone (757) 247-2278, or FAX (757) 247-2020.

Guidance Documents:

[Coastal Primary Sand Dune/Beaches Guidelines](#), 10/1/90

[Guidelines for Establishment, Use and Operation of Tidal Wetland Mitigation Banks](#), 12/6/11

[Guidelines on Repeat Offenders](#), 1/28/16

[Rent and Royalty Guidelines](#), 12/1/05

[Resolution by the VMRC Citizen Board Interpreting Code § 28.2-1203 a 5 \(iv\) and Delegating Authority to Make the Determination Called for by § 28.2-1203 a 5 \(iv\) of the Code of Virginia](#), 12/6/11

[Subaqueous Guidelines](#), 10/1/05

[Wetlands Guidelines](#), 12/1/82

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the office of the Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219. Please address any questions concerning the guidance document list to Emily McClellan, telephone (804)371-6043 or email emily.mcclellan@dmas.virginia.gov, or to Vicki Simmons, email victoria.simmons@dmas.virginia.gov.

Guidance Documents

Agency guidance documents are available on the Regulatory Town Hall at www.townhall.virginia.gov at no charge. The agency person to contact to obtain copies of guidance documents is Emily McClellan, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 371-4300.

The documents are also available electronically, for no cost, on the DMAS website at <https://www.virginiamedicaid.dmas.virginia.gov/wps/portal> or may be viewed using the links below.

Guidance Documents:

[5754, Medicaid Memos 2015, 6/22/2015](#)
[5755, Medicaid Memos 2014, 6/22/2015](#)
[5756, Medicaid memos 2013, 6/22/2015](#)
[5757, Medicaid Memos 2012, 6/22/2015](#)
[5758, Medicaid Memos 2011, 6/22/2015](#)
[5759, Medicaid Memos 2010, 6/22/2015](#)
[5760, Medicaid memos 2009, 6/22/2015](#)
[5761, Medicaid Memos 2008, 6/22/2015](#)
[5762, Medicaid Memos 2007, 6/22/2015](#)
[5763, Medicaid Memos 2006, 6/22/2015](#)
[5764, Medicaid Memos 1999-2005, 6/22/2015](#)
[5765, Alzheimer's Assisted Living Waiver Manual, 6/22/2015](#)
[5766, Baby Care Manual, 6/22/2015](#)
[5767, Children's Mental Health Program Manual, 6/22/2015](#)
[5768, Community Mental Health-Rehab Services Manual, 6/22/2015](#)
[5769, Dental Manual, 6/22/2015](#)
[5770, Durable Medical Equipment and Supplies Manual, 6/22/2015](#)
[5771, Elderly or Disabled with Consumer Directed Services, 6/22/2015](#)
[5772, Early Intervention Services Manual, 6/22/2015](#)
[5773, EPSDT Manual, 6/22/2015](#)
[5774, GAP Manual, 6/22/2015](#)
[5775, Home Health Manual, 6/22/2015](#)
[5776, Hospice Manual, 6/22/2015](#)
[5777, Hospital Manual, 6/22/2015](#)
[5778, Individual and Family Developmental Disabilities Waiver Services Manual, 6/22/2015](#)
[5779, Independent Laboratory Manual, 6/22/2015](#)

[5780, Local Education Agency Manual, 6/22/2015](#)
[5781, Mental Health Clinic Manual, 6/22/2015](#)
[5782, Mental Retardation/ Intellectual Disability Community Services, 6/22/2015](#)
[5783, Nursing Facilities Manual, 6/22/2015](#)
[5784, Prosthetic Devices Manual, 6/22/2015](#)
[5785, Pre-Admission Screening Manual, 6/22/2015](#)
[5787, Pharmacy Manual, 6/22/2015](#)
[5788, Physician/Practitioner Manual, 6/22/2015](#)
[5789, Plan First Manual, 6/22/2015](#)
[5790, Podiatry Manual, 6/22/2015](#)
[5791, Psychiatric Services Manual, 6/22/2015](#)
[5792, Rehabilitation Manual, 6/22/2015](#)
[5793, Renal Dialysis Clinic Manual, 6/22/2015](#)
[5794, Technology Assisted Waiver and Private Duty Nursing Services Manual, 6/22/2015](#)
[5795, Transportation Manual, 6/22/2015](#)
[5796, Vision Services Manual, 6/22/2015](#)
[6067, Medicaid Memos 2016, 12/1/2016](#)

BOARD OF MEDICINE

Copies of the following documents may be viewed during regular workdays from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's web page at <http://www.dhp.virginia.gov/medicine> or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at medbd@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to William L. Harp, M.D., Executive Director of the Board, at the address above or by telephone at (804) 367-4600. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/medicine/medicine_guidelines.htm
85-1, Bylaws of the Board of Medicine, reapproved April 5, 2013
85-2, Assistant Attorney General Opinion of October 25, 1986, on who can do a school physical examination
85-3, Board motion on process for an applicant requesting an Informal Conference, adopted June 22, 2006
85-4, Acceptance of Providers of Approved Continuing Education (PACE) for chiropractic CE, adopted February 19, 2015

85-5, Guidance of questions concerning medical records, revised June 22, 2006

85-6, Guidance on competency assessments for three paid claims, revised July 2, 2011

85-7, Guidance on light-based hair removal in physician practices, adopted February 21, 2008

85-8, Authority for physician assistants to write Do Not Resuscitate Orders, adopted February 23, 2012

85-9, Policy on USMLE Step attempts, adopted October 24, 2013

85-10, High-risk pregnancy disclosures for licensed midwives, revised October 22, 2015

85-11, Sanctioning Reference Points Instruction Manual, revised by Board, August 2011

85-12, Telemedicine, adopted February 19, 2015

85-13, Board motion, Guidelines on Performing Procedures on the Newly Deceased for Training Purposes, January 22, 2004

85-14, Procedure for enforcement of continuing competency requirements, adopted June 18, 2015

85-15, Board motion, Guidelines Concerning the Ethical Practice of Surgery and Invasive Procedures, January 22, 2004

85-16, Questions and Answers on Continuing Competency Requirements for the Virginia Board of Medicine, revised December 3, 2007

85-18, Practitioners' Help Section, - Definitions and explanations for terminology used in Practitioner Profile System and Frequently Asked Questions, revised November 22, 2010

85-19, Practitioner Information System - Glossary of Terms, revised November 22, 2010

85-20, Official Opinion of the Attorney General, December 1992 on employment of surgeon by a nonstock, nonprofit corporation

85-21, Official Opinion of the Attorney General, May 1995 on employment of physician by a for profit corporation

85-23, Policy of the Virginia Board of Medicine on the Use of Confidential Consent Agreements, October 9, 2003

85-24, Board motion, Adoption of FSMB Model Policy for the Use of Controlled Substances for the Treatment of Pain, revised October 24, 2013

85-25, Board motion, Process for Delegation of Informal Fact-finding to an Agency Subordinate, October 14, 2004

85-26, Laws Pertaining to the Practice of Licensed Midwives, revised June 20, 2013

85-27, Role of Licensed Midwives in Newborn Hearing Screening, Documentation, and Reporting, revised June 20, 2013

DEPARTMENT OF MILITARY AFFAIRS

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the Headquarters of the Department of Military Affairs, Office of the Director of Personnel and Administration, 5901 Beulah Road, Sandston, VA 23150. Copies may be obtained free of charge by contacting Walt Mercer at the same address, telephone (804) 236-7890, or email walter.l.mercer.nfg@mail.mil.

Questions regarding interpretation or implementation of these documents may be directed to Walt Mercer at the address above.

Guidance Documents:

VaARNG Regulation No. 56-3/VaANG Instruction No. 24-301, Registration of Privately Owned Vehicles by Virginia National Guard Personnel (Special Virginia National Guard License Plates), revised December 1, 2003, § 46.2-725, 46.2-744 and 46.1-105.9

VaARNG Regulation No. 56-5/VaANG Instruction No. 24-3011, Registration of Privately Owned Vehicles by Retired Virginia National Guard Personnel (Special Virginia National Guard License Plates), revised May 1, 2000, §§ 46.2-725, 46.2-726 and 46.2-765.5

VaARNG Regulation Number 621.1, Education, Virginia National Guard Tuition Assistance Program, July 1, 2010, § 23-7.4:2

VaARNG Regulation Number 405-1, Armory Management, Army Control Board and Non-Military Use of Armories, July 15, 1994, § 44-135.1

DEPARTMENT OF MINES, MINERALS AND ENERGY

This list meets the requirements of §§ 2.2-4008 and 2.2-4101 of the Code of Virginia. Questions regarding this list of guidance documents may be directed to Michael Skiffington, Regulatory Coordinator, Department of Mines, Minerals and Energy, 1100 Bank Street, 8th Floor, Richmond, VA 23219, telephone (804) 692-3212, FAX (804) 692-3237, or mike.skiffington@dmme.virginia.gov.

All DMME guidance documents are available electronically for no charge on the Virginia Regulatory Town Hall at www.townhall.virginia.gov.

Division of Mines

Study and Instruction Material

Study and instruction materials relating to coal mine safety are available on diskette, free of charge, at the Department of

Guidance Documents

Mines, Minerals and Energy, Division of Mines, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219.

Questions regarding the interpretation or implementation of this material may be directed to Carroll Green, Inspector Supervisor, Division of Mines, at the same address, telephone (276) 523-8232, or FAX (276) 523-8239;

Notices and Memoranda To Operators

Division of Mines Notices and Memoranda to Operators may be viewed or copied during regular workdays from 8 a.m. to 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mines, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219.

Questions regarding interpretation or implementation of these documents may be directed to Randy Moore, Chief, Division of Mines, at the same address, telephone (276) 523-8226, or FAX (276) 523-8239.

Procedures

Division of Mines procedures may be viewed or copied during regular workdays from 8 a.m. to 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mines, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. These procedures are used by agency staff to implement the Coal Mine Safety Act, § 45.1-161.7 et seq. of the Code of Virginia.

Questions regarding interpretation or implementation of these procedures may be directed to Randy Moore, Chief, Division of Mines, at the same address, telephone (276) 523-8226, or FAX (276) 523-8239.

Guidelines for Application of Regulatory Standards

Guidelines for Application of Regulatory Standards may be viewed or copied during regular workdays from 8 a.m. to 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mines, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. These documents are used by agency staff to implement the Coal Mine Safety Act, § 45.1-161.7 et seq. of the Code of Virginia.

Questions regarding interpretation or implementation of these documents may be directed to Mike Willis, same address, telephone (276) 523-8228, or FAX (276) 523-8239.

Division of Mined Land Reclamation

Memoranda

Division of Mined Land Reclamation memoranda may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Customer Assistance Center, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. Inquiries may

be directed to Cindy Ashley, telephone (276) 523-8233 or (276) 523-8235 or FAX (276) 523-8141.

Questions regarding interpretation or implementation of these documents may be directed to Harve Mooney, Hearings and Legal Services Officer, Department of Mines, Minerals and Energy, Division of Mined Land Reclamation, same address, telephone (276) 523-8157, or FAX (276) 523-8163.

Procedures

Division of Mined Land Reclamation procedures may be viewed or copied during regular work hours from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Customer Assistance Center, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. Inquiries may be directed to Cindy Ashley, telephone (276) 523-8233 or (276) 523-8235 or FAX (276) 523-8141.

Questions regarding interpretation or implementation of these documents may be directed to Harve Mooney, Hearings and Legal Services Officer, Department of Mines, Minerals and Energy, Division of Mined Land Reclamation, same address, (276) 523-8157, or FAX (276) 523-8163.

Other Documents

Other documents issued by the Division of Mined Land Reclamation may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Customer Assistance Center, 3405 Mountain Empire Road, P.O. Drawer 900, Big Stone Gap, VA 24219. Inquiries may be directed to Cindy Ashley, telephone (276) 523-8233 or (276) 523-8235 or FAX (276) 523-8141.

Division of Mineral Mining

Documents and Communication Memoranda

Division of Mineral Mining documents and communication memoranda may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mineral Mining, 900 Natural Resources Drive, P.O. Box 3727, Charlottesville, VA 22903 (Fontaine Research Park). Copies may be obtained by contacting Anne Grassler at the same address, telephone (434) 951-6311, or FAX (434) 951-6325.

Questions regarding interpretation or implementation of these documents may be directed to Phil Skorupa, same address, telephone (434) 951-6312, or FAX (434) 951-6325.

Procedures

Division of Mineral Mining procedures may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mineral Mining, 900 Natural Resources Drive, P.O. Box 3727, Charlottesville, VA 22903 (Fontaine Research Park). Copies may be obtained by contacting Anne Grassler at the

same address, telephone (434) 951-6311, or FAX (434) 951-6325. These procedures are used by agency staff to implement 4VAC25-31, 4VAC25-35, and 4VAC25-40.

Questions regarding interpretation or implementation of these procedures may be directed to Phil Skorupa, same address, telephone (434) 951-6312, or FAX (434) 951-6325.

Forms

Division of Mineral Mining forms may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Division of Mineral Mining, 900 Natural Resources Drive, P.O. Box 3727, Charlottesville, VA 22903 (Fontaine Research Park). Copies may be obtained by contacting Anne Grassler at the same address, telephone (434) 951-6311, or FAX (434) 951-6325. These forms are used by agency staff to implement 4VAC25-31, 4VAC25-35, and 4VAC25-40.

Questions regarding interpretation or implementation of these forms may be directed to Phil Skorupa, same address, telephone (434) 951-6312, or FAX (434) 951-6325.

Division of Gas and Oil

Memoranda to Operators and Bulletins

Division of Gas and Oil memoranda to operators and bulletins may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Division of Gas and Oil, P.O. Drawer 159, 135 Highland Drive, Lebanon, VA 24266. Copies may be obtained by contacting Sarah Gilmer at the same address, telephone (276) 415-9700, or FAX (276) 415-9671.

Questions regarding interpretation or implementation of these documents may be directed to Rick Cooper, Director, Division of Gas and Oil, same address and telephone.

Forms

Division of Gas and Oil forms may be viewed or copied during regular workdays from 8 a.m. until 5 p.m. at the Department of Mines, Minerals and Energy, Division of Gas and Oil, P.O. Drawer 159, 135 Highland Drive, Lebanon, VA 24266. Copies may be obtained by contacting Sarah Gilmer at the same address, telephone (276) 415-9700, or FAX (276) 415-9671.

Questions regarding interpretation or implementation of these forms may be directed to Rick Cooper, Director, Division of Gas and Oil, same address and telephone.

Guidance Documents:

[DM-14-05-2015, 2015 Certification Examination Schedule, 8/27/2014](#)

[DM-14-06, Division of Mines Certification Examinations Available Online, 9/19/2014](#)

[DM-14-07, DMME Mine Incident Response, Rescue and Recovery Plan, 12/2/2014](#)

[DM-G-161.109, DM Chapter 14.3, Article 2, Section 45.1-161.109.A., Roof, Rib and Face Control, 8/1/2001](#)

[DM-G-161.115, DM Chapter 14.3, Article 2, Section 45.1-161.115.D, Supplies of Materials for Supports, 4/10/2000](#)

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[DM-G-161.139, DM Chapter 14.3, Article 6, 45.1-161.139, Inspection of Underground Equipment, 4/10/2000](#)

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[DM-G-161.147, DM Chapter 14.3, Article 6, Section 45.1-161.147, Operation of Equipment, 4/10/2000](#)

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[DM-G-161.159, DM Chapter 14.3, Article 7, Section 45.1-161.159.A.C, Hoisting Engineer, 4/10/2000](#)

[DM-G-161.162, DM Chapter 14.3, Article 8, Section 45.1-161.162.A, Mine Openings and Escapeways, 9/30/2002](#)

[DM-G-161.165, DM Chapter 14.3, Article 8, Section 45.1-161.165, Maintenance of Mine Openings, 4/10/2000](#)

[DM-G-161.189, DM Chapter 14.3, Article 11, Section 45.1-161.189.E, Electricity, 9/30/2002](#)

[DM-G-161.193, DM Chapter 14.3, Article 11, Section 45.1-161.193, Electricity, 8/1/2001](#)

[DM-G-161.195A, DM Chapter 14.3, Article 11, Section 45.1-161.195.A, Inspection of Electric Equipment and Wiring; Checking and Testing Methane Monitors, 4/15/2004](#)

[DM-G-161.195B, DM Chapter 14.3, Article 11, Section 45.1-161.195 B.C.D., Inspection of Electric Equipment and Wiring; Checking and Testing Methane Monitors, 4/10/2000](#)

[DM-G-161.196, DM Chapter 14.3, Article 11, Section 45.1-161.196, Repairs to Circuits and Electric Equipment, 9/30/2002](#)

[DM-G-161.197, DM Chapter 14.3, Article 12, Section 45.1-161.197, First Aid Equipment, 4/10/2000](#)

[DM-G-161.199, DM Chapter 14.3, Article 12, Section 45.1-161.199, Certified Emergency Medical Services Personnel, 4/10/2000](#)

