

**DEPARTMENT OF COMMERCE AND INSURANCE - 0780
DIVISION OF FIRE PREVENTION**

There will be a hearing before the Commissioner of Commerce and Insurance or her designee to consider the promulgation of amendments of rules pursuant to T. C. A. §§ 62-32-202, 68-102-113 and 68-120-101. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T. C. A. § 4-5-204, and will take place in Room 160 on the first floor of the Davy Crockett Tower, located at 500 James Robertson Parkway in Nashville, Tennessee at 9:00 a.m. (Central Time) on the 21st day of February, 2007.

Any individuals with disabilities who wish to participate in these proceedings (to review these filings) should contact the Department of Commerce and Insurance to discuss any auxiliary aids of services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date the party intends to review such filings), to allow time for the Department of Commerce and Insurance to determine how it may reasonably provide such aid or service. Initial contact may be made with Don Coleman, the Department's ADA Coordinator, at 500 James Robertson Parkway, 5th Floor, Nashville, Tennessee 37243 at (615) 741-0481.

For a copy of this notice of rulemaking hearing, contact Emmett Turner, Assistant Commissioner for the Division of Fire Prevention at 500 James Robertson Parkway, Davy Crockett Tower, 3rd Floor, Nashville, Tennessee 37243, telephone (615) 741-2981.

SUBSTANCE OF PROPOSED RULES

**CHAPTER 0780-2-2
CODES AND STANDARDS
AMENDMENTS**

Paragraph (1) of rule 0780-2-2-.01 Adoption by Reference is amended by deleting the text of the paragraph in its entirety and substituting instead the following language so that, as amended, the paragraph shall read:

- (1) Unless otherwise provided by applicable law or the provisions of this chapter, the required minimum standards for fire prevention, fire protection and building construction safety in the State of Tennessee shall be those prescribed in the following publications:
 - (a) ICC International Building Code, 2006 edition, including ICC International Mechanical Code, 2006 edition, published by the International Code Council, Inc., Birmingham District Office, 900 Montclair Road, Birmingham, Alabama 35213-1206.
 - (b) Uniform Fire Code (NFPA 1), 2006 edition, including each reference in NFPA 1, Chapter 2 (excluding NFPA 5000), published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471. Each reference in NFPA 1 Uniform Fire Code, Chapter 2 to an NFPA code or standard shall be deemed to be the edition printed in the National Fire Codes, 2003 edition.

Authority: T. C. A. §§68-102-113(a) and 68-120-101.

Subparagraph (a) of Paragraph (1) of rule 0780-2-2-.04 Conflicts is amended by deleting the text of the subparagraph in its entirety and substituting instead the following language so that, as amended, the subparagraph shall read:

- (a) the provisions of the International Building Code shall prevail if such conflict of inconsistency relates to height, area restrictions or construction type; and

Authority: T. C. A. §§68-102-113(a) and 68-120-101.

**CHAPTER 0780-2-3
REVIEW OF CONSTRUCTION DOCUMENTS AND SPECIFICATIONS
AMENDMENTS**

Subparagraph (e) of Paragraph (1) of rule 0780-2-3-.01 Definitions is amended by deleting the text of the subparagraph in its entirety and substituting instead the following language so that, as amended, the subparagraph shall read:

- (e) Detention and correctional occupancy, business occupancy, residential occupancy, place of assembly and covered mall shall be defined as in the 2006 edition of the Life Safety Code (NFPA No. 101- 2006). High hazard industrial facility shall be defined as in the 2006 edition of the International Building Code for subclasses H-1 and H-2 only. Storage of high hazard materials shall not be considered as a high hazard industrial occupancy.

Authority: T. C. A. §§68-102-113(a) and 68-120-101.

The notice of rulemaking hearing set out herein was properly filed in the Department of State on this the 1st day of december, 2006. (12-06-06)