

# Georgia Rules and Regulations

## Administrative Bulletin for June 2022

### OFFICE OF SECRETARY OF STATE ADMINISTRATIVE PROCEDURE DIVISION

5800 Jonesboro Road  
Morrow, GA 30260  
(678) 364-3785

Final rules filed with the Georgia Secretary of State during the month of *June 2022*:

### Table of Contents

Department	Rules List	Action	Filed	Effective	Page
120. OFFICE OF COMMISSIONER OF INSURANCE, SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN COMMISSIONER	<a href="#">120-2-3-.24</a>	amended	Jun. 29	July 1, 2022	5
	<a href="#">120-2-52-.03</a>	amended	Jun. 29	July 1, 2022	7
	<a href="#">120-2-58-.02</a> , <a href="#">120-2-58-.03</a> , <a href="#">120-2-58-.05</a> --- <a href="#">120-2-58-.07</a> , <a href="#">120-2-58-.09</a>	amended	Jun. 29	July 1, 2022	9
	<a href="#">120-3-3-.04</a>	amended	Jun. 10	July 1, 2022	26
	<a href="#">120-3-19-.07</a>	amended	Jun. 10	July 1, 2022	175
	<a href="#">120-3-25-.02</a> , <a href="#">120-3-25-.03</a> , <a href="#">120-3-25-.07</a> , <a href="#">120-3-25-.14</a> , <a href="#">120-3-25-.15</a> , <a href="#">120-3-25-.20</a> , <a href="#">120-3-25-.22</a>	amended	Jun. 10	July 1, 2022	176
	<a href="#">120-3-26-.02</a> , <a href="#">120-3-26-.14</a> , <a href="#">120-3-26-.20</a>	amended	Jun. 10	July 1, 2022	191
160. RULES OF GEORGIA DEPARTMENT OF EDUCATION	<a href="#">160-1-4-.309</a>	submitted	Jun. 14		197
	<a href="#">160-4-2-.34</a>	amended	Jun. 16	July 6, 2022	198
276. GEORGIA STATE BOARD OF HEARING AID DEALERS AND DISPENSERS	<a href="#">276-10-.02</a>	amended	Jun. 10	June 30, 2022	203
	<a href="#">276-14-.02</a>	amended	Jun. 10	June 30, 2022	206
391. RULES OF GEORGIA DEPARTMENT OF NATURAL	<a href="#">391-2-4-.04</a>	amended	Jun. 22	July 12, 2022	207

Department	Rules List	Action	Filed	Effective	Page
RESOURCES	<a href="#">391-3-1-.03</a>	amended	Jun. 1	June 21, 2022	211
	<a href="#">391-3-21-.17</a>	submitted	Jun. 29		259
	<a href="#">391-4-2-.12</a> , <a href="#">391-4-2-.31</a>	amended	Jun. 22	July 12, 2022	261
410. RULES OF GEORGIA BOARD OF NURSING	<a href="#">410-8-.03</a> , <a href="#">410-8-.05</a>	amended	Jun. 10	June 30, 2022	264
505. PROFESSIONAL STANDARDS COMMISSION	<a href="#">505-2-.03</a>	amended	Jun. 22	July 1, 2022	267
	<a href="#">505-2-.08</a> , <a href="#">505-2-.10</a> , <a href="#">505-2-.26</a>	amended	Jun. 10	July 1, 2022	269
	<a href="#">505-2-.27</a>	amended	Jun. 22	July 1, 2022	286
	<a href="#">505-2-.45</a> , <a href="#">505-2-.46</a> , <a href="#">505-2-.87</a> , <a href="#">505-2-.90</a> , <a href="#">505-2-.143</a> --- <a href="#">505-2-.145</a> , <a href="#">505-2-.147</a>	amended	Jun. 10	July 1, 2022	293
	<a href="#">505-2-.193</a>	adopted	Jun. 22	July 1, 2022	320
	<a href="#">505-3-.01</a> , <a href="#">505-3-.05</a>	amended	Jun. 10	July 1, 2022	322
511. RULES OF GEORGIA DEPARTMENT OF PUBLIC HEALTH	<a href="#">511-5-13-.02</a> , <a href="#">511-5-13-.04</a> , <a href="#">511-5-13-.05</a>	amended	Jun. 16	July 16, 2022	347
513. RULES OF PUBLIC RETIREMENT SYSTEMS	<a href="#">513-1-1-.05</a>	amended	Jun. 16	July 6, 2022	348
	<a href="#">513-3-1-.02</a>	amended	Jun. 16	July 6, 2022	349
515. RULES OF GEORGIA PUBLIC SERVICE COMMISSION	<a href="#">515-3-1-.10</a>	amended	Jun. 1	June 21, 2022	350
560. RULES OF DEPARTMENT OF REVENUE	<a href="#">560-7-8-.20</a> , <a href="#">560-7-8-.64</a>	amended	Jun. 27	July 17, 2022	355