Guidance Documents

- DM-G-161.202, DM Chapter 14.3, Article 13, Section 45.1-161.202.B, Emergency Response Plans; List of Next of Kin, 4/10/2000
- DM-G-161.205, DM Chapter 14.3, Article 13, Section 45.1-161.205.F, Storage and Use of Flammable Fluids and Materials, 9/30/2002
- DM-G-161.206, DM Chapter 14.3, Article 13, Section 45.1-161.206, Diesel-Powered Equipment, 9/30/2002
- DM-G-161.207, DM Chapter 14.3, Article 13, Section 45.1-161.207.B, Welding and Cutting, 8/1/2001
- DM-G-161.209, DM Chapter 14.3, Article 14, Section 45.1-161.209, On-Shift Examinations, 4/10/2000
- DM-G-161.210, DM Chapter 14.3, Article 14, Section 45.1-161.210.J, Weekly Examinations, 4/10/2000
- DM-G-161.221, DM Chapter 14.3, Article 14, Section 45.1-161.221.D, Coursing of Air, 4/10/2000
- DM-G-161.222, DM Chapter 14.3, Article 14, Section 45.1-161.222, Actions for Excessive Methane, 4/15/2004
- DM-G-161.23, DM Chapter 14.2, Article 2, Section 45.1-161.23, Technical Specialist, 4/10/2000
- DM-G-161.238, DM Chapter 14.3, Title 15, Section 45.1-161.238.D, Storage and Use of Flammable Fluids and Materials, 9/30/2002
- DM-G-161.251, DM Chapter 14.3, Article 16, Section 45.1-161.251.A, Employment of Inexperienced Underground Miners, 4/10/2000
- DM-G-161.256, DM Chapter 14.4, Article 2, Section 45.1-161.256-257, Safety Examinations, 4/10/2000
- DM-G-161.258, DM Chapter 14.4, Article 2, Section 45.1-161.258, Areas with Safety or Health Hazards, 4/10/2000
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- DM-G-161.28-30, DM Chapter 14.2, Article 1, Sections 45.1-161.28 through 30, Operator/Independent Contractor (Examinations and Record Keeping), 9/30/2002
- DM-G-161.288, DM Chapter 14.4, Article 12, Section 45.1-161.288 and 290, Inspection of Electric Equipment and Wiring; Checking and Testing Methane Monitors, 4/10/2000
- DM-G-161.30A, DM Chapter 14.2, Article 3, Section 45.1-161.30.A, Performance of Certain Tasks by Uncertified Persons, Penalty, 4/10/2000
- DM-G-161.37A, DM Chapter 14.2, Article 3, Section 45.1-161.37.A, General Coal Miner Certification, 4/10/2000
- DM-G-161.38A, DM Chapter 14.2, Article 3, Section 45.1-161.38.A, First Class Mine Foreman Certification, 4/10/2000
- DM-G-161.57A, DM Chapter 14.2, Article 5, Section 45.1-161.57.A, License Required for Operation of Coal Mines, 4/15/2004
- DM-G-161.63, DM Chapter 14.2, Article 5, Section 45.1-161.63.B.C, Notices to Department; Resumption of Mining Following Discontinuance, 4/15/2004
- DM-G-161.77, DM Chapter 14.2, Article 7, Section 45.1-161.77.A, Reports of Explosions and Mine Fires, 4/10/2000
- DM-G-161.78, DM Chapter 14.2, Article 7, Section 45.1-161.78.A, Operator's Reports of Accidents; Investigations; Reports by Department, 4/10/2000
- DM-G-161.8, DM Chapter 14.2, Article 1, Section 45.1-161.8, Definitions, Accidents, 4/10/2000
- DM-G-161.83, DM Chapter 14.2, Article 8, Section 45.1-161.83, Review of Inspection Reports and Records, 4/10/2000
- DM-G-161.84, DM Chapter 14.2, Article 8, Section 45.1-161.84.A, Advance Notice of Inspections; Confidentiality of Trade Secrets, 4/10/2000
- DM-G-161.85, DM Chapter 14.2, Article 8, Section 45.1-161.85.A, Scheduling of Inspections, 4/10/2000
- DM-G-161.8A, DM Chapter 14.2, Article 1, Section 45.1-161.8, Definitions, Operators, 4/10/2000
- DM-G-161.8B, DM Chapter 14.2, Article 1, Section 45.1-161.8, Surface Coal Mine and Underground Coal Mine, 4/10/2000
- DM-G-161.90, DM Chapter 14.2, Article 9, Section 45.1-161.90.A, Notices of Violation, 4/15/2004
- DM-G-MED, DM Mine Emergency Directory, 4/1/2002
- DM-M-05-05, DM Operator Memorandum DM-05-05 Accident and Fatality Reports, 9/7/2005
- DM-M-05-08, DM Operator Memorandum 05-08 Surface Mine Maps, 11/16/2005
- DM-M-06-03A, DM Operator Memorandum 06-03A Emergency Response Plans, 4/4/2006
- DM-M-06-03B, DM Operator Memorandum 06-03B Generic Emergency Response Plan, 4/4/2006
- DM-M-06-03C, DM Operator Memorandum 06-03C Self Contained Self Rescuer Outby Storage Plan, 4/4/2006
- DM-M-06-03D, DM Operator Memorandum 06-03D Mine Emergency Evacuation and Firefighting Program of Instruction, 4/4/2006
- DM-M-06-03E, DM Operator Memorandum 06-03E Mine Emergency Scenarios template, 4/3/2006

- DM-M-06-03F, DM Operator Memorandum 06-03F Mine Emergency Addendum to Existing Training Plan, 4/4/2006
- DM-M-06-06, DM Operator Memorandum 06-06 Coalfield Employment Enhancement Tax Credit Production Labor Report, 10/12/2006
- DM-M-06-07, DM Operator Memorandum 06-07 Alternative Seal Designs, 10/12/2006
- DM-M-07-04, DM-07-04 Map Submittal, 7/1/2007
- DM-M-08-01, DM Operator Memorandum DM-08-01 Mine Incident Response, Rescue, and Recovery Plan, 1/17/2008
- DM-M-15-02, 2016 Division of Mines Certification Examination Schedule, 8/17/2015
- DM-MOU-01-03, DM Fatal Mine Accident Investigations, 1/3/2003
- DM-MOU-01-03-2, DM Inspection Coordination, 1/1/2003
- DM-MOU-09-97, DM Memorandum of Agreement Small Mine Assistance Training, 9/1/1997
- DM-P-1.03.01, DM Procedure No. 1.03.01, Emergency Response Team, 1/1/1999
- DM-P-1.03.02, DM Procedure No. 1.03.02, Rescue and Recovery Plan, 10/1/2000
- DM-P-1.04.05, DM Procedure No. 1.04.05, Spot Inspection, 10/1/2000
- DM-P-1.04.07, DM Procedure No. 1.04.07, Independent Contractors, 1/1/1997
- DM-P-1.04.09, DM Procedure No. 1.04.09, Administrative Review of Notices of Violation, 1/1/1997
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- DM-P-1.05.01, DM Procedure No. 1.05.01, Investigation of Accidents and Incidents, 10/1/2000
- DM-P-1.05.02, DM Procedure No. 1.05.02, Inundation of Water and Gas, 10/1/2000
- DM-P-1.05.03, DM Procedure No. 1.05.03, Methane Ignition, 10/1/2000
- DM-P-1.05.04, DM Procedure No. 1.05.04, Serious Personal Injury, 10/1/2000
- DM-P-1.05.06, DM Procedure No. 1.05.06, Unlicensed Mine Sites, 10/1/2000
- DM-P-1.05.09, DM Procedure No. 1.05.09, Investigation Documents File, 5/3/1999
- DM-P-1.06.01, DM Procedure No. 1.06.01, Plan Approvals, 9/1/2002
- DM-P-1.06.02, DM Procedure No. 1.06.02, Map Submittals, 10/1/2000
- DM-P-1.07.01, DM Procedure No. 1.07.01, Technical Instruction, 1/29/1999
- DM-P-1.07.03, DM Procedure No. 1.07.03, Training and Accident Reduction, 1/9/1999
- DM-P-1.09.02, DM Procedure No. 1.09.02, Recertification Requirements, 1/1/1997
- DMLR--MOU-05-97, DM/DMLR Memorandum of Agreement, Refuse Piles, Water and Silt Retaining Dams, 5/29/1997
- DMLR-MOU-01-97, DM Memorandum of Agreement Division of Mines and Divisions of Mined Land Reclamation Blasting, 1/7/1997
- DMLR-MOU-09-00, DM/DMLR Memorandum of Understanding, Reclamation Activities at Previously Licensed Coal Mine Sites, 9/1/2000
- DMLR-MOU-10-98, DM Memorandum of Understanding Between the Virginia Department of Mines, Minerals and Energy Divisions of Mined Land Reclamation and Mines and the U.S. Department of Labor Mine Safety and Health Administration District 5 Norton, Virginia, 12/5/2002
- DMLR-P-1.2.01, DMLR Procedure No. 1.2.01, Threatening, Abusing or Impeding a Division Employee, 4/17/2006
- DMLR-P-3.6.01, DMLR Procedure No. 3.6.01, Certification of Pollution Control Equipment, 3/12/1997
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- DMME-FOIA, Responding to Requests for Information, 5/29/2015
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- 5861, Final uniform statewide financial underwriting guidelines for clean energy loans made by localities under §15.2-958.3 of the Code of Virginia, 12/1/2015
- DGO-G-12-02, DGO Landfarming Guidance Document, 12/1/2002
- DGO-MOU-06-01, DGO Safety Memorandum of Understanding between Department of Mines, Minerals and Energy and Department of Labor and Industry, 6/1/2001
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- DM-11-05, Roof Bolter Mounted Cooling Fans, 11/8/2011
- DM-14-02, Surface First Aid Supplies, 7/29/2014
- DM-14-04, Definition of Serious Person Injury, 8/1/2014

Guidance Documents

DM-C-AEO, DM Automatic Elevator Operator Certification Requirements, 6/2/2008

DM-C-AFA, DM Advanced First Aid Certification Requirements, 6/2/2008

DM-C-AFAI, DM Advanced First Aid Instructor Requirements, 6/2/2008

DM-C-BCMEi, DM Board of Coal Mining Examiners Instructor Certification Requirements, 6/2/2008

DM-C-CES, DM Chief Electrician (Surface) Certification Requirements, 4/10/2001

DM-C-CESU, DM Chief Electrician (Surface and Underground) Certification Requirements, 6/2/2008

DM-C-DF, DM Dock Foreman Certification Requirements, 6/2/2008

DM-C-EMFS, DM Electrical Maintenance Foreman (Surface) Certification Requirements, 4/10/2001

DM-C-EMFSU, DM Electrical Maintenance Foreman (Surface and Underground) Certification Requirements, 6/2/2008

DM-C-FCMF, DM First Class Mine Foreman Certification Requirements, 6/2/2008

DM-C-FCSSF, DM First Class Shaft or Slope Foreman Certification Requirements, 6/2/2008

DM-C-GCM, DM Underground General Coal Miner Certification for Underground Mines and Surface Area of Underground Mines, 5/1/2003

DM-C-GCM_, DM General Coal Miner Certification Requirements, 6/2/2008

DM-C-HE, DM Hoisting Engineer Certification Requirements, 6/2/2008

DM-C-MI, DM Mine Inspector Certification Requirements, 7/1/2001

DM-C-PPF, DM Preparation Plant Foreman Certification Requirements, 6/2/2008

DM-C-QGD, DM Qualified Gas Detection Certification Requirements, 11/26/2002

DM-C-SB, DM Surface Blaster Certification Requirements, 4/10/2001

DM-C-SER, DM Surface Electrical Repairman Certification Requirements, 6/2/2008

DM-C-SF, DM Surface Foreman Certification Requirements, 6/2/2008

DM-C-SFF, DM Surface Facilities Foreman for Shops, Labs, and Warehouses Certification Requirements, 6/2/2008

DM-C-SGCM, DM Surface General Coal Miner Certification for Surface Mines and Auger Mines Training Manual, 5/1/2003

DM-C-TP, DM Top Person Certification Requirements, 6/2/2008

DM-C-UDEM, DM Underground Diesel Engine Mechanic Certification Requirements, 6/2/2008

DM-C-UDEMI, DM Underground Diesel Engine Mechanic Instructor Certification Requirements, 6/2/2008

DM-C-UER, DM Underground Electrical Repairman Certification Requirements, 6/2/2008

DM-C-USF, DM Underground Shot Firer Certification Requirements, 6/2/2008

DM-G-161.128, DM Chapter 14.3, Article 5, Section 45.1-161.128.B, Explosives and Blasting, 4/15/2004

DM-G-161.158, DM Chapter 14.3, Article 5, Section 45.1-161.158.F, Hoisting, 4/15/2004

DM-G-161.62, DM Chapter 14.2, Article 5, Section 45.1-161.62.A&C, Licensing of Mines-Annual Reports, 4/15/2004

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- DM-P-1.04.08, DM Procedure No. 1.04.08, Smoking Articles Inspection, 7/1/2007
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MOTOR VEHICLE DEALER BOARD

Copies of the following documents may be viewed on regular work days between the hours of 8:30 a.m. and 4:30 p.m. in the office of the Motor Vehicle Dealer Board, 2201 West Broad Street, Suite 104, Richmond, VA 23220. Copies may be obtained free of charge by contacting Alice Weedon at the same address, telephone (804) 367-1100; ext. 3001, FAX (804) 367-1053, or email alice.weedon@mvdv.virginia.gov. The documents are also available on the Regulatory Town Hall at the links shown on the document list below.

Questions regarding interpretation or implementation of these documents may be directed to William Childress, Executive Director, Motor Vehicle Dealer Board, 2201 West Broad Street, Suite 104, telephone (804) 367-1100; ext. 3002, FAX (804) 367-1053, or email william.childress@mvdv.virginia.gov.

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DEPARTMENT OF MOTOR VEHICLES

Copies of the following documents may be viewed during regular business hours, Monday through Friday, 8:30 a.m. until 5 p.m. at the Department of Motor Vehicles (DMV), 2300 West Broad Street, Legislative Services, Room 724, Richmond, VA 23220. Many of these documents are available on the DMV website at <https://www.dmv.virginia.gov/forms/>. Copies totaling under 10 pages may be obtained for no charge. Copies totaling 10 pages or more may be obtained at a cost of \$0.10 a page. Requests for copies of these documents may be made by contacting Melissa Velazquez at the same address,

telephone (804) 367-1844, FAX (804) 367-4336, or email melissa.velazquez@dmv.virginia.gov.

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CSCOM 906, Citizenship/Motor Voter Accountability, 8/25/14

DI 15, Driver Improvement Clinic License Application, 8/10/12
<http://www.dmv.state.va.us/webdoc/pdf/di15.pdf>

DL 13, CDL Skills Test Waiver Military Application, 7/8/14
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VSA 10A, Gold Star License Plate Applicant Certification, 8/10/16
<http://www.dmv.state.va.us/webdoc/pdf/vsa10a.pdf>

VSA 10B, Antique License Plate Applicant Certification, 7/1/14
<http://www.dmv.state.va.us/webdoc/pdf/vsa10b.pdf>

VSA 14, Vehicle Registration Application, 7/1/16
<http://www.dmv.state.va.us/webdoc/pdf/vsa14.pdf>

VSA 17A, Application for Certificate of Title and Registration, 7/1/13
<http://www.dmv.state.va.us/webdoc/pdf/vsa17a.pdf>

VSA 86, To Secure Virginia Title and Transfer or Buy License Plates, 7/1/15
<http://www.dmv.state.va.us/webdoc/pdf/vsa86.pdf>

Vehicle Licensing Guide, updated as necessary 11/17/16

Review and Issuance of Personalized License Plates, 9/10/16

Driver's Manual Course Curriculum 10/1/15

Sample Virginia Addendum

NORFOLK STATE UNIVERSITY

Copies of the following documents may be viewed during normal business hours from 8 a.m. to 5 p.m. in the Harrison B. Wilson Archives at Norfolk State University, 700 Park Avenue, Norfolk, VA 23504. Copies may be obtained free of charge by contacting Annette Montgomery at telephone (757) 823-2003, FAX (757) 823-2005, or email amontgomery@nsu.edu. The documents are also available online at www.nsu.edu.

Unless otherwise noted, questions regarding the interpretation or implementation of these guidance documents may be directed to Clementine S. Cone, Executive Assistant to the President for University Compliance, telephone (757) 823-8485, FAX (757) 823-2342, or email cscone@nsu.edu.

Guidance Documents:

Board of Visitors Bylaws (Revised 12/9/2016),
<https://www.nsu.edu/Assets/websites/bov/documents/By-Laws.pdf>

University Policy Library,
<https://www.nsu.edu/president/policy-library/index>

Parking Regulations (Last updated: June 1, 2016),
<https://www.nsu.edu/finance/parking/parking-rules-and-regulations>

Safety and Campus Security (Last updated: October 1, 2016),
<https://www.nsu.edu/Assets/websites/police/security-booklet/NSU-Security-Booklet.pdf>

Student Handbook (Last updated: December 5, 2016),
<https://www.nsu.edu/Assets/websites/student-affairs/student-handbook/NSU-Student-Handbook.pdf>

Questions regarding the interpretation and enforcement of the Teaching Faculty Handbook and the Graduate and Undergraduate Catalogs should be directed to the Office of the Provost at telephone (757) 823-8408, or email provost@nsu.edu.

Teaching Faculty Handbook (Revised August 28, 2015),
<https://www.nsu.edu/Assets/websites/provost/forms/pdf/Teaching-Faculty-Handbook.pdf>

NSU Graduate Catalogue (Last updated: December 8, 2016),
<https://www.nsu.edu/Assets/websites/catalogs/graduate/graduate-catalog.pdf>

NSU Undergraduate Catalogue (Last updated: December 7, 2016),
<https://www.nsu.edu/Assets/websites/catalogs/undergraduate/Undergraduate-catalog.pdf>

BOARD OF NURSING

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive,

Guidance Documents

Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/nursing> or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at nursebd@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Jay Douglas, R.N., Executive Director of the Board, at the address above or by telephone at (804) 367-4515. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/nursing/nursing_guidelines.htm

90-1, Policy statement on Registered Nurses or Licensed Practical Nurses as first assistants in surgery, adopted 1976 and 1994, revised by Board motion, November 18, 2003

90-2, Transmittal of third-party orders to nurses, revised September 11, 2012

90-4, Opinion on how licensure as a nurse relates to service on a volunteer rescue squad, revised by board motion, revised November 18, 2003 and reviewed August 22, 2012

90-5, Board opinion of the administration of neuromuscular blocking agents by nurses, adopted November 1990, revised by board motion, November 18, 2003

90-6, Peripherally inserted central catheters and removal by registered nurses, revised September 11, 2012

90-7, Sanctioning Reference Points Instruction Manual, revised June 1, 2013

90-8, Delegation of task of obtaining specimens to unlicensed personnel, revised September 11, 2012

90-9, Board Guidelines for Prescription Drug Administration Training Program for Child Day Care, revised July 17, 2013

90-10, Guidelines for processing applications for licensure by examination, endorsement and reinstatement, revised November 17, 2015

90-11, Continuing Competency and Protocol Requirements Violations for Nurse Practitioners, revised by Board of Nursing July 14, 2015 and Board of Medicine June 18, 2015

90-12, Delegation of authority to Board of Nursing registered nurse education and discipline staff, revised November 17, 2015

90-13, Application for initial approval of a nursing education program, adopted March 22, 2016

90-14, Continued approval of a nursing education program, adopted March 22, 2016

90-15, Use of cervical ripening agents, revised November 18, 2003 and reviewed August 22, 2012

90-16, Evaluation form and protocols for adult immunizations, revised February 24, 2013

90-17, Opinion of cutting of corns and warts with a scalpel by Licensed RN/LPN, revised November 18, 2003 and reviewed August 22, 2012

90-19, Epidural anesthesia by Registered Nurses, revised September 11, 2012

90-20, Nursing employment practice under board-ordered probation, adopted May 15, 2012

90-21, Clinical learning experiences in RN and LPN educational programs, revised September 20, 2016

90-22, Requests for accommodation for NCLEX and NNAAP testing and Medication Aide Examination, revised May 21, 2013

90-23, Decision-making Model for Determining RN/LPN Scope of Practice, revised September 11, 2012

90-24, Use of simulation in nursing education programs, reaffirmed March 19, 2013

90-26, Requests by revoked certified nurse aides with prior adverse findings, revised January 29, 2013

90-28, Clinical hours for LPN to pre-licensure RN transition/bridge programs, reaffirmed March 19, 2013

