ASSEMBLY THIRD READING
AB 1923 (Salas)
As Amended March 12, 2020
Majority vote

SUMMARY:

Requires the Department of Housing and Community Development (HCD) to consider whether to propose seismic gas shutoff devices be installed on gas piping in all or some dwelling units and hotels.

Major Provisions

1) Requires HCD, in consultation with the Office of the State Architect, the State Fire Marshal, and other interested parties, to consider whether to propose for adoption and approval by the California Building Standards Commission (CBSC) the requirement that seismic gas shutoff devices be installed in all or some dwelling units, hotels, motels and lodging houses.

2) Requires HCD, as part of its consideration, to review the findings of its 2005 study entitled "SB 1992 (Perata) [Chapter 1051, Statutes of 2002] Final Report Seismic Gas Shutoff Devices and Excess Flow Gas Shutoff Devices" to determine if the issues raised in the study have been adequately addressed.

3) Requires HCD, if it determines it is appropriate to propose mandatory or voluntary building standards, to propose building standards for consideration by CBSC in the code adoption cycle that begins after January 1, 2022.

4) Requires HCD, if it determines it is not appropriate to propose building standards, to explain its decision in writing.

5) Authorizes CBSC to expend funds from the Building Standards Administration Special Revolving Fund for these purposes.

COMMENTS:

Background:

Building Code Standard Process: The California Building Standards Law establishes the CBSC and the process for adopting state building standards. Statewide building standards are intended to provide uniformity in building across the state. State law specifies the departments responsible for developing and proposing building standards. When there is no designated department then the CBSC is responsible. HCD is responsible for single family and multi-family dwellings.

Under a few exemptions, local governing body, city, or county may modify state building standards. A local governing body, city, or county can adopt an ordinance or a resolution in a public meeting that finds that a local building standard must be modified from the state building standard because of local climatic, geological or topographical conditions and file that ordinance with the CBSC. The CBSC reviews the findings of the ordinance to determine if the local governing body followed the correct procedure.

A Seismic State: California is a very seismically active state. It has over 500 active fault lines and contains two-thirds of the nation's earthquake risk. According to the California Geological Survey, the state's estimated annual economic loss from buildings damaged in earthquakes is $3.7 billion. During an earthquake, natural gas piping and appliances are frequently damaged, leading to gas leaks that ignite into fires. These fires cause property damage, injuries, and death. Additionally, they draw away first responders and resources during an emergency that could otherwise be used to save lives threatened by the earthquake.

Seismic Gas Shutoff Devices: Seismic gas shutoff devices are specialized valves that attach to a gas meter that automatically close in the event of an earthquake of a sufficient magnitude, cutting off gas from flowing into the line. In the event that they are activated, they would require a professional technician to come to the house to re-install gas service.

Multiple local jurisdictions such as the Cities of Los Angeles, Berkeley, and the Counties of Alameda and Contra Costa (unincorporated areas), have enacted ordinances requiring the installation of seismic safety shutoff devices in order to prevent fires during and after earthquakes.

SB 1992 (Perata) of 2002, required HCD to investigate the merits of requiring seismic gas shutoff devices. HCD's study, *Final Report – Seismic Gas Shutoff Devices*

Excess Flow Gas Shutoff Devices (2004), stated that "the Department concludes that there are not sufficient benefits to support the additional costs associated with such a proposed building standard. However, the Department continues to support existing law that permits local governments to choose to modify the California Building Standards Code to require the installation of gas shutoff devices based on local geological, topographical or climatic reasons."

Purpose of the Bill: This bill seeks to better protect residents and prevent property damage by determining whether installing gas shutoff valves in homes could help prevent fires caused by gas leaks in the event of an earthquake. It does so by utilizing the existing building standards process and utilizing the information previously gleaned from HCD's analysis of this issue.

According to the Author:
Seismic gas shut-off valves are designed to automatically shut off the supply of natural gas to a building to prevent a fire or explosion due to accumulation of gas in the building in the event of a major earthquake. Given the frequency and magnitude of earthquakes in our state, and the potential for widespread damage as a result of earthquakes, it is critical that the state prioritize seismic safety and take steps to mitigate against potential damage and loss of life. Specifically, California can take steps to prevent gas leaks and destructive fires from erupting during and after earthquakes by requiring the installation of automatic "seismic gas shutoff devices" or "earthquake shutoff valves" on new or renovated homes. This important measure will help prevent outbreaks of fires caused by gas leaks in the event of an earthquake, preventing loss and damage of property, protecting residents, and making available valuable emergency response resources that otherwise would be used to respond to the fires.

Arguments in Support:
Arguments in support focus on the merits of revisiting this issue to determine if previously identified concerns to gas shutoff device technology have been overcome, in which case they would become a valuable safety protection measure. According to the California Building Industry Association, "The industry supports AB 1923, which directs HCD to revisit its 2005

analysis and see if those concerns are still valid today. In the event HCD determines the concerns identified in 2005 have been adequately resolved, HCD will proceed with the development of building standards for those areas of the state where HCD deems these devices to be necessary."

Arguments in Opposition:
None on file

FISCAL COMMENTS:

According to the Assembly Committee on Appropriations:

1) One-time costs of approximately $221,000 (General Fund (GF)) in the first year and $211,000 in the second year to HCD for staff to conduct stakeholder outreach, draft proposed building standards, and engage in the building standards adoption process. If HCD determines building standards are not appropriate, these costs would be less.

2) One-time costs of $200,000 (GF) to HCD to retain a consultant specializing in seismic safety devices to determine if prior issues raised with seismic shutoff valves have been adequately addressed.

3) Minor and absorbable costs to CBSC to review and adopt standards.

4) Minor and absorbable costs to the State Architect to respond to consumers, manufacturers and local building departments subject to device installation and inspection, if building standards are enacted.

VOTES:

ASM HOUSING AND COMMUNITY DEVELOPMENT: 6-0-2
YES: Chiu, Diep, Gloria, Limón, Maienschein, Quirk-Silva
ABS, ABST OR NV: Gabriel, Kiley

ASM APPROPRIATIONS: 17-0-1
YES: Gonzalez, Bauer-Kahan, Bloom, Bonta, Calderon, Carrillo, Chau, Megan Dahle, Diep, Eggman, Fong, Gabriel, Eduardo Garcia, Petrie-Norris, McCarty, Robert Rivas, Voepel
ABS, ABST OR NV: Bigelow

UPDATED:

VERSION: March 12, 2020

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