Department	Rules List	Action	Filed	Effective	Page
	<a href="#">560-10-15-.01</a> --- <a href="#">560-10-15-.09</a>	adopted	Jun. 1	June 21, 2022	361

Final rules filed with the Georgia Secretary of State that became effective *June 2022*:

Department	Rules List	Action	Filed	Effective
276. GEORGIA STATE BOARD OF HEARING AID DEALERS AND DISPENSERS	<a href="#">276-10-.02</a>	amended	June 10, 2022	Jun. 30
	<a href="#">276-14-.02</a>	amended	June 10, 2022	Jun. 30
375. RULES OF DEPARTMENT OF DRIVER SERVICES	<a href="#">375-3-1-.16, 375-3-1-.32</a>	amended	May 18, 2022	Jun. 7
	<a href="#">375-5-2-.18</a>	amended	May 18, 2022	Jun. 7
391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES	<a href="#">391-3-1-.03</a>	amended	June 1, 2022	Jun. 21
	<a href="#">391-4-2-.40, 391-4-2-.43, 391-4-2-.45, 391-4-2-.47</a> --- <a href="#">391-4-2-.54, 391-4-2-.56</a>	adopted	May 25, 2022	Jun. 14
410. RULES OF GEORGIA BOARD OF NURSING	<a href="#">410-8-.03, 410-8-.05</a>	amended	June 10, 2022	Jun. 30
515. RULES OF GEORGIA PUBLIC SERVICE COMMISSION	<a href="#">515-3-1-.10</a>	amended	June 1, 2022	Jun. 21
560. RULES OF DEPARTMENT OF REVENUE	<a href="#">560-10-15-.01</a> --- <a href="#">560-10-15-.09</a>	adopted	June 1, 2022	Jun. 21
616. OFFICE OF STATE ADMINISTRATIVE HEARINGS	<a href="#">616-1-2-.04</a>	amended	May 18, 2022	Jun. 7
	<a href="#">616-1-2-.06</a>	adopted	May 18, 2022	Jun. 7
	<a href="#">616-1-2-.11, 616-1-2-.15, 616-1-2-.27, 616-1-2-.33, 616-1-2-.39</a>	amended	May 18, 2022	Jun. 7

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,  
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN  
COMMISSIONER**

**Chapter 120-2. RULES OF COMMISSIONER OF INSURANCE**

**Subject 120-2-3. REGULATIONS REGARDING AGENTS,  
SUBAGENTS, COUNSELORS, ADJUSTERS, SURPLUS LINES  
BROKERS, AND AGENCIES**

**120-2-3-.24 Procedures for Registering Staff Adjusters**

(1) "Staff adjusters" are salaried employees who adjust claims in this state, regardless of where such employees are located. Each insurer which employs staff adjusters shall electronically file a list of such employees with the Commissioner by March 31 of each year (Annual Filing). Annual Filings submitted after the March 31 filing deadline will result in a \$15 late fee per staff adjuster.