90-31, Administration of a medication that has been transmitted orally or in writing by a pharmacist acting as the prescriber's agent, revised September 11, 2012

90-33, Authority of Licensed Nurse Practitioners to write Do Not Resuscitate Orders, revised by Board of Nursing on July 17, 2012 and by the Board of Medicine on August 3, 2012

90-34, Request for review and challenge of NCLEX, revised May 21, 2013

90-35, Noncompliance with board orders, revised January 29, 2013

90-36, Training of employees of school boards in the administration of insulin and glucagon, revised September 11, 2012

90-38, Disposition of cases against nurses practicing with expired licenses, revised January 29, 2013

90-39, Indefinite suspension timeframes, revised January 29, 2013

90-40, Surveillance activities required by the OSHA Respiratory Standards within the scope of practice of the registered nurse, revised September 11, 2012

90-41, Article on meaning of patient abandonment, revised September 11, 2012

90-42, Reinstatement after mandatory suspension, revised January 29, 2013

90-43, Attachment of scalp leads for internal fetal monitoring, revised May 21, 2013

90-46, Administration of over-the-counter drugs by certified nurse aides, revised January 29, 2013

90-47, Guidance on massage therapy practice and use of titles, revised November 20, 2013

90-48, Use of social media by practitioners regulated by the Board, May 17, 2012

90-52, Delegation of the removal of venous and arterial sheaths by registered nurses to unlicensed personnel not permitted, revised September 11, 2012

90-53, Boards' opinion on treatment by women's health nurse practitioners of male clients for sexually transmitted diseases, revised by the Board of Nursing on July 17, 2012 and by the Board of Medicine on August 3, 2012

90-54, Process for delegation of informal fact-finding to an agency subordinate, revised January 29, 2013

90-55, Joint statement of the Department of Health and the Department of Health Professions on Impact of Criminal Convictions on Nursing Licensure or Certification and Employment in Virginia, revised November 17, 2015

90-56, Practice agreement requirements for licensed nurse practitioners, adopted by the Board of Nursing on July 14, 2015 and the Board of Medicine on June 18, 2015

90-57, Bylaws of the Board of Nursing, revised November 13, 2012

90-58, Bylaws of the Advisory Board on Massage Therapy, revised October 22, 2013

90-59, Impact of Criminal Convictions on Certification of Massage Therapists and Registration of Medication Aides, adopted May, 2010, reviewed December 2012

90-60, Code of Conduct for Board of Nursing, revised January 24, 2012

90-61, Disposition of cases against nurse aides, medication aides and massage therapists for practice on expired certificates or registrations, revised January 29, 2013

90-62, Medication administration training curriculum, revised July 7, 2016

90-63, Registered nurses and procedural sedation, adopted November 17, 2015

90-64, Telemedicine for nurse practitioners, adopted July 14, 2015

BOARD OF OPTOMETRY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at

<http://www.dhp.virginia.gov/Optometry> or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at optbd@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Leslie Knachel, Executive Director of the Board, at the address above or by telephone at (804) 367-4508. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/Optometry/optometry_guidelines.htm

105-9, Processing of licensure applications, adopted July 15, 2016

105-10, End of a contact lens fitting, adopted May 12, 2012

105-11, Disposition of cases involving practicing with an expired license, adopted February 8, 2012

105-12, Continuing Education Audits and Sanctions for Noncompliance, adopted July 20, 2011

105-13, Guidance on Performing Free Eye Screenings, adopted May 11, 2011

105-14, Bylaws of the Board of Optometry, revised May 16, 2014

105-17, Guidelines on use of O.D. or Optometrist in advertising, adopted February 1997, reaffirmed July 15, 2010

105-26, Board motion on delegation of informal fact-finding to an agency subordinate, revised September 2010

105-28, Instruction manual on use of sanction reference points, revised July 2011

VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES

The following document is available online at <http://www.vaboard.org/grants.htm>. The document may be viewed on regular work days from 8:30 a.m. until 4 p.m. in the office of the Virginia Board for People with Disabilities (VBPD), Washington Building, 1100 Bank Street, 7th Floor, Richmond, VA 23219.

Copies may be obtained, free of charge, by contacting Jason Withers, Grants, Contracts and Program Information Manager, by email at jason.withers@vbpd.virginia.gov or by telephone at (804) 786-9375 or for TTY/Voice at (804) 846-4464. Alternate formats are available upon request.

Questions regarding implementation of this document may be directed to Jason Withers, Grants, Contracts and Program Information Manager, by email at jason.withers@vbpd.virginia.gov or by telephone at (804) 786-9375 or for TTY/Voice at (804) 846-4464.

Based on available funding, VBPD may or may not issue a request for proposal (RFP) each year. The Grants Manual is revised/updated on an as-needed basis, when an RFP is issued

Guidance Documents

and is posted online at the VBPD website at <https://vaboard.org/grants.htm>.

Guidance Document:

[Grants Manual, revised January 2017](#)

BOARD OF PHARMACY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/Pharmacy> or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at pharmbd@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Caroline D. Juran, Executive Director of the Board, at the address above or by telephone at (804) 367-4456. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/Pharmacy/pharmacy_guidelines.htm

110-1, List of categories of facility licenses and a brief description of each, revised September 2009

110-2, Instructions for applicants for pharmacist licensure, revised October 12, 2016

110-3, Guidance on alternative delivery of prescriptions, pharmacy to physician or pharmacy to controlled substance registration type of delivery, revised September 9, 2014

110-4, Continuing Education Guide for Pharmacists, revised October 12, 2016

110-5, Instructions and forms for reporting of thefts or losses of drugs, February 2009

110-6, Sanctions for noncompliance with reporting to the Prescription Monitoring Program, revised March 12, 2013

110-7, Practitioner/patient relationship and the prescribing of drugs for family or self, revised September 2015

110-8, Information on prescriptive authority in Virginia, revised January 15, 2016

110-9, Pharmacy Inspection Deficiency Monetary Penalty Guide, revised March 25, 2016

110-10, Board guidance on dispensing of drugs from mobile vans, revised April 2006

110-11, Board guidance on proof of identity for Schedule II drugs, revised July 1, 2011

110-12, Bylaws of the Board of Pharmacy, revised September 7, 2016

110-13, Consent Order for the Board of Pharmacy v. CVS/pharmacy, case decision holding the corporate owner responsible for violations of pharmacy laws and regulations, October 9, 1997

110-14, Consent Order for the Board of Pharmacy v. Eckerd Corporation, case decision holding the corporate owner responsible for violations of pharmacy laws and regulations, August 19, 1997

110-15, Delegation of authority in disciplinary matters, revised March 25, 2016

110-16, Board guidance on performing inventories, adopted September 20, 2011

110-17, Instructions for graduates of foreign schools of pharmacy, revised October 12, 2016

110-18, Advance preparation of medications for administration, revised September 29, 2015

110-19, Transferring valid orders between medical equipment providers, revised July 1, 2013

110-20, Practice as a Pharmacy Technician trainee, adopted June 12, 2012

110-21, Sanction Reference Points Manual, revised September, 2013

110-22, Dispensing records; identification of pharmacist, revised December 12, 2013

110-23, Monetary penalties for inspection deficiencies for physicians selling controlled substances, adopted March 26, 2014

110-24, Competency examination required and passing score, adopted June 2009

110-25, Guidance for life of a prescription after a prescriber no longer in practice, September 3, 2008

110-26, Re-dispensing drugs previously dispensed in compliance packaging, adopted September 29, 2015

110-27, Pharmacist-In-Charge responsibilities, revised December 1, 2015

110-28, Guidance for free clinic pharmacy permit applicants, revised September 2009

110-29, Guidance for physician dispensing, revised June 2016

110-30, Drugs within animal shelters and pounds, revised March 2011

110-31, Approved capture drugs and drug administering equipment, Directive from the State Veterinarian, revised September 2016

110-32, Use of a drop-box for the collection of prescriptions, adopted December 12, 2007

110-33, Pharmacy Interns as Pharmacy Technicians, Pharmacy Technician Ratio, revised September 2009

110-34, Manufacturer and wholesale distributor licensure, revised September 29, 2015

110-35, Requirements for Prescription Blanks, revised March 8, 2016

110-36, Compliance with USP Standards for Compounding, revised December 1, 2015

110-37, Guidance for conducting informal fact-finding by an agency subordinate, revised June 8, 2011

110-38, Requirement for Nonresident Pharmacies to Submit Current Inspection Report, revised June 4, 2014

110-40, Storage of Schedule II drugs in a pharmacy, adopted June 2, 2014

110-41, Changes a pharmacist may make to a Schedule II prescription, revised December 14, 2011

110-42, Continuing education audit and recommended sanctions, adopted March 11, 2009

110-43, Dispensing with an authorized generic, adopted December 12, 2012

BOARD OF PHYSICAL THERAPY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/PhysicalTherapy> or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at ptboard@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Corie Tillman Wolf, J.D., Executive Director of the Board, at the address above or by telephone at (804) 367-4674. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/PhysicalTherapy/physther_guide_lines.htm

112-1, Bylaws of the Board of Physical Therapy, revised May 10, 2016

112-2, Board guidance on the use of confidential consent agreements, October 24, 2003

112-3, Board guidance for conduct of an informal conference by an agency subordinate, October 29, 2004

112-4, Board guidance on requirement for licensure for instructors in a physical therapy program, adopted July 11, 2003, readopted January 19, 2007

112-5, Board guidance on acceptance of TOEFL iBT as equivalent to TOEFL and TSE examinations, adopted October 28, 2005, readopted January 19, 2007

112-6, Board guidance on licensure of kinesiotherapists as physical therapists, adopted July 11, 2003, readopted January 19, 2007

112-7, Board guidance on physical therapists and Individualized Educational Plans in public schools, November 15, 2002

112-8, Board guidance on review of nonroutine applications from nonapproved schools, adopted March 7, 2003, readopted January 19, 2007

112-9, Board guidance on use of dry needling in physical therapy, revised August 26, 2010

112-10, Board guidance on credits for continuing competency requirements, revised November 16, 2012

112-11, Board guidance on functional capacity evaluations, adopted August 20, 2004, readopted January 19, 2007

112-12, Board guidance on physical therapy services in home health, readopted January 19, 2007

112-13, Approval of a traineeship, revised August 6, 2014

112-14, Board guidance on electromyography (EMG) and sharp debridement in the practice of physical therapy, adopted October 26, 2007

112-15, Board guidance on supervision of unlicensed persons in any setting, adopted April 3, 2009

112-16, Board guidance on use of initials with practitioner's name, revised August 26, 2010

112-17, Sanction Reference Points Manual, revised May 2012

112-18, Disciplinary action for practicing with an expired letter, adopted February 17, 2012

112-19, Performance of INR's by physical therapists in home health settings, adopted February 17, 2012

112-20, Supervision of students in nonapproved PT and PTA programs, adopted November 16, 2012

112-21, Telehealth for physical therapy practice, adopted November 20, 2015

112-22, Auditing for continuing education requirements, adopted August 11, 2015

112-23, Processing applications for licensure, adopted May 10, 2016

DEPARTMENT OF PLANNING AND BUDGET

Copies of the following document may be viewed during regular work days from 9 a.m. to 5 p.m. at the Virginia Department of Planning and Budget, Patrick Henry Building,

Guidance Documents

1111 East Broad Street, Room 5040 (Fifth Floor) in Richmond, VA 23219. Copies may also be requested by contacting melanie.west@dpb.virginia.gov. Questions regarding interpretation or implementation of this document may be directed to Melanie K. West, at the address above or by telephone at (804) 786-8812. Copies are free of charge.

Guidance Document:

[2872, Virginia Regulatory Town Hall Website User Manual, 12/31/2016](#)

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

Copies of the following documents may be viewed during regular workdays from 8:15 a.m. to 5 p.m. in the Information Management Section of the Department of Professional and Occupational Regulation, Perimeter Center, 9960 Mayland Drive, Suite 400, Richmond, VA 23233. Copies may be obtained by contacting Dawn Waters at the same address, telephone (804) 367-8583, FAX (866) 254-0312, or email publicrecords@dpor.virginia.gov. Documents are available electronically at no charge on the Regulatory Town Hall at www.townhall.virginia.gov. Questions regarding interpretation or implementation of these documents may be directed to Dawn Waters, Information Management Director, Department of Professional and Occupational Regulation, Perimeter Center, 9960 Mayland Drive, Suite 400, Richmond, VA 23233, telephone (804) 367-8583, FAX (866) 254-0312, or email dawn.waters@dpor.virginia.gov.

Guidance Documents (applicable to all boards and the department):

[5534, Restricted Participation in Examination Development and Review, 6/3/2014](#)

[5720, Polygraph Examiner Criminal History Review Matrix, 1/1/2015](#)

[5816, 2016_17 New Board Member Manual, 7/1/2016](#)

[6036, Board for Professional and Occupational Regulation Guidelines for Evaluation of Petitions for Regulation, 9/22/2016](#)

[Policy #100-01, Establishing and Revising Policies and Related Procedures, 9/21/2009](#)

[Policy #100-02, Americans with Disabilities Act Compliance, 10/14/2014](#)

[Policy #100-03, Employee Use of Social Media, 3/14/2013](#)

[Policy #100-04, Release of Information, 4/1/2015](#)

[Policy #100-05, License Suspensions, 9/18/2009](#)

[Policy #100-06, Subpoenas/Service of Process/Notices, 9/18/2009](#)

[Policy #100-09, Gifts and Honoraria, 9/23/2009](#)

[Policy #100-14, Public Service Hours, 9/24/2009](#)

[Policy #100-18, Alternative Dispute Resolution, 9/25/2009](#)

[Policy #100-19, Ethics, 11/1/2012](#)

[Policy #200-18, Equal Employment Opportunity, 3/17/2010](#)

[Policy #300-01, Regulant Name and Address Change, 10/9/2009](#)

[Policy #300-02, Application and Application Fee Expiration, 10/31/2011](#)

[Policy #300-03, Expedited Licensing of Military Spouses, 10/7/2016](#)

[Policy #500-01, Purchasing, 12/16/2009](#)

[Policy #500-02, Contract and Purchase Order Modifications, 1/30/2008](#)

[Policy #600-01, Examination Fees, 3/17/2010](#)

[Policy #600-02, Examination Site Conduct, 6/26/2014](#)

[Policy #600-03, Restricted Participation in Examination Development and Review, 6/3/2014](#)

[Policy #700-03, Accounts Receivable and Debt Collection, 2/10/2012](#)

[Policy #700-04, Revenue Refunds, 2/10/2012](#)

[Policy #800-01, Criminal History Information and Online Public Records Information, 6/13/2011](#)

[Policy #800-02, Complaints Against Regulants, 3/5/2010](#)

Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects

Guidance Documents:

[1061, APELSCIDLA Board Sanction Guidelines Before 7/1/99, 3/6/2003](#)

[1062, APELSCIDLA Board Sanction Guidelines After 7/1/99, 3/6/2003](#)

[4426, Requirements for the Use of Topographic Surveys, Orthographic Maps or other Geospatial Data in Virginia, 9/15/2015](#)

[4919, Onsite Sewage Systems Designed by Professional Engineers and Onsite Soil Evaluators, 6/13/2016](#)

[4987, Comity Applicant Criteria of the APELSCIDLA Board's Current Regulations, 6/18/2012](#)

[6038, Land Surveyor/Land Surveyor B Scope of Practice, 9/24/2016](#)

[6043, Virginia Land Surveyor Apprenticeship Standards, 9/14/2016](#)

Virginia Board for Asbestos, Lead, and Home Inspectors

Guidance Documents:

- [4498, Asbestos Regulation Interpretation - Aug 23, 2011, 8/23/2011](#)
- [4499, Lead Regulation Interpretation - Aug 23, 2011, 8/23/2011](#)
- [5231, Certified Home Inspector Requirement for General Liability Insurance, 2/7/2013](#)
- [5368, Certified Home Inspector Written Competency Examination, 11/14/2013](#)
- [5499, Lead-Based Paint Activities Regulations Interpretations and Policies, 2/6/2014](#)
- [5584, Review of ALHI Applications with Criminal Convictions, 8/7/2014](#)
- [5590, Home Inspector Minimum Insurance Coverage, 11/6/2014](#)
- [5707, Identity Requirements for Asbestos and Lead Licensing and Home Inspector Certification, 2/5/2015](#)
- [5747, Requirements for Individuals who Analyze PCM Air Samples Onsite, 5/14/2015](#)
- [5834, Lead Inspector Training Variance, 2/6/2014](#)
- [5969, Employee Definition Clarification, 2/11/2016](#)
- [6018, Clarification of Acceptable Degree Programs for Asbestos and Lead Licensing, 5/17/2016](#)

Auctioneers Board

See guidance documents applicable to all boards and the department.

Board for Barbers and Cosmetology

Guidance Documents:

- [5238, Assessment of a Student's Competence in Esthetics, 2/11/2013](#)
- [5239, Post-Secondary Educational Level, 11/8/2010](#)
- [5318, Non-Traditional Classroom Instruction, 2/8/2016](#)
- [5319, Approved Health Education Certifying Agencies, 11/14/2016](#)
- [5502, Guidance Document - Barber and Cosmetology School Awarding Credits and/or Hours to Transfer Students, 5/12/2014](#)
- [5503, Guidance Document - Substantial Equivalence, 8/11/2014](#)
- [5593, Endorsement Candidate From State Offering Only One Licensing Exam, 11/17/2014](#)

- [5594, Cosmetology Examiners, 11/17/2014](#)
- [5856, Esthetics - Applying Makeup and Eyelashes, 11/2/2015](#)
- [6057, School Locations, 11/14/2016](#)
- [#800-03, Random Inspections of Board for Barbers and Cosmetology Licensees, 7/9/2009](#)

Board for Branch Pilots

Guidance Document:

- [5008, Branch Pilot Renewal Requirements, 8/1/2012](#)

Cemetery Board

Guidance Documents:

- [3730, Sample General Price List, 10/23/2008](#)
- [5752, Financial Report and Report Prepared by Independent Certified Public Accountant, 6/16/2015](#)

Common Interest Community Board

Guidance Documents:

- [4190, Evidence of Proper Fidelity Bond or Dishonesty Insurance and Sufficient Coverage Obtained by CIC Manager Applicant, 3/15/2010](#)
- [4382, Definition of "Employee" as used in Section 54.1-2347.A of Code of VA, 1/3/2011](#)
- [5048, Common Interest Community Guidance Document 5, 9/20/2012](#)
- [5049, Common Interest Community Guidance Document 6, 9/20/2012](#)
- [5308, Letters of Credit in Lieu of Bonds, 6/27/2013](#)
- [5311, Maximum Fees for Disclosure Packets and Resale Certificates Preparation, 7/1/2014](#)
- [5331, CIC Waiver of Filing Fee for Final Adverse Decision, 9/17/2013](#)
- [5603, Required Documentation to Accompany Disclosure of Personal Adverse Financial History, 12/3/2014](#)
- [5897, Best Practices for POAA Declarations, 12/10/2015](#)

Board for Contractors

Guidance Documents:

- [2959, Board for Contractors Policies and Interpretations, 7/11/2016](#)
- [5271, Waiver exemption of entry requirements for Residential Building Energy Analysts, 6/24/2013](#)
- [5718, Contractors Criminal History Review Matrix, 7/31/2015](#)
- [5719, Contractors Financial Review Matrix, 10/1/2013](#)

Guidance Documents

5724, [PSI Examination Equivalency](#), 4/15/2015

Fair Housing Board

See guidance documents applicable to all boards and the department.