No staff adjuster registration shall be required for an employee of a property and casualty insurer licensed to do business in this state if such employee handles only claims with respect to residential property insurance in which the amount of the coverage for the applicable type of loss is contractually limited to \$500.00 or less.

(2) Annual filings shall include any person who directly supervises persons required to be included in the Annual Filing under Paragraph (1).

(3) Insurers must electronically file changes to the Annual Filing within thirty (30) days of the date of the change(s).

(4) The Annual Filing must be filed with the Department electronically through the designated system.

(5) All filings must include all adjusters employed as staff adjusters at the time of filing.

(6) The Filings must include the insurer's designated staff adjuster coordinator, who is the person that is responsible for the staff adjuster filings. The filing must include the person's name, address, e-mail address, phone number, as well as any additional information the Commissioner deems necessary.

(7) Filings of staff adjusters that are employed by more than one company in an NAIC group must contain consistent employee identification numbers.

(8) A late fee will be assessed for any registration made outside of the annual registration period.

**Cite as** Ga. Comp. R. & Regs. R. 120-2-3-.24

**AUTHORITY:** O.C.G.A. §§ 33-2-9, 33-8-1, 33-23-44.

**HISTORY:** Original Rule entitled "Procedures for Licensing Adjusters Who Are Employees of Insurers" adopted. F. Sept. 10, 1992; eff. Sept. 30, 1992.

**Amended:** F. Aug. 9, 1996; eff. Aug. 29, 1996.

**Repealed:** New Rule entitled "Procedures for Registering Staff Adjusters" adopted. F. Jan. 15, 2003; eff. Feb. 4, 2003.

**Repealed:** New Rule of same title adopted. F. July 16, 2009; eff. August 5, 2009.

**Repealed:** New Rule of same title adopted. F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. June 29, 2022; eff. July 1, 2022, as specified by the Agency.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,  
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN  
COMMISSIONER**

**Chapter 120-2. RULES OF COMMISSIONER OF INSURANCE**

**Subject 120-2-52. FAIR AND EQUITABLE SETTLEMENT OF FIRST  
PARTY PROPERTY DAMAGE CLAIMS**

**120-2-52-.03 Standards for Prompt and Fair Settlements of First Party Property  
Damage Claims**

(1) Every insurer, upon receiving notification of a claim shall, within fifteen (15) days, acknowledge the receipt of such notice by the insured, unless payment is made within that time period. If an acknowledgment is made by means other than writing, a notation of the acknowledgment shall be made in the claim file of the insurer and dated. Notification of a claim given to an agent of an insurer shall be notification to the insurer.

(2) Every insurer, upon receiving notification of a claim shall, within fifteen (15) days, provide the insured with the proof of loss forms, if applicable, with reasonable explanations regarding their use. The providing of these forms will constitute an acknowledgement of receipt of the claim referred to in paragraph (1) above. 18, 1994.

(3) The insurer shall affirm or deny liability on claims within fifteen (15) days of receiving the completed proof of loss from the insured for losses arising from motor vehicle policies, and sixty (60) days of receiving the completed proof of loss from the insured for losses arising from fire or extended coverage type policies. If the insurer does not require the proof of loss to be completed, a coverage investigation as is reasonably necessary to affirm or deny shall take place within thirty (30) days from the day communication of the claim was received by the insurer.

(4) Payment shall be tendered within ten (10) days after coverage is confirmed and the full amount of the claim is determined and not in dispute. In claims where multiple coverages are involved, payments for individual coverages, which are not in dispute and where the payee is known, shall be tendered within ten (10) days, if such payment would terminate the insurer's known liability under that individual coverage.

(5) If the insurer needs more time than that specified in paragraph (3) above, to determine whether a first party claim should be accepted or denied, it shall notify the claimant within five (5) business days after the time limitation has elapsed in paragraph (3) above giving the reason that more time is needed and an estimate of additional time needed to establish liability. This can be accomplished in writing or if by other means, a proper notation shall be made in the claim file and dated. The total time the insurer has to accept or deny liability shall not exceed 60 days from the company being notified of the claim, unless the company has documented the claim file where information that has been requested necessary to determine liability has not been submitted.

(6) If the insurer has affirmed liability on a claim, or affirmed liability for individual coverages where the claim involves multiple coverages and the amount payable is in dispute, the insured, or the insurer, may submit to the Commissioner a request for their case to be arbitrated. The request must be in writing and must include the facts of the case to include where each party currently stands in the negotiations. The Commissioner may establish a panel of arbitrators consisting of attorneys authorized to practice law in this State and insurance adjusters licensed to act as such in this State. The arbitrators will be charged with the duty of establishing a fair and equitable monetary settlement of the case. If an arbitration panel has been established, three (3) individuals from the panel of arbitrators, at least one of whom shall be an attorney authorized to practice law in this State and at least one of whom shall be an insurance adjuster licensed to act as such in this State, will be designated to hear each request for arbitration. Any claim settled pursuant to this Chapter shall be binding on both parties and fulfill any arbitration provision currently contained in the motor vehicle insurance policy, but shall not preclude or waive any other rights either party has under common law. The decision of the arbitration panel shall in no way be construed as a decision of the

Commissioner. If an arbitration panel has been established, the Commissioner shall forward the written request for arbitration to the three (3) individuals selected to hear such request. The cost of the arbitration shall be borne equally by the parties to the arbitration.

(7) No insurer shall deny a claim on the grounds of a specific policy provision, condition or exclusion unless reference to such provision, condition, or exclusion is included in the denial. The denial shall be given to the insured in writing and the claim file of the insurer shall contain documentation of the denial.

(8) The insurer shall pay according to the terms of its policy for the covered loss up to the actual cash value to repair or to replace the damaged or stolen property subject to any deductibles. However, the insured has the right to choose the place of repair and pay the difference in cost, if the cost of the repair shop selected by the insured is greater than that obtained by the insurer.

(a) Unless permitted pursuant to the provisions of the policy of insurance, no insurer shall require an insured to utilize a particular person, firm, or corporation to repair a motor vehicle in order to settle a first party claim if the insured can obtain the repair work on the motor vehicle at the same cost from another source.

**Cite as** Ga. Comp. R. & Regs. R. 120-2-52-.03

**AUTHORITY:** O.C.G.A. §§ 33-2-9, 33-34-6, 33-34-8.

**HISTORY:** Original Rule entitled "Standards for Prompt and Fair Settlements of First Party Property Damage Claims" adopted. F. Mar. 29, 1994; eff. Apr. 18, 1994.

**Amended:** F. Sept. 5, 1997; eff. Sept. 25, 1997.

**Amended:** F. June 29, 2022; eff. July 1, 2022, as specified by the Agency.



**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,  
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN  
COMMISSIONER**