Board for Hearing Aid Specialists and Opticians

Guidance Documents:

5727, [Interpretation of Board Approved Opticianry Programs](#), 4/15/2015

5728, [Optician Test Date Requirements](#), 4/15/2015

Real Estate Appraiser Board

Guidance Documents:

2022, [Real Estate Appraisers Experience Hours](#), 11/18/2003

2920, [Signing Any Appraisal Report](#), 2/21/2006

3931, [Real Estate Appraiser - Submitting Assignments Electronically](#), 3/5/2009

5968, [Customary and Reasonable Compensation for Fee Appraisers](#), 2/23/2016

Real Estate Board

Guidance Documents:

2021, [Real Estate Advisory Council's Report Regarding Post-Licensure Education](#), 7/12/2012

3178, [Proof of Financial Responsibility for Board-Approved Education Providers](#), 7/19/2007

3648, [Real Estate Pre-License Instructor Guidance Document](#), 3/24/2008

3665, [Continuing and Post License Education Course Reporting Requirements](#), 5/19/2008

3666, [Instructor Qualifications](#), 5/19/2008

3964, [Real Estate Distance Education Notarized Affidavit Requirement](#), 5/19/2009

4058, [Broker Price Opinion Guidance Document](#), 12/4/2009

4160, [On-line Course Time Requirement](#), 12/17/2009

5039, [Necessity for brokerage agreements](#), 9/6/2012

5529, [Real Estate Continuing Education Elective Courses](#), 5/22/2014

6045, [Reasonable Accommodation Requests for Assistance Animals](#), 10/26/2016

Board for Professional Soil Scientists, Wetland Professionals, and Geologists

Guidance Document:

6029, [Wetland Professionals' Scope of Practice](#), 9/1/2016

Board for Waste Management Facility Operators

Guidance Document:

5721, [Waste Management Facility Operators Criminal History Review Matrix](#), 5/23/2013

Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals

Guidance Documents:

4919, [Onsite Sewage Systems Designed by Professional Engineers and Onsite Soil Evaluators](#), 6/13/2016

4920, [Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Interpretations and Policies](#), 1/12/2012

5495, [Processing of Applications Reporting Misdemeanor Convictions](#), 1/16/2014

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6005, [Requirements for Dual Licensure for Alternative Onsite Sewage System Operators](#), 4/21/2016

BOARD OF PSYCHOLOGY

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/Psychology> or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at psy@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Jaime Hoyle, Executive Director of the Board, at the address above or by telephone at (804) 367-4697. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/Psychology/psychology_guidelines.htm

125.2, Impact of Criminal Convictions, Impairment, and Past History on Licensure or Certification, adopted November 5, 2013

125-3.1, Submission of evidence of completion of graduate work, adopted February 16, 2010

125-3.2, Official beginning of a residency, adopted February 16, 2010

125-3.8, Flowchart and narrative explanation for guidance on conduct of an informal conference by an agency subordinate, revised September 2010

125-3.9, Policy on the use of confidential consent agreements in lieu of disciplinary action by the board, January 13, 2003

125-4, Acceptance of CPQ credential for licensure by endorsement, February 11, 2014

125-5.1, Board guidance on possible disciplinary action for noncompliance with continuing education requirements, revised February 11, 2014

125-5.2, Sanction Reference Manual, revised September 30, 2016

125-6, Bylaws of the Board, revised November 5, 2013

VIRGINIA RACING COMMISSION

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Racing Commission, 5707 Huntsman Road, Suite 201-B, Richmond, VA 23250. Copies may also be obtained free of charge by contacting David Lermond at the same address, telephone (804) 966-7404, or email david.lermond@vrc.virginia.gov. Questions regarding interpretation of the document may be directed to David Lermond, Executive Secretary, Virginia Racing Commission, 5707 Huntsman Road, Suite 201-B, Richmond, VA 23250, telephone (804) 966-7404, or email david.lermond@vrc.virginia.gov.

Guidance Documents:

VRC-001, [Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances](#), 12/9/2016

VRC-002, [Association of Racing Commissioners International Multiple Violations Penalty System](#), 12/9/2016

DEPARTMENT OF SOCIAL SERVICES

Copies of guidance documents are available from and interpretive and implementation questions may be asked of Karin Clark, Legislative and Regulatory Affairs, Department of Social Services, 801 East Main Street, Richmond, VA 23141, email karin.clark@dss.virginia.gov, or telephone (804) 726-7017. All guidance documents are available electronically at no charge on the Regulatory Town

Hall at www.townhall.virginia.gov. Costs associated with obtaining printed copies vary depending on the document.

Guidance Documents:

[APP1, Administrative Disqualification Hearings](#), 1/1/2010

[APP2, Child Protective Services Appeals](#), 4/1/2011

[APP3, Child Support Enforcement Appeals](#), 12/16/2010

[APP4, Benefits and Services Appeals](#), 12/16/2010

[APP5, Child Protective Services Appeals Handbook](#), 12/3/2007

[APP6, Electronic Benefits Transfer \(EBT\) Appeals](#), 7/8/2003

[APP7, SNAP Appeals Process](#), 1/1/2012

[APP8, Appeals and Fair Hearings Procedure Manual](#), 11/30/2011

[BI1, Procedures for Performing Background Investigations for CRF](#), 7/12/2012

[BI2, Procedures for Conducting Background Investigations on Foster and Adoptive Parents, Adult Household members, and Birth Parents Requested by Child-Placing Agencies](#), 7/12/2012

[BI3, Procedures for Conducting Name-Based Checks When an Applicant's Fingerprints are Unobtainable](#), 12/1/2010

[BI4, Technical Assistance for Regulation for Background Checks for Assisted Living Facilities and Adult Day Care Centers](#), 6/29/2009

[BI5, Technical Assistance for Background Checks for Child Welfare Agencies and Licensed Child Day Centers](#), 12/1/2013

[BI6, Barrier Crimes for Child Day Programs](#), 6/10/2013

[BI7, Barrier Crimes for Licensed Assisted Living Facilities and Adult Day Care Centers](#), 6/10/2013

[BI8, Barrier Crimes for Child-Placing Agencies and for Foster and Adoptive Homes Approved by Child-Placing Agencies](#), 6/10/2013

[BI9, Barrier Crimes for Children's Residential Facilities](#), 6/10/2013

[BP1, Volume IX - Energy Assistance Policy Manual](#), 10/17/2016

[BP2, Volume V - Supplemental Nutrition Assistance Program Certification Manual](#), 10/1/2012

[BP3, Supplemental Nutrition Assistance Program Quick Reference Guide](#), 12/16/2016

[BP4, Virginia Electronic Benefits Transfer \(EBT\) Policies and Procedures Guide](#), 11/1/2012

[BP5, Volume II - GR Policy - Part IV](#), 1/1/2007

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- BP6, TANF Policy Manual, 10/1/2012
- BP7, Fraud Manual and Procedures, 12/16/2016
- CCD1, Child Care Subsidy Guidance Transmittal, 10/1/2015
- CCD2, Child Care and Development Fund State Plan 2011-2013, 12/8/2011
- CCD3, Vendor Agreement for Day Homes, 12/19/2016
- CCD4, Vendor Agreement for Centers, 12/19/2016
- CCD5, Approved Child Care Development Block Grant Plan, 12/19/2016
- CCD6, Fieldwork Preparation Plan for the Child Care Payment Accuracy Program, 12/19/2016
- CCD7, Virginia Child Care Provider Scholarship Program Information Sheet, 12/1/2015
- CSE1, Division of Child Support Enforcement Program Manual, 12/9/2016
- CVS1, Neighborhood Assistance Program Donor Fact Sheet, 11/30/2011
- CVS10, 2011 Statement of Agency Operation, 11/30/2011
- CVS11, 2011 Outcomes Report, 11/30/2011
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- CVS15, Volunteer Services Manual, 11/30/2011
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- CVS8, 2011 TANF Nonassistance Program Report, 11/30/2011
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- FIN1, Finance Guidelines Manual for Local Departments of Social Services, 12/1/2012
- FIN2, FY 2016 Local Allocations, 12/9/2016
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- FIN4, Information Security Program, 9/4/2012
- FIN5, Acceptable Use Policy, 6/10/2011
- FS1, Title IV-E Eligibility Manual, 10/26/2012
- FS10, Assisted Living Facility Private Pay Assessment Manual, 1/1/2010
- FS11, Virginia's Guide to the Interstate Compact on the Placement of Children, 11/1/2002
- FS12, Virginia's Guide to Intercountry Placement, 12/13/2013
- FS13, Request to Place Virginia Youth out-of-Commonwealth, 11/1/2002
- FS14, Broadcast 7524 State Median Income for Adult Services Cases, 7/23/2012
- FS15, Adult Foster Care Manual, 2/1/2010
- FS16, Children and Family Service Manual, Chapter D. Local Department Resource, Foster and Adoptive Family Home Approval, 2/1/2013
- FS17, Broadcast 5696 Revised Adult Protective Services (APS) Minimum Training Standards, 6/1/2009
- FS18, Broadcast 7522, Update on Assisted Living Facility Assessment Procedures/No Need to Submit Assessment Packages, 7/20/2012
- FS19, Broadcast 7658, Guidelines for Preadmission Screening of Children with Disabilities Seeking Long-Term Care Services, 10/25/2012
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- FS25, Broadcast 9675 Update Regarding Fostering Futures, 4/13/2016
- FS26, Broadcast 9359 Clarification of Use of Title IV-E and CSA Funds for Emergency Foster Home Placements, 9/15/2016
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- FS7, Generic Policy - Volume II, Sec. I, Chapter B, 1/1/1998
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- FS9, Virginia Department of Education and Virginia Department of Social Services, Fostering Connections: Joint Guidance for School Stability of Children in Foster Care, 8/1/2013
- HR1, Chapter 1, Employment Opportunity, Disability Accommodation and Affirmative Action, Administrative/Human Resources Manual for Local Departments of Social Services, 10/19/2011
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- HR2, Chapter 2, Classification and Compensation, Administrative/Human Resources Manual for Local Departments of Social Services, 12/1/2016
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- HR24, SOP Section 2.15 - Recruitment, Screening and selection, 11/1/2004
- HR25, SOP Section 2.16 - Reporting Time Worked, 7/1/2008
- HR26, SOP Section 2.17 - Standards of Conduct, 7/1/2008
- HR27, SOP Section 2.18 - Telecommuting and Alternate Work Schedules, 7/1/2008
- HR28, SOP Section 2.19 - Temporary Help, 11/1/2004
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- HR3, Chapter 3, Recruitment and Selection, Administrative Human Resources Manual for Local Departments of Social Services, 1/1/2014
- HR30, SOP Section 2.21 - Termination/Separation, 7/1/2008
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- HR32, SOP Section 1.21-Employee Recognition Formal, 3/11/2011
- HR33, SOP Section 2.24 - Evaluating Workplace Conduct of Wage Employees, Probationary Employees and Employees Excluded from the Virginia Personnel Act, 11/1/2004
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- HR37, SOP Section 1.80-Workplace Violence, 12/6/2011
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- HR4, Chapter 4, Leave, Administrative Human Resources Manual for Local Departments of Social Services, 5/1/2015
- HR5, Chapter 5, Operations of the LDSS, Administrative/Human Resources Manual for Local Departments of Social Services, 3/1/2014
- HR6, Chapter 6, Performance Evaluation and Standards of Conduct, Administrative/Human Resources Manual for Local Departments of Social Services, 11/1/2013

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LIC 5, Technical Assistance for Standards for Licensed Child Day Centers, 11/1/2012

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LIC11, Technical Assistance for Standards for Licensed Assisted Living Facilities, 7/1/2014

LIC12, Standards for Licensed Family Day Homes with Interpretation Guidelines, 7/17/2013

LIC13, Technical Assistance for Standards and Regulations for Licensed Adult Day Care Centers, 10/1/2010

LIC14, Technical Assistance for Voluntary Registration of Family Day Homes Requirements for Providers, 10/1/2009

LIC15, Technical Assistance for General Procedures and Information for Licensing, 1/1/2015

LIC16, Civil Penalties Based on Assessed Risks from Violations in Assisted Living Facilities, 12/1/2008

LIC17, Standards for Licensed Children's Residential Facilities, 7/17/2013

LIC18, Standards for Licensed Child Placing Agencies with Interpretation Guidelines, 7/17/2013

LIC19, TB Screening Testing Technical Assistance in ALFs and ADCCs, 9/22/2011

LIC2, Curriculum Outline for Assisted Living Facility Administrators, 12/1/2009

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LIC4, Direct Care Staff - Department Approved Educational Curriculum for Nursing Assistant, Geriatric Assistant or Home Health Aide, 7/1/2007

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LIC7, Model Policies for Implementing Residents Rights, 1/1/2008

LIC8, Notification to State Regulated Care Facilities Regarding Fire Prevention, 9/1/2000

LIC9, Proof of Child Identity and Age, 3/1/2012

ORP1, VDSS IRB Guidance Summary, 12/7/2016

ORP2, Commonwealth of Virginia Laws Relevant to Human Subjects Research, 12/8/2016

ORP3, IRB Member Responsibilities and Conflict of Interest, 12/8/2016

ORP4, Consent Form Standards and Language, 12/8/2016

ORP5, Expedited Review Check List for IRB Members, 12/8/2016

ORP6, Procedures for Recording IRB Minutes, 12/8/2016

ORP7, IRB Reliance Agreements, 12/8/2016

ORP8, IRB Study Closure Report, 12/8/2016

ORP9, IRB Continuing Review, 12/8/2016

PA1, VDSS Web Policy, 11/9/2011

BOARD OF SOCIAL WORK

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/social> or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at socialwork@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Jaime Hoyle, Executive Director of the Board, at the address above or by telephone at (804) 367-4441. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/social/social_guidelines.htm

140-1, Board guidance on use of confidential consent agreements, revised December 5, 2014

140-2, Impact of criminal convictions, impairment, and past history on social work licensure in Virginia, revised December 5, 2014

140-3, Guidance on technology-assisted therapy and the use of social media, adopted October 25, 2013

140-4.2, Board guidance on possible disciplinary or alternative actions in response to noncompliance with continuing education requirements, revised December 5, 2014

140-5, Board guidance for process of delegation of informal fact-finding to an agency subordinate, revised September 2010

140-7, Bylaws of the Board of Social Work, revised October 25, 2013

140-8, Sanction Reference Points Instruction Manual, revised July 1, 2016

140-9, Supervisor training, adopted April 2010

140-10, Guidance on supervised experience for clinical social work licensure, revised October 28, 2011

140-11, Disposition of disciplinary cases involving practicing with an expired license, adopted December 5, 2014

140-12, Disposition of applicant cases involving practicing without a license, adopted December 5, 2014

STATE CERTIFIED SEED BOARD

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Certified Seed Board, 330 Smyth Hall, Blacksburg, VA 24061. Copies may be obtained free of charge by contacting Dr. Erik Ervin at the same address, telephone (540) 231-9775, or FAX (540) 231-3431.

Questions regarding interpretation or implementation of this document may be directed to Thomas Hardiman, Seed Certification Program Administrator, 9225 Atlee Branch Lane Mechanicsville, VA 23116, telephone (804) 746-4884, or FAX (804) 746-9447.

Guidance Documents:

State Certified Seed Board Annual Report, 2000

State Certified Seed Board Annual Report, 2001

State Certified Seed Board Annual Report, 2002 - 2003

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State Certified Seed Board Annual Report, 2013 - 2014

State Certified Seed Board Annual Report, 2015

DEPARTMENT OF STATE POLICE

Guidance documents maintained by the Virginia State Police may be viewed during regular working hours at Virginia State Police Headquarters, 7700 Midlothian Turnpike, Richmond, VA 23235.

Documents are available electronically online for no charge from the Regulatory Town Hall at <http://townhall.virginia.gov>

or the Virginia State Police website at <http://www.vsp.virginia.gov/>.

To obtain printed copies of the indicated guidance documents please contact the person listed following the listed document.

Guidance Documents:

[3246, How the Complaint Process Works](#), 8/25/2008

Captain Gary Payne, Professional Standards Unit, Virginia State Police, P.O. Box 27472, Richmond, VA 23261-7472, telephone (804) 674-2000.

[5845, VCheck Data-Entry User's Guide](#), 3/1/2015

[5846, Virginia Firearms Transaction Program, Procedures Manual for Firearms Dealers](#), 1/1/2015

Donna Tate, Firearms Transaction Center, Virginia State Police, P.O. Box 27472, Richmond, VA 23261-7472, telephone (804) 674-2000.

DEPARTMENT OF TAXATION

The Department of Taxation's guidance documents are listed and posted on Regulatory Town Hall at <http://townhall.virginia.gov/index.cfm>. The guidance documents list provides links to the Department of Taxation's website, <http://www.tax.virginia.gov>, for certain categories of guidance documents, such as forms, instructions, rulings, and publications.

Guidance documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the Office of Customer Services, Department of Taxation, 1957 Westmoreland Street, Richmond, VA 23230. Questions regarding interpretation or implementation of these forms may be directed to Office of Customer Services, Department of Taxation, P.O. Box 1115, Richmond, VA 23218-1115, FAX (804) 786-2670.