**Chapter 120-2. RULES OF COMMISSIONER OF INSURANCE**

**Subject 120-2-58. CERTIFICATION OF PRIVATE REVIEW AGENTS**

**120-2-58-.02 Definitions**

- (1) "Active Practice" means activities including, but not limited to, the review of medical records and charts, participation in utilization review and medical management, evaluating medical necessity, monitoring patient therapy, graduate medical education, or maintenance of board certification.
- (2) "Adverse Determination" means a determination based on medical necessity made by a private review agent or utilization review entity not to grant authorization to a hospital, surgical or other facility admission, extension of a hospital stay or other health care service or procedure based on medical necessity or appropriateness.
- (3) "Appeal" means a formal request, either orally, or in writing or by electronic transmission, to a private review agent to reconsider a determination not to certify an admission, extension of stay, or other health care service or procedure.
- (4) "Authorization" means a determination by a private review agent or utilization review entity that a healthcare service has been reviewed and, based on the information provided, satisfies the utilization review entity's requirements for medical necessity.
- (5) "Claim Administrator" means any entity that reviews and determines whether to pay claims to covered persons on behalf of the healthcare plan. Such payment determinations are made on the basis of contract provisions including medical necessity and other factors. Claim administrators may be insurers or their designated review organization, self-insured employers, management firms, third-party administrators, or other private contractors.
- (6) "Clinical Criteria" means the written policies, decisions, rules, medical protocols, or guidelines used by a private review agent or utilization review entity to determine medical necessity.
- (7) "Clinical Peer" means a healthcare provider who is licensed without restriction or otherwise legally authorized and currently in active practice in the same or similar specialty as that of the treating provider, and who typically manages the medical condition or disease at issue and has knowledge of and experience providing the healthcare service or treatment under review.
- (8) "Complaint" is a communication either orally, in writing or by electronic transmission concerning matters related to utilization review including, but not limited to, health care services, denials, accessibility, and confidentiality.
- (9) "Concurrent Review" means utilization review conducted during a patient's hospital stay or course of treatment.
- (10) "Covered Person" means an individual, including, but not limited to, any subscriber, enrollee, member, beneficiary, participant, or his or her dependent, eligible to receive healthcare benefits by a health insurer pursuant to a healthcare plan or other health insurance coverage.
- (11) "Emergency healthcare services" means healthcare services rendered after the recent onset of a medical or traumatic condition, sickness, or injury exhibiting acute symptoms of sufficient severity, including, but not limited to, severe pain, that would lead a prudent layperson possessing an average knowledge of medicine and health to believe that his or her condition, sickness, or injury is of such a nature that failure to obtain immediate medical care could result in:

(A) Placing the patient's health in serious jeopardy;

(B) Serious impairment to bodily functions; or

(C) Serious dysfunction of any bodily organ or part.

(12) "Facility" means a hospital, ambulatory surgical center, birthing center, diagnostic and treatment center, hospice, or similar institution. Such term shall not mean a healthcare provider's office.

(13) "Health insurer" or "insurer" means an accident and sickness insurer, care management organization, healthcare corporation, health maintenance organization provider sponsored healthcare corporation, or any similar entity regulated by the Commissioner.

(14) "Healthcare plan" means any hospital or medical insurance policy or certificate, qualified higher deductible health plan, stand-alone dental plan, health maintenance organization or other managed care subscriber contract, the state health benefit plan, or any plan entered into by a care management organization as permitted by the Department of Community Health for the delivery of healthcare services.

(15) "Healthcare service" means healthcare procedures, treatments, or services provided by a facility licensed in this state or provided within the scope of practice of a doctor of medicine, a doctor of osteopathy, or another healthcare provider licensed in this state. Such term includes but is not limited to the provision of pharmaceutical products or services or durable medical equipment.

(16) "Medical necessity" or "medically necessary" means healthcare services that a prudent physician or other healthcare provider would provide to a patient for the purpose of preventing, diagnosing, or treating an illness, injury, or disease or its symptoms in a manner that is:

(A) In accordance with generally accepted standards of medical or other healthcare practice;

(B) Clinically appropriate in terms of type, frequency, extent, site, and duration;

(C) Not primarily for the economic benefit of the health insurer or for the convenience of the patient, treating physician, or other healthcare provider; and

(D) Not primarily custodial care, unless custodial care is a covered service or benefit under the covered person's healthcare plan.

(17) "Pharmacy benefits manager" means a person, business entity, or other entity that performs pharmacy benefits management. Such term includes a person or entity acting for a pharmacy benefits manager in a contractual or employment relationship in the performance of pharmacy benefits management for a healthcare plan. Such term shall not include services provided by pharmacies operating under a hospital pharmacy license. Such term shall not include health systems while providing pharmacy services for their patients, employees, or beneficiaries, for indigent care, or for the provision of drugs for outpatient procedures. Such term shall not include services provided by pharmacies affiliated with a facility licensed under Code Section 31-44-4 or a licensed group model health maintenance organization with an exclusive medical group contract and which operates its own pharmacies which are licensed under Code Section 26-4-110.