Guidance Documents:

[1 - Rulings, Rulings of the Tax Commissioner](#), 4/30/2008

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- 4 - Admin, Administration, Assessment of Penalty and Interest on Miscellaneous Taxes, 12/21/1984
- 4 - Aircraft, Aircraft Sales and Use Tax, Application of the Aircraft Sales and Use Tax to a Variety of Situations, 7/24/1985
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- 4 - Sales & Use, Sales and Use Tax, Member Fees, 1/11/1991
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- 4 - Sales & Use, Sales and Use Tax, Virginia Supreme Court Decision: Real Estate Publications, 1/24/1995
- 4 - Sales & Use, Sales and Use Tax, Memorandum to Office of Customer Services and Office of Compliance from Assistant Commissioner for Tax Policy Regarding Steuart Petroleum Co, 12/23/1998
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- 4 - Sales & Use, Sales and Use Tax, Virginia Tire Tax, Recall of Firestone Tires by Ford Motor Co, 7/31/2001
- 4 - Sales & Use, Sales and Use Tax, Sales and Use Tax Legislative Changes for 2004, 8/30/2004
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- 4 - Sales & Use, Sales and Use Tax, Successor Liability, 4/30/1998
- 4 - Sales & Use, Sales and Use Tax, Internet Tax Freedom Act (H.R. 4105), 7/10/1998
- 4 - Sales & Use, Sales and Use Tax, Nonprescription Drug Exemption Question and Answer Summary, 9/2/1998
- 4 - Tax v. Ches Hosp, Virginia Department of Taxation v. Chesapeake Hospital Authority, 12/20/2001
- 4 - VEPCO v. SCC, Memorandum to Office of Customer Services and Office of Compliance from Assistant Commissioner for Tax Policy Regarding Vepco v. SCC, 219 Va. 894 (1979), 4/21/1999
- 4 - Watercraft, Watercraft Sales and Use Tax, Federal Fee on Recreational Boaters, 3/4/1991
- 4 - Watercraft, Watercraft Sales and Use Tax, Documented Boats Briefing Paper, 7/1/1987
- 4 - Withholding, Withholding, Voluntary Virginia Income Tax Withholding from Civil Service Annuities, 9/21/1982
- 4 - Withholding, Withholding, Accelerated Federal Withholding Payments, 8/28/1990
- 4 - Withholding, Due Date Extension: Seasonal Employers Filing Monthly Returns, 8/22/2007
- 4- Individual, Real Estate Transactions: Impact on Taxable Income, 2/16/1995
- 5 - Forms, Tax Forms Issued by the Virginia Department of Taxation, 2/25/2005
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- 4 - Sales & Use, Incentive and Penalty Options to Encourage the Correct Allocation of the Local Retail Sales and Use Tax, 8/31/2009
- 4 - Sales & Use, Motor Fuels Disclosure, Refunds, Certified Pollution Control, and Heavy Motor Vehicles, 4/12/2011,
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- 4 - Withholding, Order to Allow Annual Filing for State Withholding Taxes for Employers of Domestic Service Employees, 12/4/2008
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- Guidelines, Virginia Cigarette Tax Rate Increase Guidelines and Rules, 7/30/2004
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- Guidelines, Electronic Funds Transfer (EFT) Guide, 9/1/2003
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- Guidelines, Set-Off Program Information Guide, 7/1/2005
- Guidelines, Personal Property Tax Relief Act Compliance Program Guidelines, 11/1/2002
- Guidelines, Virginia's 2003 Tax Amnesty Program, 9/2/2003
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[Guidelines, 2008 Procedures for Safeguarding Federal Tax Information, 12/30/2008](#)

[Guidelines, 2009 Hurricane Preparedness Sales Tax Holiday Guidelines and Rules, 4/22/2009](#)

[Guidelines, Permanent Energy Star and WaterSense Sales Tax Holiday Guidelines, 9/21/2009](#)

[Guidelines, Virginia's 2009 Tax Amnesty Program, 9/28/2009](#)

[Guidelines, Virginia's 2009 Tax Amnesty Program Guidelines Addendum, 11/17/2009](#)

[Guidelines, Guidelines and Rules for the Motor Vehicle Fuel Sales Tax, 6/22/2010](#)

[Guidelines, Guidelines and Rules for the Prepaid Wireless E-911 Fee, 1/5/2011](#)

[Guidelines, Guidelines for the Accelerated Sales Tax Payment, 5/11/2011](#)

[Guidelines, Cigarette Tax Guidelines and Rules Related to Enforcement, 8/13/2010](#)

[Guidelines, Barge and Rail Usage Tax Credit Guidelines, 9/5/2014](#)

[Guidelines, International Trade Facility Tax Credit Guidelines, 9/5/2014](#)

[Guidelines, Motion Picture Production Tax Credit Guidelines, 8/6/2012](#)

[Guidelines, Rental Tax Guidelines, 12/11/2012](#)

[Guidelines, Energy Star Guidelines - Permanent, 12/11/2012](#)

[Guidelines, 2013 Accelerated Sales Tax Guidelines, 5/6/2013](#)

[Guidelines, 2013 Hurricane Preparedness Guidelines, 5/14/2013](#)

[Guidelines, Insurance Premiums License Tax Guidelines, 7/1/2013](#)

[Guidelines, Port Volume Increase Tax Credit Guidelines, 9/5/2014](#)

[Guidelines, 2013 Rental Tax Updated Guidelines, 7/1/2013](#)

[Guidelines, Energy Star Sales Tax Holiday Guidelines, 2013, 9/30/2013](#)

[Guidelines, 2014 Accelerated Sales Tax Guidelines, 4/28/2014](#)

[Guidelines, Single Sales Factor Election for Manufacturers Guidelines, 1/7/2013](#)

[Guidelines, 2014 Guidelines and Rules for the Tobacco Products Tax, 7/30/2014](#)

[Guidelines, 2015 Accelerated Sales Tax Guidelines, 4/22/2015](#)

[Guidelines, 2015 Combined Sales Tax Holiday Guidelines, 7/8/2015](#)

[Income Tax, Statute of Limitations for Income Taxes and Refund Match Situations, 7/28/2010](#)

[Insurance, Order Waiving Penalty and Interest For Quarterly Reports and Premium License Payments Required by Certain Surplus Lines Brokers, 6/11/2012](#)

[Local Cigarette Tax, Study on Local Cigarette Tax Enforcement Policies, 11/22/2011](#)

[Rental Tax, Rental Tax on Storage Trailers, 12/17/2012](#)

[Tax Credits, First-Year Companies Claiming the Research and Development Expenses Tax Credit, 5/23/2013](#)

[Withholding, Statute of Limitations on Processing Withholding Tax Returns, 5/1/2009](#)

SECRETARY OF TECHNOLOGY

Copies of the following documents may be viewed on regular work days between the hours of 8 a.m. and 4:30 p.m. in the office of the Virginia Information Technologies Agency. Copies of the following documents may be obtained free of charge on the Virginia Information Technologies Agency website at <http://vita.virginia.gov/About/default.aspx?id=6442474173>.

Printed copies are not produced, but are available by request for copying and mailing charges by contacting Janice Akers, 11751 Meadowville Lane, Chester, VA 23836, telephone (804) 416-6083, FAX (804) 416-6355, and email janice.akers@vita.virginia.gov. The documents are also available using the direct links shown on the document list below.

Questions regarding interpretation or implementation of these documents may be directed to Janice Akers, 11751 Meadowville Lane, Chester, VA 23836, telephone (804) 416-6083, FAX (804) 416-6355, and email janice.akers@vita.virginia.gov.

The following guidance documents were developed in CY2016 by the Identity Management Standards Advisory Council (IMSAC), on behalf of the Secretary of Technology,

Guidance Documents

pursuant to §§ 2.2-436 and 2.2-437 of the Code of Virginia. The guidance documents establish minimum specifications for electronic authentication and identity management, pursuant to the Electronic Identity Management Act, §§ 59.1-550 through 59.1-555.

Guidance Documents:

Identity Trust Frameworks

Purpose: Establishes minimum specifications for identity trust frameworks supporting a digital identity system.

End of CY2016 Status: Transmitted to Secretary of Technology for adoption 10/11/2016.

Identity Proofing and Verification

Purpose: Establishes minimum specifications for identity proofing and verification to enable registration and electronic authentication events within a digital identity system. The minimum specifications conform with National Institute of Standards and Technology Special Publication 800-63-3.

End of CY2016 Status: Transmitted to Secretary of Technology for adoption 10/11/2016.

Electronic Authentication

Purpose: Establishes minimum specifications for electronic authentication within a digital identity system. The minimum specifications conform with National Institute of Standards and Technology Special Publication 800-63-3.

End of CY2016 Status: Recommended by IMSAC for adoption 12/5/2016.

Authenticators and Lifecycle Management

Purpose: Establishes minimum specifications for authenticators and lifecycle management within a digital identity system. The minimum specifications conform with National Institute of Standards and Technology Special Publication 800-63B.

End of CY2016 Status: Recommended by IMSAC for adoption 12/5/2016.

Digital Identity Assertions

Purpose: Establishes minimum specifications for assertions within a digital identity system. The minimum specifications conform with National Institute of Standards and Technology Special Publication 800-63-3.

End of CY2016 Status: Draft, public comment process concluded 12/5/2016.

Federation and Participant Requirements

Purpose: Establishes minimum specifications for electronic federation and participant requirements within a digital identity system. The minimum specifications conform with

National Institute of Standards and Technology Special Publication 800-63-3.

End of CY2016 Status: Draft, public comment process concluded 12/5/2016.

DEPARTMENT OF TRANSPORTATION

The list of guidance documents submitted by the Virginia Department of Transportation (VDOT) is subdivided by the program that issued or has custody of the document. VDOT has indicated a URL for documents that are available online.

Because many of VDOT's guidance documents have unique viewing locations and contact information for copies and questions, this information is provided separately for each document or group of documents following the title of the document or documents.

Finance/Programming

Guidance Document:

Fiscal Year 2017 Commonwealth Transportation Fund budget and Fiscal Year 2017 VDOT budget, adopted June 14, 2016

Interprets/implements: § 33.2-221 C of the Code of Virginia

Copies of these documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219. Copies may be obtained free of charge at the same address or by calling (804) 786-6065 or faxing (804) 786-2564.

Questions regarding interpretation or implementation of the documents may be directed to Laura Farmer, Division Administrator of Financial Planning, 1401 East Broad Street, Richmond VA 23219, telephone (804) 786-3096, FAX (804) 786-2564, or email laura.farmer@vdot.virginia.gov.

The Commonwealth Transportation Fund and the Virginia Department of Transportation Annual Budget are prepared annually and approved by the CTB by July 1 of each year as required by § 33.2-221 C of the Code of Virginia. These documents are also accessible at http://www.virginiadot.org/about/vdot_budget.asp.

Guidance Document:

The Virginia Transportation Infrastructure Bank: Program Overview, Guidelines and Selection Criteria, October, 2011

Interprets/implements: Article 1 of Chapter 15 of Title 33.2 (§ 33.2-1500 et seq.) of the Code of Virginia

Copies of this document may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219. This document is also accessible at http://www.virginiadot.org/projects/virginia_transportation_infrastructure_bank.asp.

Questions regarding interpretation or implementation of this document may be directed to Laura Farmer, Division Administrator of Financial Planning, 1401 East Broad Street, Richmond VA 23219, telephone (804) 786-3096, FAX (804) 786-2564, or email laura.farmer@vdot.virginia.gov.

Guidance Document:

Virginia Six-Year Improvement Program, adopted June 14, 2016

Interprets/implements: § 33.2-214, Code of Virginia

This document (accessible as a database) may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, as well as each of the nine construction district offices across the state. This document is also accessible at <http://www.virginiadot.org/projects/syp-default.asp>.

Questions regarding interpretation or implementation of this document may be directed to the Infrastructure Investment Director at (804) 786-2543 or FAX (804) 371-8719.

Guidance Document:

Administrative Services Division Procurement Procedures Manual, revised October 2016

Interprets/implements: § 2.2-4300 et seq., of the Code of Virginia

Copies of this document may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219. This document is also accessible at http://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\501\GDoc_VDOT_5316_v5.pdf.

Questions regarding interpretation or implementation of this document may be directed to Toya Peterson, Procurement Manager, at the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-2721, or toya.peterson@vdot.virginia.gov.

Preliminary Engineering

Guidance Document:

VDOT Policy Manual for Public Participation in Transportation Projects, revised November 21, 2016

Interprets/implements: § 33.2-208 B of the Code of Virginia

This document is also accessible at http://www.virginiadot.org/business/resources/LocDes/Public_Involvement_Manual.pdf.

Questions regarding interpretation or implementation of this document may be directed to the Location and Design Policies and Procedures Section Manager at the Virginia Department of Transportation, 1401 East Broad Street,

Richmond, VA 23219, telephone (804) 786-8287, or FAX (804) 786-9311.

Guidance Document:

Guidance Document for Determination of Certain Financial Benefits for Displacees, effective October 1, 2014

Interprets/implements: Rules and Regulations Governing Relocation Assistance (24VAC30-41)

Copies of this document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219. Copies may be obtained either free of charge or at a specified charge for excess copies by contacting David A. Schneider, State Acquisitions Manager, at the same address, telephone (804) 786-2923, or FAX (804) 786-1706. This document is also accessible at http://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\501\GDoc_VDOT_6_v3.pdf.

Guidance Document:

Commonwealth of Virginia Public-Private Transportation Act of 1995 (as amended) Implementation Manual and Guidelines, November 2014

Interprets/implements: § 33.2-1800 et seq., of the Code of Virginia

Copies of this document may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the Virginia Office of Public-Private Partnerships, 1401 East Broad Street, Richmond, VA 23219. Copies may be obtained free of charge at the same address or by calling (804) 786-0455 or faxing (804) 786-0476. This document is also accessible at http://www.virginiadot.org/office_of_transportation_public-private_partnerships/resources/UPDATED_PPTA_Implementation_Manual_11-07-14_FOR_POSTING_TO_WEBSITE_-_changes_accepted.pdf.

Questions regarding interpretation or implementation of this document may be directed to Sam Beydoun, Acting Director, Virginia Office of Public-Private Partnerships, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-0482, FAX (804) 786-0476, or email sam.beydoun@p3.virginia.gov.

Guidance Document:

Design-Build Procurement Manual, October 2011

Interprets/implements: § 33.2-209 B of the Code of Virginia

Minimum Requirements for QA/QC on Design Build and Public-Private Transportation Act Projects, January 2012

Interprets/implements: §§ 33.2-209 B and 33.2-1800 et seq., of the Code of Virginia

Design-Build Evaluation Guidelines, Revised May 2014

Guidance Documents

Interprets/implements: § 33.2-209 B of the Code of Virginia

These documents are also accessible at <http://www.virginiadot.org/business/design-build.asp>.

Questions regarding interpretation or implementation of these documents may be directed to Shailendra Patel, P.E., Alternative Project Delivery Office, Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 692-0476, or email shailendra.patel@vdot.virginia.gov.

Guidance Document:

2009 Manual for the Procurement and Management of Professional Services, revised July 1, 2016 (available at <http://www.virginiadot.org/business/gpmmps.asp>).

Interprets/implements § 2.2-4300 et seq., of the Code of Virginia

Questions regarding interpretation or implementation of this document may be directed to Jeff Rodgers, Alternative Project Delivery Office, Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-2552, or email jeff.rodgers@vdot.virginia.gov.

Guidance Document:

Highway Traffic Noise Impact Analysis Guidance Manual, July 13, 2011 (amended July 14, 2015)

Interprets/implements § 33.2-215, Code of Virginia

Copies of this document may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation, 1201 East Broad Street, Richmond, VA 23219. This document is also accessible at <http://www.virginiadot.org/projects/pr-noise-walls-about.asp>.

Questions regarding interpretation or implementation of this document may be directed to the Noise Abatement Program Manager at (804) 371-6766 or FAX (804) 786-7401.

Project Delivery

Guidance Document:

Economic Development Access Program Guide, revised October 1, 2014

Interprets/implements: § 33.2-1509 of the Code of Virginia, Economic Development Access Fund Policy (24VAC30-271)

Copies of this document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219. Copies may be obtained either free of charge or at a specified charge for excess copies by contacting Megan Nelson at the same address, telephone (804) 786-9125, FAX (804) 371-0847, or megan.nelson@vdot.virginia.gov. This document is also

accessible at http://www.virginiadot.org/business/resources/local_assistance/access_programs/EconomicDevelopmentAccessProgramGuide.pdf.

Guidance Document:

Recreational Access Program Guide, revised October 1, 2014

Interprets/implements: § 33.2-1510 of the Code of Virginia

Copies of this document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219. Copies may be obtained either free of charge or at a specified charge for excess copies by contacting Megan Nelson at the same address, telephone (804) 786-9125, FAX (804) 371-0847, or email megan.nelson@vdot.virginia.gov. This document is also accessible at http://www.virginiadot.org/business/resources/local_assistance/access_programs/RecrAccessGuide.pdf.

Guidance Document:

Airport Access Program Guide, revised October 1, 2014

Interprets/implements: § 33.2-1509 of the Code of Virginia, Airport Access Fund Policy (24VAC30-451)

Copies of this document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219. Copies may be obtained either free of charge or at a specified charge for excess copies by contacting Megan Nelson at the same address, telephone (804) 786-9125, FAX (804) 371-0847, or email megan.nelson@vdot.virginia.gov. This document is also accessible at http://www.virginiadot.org/business/resources/local_assistance/access_programs/AirportAccessProgramGuide.pdf.

Guidance Document:

Transportation Alternatives Program Guide, August 1, 2016

Interprets/implements: §§ 33.2-221 C and 33.2-114 of the Code of Virginia

Copies of this document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219. This document is also accessible at http://www.virginiadot.org/business/resources/transportation_enhancement/Transportation_Alternatives_Program_Guide.pdf.

For more information on this program or to obtain a copy of the application packet, please contact the Transportation Alternatives Program Staff at 1-800-444-7832 or (804) 786-2264, FAX (804) 371-0847, or email h.chenault@vdot.virginia.gov or pamela.liston@vdot.virginia.gov.

Guidance Document:

Urban Construction Initiative Program Administration Guide, October 28, 2009

Interprets/implements: § 33.2-362 of the Code of Virginia

Copies of this document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219.

This document is also accessible at http://www.virginiadot.org/business/resources/local_assistance/UCI/UCI_Guide_Update_09_final.pdf.

Questions regarding interpretation or implementation of this document may be directed to Yolanda Newton at the same address or telephone number (804) 786-0334, or email yolanda.newton@vdot.virginia.gov.

Guidance Document:

Urban Construction and Maintenance Program (Urban Manual): Policies and Guidelines, June 2015

Interprets/implements: Urban Maintenance and Construction Policy (24VAC30-325)

This document is also accessible at http://www.virginiadot.org/business/resources/local_assistance/Urban_Construction_and_Maintenance_Program_Guidance.pdf.

Questions regarding interpretation or implementation of this document may be directed to Yolanda Newton at the same address or telephone number (804) 786-0334, or email yolanda.newton@vdot.virginia.gov.

Guidance Document:

Revenue Sharing Program Guidelines, July 2015

Interprets/implements: § 33.2-357 of the Code of Virginia

Copies of this document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219. Copies may be obtained either free of charge or at a specified charge for excess copies by contacting Debbi Webb-Howells, Program Manager, at the same address, telephone (804) 786-1519, FAX (804) 371-0847, or email debbi.webb-howells@vdot.virginia.gov. This document is also accessible at http://www.virginiadot.org/VDOT/Business/asset_upload_file105_74839.pdf.