(18) "Prior authorization" means any written or oral determination made at any time by a claim administrator or an insurer, or any agent thereof, that a covered person's receipt of healthcare services is a covered benefit under the applicable plan and that any requirement of medical necessity or other requirements imposed by such plan as prerequisites for payment for such services have been satisfied. The term 'agent' as used in this paragraph shall not include an agent or agency as defined in Code Section 33-23-1.

(19) "Private review agent" means any person or entity which performs utilization review for:

(A) An employer with employees who are treated by a health care healthcare provider in this state;

(B) An insurer; or

(C) A claim administrator.

(20) "Reconsideration" means a request either orally, in writing or by electronic transmission to the private review agent to reconsider an adverse determination.

(21) "Review Criteria" means the written policies, decisions, rules, medical protocols or guidelines used by the private review agent to determine medical necessity or appropriateness.

(22) "Urgent healthcare service" means a healthcare service with respect to which the application of the time periods for making a nonexpedited prior authorization, which, in the opinion of a physician or other healthcare provider with knowledge of the covered person's medical condition:

(A) Could seriously jeopardize the life or health of the covered person or the ability of such person to regain maximum function; or

(B) Could subject the covered person to severe pain that cannot be adequately managed without the care or treatment that is the subject of the utilization review. Such term shall include services provided for the treatment of substance use disorders which otherwise qualify as an urgent healthcare service.

(23) "Utilization review entity" means an insurer or other entity that performs prior authorization for one or more of the following entities:

(A) An insurer that writes health insurance policies;

(B) A preferred provider organization or health maintenance organization; or

(C) Any other individual or entity that provides, offers to provide, or administers hospital, outpatient, medical, behavioral health, prescription drug, or other health benefits to a person treated by a healthcare provider in this state under a health insurance policy, plan, or contract.

(24) "Utilization Review Determination" means a recommendation by a private review agent regarding medical necessity or appropriateness of the health care services given or proposed to be given to a patient.

**Cite as** Ga. Comp. R. & Regs. R. 120-2-58-.02

**AUTHORITY:** O.C.G.A. §§ 33-2-9, 33-46-1, 33-46-11.

**HISTORY:** Original Rule entitled "Definitions" adopted. F. May 23, 1996; eff. June 12, 1996.

**Amended:** F. June 29, 2022; eff. July 1, 2022, as specified by the Agency.

### **120-2-58-.03 Application and Renewal Filing Requirements**

(1) Applications for certification shall be submitted to the Office of the Commissioner of Insurance on Forms GID-57, GID-65(UR) and GID-72, attached hereto and incorporated herein, along with the original license or certificate fee and application fee required for private review agents under O.C.G.A. 33-8-1.

(2) Private review agents operating in Georgia prior to the effective date of this Chapter of the Rules and Regulations of the Office of Commissioner of Insurance and which have not applied for certification within sixty (60) days of such effective date shall be in violation of Chapter 46 of Title 33 of the Official Code of Georgia Annotated and this Chapter of the Rules and Regulations of the Office of Commissioner of Insurance and are

prohibited from operating as a private review agent until such private review agent has applied for certification and has been certified.

(3) (a) Any private review agent not operating in Georgia on the effective date of this Chapter of the Rules and Regulations of the Office of Commissioner of Insurance may apply for certification at any time prior to doing business in Georgia.

(b) A private review agent or utilization review entity may not conduct utilization review of healthcare services provided in this state unless the Commissioner has granted the private review agent or utilization review entity a certificate pursuant to this chapter.

(4) A certificate shall expire on the second anniversary of its effective date unless renewed, suspended or revoked. Renewal for an additional two (2) year term may be applied for no sooner than ninety (90) days prior to the certification expiration date. Application for renewal shall be submitted on Forms GID-57, GID-65(UR) and GID-72 with the renewal license or certificate fee of \$500 required for private review agents under O.C.G.A. § 33-8-1.

(5) On initial application for certification, all advertising materials to be used in Georgia by private review agents shall be filed with the Office of the Commissioner of Insurance.

(6) Each application for certification or renewal must include the following:

(a) A utilization review plan;

(b) Documentation that the private review agent has received full accreditation or certification by the Utilization Review Accreditation Commission (URAC) or the National Committee for Quality Assurance (NCQA). Reason or reasons should be stated if the organization is not presently fully accredited or certified by URAC or NCQA;

(c) The type, qualifications and number of the personnel, either employed or under contract, to perform the utilization review;

(d) A copy of the materials designed to inform applicable patients and health care providers of the requirements of the utilization review plan;

(e) A written description of an ongoing quality assessment program;

(f) The written policies and procedures to ensure that an appropriate representative of the private review agent is reasonably accessible to patients and health care providers five (5) days a week during normal business hours in this State;

(g) The written policies and procedures to ensure that information obtained in the course of utilization review is maintained in a confidential manner. Such policies and procedures shall include, but not be limited to, the following:

1. Assurances that information obtained during the process of utilization review will be kept confidential in accordance with any applicable state or federal laws and regulations;

2. Assurances that the information collected for purposes of utilization review will be limited to the information necessary for the claims administrator to adjudicate the claim and used solely for the purposes of utilization review, quality management, discharge planning and case management;

3. Assurances that information obtained for purposes of utilization review will be shared only with those agents (such as the claims administrator) who have authority to receive such information;

4. Guidelines to prevent unauthorized release of individual enrollee information to the public. Information pertaining to the diagnosis, treatment or health of an enrollee shall be disclosed only to authorized persons. Release of information otherwise shall only be permitted with the express written consent of the covered enrollee, or pursuant to court order for the production of evidence or discovery, or as otherwise provided by state or federal law.

(h) The written policies and procedures establishing and maintaining a complaint system; and

(i) A sample John Doe copy of each type of contract or agreement to be executed between the private review agent and payor, employer, claim administrator, or other entity with certification that the private review agent shall not enter into any incentive payment provision contained in a contract or agreement with a payor which is based on reduction of services or the charges thereof, reduction of length of stay, or utilization or alternative treatment settings to reduce amounts of necessary or appropriate medical care.

**Cite as** Ga. Comp. R. & Regs. R. 120-2-58-.03

**AUTHORITY:** O.C.G.A. §§ 33-2-9, 33-39-1, 33-39-14, 33-46-1, 33-46-3 to 33-46-6, 33-46-8, 33-46-11.

**HISTORY:** Original Rule entitled "Application and Renewal Filing Requirements" adopted. F. May 23, 1996; eff. June 12, 1996.

**Amended:** F. June 5, 2002; eff. June 25, 2002.

**Amended:** F. June 29, 2022; eff. July 1, 2022, as specified by the Agency.

### **120-2-58-.05 Requirements for Utilization Review**

(1) Private review agents shall have sufficient staff to facilitate review in accordance with review criteria and shall designate one or more individuals able to effectively communicate medical and clinical information.

(2) Private review agent shall provide access to its review staff by a toll free or collect call telephone line during normal business hours. A private review agent shall have an established procedure to review timely call backs from health care providers and shall establish written procedures for receiving after-hour calls, either in person or by recording.

(3) Private review agent shall collect only the information necessary to certify the admission, procedure or treatment, length of stay, frequency and duration of services. All requests for information shall be made during normal business hours.

(4) Private review agents shall identify themselves prior to collecting necessary information.

(5) Private review agents shall establish and follow procedures and rules for on-site medical facility review.

(6) In the event a private review agent questions the medical necessity or appropriateness of care, the following procedures will apply:

(a) The attending health care provider shall have the opportunity to discuss a utilization review determination promptly by telephone with a clinical peer, an identified health care provider representing the private review agent and trained in a related healthcare specialty. If the determination is made not to certify, an adverse determination exists.