Guidance Document:

Locally Administered Projects Manual, July 2010, revised March 1, 2016

Interprets/implements: §§ 33.2-209, 33.2-214, 33.2-221, and 33.2-338 of the Code of Virginia

Copies of the above document may be viewed during regular work days from 8 a.m. until 4 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219.

Copies of this document may be obtained either free of charge or at a specified charge for excess copies by contacting John Simmers at the same address, telephone (804) 786-2571, or john.simmers@vdot.virginia.gov. This document is also accessible at http://www.virginiadot.org/business/locally_administered_projects_manual.asp.

Questions regarding interpretation or implementation of this document may be directed to John Simmers at the same address or telephone number provided above.

Operations

Guidance Document:

Traffic Engineering Division Instructional and Informational Memoranda (IIMs)

Interprets/implements: §§ 2.2-604, 33.2-224, and 46.2-830 of the Code of Virginia, Standards for Use of Traffic Control Devices to Classify, Designate, Regulate, and Mark State Highways (24VAC30-315-10 E).

Copies of the Traffic Engineering Memoranda may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. at the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219. Electronic copies will be furnished upon request by contacting Harry Campbell at the same address, telephone (804) 786-6374, or email harry.campbell@vdot.virginia.gov or Marc Lipschultz at the same address, telephone (804) 371-6022, or email marc.lipschultz@vdot.virginia.gov. These documents are also accessible at http://www.virginiadot.org/business/traffic_engineering_memoranda.asp.

Questions regarding interpretation or implementation of these documents may be directed to the State Traffic Engineer during regular work days from 8:30 a.m. until 4:30 p.m. at the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-2965.

Guidance Document:

Traffic Calming Guide for Local Residential Streets, October 2002, revised July 2008

Interprets/implements: §§ 2.2-604, 33.2-224, and 46.2-830 of the Code of Virginia, Standards for Use of Traffic Control Devices to Classify, Designate, Regulate, and Mark State Highways (24VAC30-315-10 E).

Copies of these documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation's Traffic Engineering

Guidance Documents

Division, located at 1401 East Broad Street, Richmond, VA 23219. Copies may be obtained by contacting Mike Nichols at the same address, telephone (804) 786-5709 or email mike.nichols@vdot.virginia.gov. This document is also accessible at <http://www.virginiadot.org/programs/resources/TrafficCalmingGuideOct2002.pdf> with additional information about the process online at <http://www.virginiadot.org/programs/is-VDOTCommunityPrograms.asp>.

Questions regarding interpretation or implementation of these documents may be directed to the State Traffic Engineer during regular work days from 8:30 a.m. until 4:30 p.m. at the Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-2965.

Guidance Documents:

Traffic Impact Analysis Regulations Administrative Guidelines, revised July 2016 (available at: http://www.virginiadot.org/info/traffic_impact_analysis_regulations.asp)

Interprets/implements: Traffic Impact Analysis Regulations (24VAC30-155)

Frequently Asked Questions on the Access Management Regulations and Standards, November 2014 (available at http://www.virginiadot.org/info/access_management_regulations_and_standards.asp)

Interprets/implements: Access Management Regulations (24VAC30-73).

Guidance Document for the Commonwealth Transportation Board's Secondary Street Acceptance Requirements, December 2011, revised August 2015 (available at http://www.virginiadot.org/info/secondary_street_acceptance_requirements.asp).

Interprets/implements: Secondary Street Acceptance Requirements (24VAC30-92)

Frequently Asked Questions - Land Use Permits, revised October 2, 2014 (available at <http://www.virginiadot.org/business/bu-landUsePermits.asp>).

Interprets/implements: Land Use Permit Regulations (24VAC30-151)

Land Development Inspection Documentation Best Practices Manual, December 2014 (available at http://www.virginiadot.org/info/land_development_inspection_documentation_best_practices_manual.asp)

Interprets/implements: Land Use Permit Regulations (24VAC30-151), Secondary Street Acceptance Requirements (24VAC30-92)

Copies of these documents may be viewed during regular work days from 8:30 a.m. until 4 p.m. in the office of the Virginia Department of Transportation, 1401 East Broad

Street, Richmond, Virginia 23219. Mailing address: Office of Land Use, VDOT, 1401 East Broad Street, Richmond, VA, 23219. One copy of any document or a combination of documents, up to five pages, may be obtained free of charge by contacting the same address, telephone (804) 786-0780. Additional copies and/or pages may be obtained at a cost of \$0.15 per page, checks made payable to the "Treasurer of Virginia."

Questions regarding interpretation or implementation of these documents may be directed to Robert W. Hofrichter, Director, Office of Land Use, VDOT, 1401 East Broad Street, Richmond, VA, 23219, telephone (804) 786-0780, or email at robert.hofrichter@vdot.virginia.gov.

Guidance Documents:

Virginia Official State Transportation Map Policy and Procedures, revised November 13, 2012

Interprets/implements: § 33.2-316 of the Code of Virginia

This document is available at http://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\501\GDoc_VDOT_3914_v4.pdf

Statement on the Use of VDOT County Map Series Digital Files, revised November 13, 2012 (includes form and agreement)

Interprets/implements: § 33.2-384 of the Code of Virginia

This document is available at http://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\501\GDoc_VDOT_3915_v4.pdf

Interagency Scenic Roads Map Advisory Committee Policy and Selection Criteria, revised November 13, 2012

Interprets/implements: § 33.2-405 et seq., of the Code of Virginia

This document is available at http://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\501\GDoc_VDOT_3916_v3.pdf

Copies of these documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the office of the Virginia Department of Transportation's Office of Communications, located at 1401 East Broad Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting the Cartography Manager at the same address, telephone (804) 371-6776, or FAX (804) 371-6846.

Questions regarding interpretation or implementation of this document may be directed to the Cartography Manager. These documents are also accessible at

Guidance Document:

Criteria for Transferring Secondary Roads to the Primary System, (Department Memoranda (DM) 14-1), approved April 15, 2014

Interprets/implements: § 33.2-314 of the Code of Virginia

Copies of this document may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Department of Transportation's Maintenance Division, 1401 East Broad Street, Richmond, VA 23219. This document is also accessible at http://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\501\GDoc_VDOT_5948_v1.pdf.

Questions regarding interpretation or implementation of this document may be directed to Lynne Wasz, Highway Systems Program Manager, at the Virginia Department of Transportation's Office of Land Use, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-0966 or email lynne.wasz@vdot.virginia.gov.

DEPARTMENT OF THE TREASURY

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the office of the Department of the Treasury, James Monroe Building, 3rd Floor, 101 North 14th Street, Richmond, VA 23219.

General questions regarding these documents may be directed to William Watt, telephone (804) 371-6242, FAX (804) 225-3187, or email william.watt@trs.virginia.gov. Copies may be obtained free of charge.

Debt Management

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the office of the Department of the Treasury, James Monroe Building, 3rd Floor, 101 North 14th Street, Richmond, VA 23219. Questions regarding interpretation or implementation of these documents may be directed to the Director of Debt Management, telephone (804) 371-6006 or FAX (804) 225-3187. Copies may be obtained free of charge.

Guidance Documents:

Debt Calendar:
www.trsvirginia.gov/Documents/Debt/debtcalendar.pdf

Debt Capacity Advisory Committee Reports 2002-2016:
www.trsvirginia.gov/debt/dcac.aspx

List of Approved Rating Agencies, dated October 31, 2000, § 2.2-4902

Treasury Board Debt Structuring and Issuance Guidelines for the Issuance of Appropriation-Supported Debt, dated November 2003, §§ 2.2-2416, 33.1-12, and 23-19

Treasury Board Guidelines for Credit Purchases of Equipment and Energy Projects by State Agencies, Institutions, Boards and Authorities, dated May 17, 1995, § 2.2-2416

Treasury Board Guidelines for Regional Jail Projects Reimbursement, dated February 19, 1998, §§ 53.1-80 through 53.1-82

Treasury Board Interest Rate Risk Management Guidelines, dated May 18, 2005, § 2.2-2416 (8)

Treasury Board Post-Issuance Compliance Policy, dated January 20, 2010

Virginia College Building Authority Bylaws, dated October 15, 1996, § 23-30.31

Virginia College Building Authority Statement of Policy and Procedures for Loans to Private, Nonprofit Institutions of Higher Education, dated August 1, 2002, amended April 20, 2004

Virginia College Building Authority Variable Rate Debt Policy, dated September 15, 2005, §§ 2.2-4517 and 23-30.28

Virginia College Building Authority Guidelines in Connection with Pooled Bond Financings for the Benefit of Public Institutions of Higher Education, dated April 18, 2006, § 23-14

Virginia College Building Authority Post-Issuance Compliance Policy, dated October 7, 2009

Virginia Public Building Authority Bylaws, dated July 25, 2002, § 2.2-2263

Virginia Public Building Authority Guidelines for Jail Projects Reimbursements, dated July 16, 1996, §§ 2.2-2263 and 53.1-80 through 53.1-82

Virginia Public Building Authority Variable Rate Debt Policy, dated October 12, 2005, §§ 2.2-4517 and 23-30.28

Virginia Public Building Authority Post Issuance Compliance Policy, dated January 19, 2010

Virginia Public School Authority Bylaws, dated December 18, 1962, amended January 25, 1988, § 22.1-171

Virginia Public School Authority General Pooled Bond Policy, dated September 8, 2005, § 22.1-171 A (5)

Virginia Public School Authority Stand Alone Bond Policy, dated September 8, 2005, § 22.1-171 A (5)

Virginia Public School Authority 1987 General Fund Balance Policy, dated September 27, 1999, § 22.1-171 A (5)

Virginia Public School Authority Variable Rate Debt Policy, dated March 17, 2006, § 22.1-162 et seq. and § 2.2-4517

Virginia Public School Authority Post-Issuance Compliance Policy, dated March 25, 2010

Cash Management and Investments

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the office of the Department of the Treasury, James Monroe Building,

Guidance Documents

3rd Floor, 101 North 14th Street, Richmond, VA 23219. Questions regarding interpretation or implementation of these documents may be directed to Judy Milliron, telephone (804) 225-3167, FAX (804) 225-3478, or email judy.milliron@trs.virginia.gov. Copies may be obtained free of charge.

Guidance Documents:

General Account Investment Policy and Guidelines, Effective April 16, 2014, § 2.2-4500 et seq.: www.trsvirginia.gov/Documents/Cash/GenAcctInvstPolicy.pdf

Tobacco Indemnification and Community Revitalization Endowment (TICR) Investment Guidelines: Taxable: http://www.trsvirginia.gov/Documents/Cash/TICR_TaxableInvPolicy.pdf

Tax-Exempt:

http://www.trsvirginia.gov/Documents/Cash/TICR_Tax-ExemptInvPolicy.pdf

General Account Performance Information: Fiscal Years 2000-2016: www.trsvirginia.gov/cash

Various Local Government Investment Pool (LGIP) Reports, Applications and Forms: www.trsvirginia.gov/cash/lgip.aspx

Various Reports, Forms and Documents Relating to the State Non-Arbitrage Program: www.vasnap.com/forms-and-documents

Operations

Copies of the following document may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the office of the Department of the Treasury, James Monroe Building, 3rd Floor, 101 North 14th Street, Richmond, VA 23219.

Questions regarding interpretation or implementation of this document may be directed to Kristin Reiter, telephone (804) 225-3240, FAX (804) 225-3187, or email kristin.reiter@trs.virginia.gov. Copies may be obtained free of charge.

Guidance Document:

Various Reports, Manuals and Guidelines Relating to the Security for Public Deposits Act (SPDA): www.trsvirginia.gov/Operations

Risk Management

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the Division of Risk Management, 101 North 14th Street, 4th Floor, James Monroe Building, Richmond, VA 23219. Copies may be obtained free of charge by contacting Joyce Lee, Division of Risk Management, P.O. Box 1879 Richmond, VA 23218-1879, telephone (804) 225-4621, FAX (804) 371-8400, or email joyce.lee@trs.virginia.gov.

Questions regarding these documents may be directed to Don LeMond, Division of Risk Management, 101 North 14th Street, 4th Floor, James Monroe Building, Richmond, VA 23219, telephone (804) 225-4620, FAX (804) 371-8400, or email don.lemond@trs.virginia.gov.

Guidance Documents:

Virginia Risk Management Plan, revised January 6, 2005, § 2.2-1837

Virginia Property Risk Management Plan, revised January 6, 2005, § 2.2-1836

Virginia Faithful Performance of Duty Bond Plan, revised January 6, 2005, § 2.2-1840

Virginia Constitutional Officer Risk Management Plan "VaRISK," revised January 6, 2005, § 2.2-1839

Virginia Local Government Risk Management Plan "VaRISK 2," revised January 6, 2005, § 2.2-1840

Division of Risk Management News: www.trsvirginia.gov/Drm

Unclaimed Property

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 4:30 p.m. in the office of the Department of the Treasury, James Monroe Building, 3rd Floor, 101 North 14th Street, Richmond, VA 23219.

Questions regarding these documents may be directed to William Dadmun, telephone (804) 225-2547, FAX (804) 786-4653, or email william.dadmun@trs.virginia.gov. Copies may be obtained free of charge and are available at www.trsvirginia.gov.

Guidance Documents:

2016 Holderbook: <https://vamoneysearch.org/media/5a89f359-80d4-4706-a0ecdfe24b084afb/-1363875649/Report/Documents/Holderbook-web-2016.pdf>

Various Unclaimed Property Briefs: www.vamoneysearch.org/Report/Forms

Most Frequently Asked Questions about Unclaimed Property: vamoneysearch.org/About

UNIVERSITY OF MARY WASHINGTON

Copies of the following documents may be viewed at www.umw.edu at any time. The documents may also be obtained by contacting the Office of Administration and Finance, 1301 College Avenue, Fredericksburg, VA 22401, telephone (540) 654-1020, FAX (540) 654-1162, or email rpearce@umw.edu, Monday through Friday between 8 a.m. until 5 p.m.

Questions concerning the interpretation or implementation of these documents should be directed to the Office of the Vice President for Administration and Finance and/or to the corresponding offices listed below.

Faculty Handbook, Graduate Catalog and Undergraduate Catalog, - Office of the Provost, telephone (540) 654-1241

Staff Handbook - Office of Human Resources, telephone (540) 654-1214

Student Handbook - Office of Student Affairs, telephone (540) 654-1062

Guidance Documents:

Board of Visitors Bylaws, <http://www.boarddocs.com/va/umw/Board.nsf/goto?open&id=9DEKBR50C809>

University Policies, <http://www.boarddocs.com/va/umw/Board.nsf/goto?open&id=8U3MKS5BAA44>

Faculty Handbook, <http://adminfinance.umw.edu/hr/handbooks-forms-policies/>

Staff Handbook, <http://adminfinance.umw.edu/hr/handbooks-forms-policies/>

Student Handbook, <http://publications.umw.edu/student-handbook/>

Graduate Catalog, <http://publications.umw.edu/graduatecatalog/>

Undergraduate Catalog, <http://publications.umw.edu/undergraduatecatalog/>

BOARD OF VETERINARY MEDICINE

Copies of the following documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. at the offices of the Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, VA 23233. Copies may also be downloaded from the board's webpage at <http://www.dhp.virginia.gov/vet> or the Regulatory Town Hall at <http://www.townhall.virginia.gov> or requested by email at vetbd@dhp.virginia.gov. Questions regarding interpretation or implementation of these documents or requests for copies may be directed to Leslie Knachel, Executive Director of the Board, at the address above or by telephone at (804) 367-4497. Copies are free of charge.

Guidance Documents:

http://www.dhp.virginia.gov/vet/vet_guidelines.htm

150-1, Drug recordkeeping at shared facilities, revised June 3, 2013

150-2, Expanded duties for Licensed Veterinary Technicians, excerpt from board minutes of February 19, 2015

150-3, Preceptorships and externships for veterinary technician students, revised December 4, 2013

150-4, "Chip" clinics outside approved facilities, excerpt from board minutes of June 15, 1994, revised November 14, 2007

150-5, Use of compounded drugs in veterinary practices, revised July 1, 2015

150-6, Mobile facilities allowed to change location without an inspection, excerpt from board minutes of December 19, 1995, revised November 14, 2007

150-8, Disposition of cases for practicing on an expired license or permit, revised September 9, 2015

150-9, Content of a medical record, revised October 22, 2015

150-10, Allowances to purchase, possess, and administer drugs within an animal shelter or pound, adopted May 17, 2011

150-11, Acceptable continuing education, audits and sanctions for noncompliance, revised June 3, 2013

150-12, Administration of rabies vaccine by students or in preceptorships, revised June 3, 2013

150-13, Controlled substances in veterinary practices, revised February 16, 2016

150-14, Board guidance on process for delegation of informal fact-finding to an agency subordinate, revised September 2010

150-15, Disposition of routine inspections violations, revised July 21, 2016

150-16, Board motion on protocol to follow upon discovery of a loss or theft of drugs, revised May 17, 2012

150-17, Sanctioning Reference Points Instruction Manual, revised June, 2014

150-18, Bylaws of the Board of Veterinary Medicine, revised February 19, 2014

150-19, Delegation of dental polishing-cleaning, adopted October 17, 2012

150-20, Duties of unlicensed assistants, adopted June 3, 2013

150-21, Chiropractic care and acupuncture for animals, adopted June 3, 2013

150-22, Veterinarians and wildlife rehabilitators - Prescription drugs, adopted October 22, 2014

150-23, Disposal of deceased animals, adopted July 15, 2015

150-24, Guidelines for processing applications for licensure, adopted July 21, 2016

76-21.2:1, Veterinary Establishment Inspection Report, revised October 28, 2013

Guidance Documents

UNIVERSITY OF VIRGINIA

For general questions about the University of Virginia's guidance documents, contact Penny Cabaniss at telephone (434) 982-2674, or email pqc2f@virginia.edu. Contact information is provided for each document for copies or questions regarding the interpretation or implementation of the respective guidance document. If available, links are provided for electronic copies of guidance documents and are available for no charge.

Guidance Documents:

[UVA-01, University of Virginia Policy Directory](#), 11/29/2012

[UVA-02, Higher Education Capital Outlay Manual](#), 5/17/2011

[UVA-03, Medical Center Policy Manual](#), 12/1/2011

[UVA-04, Health Sciences Library Policies](#), 12/21/2011

VIRGINIA CODE COMMISSION

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Code Commission, General Assembly Building, 201 North 9th Street, 2nd Floor, Richmond, VA 23219. Copies may be obtained free of charge by contacting Terri Edwards at the same address, telephone (804) 786-3591, or email tedwards@dls.virginia.gov.

Questions regarding interpretation or implementation of these documents may be directed to Jane Chaffin, Registrar of Regulations, Virginia Code Commission, General Assembly Building, 201 North 9th Street, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, or email jchaffin@dls.virginia.gov.

Guidance Documents:

[Form, Style and Procedure Manual for Publication of Virginia Regulations](#), revised 2014, § 2.2-4104.

[Preparing and Filing Guidance Document Lists for Publication in the Virginia Register of Regulations](#), revised November 2016, §§ 2.2-4008 and 2.2-4103

VIRGINIA COMMONWEALTH UNIVERSITY

Copies of the documents listed below are available free of charge from the university's website at <http://www.vcu.edu>. Questions concerning interpretation or implementation of these documents may be directed to Jacqueline Kniska, University Integrity and Compliance Officer, telephone (804) 828-2336, unless otherwise noted.

Guidance Documents:

VCU Code of Conduct - <http://www.codeofconduct.vcu.edu>

VCU Board of Visitor's Bylaws - <http://www.president.vcu.edu/board/bylaws.html>

VCU Board of Visitors Ethical Leadership Policy - http://www.president.vcu.edu/pdfs/BOV_Ethical_Leadership_Policy_final.pdf

Student Handbook, the VCU Insider - <https://docs.google.com/a/vcu.edu/file/d/0B7z3ZniSHWXVeGRCQjhuSHMtMTA/edit>

Questions concerning interpretation or implementation of the Student Handbook may be directed to Dean of Students, Dr. Reuban Rodriguez, telephone (804) 828-8940.

Faculty Handbook - <http://www.assurance.vcu.edu/Policy%20Library/Faculty%20Handbook.pdf>

Questions concerning interpretation or implementation of the Faculty Handbook may be directed to Dr. Michael Davis, Vice Provost for Academic and Faculty Affairs, P.O. Box 842527, Richmond, VA 23284, telephone (804) 828-6162.

VIRGINIA MILITARY INSTITUTE

Copies of the following documents may be viewed on regular work days between the hours of 8 a.m. and 4:30 p.m. in the office of the Chief of Staff, 201 Smith Hall, Lexington, VA 24450. Copies may be obtained free of charge by contacting Katrina Butner at the same address, telephone (540) 464-7104, FAX (540) 464-7660, or email butnerkk@vmi.edu.

Questions regarding interpretation or implementation of these documents may be directed to Colonel James Inman, VMI Chief of Staff, 201 Smith Hall, Lexington, VA 24450, telephone (540) 464-7104, and FAX (540) 464-7660.

Guidance Documents:

Board of Visitors Bylaws, <http://www.vmi.edu/media/content-assets/documents/bov/BOV-Bylaws-May2015.pdf>, revised May 2015.

General Orders (Policies and Procedures), <http://www.vmi.edu/about/administration/general-orders/>, policies reviewed on rotating basis and updated as needed.

Overarching Institute Regulations, <http://www.vmi.edu/media/content-assets/documents/institute-regulations/OrverarchingRegulationsMay2015.pdf>, revised May 2015.

Institute Regulations Part I, <http://www.vmi.edu/media/content-assets/documents/institute-regulations/VMI-Regs-Part-I.pdf>, revised September 2012.

Institute Regulations Part II, <http://www.vmi.edu/media/content-assets/documents/institute-regulations/VMI-Regulations-Part-II.pdf>, revised November 2014.

Academic Regulations, <http://www.vmi.edu/media/content-assets/documents/institute-regulations/Academic-Regulations-May-2016.pdf>, revised May 2016.

Athletic Regulations, <http://www.vmi.edu/media/content-assets/documents/institute-regulations/Athletic-Regulations-Part-IV.pdf>, revised July 2016.

Faculty Handbook, [http://www.vmi.edu/media/content-assets/documents/human-resources/Faculty-Handbook-\(2\).pdf](http://www.vmi.edu/media/content-assets/documents/human-resources/Faculty-Handbook-(2).pdf), revised October 2016.

Administrative and Professional Faculty Handbook, https://portal.vmi.edu/document_libraries/Custom_Document_s/Human%20Resources_Administrative%20and%20Professional%20Faculty%20Handbook.pdf#search=handbook, revised May 2015.

2016-17 Academic Catalog, <http://catalog.vmi.edu/index.php>.

2016 Annual Security Report, <http://www.vmi.edu/media/content-assets/documents/police/VMI-Right-to-Know-2016.pdf>.

VIRGINIA MUSEUM OF FINE ARTS

Copies of the following documents may be viewed on regular work days from 9 a.m. until 4:30 p.m. at the Virginia Museum of Fine Arts, 200 North Boulevard, Richmond, VA 23220.

Copies may be obtained free of charge by contacting Lee Anne Hurt, Virginia Museum of Fine Arts, 200 North Boulevard, Richmond, VA 23220, telephone (804) 340-1500, or email leanne.hurt@vmfa.museum.

Questions regarding interpretation or implementation of these documents may be directed to Lee Anne Hurt, Director of Museum Planning and Board Relations, 200 North Boulevard, Richmond, VA 23220, telephone (804) 340-1500, or email leanne.hurt@vmfa.museum.

Guidance Documents:

Smoking Policy 3-00, revised 2015

Gallery Guidelines Policy 7-00, revised 2015

Lost and Found Property Policy 2-01, revised 2015

Calendar and Events: <http://vmfa.museum/calendar/>

Directions and Parking: <https://vmfa.museum/visit/directions/>

Child Protection Guidelines: <https://vmfa.museum/youth-studio/child-protection-guidelines/>

Museum Policies: <https://vmfa.museum/visit/plan-ahead/museum-policies/>

Accommodations for Individuals and Groups with Disabilities: <https://vmfa.museum/visit/plan-ahead/access-programs/>

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY

Copies of the following documents may be viewed during the regular work days from 8 a.m. to 5 p.m. in the Office of the President, c/o Director, Finance & Business Affairs, 319 Burruss Hall, Virginia Tech, Blacksburg, VA 24061. Copies may be obtained free of charge by contacting Shelia Collins, Office of the President, 319 Burruss Hall, Virginia Tech, Blacksburg VA 24061, telephone (540) 231-1358, FAX (540) 231-4265, or email shcolli4@vt.edu. The documents may be downloaded from the Virginia Tech's website at <http://www.vt.edu>.

Questions regarding interpretation or implementation of these guidance documents may be directed to Christine Watkinson, Director, Finance and Business Affairs, Office of the President, Virginia Tech, Blacksburg, VA 24061, telephone (540) 231-5205, FAX (540) 231-4265, or email cawatkin@vt.edu.

Guidance Documents:

Board of Visitors Bylaws (amended August 2015) <http://www.bov.vt.edu/bylaws/bylaws.html>

Faculty Handbook (revised August 2016) http://provost.vt.edu/faculty_affairs/faculty_handbook.html

Staff Handbook (revised January 2009) http://www.hr.vt.edu/_files/file_hr_emp_hndbk_reg.pdf

Undergraduate Catalog and Academic Policies, 2016-17 <http://www.undergradcatalog.registrar.vt.edu/1617/index.html>

Graduate Catalog, Policies, Procedures, Academic Programs, 2016-17 http://secure.graduateschool.vt.edu/graduate_catalog/

Hokie Handbook (student handbook), 2016-17 <http://www.hokiehandbook.vt.edu/>

2014 Jeanne Clery Disclosure Report (revised 2015)

Parking and Traffic Operational Manual, 2015-16

University Policies <http://www.policies.vt.edu/index.php>

Human Subjects Research Policy (revised August 2014) <http://www.policies.vt.edu/13040.pdf>

2014 Statement of Business Conduct Standards

Commonwealth of Virginia Procurement Manual for Institutions of Higher Education and Their Vendors, October 2016 <https://vascupp.org/hem.pdf>

Commonwealth Accounting Policies and Procedures (CAPP) Manual, (revised April 2016)

Guidance Documents

http://www.doa.virginia.gov/Admin_Services/CAPP/CAPP_Summary.cfm

Commonwealth of Virginia Executive Order 20 Advancing Equity for Small, Women, and Minority Owned Businesses, July 2014
<https://governor.virginia.gov/media/3349/eo-20-advancing-equity-for-small-women-and-minority-owned-businessesada.pdf>

VIRGINIA RESOURCES AUTHORITY

Copies of the following documents may be viewed during regular work days from 8:30 a.m. until 5 p.m. in the offices of the Virginia Resources Authority, 1111 East Main Street, Suite 1920, Richmond, VA 23219. Copies may be obtained free of charge by contacting Jean Bass at the same address or by telephone at (804) 616-3441. All of these documents are available electronically for no charge on the Regulatory Town Hall at <http://townhall.virginia.gov> and on the Virginia Resources Authority's website at <http://www.virginiareources.org/page/vra-underwriting-guidelines/>.

Questions regarding interpretation of these documents may be directed to Jean Bass at the above address or telephone number.

Guidance Documents:

[Revenue Credit Guidelines, 3/12/2013](#)

[Regional Authorities Guidelines, 3/12/2013](#)

[Lease Transactions Guidelines, 3/12/2013](#)

[Parity Bonds Guidelines, 12/14/2010](#)

[Restructuring Guidelines, 3/12/2013](#)

[Regional Jail Guidelines, 3/12/2013](#)

[Subordinate Debt Guidelines, 3/10/2009](#)

[Tax Supported Debt Evaluation Guidelines, 3/12/2013](#)

[Appropriation-Only-Back Transaction Guidelines, 9/10/2013](#)

VIRGINIA RETIREMENT SYSTEM

Copies of the following documents may be viewed during regular work days from 8 a.m. until 4:30 p.m. in the office of the Virginia Retirement System, 1200 East Main Street, Richmond, VA 23219. Copies may be obtained free of charge by contacting Kathy Dimond, at the same address, telephone (804) 771-7363, or email kdimond@varetire.org. The documents may be downloaded from the Virginia Retirement System website at www.varetire.org and <http://www.varetirement.org/hybrid>.

Questions regarding interpretation of benefit plan provisions or implementation of procedures outlined in these documents may be directed to Cynthia Wilkinson, Director of Policy,

Planning and Compliance, Virginia Retirement System, 1200 East Main Street, Richmond, VA 23219, telephone (888) 827-3847, FAX (804) 786-1541, or email cwilkinson@varetire.org.

Guidance Documents:

2016 Legislative Summary, published April 2016, Code of Virginia, Title 51.1, Chapters 1, 3

457 Deferred Compensation Plan Features and Highlights, revised October 2015, Code of Virginia, Title 51.1, Chapters 1, 3

457 Deferred Compensation and Cash Match Plan Features and Highlights, revised October 2015, Code of Virginia, Title 51.1, Chapters 1, 3

Approved Domestic Relations Orders Guide, revised January 2016, Code of Virginia, Title 51.1, Chapter 1

Benefits for VRS Members, published January 2014, Code of Virginia, Title 51.1, Chapters 1-7

Choosing Your Retirement Plan - Plan 1 - Optional Retirement Plan for Higher Education Plan 1, Membership Date: Before July 1, 2010, revised August 2016, Code of Virginia, Title 51.1, Chapter 2

Choosing Your Retirement Plan - Plan 2 - Optional Retirement Plan for Higher Education, Membership Date: July 1, 2010 - December 31, 2013, revised August 2016, Code of Virginia, Title 51.1, Chapter 2

Choosing Your Retirement Plan for Higher Education - Optional Retirement Plan, Hybrid - Membership Date: On or after January 1, 2014, revised August 2016, Code of Virginia, Title 51.1, Chapter 2

Choosing Your Retirement Plan - Plan 1 -the Optional Retirement Plan for School Superintendents, Membership Date: Before July 1, 2010, revised July 2016, Code of Virginia, § 51.1-126.6

Choosing Your Retirement Plan - Plan 2 - Optional Retirement Plan for School Superintendents, Membership Date: July 1, 2010 - December 31, 2013, revised July 2016 Membership Date: Before July 1, 2010, revised June 2015, Code of Virginia, § 51.1-126.6

Choosing Your Retirement Plan - Optional Retirement Plan for School Superintendents - Hybrid Retirement Plan, Membership Date: On or after January 1, 2014, revised July 2016, Code of Virginia, § 51.1-126.6

Choosing Your Retirement Plan - Plan 1 - Optional Retirement Plan for Political Appointees, Membership Date: Before July 1, 2010, revised July 2016, Code of Virginia, § 51.1-126.5

Choosing Your Retirement Plan - Plan 2 - Optional Retirement Plan for Political Appointees, Membership Date:

July 1, 2010 - December 31, 2013, revised July 2016, Code of Virginia, § 51.1-126.5

Choosing Your Retirement Plan - Optional Retirement Plan for Political Appointees - Hybrid Retirement Plan, Membership Date: On or after January 1, 2014, revised July 2016, Code of Virginia, § 51.1-126.5

Commonwealth of Virginia 457 Deferred Compensation Plan Fund Profiles, published June 2016, Code of Virginia, Title 51.1, Chapters 1, 3

Comprehensive Annual Financial Report, published annually, last published December 2016, Code of Virginia, Title 51.1, Chapters 1-7

Employer Manual, revised August 2016, Code of Virginia, Title 51.1, Chapters 1-7

Employer Update - published monthly online, Code of Virginia, Title 51.1, Chapters 1-7

Enhanced Benefits for Eligible Political Subdivision Hazardous Duty Employees Handbook for Members - Plan 1, revised July 2015, Code of Virginia, Title 51.1, Chapters 1, 3

Enhanced Benefits for Eligible Political Subdivision Hazardous Duty Employees Handbook for Members - Plan 2, revised November 2013, addendum July 2015, Code of Virginia, Title 51.1, Chapters 1, 3

Focus Newsletter for participants in Hybrid Retirement Plan and 457 deferred compensation plan, posted quarterly, Code of Virginia, § 51.1-126.5

Fee Disclosure Notice VRS Defined Contribution Plan, published October 2016, Code of Virginia, § 51.1-126.5

Frequently Asked Questions about myVRS Navigator, revised October 2014, Code of Virginia, Title 51.1, Chapters 1, 3

Getting Ready to Retire Guide, revised December 2015, Code of Virginia, Title 51.1, Chapters 1, 3, 7

Getting Ready to Retire Guide for Hybrid Members, published September 2015, Code of Virginia, § 51.1-126.5

How to Designate Your Beneficiary VRS Defined Contribution Plans, published August 2015, Code of Virginia, Title 51.1, Chapters 1, 3

Hybrid Retirement Plan Features and Highlights Brochure, revised January 2016, § 51.1-126.5,

Hybrid Retirement Plan - Handbook for Members, revised October 2015, Code of Virginia, Title 51.1, Chapters 1, 3, 7

Hybrid Retirement Plan Roadmap, published August 2014, Code of Virginia, Title 51.1, Chapter 2

Investment Guide, Commonwealth of Virginia Defined Contribution Plans, revised August 2016, Code of Virginia, Title 51.1, Chapter 2

Investment Options Performance Commonwealth of Virginia Defined Contribution Plans, revised November 2016, Code of Virginia, Title 51.1, Chapter 2

Investment Policy Statement for the Unbundled Defined Contribution Plans, revised November 2013, Code of Virginia, Title 51.1, Chapter 2

Judicial Retirement System - Handbook for Members in the JRS Plan 1, JRS Plan 2, and the JRS Hybrid Retirement Plan, April 2013, revised August 2016, Code of Virginia, Title 51.1, Chapters 1-7

Leaving Employment Guide, Commonwealth of Virginia Defined Contribution Plans, revised September 2016, Code of Virginia, Title 51.1, Chapter 2

Leaving Employment Guide Defined Contribution Component Hybrid Retirement Plan, revised December 2015, Code of Virginia, Title 51.1, Chapter 2

Losing a Loved One: Guide for Families, revised 2016, Code of Virginia, Title 51.1, Chapters 1, 2, 3, 5

Member Benefit Profile, published annually, last published September 2016, Code of Virginia, Title 51.1, Chapters 1-7, 10

Member News, published online February, May, September, and November, Code of Virginia, Title 51.1, Chapters 1-7

Model Language for Domestic Relations Orders - Defined Benefit Plan, revised March 2013, Code of Virginia, Title 51.1, Chapters 1-7

Model Language for Domestic Relations Orders - Defined Contribution Plan Accounts, published July 2007, Code of Virginia, Title 51.1, Chapters 1-7

Model Language for Domestic Relations Orders - Optional Retirement Plan for Employees of Institutions of Higher Education Accounts, published July 2007, Code of Virginia, Title 51.1, Chapters 1-7

myVRS Navigator Course Catalog, revised September 2015, Code of Virginia, Title 51.1, Chapters 1-7

myVRS Navigator Most Frequently Asked Questions, revised October 2014, Code of Virginia, Title 51.1, Chapters 1-7

myVRS Navigator Training Overview, revised October 2014, Code of Virginia, Title 51.1, Chapters 1-7

Optional Retirement Plan for Higher Education Composite Copy, amended January 2014, Code of Virginia, Title 51.1, Chapters 1-7

Optional Retirement Plan for Higher Education Fee Disclosure Notice, TIAA and CREF, January 2016, Code of Virginia, Title 51.1, Chapters 1-7

Guidance Documents

Optional Retirement Plan for Higher Education Handbook, revised September 2016, addendum July 2015, Code of Virginia, Title 51.1, Chapter 2

Optional Retirement Plan of the Commonwealth of Virginia for Employees of Institutions of Higher Education Investment Policy Statement, revised November 2013, Code of Virginia, Title 51.1, Chapter 2

Optional Retirement Plan for Higher Education Master Trust, revised January 2014, Code of Virginia, Title 51.1, Chapters 1-7,

Optional Retirement Plan for Higher Education Open Enrollment Notice, August 2016, Code of Virginia, Title 51.1, Chapters 1-7

Optional Retirement Plan for Higher Education Open Enrollment Procedures for Employers, August 2016, Code of Virginia, Title 51.1, Chapters 1-7,

Optional Retirement Plan for Political Appointees Plan Features and Highlights, revised January 2014, Code of Virginia, Title 51.1, Chapters 1-7

Optional Retirement Plan for School Superintendents Plan Features and Highlights, revised January 2014, Code of Virginia, Title 51.1, Chapters 1-7

Payroll Guide for Political Subdivisions, School Divisions and Decentralized State Employers (VRS-ICMA-RC), published June 2015, Code of Virginia, Title 51.1, Chapter 2

Payroll Guide for State Agencies Using CIPPS Payroll System (VRS-ICMA-RC), published June 2015, Code of Virginia, Title 51.1, Chapter 2

Quick and Easy Access to Your Account VRS Defined Contribution Plans, revised August 2016, Code of Virginia, Title 51.1, Chapters 1, 3

Quicken Instructions VRS Defined Contribution Plans, published April 2014, Code of Virginia, Title 51.1, Chapters 1, 3

Retiree Handbook, revised September 2015, Code of Virginia, Title 51.1, Chapters 1-7

Retiree News - published semi-annually, Code of Virginia, Title 51.1, Chapters 1-7

Required Minimum Distributions (RMD) Checklist VRS Defined Contribution Plans, revised April 2015, Code of Virginia, Title 51.1, Chapter 2

Stable Value Fund Disclosure, published May 2016, Code of Virginia, Title 51.1, Chapters 1, 3

State Police Officers' Retirement System Handbook - Plan 1, revised July 2015, Code of Virginia, Title 51.1, Chapters 1-7, 10, 11, 13, 14

State Police Officers' Retirement System Handbook - Plan 2, Revised July 2015, addendum July 2015, Code of Virginia, Title 51.1, Chapters 1-7, 10, 11, 13, 14

Understanding myVRS Navigator's Calculations and Business Rules, revised March 2013, Code of Virginia, Title 51.1, Chapters 1-7, 10, 11, 13, 14

Understanding myVRS Navigator's Calculations and Business Rules for Employees Who Work Less Than 12 Months, revised March 2013, Code of Virginia, Title 51.1, Chapters 1-7, 10, 11, 13, 14

Virginia Law Officers' Retirement System Handbook - Plan 1, revised July 2015, Code of Virginia, Title 51.1, Chapters 1-7, 10, 11, 13, 14

Virginia Law Officers' Retirement System Handbook - Plan 2, revised July 2015, Code of Virginia, Title 51.1, Chapters 1-7, 10, 11, 13, 14

Virginia Local Disability Program Long-Term Care Plan Brochure, published May 2015, Code of Virginia, Title 51.1, Chapters 1-7

Virginia Local Disability Program Handbook - Handbook for Employees in the VRS Hybrid Retirement Plan whose School Division or Political Subdivision Participates in VLDP, published July 2015, Code of Virginia, Title 51.1, Chapters 1-7

Virginia Local Disability Program Employer Manual, revised July 2015, Code of Virginia, Title 51.1, Chapters 1-7

Virginia Sickness and Disability Program - Handbook for State Employees in the Virginia Retirement System, State Police Officers' Retirement System and Virginia Law Officers' Retirement System, revised July 2015, Code of Virginia, Title 51.1, Chapter 11

Virginia Sickness and Disability Program Employer Manual, revised July 2015, Code of Virginia, Title 51.1, Chapter 11

Virginia Supplemental 401(a) Retirement Plan for Middle School Specialists Plan Features and Highlights, published February 2014, Code of Virginia, Title 51.1, Chapter 2

Virginia Retirement System Disability Retirement Handbook for Members - Plans 1 and 2, May 2011, Code of Virginia, Title 51.1, Chapters 1-7

Virginia Retirement System Handbook for Members - Plan 1, revised July 2015, Code of Virginia, Title 51.1, Chapters 1-7

Virginia Retirement System Handbook for Members - Plan 2, revised July 2015, Code of Virginia, Title 51.1, Chapters 1-7

VRS Investment Portfolio Disclosure, revised March 2016, Code of Virginia, Title 51.1, Chapter 2

VRS Plan Comparison Guide, revised July 2015, Code of Virginia, Title 51.1, Chapters 1, 3

VSDP Long-Term Care Plan Brochure, revised May 2015,
Code of Virginia, Title 51.1, Chapters 1-7

VIRGINIA STATE BAR

Copies of the following document may be viewed during regular work days from 8:15 a.m. until 4:45 p.m. in the office of the Virginia State Bar at 1111 East Main Street, Suite 700, Richmond, VA 23219. Copies may be obtained free of charge by contacting Cynthia Williams at the same address, telephone (804) 775-0530, or email williams@vsb.org.

Questions regarding interpretation of the document may be directed to James McCauley, Ethics Counsel, Virginia State Bar, 1111 East Main Street, Suite 700, Richmond, VA 23219, telephone (804) 775-0565, or email mccauley@vsb.org.

Guidance Document:

[Unauthorized Practice of Law \(UPL\) Guidelines](#), issued June 1997, revised October 2010, 15VAC5-80

VIRGINIA STATE UNIVERSITY

All guidance documents are available electronically at no charge from Virginia State University's website at the links provided below. For general questions concerning the university's guidance documents, contact Bonnie Holmes at email bholmes@vsu.edu or telephone (804) 524-5326. For each document contact information will be provided for questions regarding the interpretation or implementation of the respective guidance document or for hard copies.

Guidance Documents:

Board of Visitors Bylaws (revised September 2016), <http://www.vsu.edu/files/docs/bov/board-membership/vsu-bylaws.pdf>

University Policies, <http://www.vsu.edu/hr/policies.php>

Faculty Handbook and Academic Procedures Manual (revised 2013), <http://www.vsu.edu/files/docs/faculty-staff/faculty-handbook.pdf>

Student Handbook 2014-2015, <http://www.vsu.edu/files/docs/student-activities/2014-2015-student-handbook.pdf>

Student-Athlete Handbook 2016, http://govsutrojans.com/documents/2016/12/7/Student_Athlete_Handbook_.pdf?tab=student-athletehandbook

Undergraduate Catalog and Academic Regulations and Procedures 2015-2016, <http://www.vsu.edu/files/docs/academics/catalog/undergraduate-catalog-2015-2016.pdf>

Graduate Catalog 2014-2016, <http://www.vsu.edu/files/docs/academics/catalog/graduate-catalog-2014-2016.pdf>

Parking Manual Rules and Regulations 2016-2017, <http://www.vsu.edu/files/docs/police/vsu-parking-manual.pdf>

Annual Security and Fire Safety Report 2013-2015 Calendar Years (Published October 2016), <http://www.vsu.edu/files/docs/police/asr.pdf>

Academic Credits Committee and Policies and Petitions Committee Procedures Manual (May 7, 2013), <http://www.vsu.edu/files/docs/faculty-staff/acc-pcc-procedures-manual.pdf>

THE COLLEGE OF WILLIAM AND MARY

Copies of the following document may be viewed during regular work days from 9 a.m. to 4 p.m. in the Office of the President, Brafferton Building, 105 Jamestown Road, Williamsburg, VA 23185. Copies may be obtained from the college's website at <http://www.wm.edu/about/administration/bov/minutes/index.php>. The document may also be obtained free of charge by contacting Sandra Wilms at telephone (757) 221-1257, or email sjwilm@wm.edu. Questions regarding interpretation or implementation of the bylaws should also be directed to Ms. Wilms.

Guidance Document:

Board of Visitors Bylaws, revised November 2015, http://www.wm.edu/about/administration/bov/_documents/bylaws/bylaws.pdf

Copies of the following document may be viewed during regular work days from 9 a.m. to 4 p.m. in the Office of the Dean of Students, 109 Campus Center, 104 Jamestown Road, Williamsburg, VA 23185. Copies may be obtained free of charge from the college's website at <http://www.wm.edu/offices/deanofstudents/services/studentconduct/studenthandbook/index.php>. The handbook may also be obtained free of charge by contacting David M. Gilbert, Associate Dean of Students and Director of Student Conduct, at telephone (757) 221-2509, FAX (757) 221-2538, or email dmgil2@wm.edu. Questions regarding interpretation or implementation of the handbook should also be directed to Mr. Gilbert.

Guidance Document:

Student Handbook, revised August 2015, <http://www.wm.edu/offices/deanofstudents/services/studentconduct/studenthandbook/index.php>

Copies of the following document may be viewed during regular work days from 9 a.m. to 4 p.m. in the Office of the Registrar, 124 Blow Memorial Hall, 262 Richmond Road, Williamsburg, VA 23185. Copies may be obtained free of charge from the college's website at <http://catalog.wm.edu/>. The academic regulations may also be obtained free of charge by contacting Sara L. Marchello, University Registrar, at telephone (757) 221-2801, FAX (757) 221-2151, or email

Guidance Documents

slmarc@wm.edu. Questions regarding interpretation or implementation of the regulations should also be directed to Ms. Marchello.

Guidance Document:

Academic Regulations, revised effective August 2016, <http://catalog.wm.edu/>

Copies of the following document may be viewed during regular work days from 9 a.m. to 4 p.m. in the Office of the Provost, Brafferton Building, 105 Jamestown Road, Williamsburg, VA 23185. Copies may be obtained free of charge from the college's website at <http://www.wm.edu/about/administration/provost/documents/facultyhandbook.pdf>. The handbook may also be obtained free of charge by contacting Christy Fielder, Executive Assistant to the Provost, at telephone (757) 221-1993, FAX (757) 221-2791, or email cefielder@wm.edu. Questions regarding interpretation or implementation of the Handbook should also be directed to Ms. Fielder.

Guidance Document:

Faculty Handbook, revised April 2016, <http://www.wm.edu/about/administration/provost/documents/facultyhandbook.pdf>

Copies of the following document may be viewed during regular work days from 9 a.m. to 4 p.m. at the William & Mary Policy Department, 201 Ukrop Way, Williamsburg, VA 23185. Copies may be obtained free of charge from the college's website at http://www.wm.edu/offices/ir/crime_campus_security/. The report may also be obtained free of charge by contacting Deborah Cheesebro, Chief of William & Mary Police, at telephone (757) 221-4596, FAX (757) 221-1153, or email dcheesebro@wm.edu. Questions regarding interpretation or implementation of the Report should also be directed to Chief Cheesebro.

Guidance Document:

Campus and Fire Safety Report, October 2016, http://www.wm.edu/offices/ir/crime_campus_security/

Copies of the following document may be viewed during regular work days from 9 a.m. to 4 p.m. at the Office of Student Leadership Development, Office of Student Leadership Development, 203 Campus Center, 104 Jamestown Road, Williamsburg, VA 23185.

Copies may be obtained free of charge from the college's website at <http://www.wm.edu/offices/studentleadershipdevelopment/documents/UseOfFacilitiesPolicy.pdf>

The policy may also be obtained free of charge by contacting Anne Arseneau, Director of Student Leadership Development at telephone (757) 221-3300, or email aharse@wm.edu.

Questions regarding interpretation or implementation of the Report should also be directed to Ms. Arseneau.

Guidance Document:

Use of Campus Facilities Policy, revised October 2013, <http://www.wm.edu/offices/studentleadershipdevelopment/documents/UseOfFacilitiesPolicy.pdf>

VIRGINIA WORKERS' COMPENSATION COMMISSION

Copies of the following forms and documents may be viewed during regular work days from 8:15 a.m. until 5 p.m. in the office of the Virginia Workers' Compensation Commission, Clerk's Office, 2nd Floor, 1000 DMV Drive, Richmond, VA 23220. Copies may be obtained for the price indicated by contacting the commission by telephone (877) 664-2566 or FAX (804) 367-9740. Several forms are available from the commission's website at www.workcomp.virginia.gov. Questions regarding these forms/documents may be directed to the staff person listed with each document.

Guidance Documents:

Annual Reports

Questions regarding annual reports should be directed to Evelyn V. McGill, Executive Director, Virginia Workers' Compensation Commission, 1000 DMV Drive, Richmond, VA 23220, telephone (804) 205-2050. The reports for calendar years 2001-2012 are available upon request at StatisticRequests@workcomp.virginia.gov.

EDI Implementation Guide

Informational Guide for Employees - <http://www.workcomp.virginia.gov/content/injured-workers>

Informational Guide for Employers - <http://workcomp.virginia.gov/content/employers>

Rules and Regulations: Attorneys Not Licensed to Practice Law in Virginia - <http://www.workcomp.virginia.gov/content/new-attorney-rules>

Self-Insurance

Virginia Workers' Compensation Commission Act Books

Questions regarding the act books and opinions may be directed to James J. Szablewicz, Chief Deputy Commissioner, Virginia Workers' Compensation Commission, 1000 DMV Drive, Richmond, VA 23220, telephone (804) 367-8664, or toll-free (877) 664-2566. The Virginia Worker's Compensation Commission Act Books are no longer available for purchasing at the agency. LexisNexis is the authorized seller of future Act Books, including the 2013 edition, which can be purchased on the LexisNexis website. Copies of previous Act Books may be obtained during regular work days from 8:15 a.m. until 5 p.m., in the office of the

Virginia Workers' Compensation Commission, Clerk's Office,
2nd Floor, 1000 DMV Drive, Richmond, VA 23220. Copy
costs are \$.50 for first 10 pages and \$.12 for each additional
page.

Workers' Compensation Act 2013

Opinions of the Commission

[Online Search: Opinions 1990 to the Present](#)

- Vol. 58 (1979) \$15.00 shipped; \$15.00 pickup
- Vol. 59 (1980) \$19.00 shipped; \$19.00 pickup
- Vol. 60 (1981) \$15.00 shipped; \$15.00 pickup
- Vol. 61 (1982) \$21.00 shipped; \$21.00 pickup
- Vol. 62 (1983) \$18.00 shipped; \$18.00 pickup
- Vol. 63 (1984) \$16.00 shipped; \$16.00 pickup
- Vol. 64 (1985) \$23.00 shipped; \$23.00 pickup
- Vol. 65 (1986) \$20.00 shipped; \$20.00 pickup
- Vol. 66 (1987) \$20.00 shipped; \$20.00 pickup
- Vol. 67 (1988) \$22.00 shipped; \$22.00 pickup
- Vol. 68 (1989) \$25.00 shipped; \$25.00 pickup
- Vol. 69 (1990) \$21.00 shipped; \$21.00 pickup
- Vol. 70 (1991) \$18.00 shipped; \$18.00 pickup
- Vol. 71 (1992) \$19.50 shipped; \$19.50 pickup
- Vol. 72 Cumulative Index Vols. 65-71 - \$22.00 shipped;
\$17.00 pickup
- Vol. 73 - Selected 1994 Opinions; \$27.00 shipped; \$19.00
pickup
- Vol. 74 - Selected 1995 Opinions; \$36.00 shipped; \$25.00
pickup
- Vol. 75 - Selected 1996 Opinions; \$30.00 shipped; \$33.00
pickup
- Vol. 76 - Selected 1997 Opinions; \$30.00 shipped; \$27.00
pickup
- Vol. 77 - Selected 1998 Opinions; \$30.00 shipped; \$27.00
pickup
- Vol. 78 - Selected 1999 Opinions; \$25.00 shipped; \$30.00
pickup
- Vol. 79 - Selected 2000 Opinions; \$48.00 shipped or pickup

GENERAL NOTICES/ERRATA

STATE WATER CONTROL BOARD

Proposed Consent Order for the City of Fredericksburg

An enforcement action has been proposed for the City of Fredericksburg. The consent order describes a settlement to resolve violations of State Water Control Law and the applicable regulations associated with the Fredericksburg Wastewater Treatment Plant. A description of the proposed action is available at the Department of Environmental Quality office named below or online at www.deq.virginia.gov. Daniel Burstein will accept comments by email at daniel.burstein@deq.virginia.gov or postal mail at Department of Environmental Quality, Northern Regional Office, 13901 Crown Court, Woodbridge, VA 22193, from February 21, 2017, through March 23, 2017.

Proposed Consent Special Order for H AND W Construction Company, Inc.

An enforcement action has been proposed for H AND W Construction Company, Inc. for violations in Shenandoah County, Virginia. The State Water Control Board proposes to issue a special order by consent to H AND W Construction Company, Inc. to address noncompliance with the State Water Control Law and regulations. A description of the proposed action is available at the Department of Environmental Quality office named below or online at www.deq.virginia.gov. Kristen Sadtler will accept comments by email at kristen.sadtler@deq.virginia.gov, FAX at (804) 698-4277, or postal mail at Department of Environmental Quality, Central Office, P.O. Box 1105, Richmond, VA 23218, from February 20, 2017, to March 21, 2017.

Proposed Consent Order for the Highland County School Board

An enforcement action has been proposed for the Highland County School Board for violations at the Highland County High School in Monterey, Virginia. The State Water Control Board proposes to issue a consent order to the Highland County School Board to address noncompliance with State Water Control Law. A description of the proposed action is available at the Department of Environmental Quality office named below or online at www.deq.virginia.gov. Tamara Ambler will accept comments by email at tamara.ambler@deq.virginia.gov, FAX at (540) 574-7878, or postal mail at Department of Environmental Quality, Valley Regional Office, P.O. Box 3000, Harrisonburg, VA 22801, from February 20, 2017, to March 20, 2017.

Proposed Enforcement Action for KmX Chemical Corp.

An enforcement action has been proposed for KmX Chemical Corp. for violations of State Water Control Law in New Church, Virginia. A description of the proposed action is available at the Department of Environmental Quality office

named below or online at www.deq.virginia.gov. Jennifer Coleman, Esq. will accept comments by email at jennifer.coleman@deq.virginia.gov, FAX at (757) 518-2009, or postal mail at Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462, from February 20, 2017, to March 22, 2017.

Proposed Enforcement Action for Virginia-Carolina Farm Associates, L.C.

An enforcement action has been proposed for Virginia-Carolina Farm Associates, L.C. for violations of State Water Control Law in Suffolk, Virginia. A description of the proposed action is available at the Department of Environmental Quality office named below or online at www.deq.virginia.gov. Jennifer Coleman, Esq. will accept comments by email at jennifer.coleman@deq.virginia.gov, FAX at (757) 518-2009, or postal mail at Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462, from February 20, 2017, to March 22, 2017.

VIRGINIA CODE COMMISSION

Notice to State Agencies

Contact Information: *Mailing Address:* Virginia Code Commission, General Assembly Building, 201 North 9th Street, 2nd Floor, Richmond, VA 23219; *Telephone:* Voice (804) 786-3591; *Email:* varegs@dls.virginia.gov.

Meeting Notices: Section 2.2-3707 C of the Code of Virginia requires state agencies to post meeting notices on their websites and on the Commonwealth Calendar at <http://www.virginia.gov/connect/commonwealth-calendar>.

Cumulative Table of Virginia Administrative Code Sections Adopted, Amended, or Repealed: A table listing regulation sections that have been amended, added, or repealed in the *Virginia Register of Regulations* since the regulations were originally published or last supplemented in the print version of the Virginia Administrative Code is available at <http://register.dls.virginia.gov/documents/cumultab.pdf>.

Filing Material for Publication in the Virginia Register of Regulations: Agencies use the Regulation Information System (RIS) to file regulations and related items for publication in the *Virginia Register of Regulations*. The Registrar's office works closely with the Department of Planning and Budget (DPB) to coordinate the system with the Virginia Regulatory Town Hall. RIS and Town Hall complement and enhance one another by sharing pertinent regulatory information.

ERRATA

**BOARD FOR WATERWORKS AND WASTEWATER
WORKS OPERATORS AND ONSITE SEWAGE
SYSTEM PROFESSIONALS**

Title of Regulation: **18VAC160-40. Onsite Sewage System
Professionals Licensing Regulations.**

Publication: 33:11 VA.R. 1262-1293 January 23, 2017.

Correction to Final Regulation:

Page 1288, 18VAC160-40-330 A, column 2, table, "License
Type" column, in rows 11 and 12, after "Journeyman" replace
"alternative" with "conventional"

VA.R. Doc. No. R15-4114; Filed February 1, 2017