(b) Reconsideration of an adverse determination occurs when any questions concerning medical necessity or appropriateness of care are not resolved under subparagraph (a) above. The right to appeal an adverse determination shall be available to the enrollee and the attending physician or other ordering health care provider. The enrollee or enrollee's representative shall be allowed a second review by another identified health care provider in an appropriate medical specialty who represents the private review agent.

(7) The private review agent shall have written procedures for providing notification of its determinations regarding all forms of certification in accordance with the following:

(a) When an initial determination is made to certify, notification shall be provided promptly either by telephone, in writing or electronic transmission to the attending health care provider, the facility rendering service as well as to the enrollee. Written notification shall be transmitted within two (2) business days of the determination.

(b) When a determination is made not to certify, the attending physician and/or other ordering health care provider or facility rendering service shall:

1. Be notified by telephone within one (1) business day.

2. Be sent a written notification within one (1) business day, which also shall be sent to the enrollee. The written notification shall include principal reason(s) for the determination and instructions for initiating an appeal of the adverse determination.

(c) The private review agent shall establish procedures for appeals to be made in writing and by telephone. The private review agent shall notify the health care provider and enrollee in writing of its determination on the appeal as soon as possible, but in no case later than sixty (60) days after receiving the required documentation to conduct the appeal.

(d) The appeals procedure does not preclude the right of an enrollee to pursue legal action.

**Cite as** Ga. Comp. R. & Regs. R. 120-2-58-.05

**AUTHORITY:** O.C.G.A. §§ 33-2-9, 33-46-1, 33-46-11.

**HISTORY:** Original Rule entitled "Requirements for Utilization Review" adopted. F. May 23, 1996; eff. June 12, 1996.

**Amended:** F. June 29, 2022; eff. July 1, 2022, as specified by the Agency.

### **120-2-58-.06 Complaint Procedure**

Private review agents shall establish and maintain a complaint system which includes, at a minimum, the following:

(a) Establishes and maintains a complaint system which has been approved by the Commissioner and which provides reasonable procedures for the resolution of written complaints initiated by enrollees covered persons or health care healthcare providers concerning utilization review;

(b) Maintains records of such written complaints for five years from the time the complaints are filed and submits to the Commissioner a summary report at such times and in such format as the Commissioner may require; and

(c) Permits the Commissioner to examine the complaints at any time

(d) All complaints shall be directed to the private review agent; and

(e) The private review agent shall contact the complainant, gather all pertinent facts regarding the complaint, and attempt to resolve the complaint as soon as reasonably possible within the context of written policies and procedures.

**Cite as** Ga. Comp. R. & Regs. R. 120-2-58-.06

**AUTHORITY:** O.C.G.A. §§ 33-2-9, 33-46-1, 33-46-11.

**HISTORY:** Original Rule entitled "Complaint Procedure" adopted. F. May 23, 1996; eff. June 12, 1996.

**Amended:** F. June 29, 2022; eff. July 1, 2022, as specified by the Agency.

## **120-2-58-.07 Reporting Requirements**

(1) By March 1, 2023, and annually thereafter on or before the same date, each private review agent shall submit to the Office of the Commissioner of Insurance a list of all complaints by type and disposition, and an analysis of such complaints files against them during the past calendar year.

(2) By March 1, 2023, and annually thereafter on or before the same date, the annual report information regarding utilization review activities for the preceding calendar year shall be submitted to the Office of Commissioner of Insurance on Form GID-73 which is attached hereto and incorporated herein.

(3) The Commissioner of Insurance shall require any other reporting requirements that are necessary to fully evaluate utilization review compliance with Chapter 46 of Title 33 of the Official Code of Georgia Annotated and this Chapter of the Rules and Regulations of the Office of Commissioner of Insurance and the impact of utilization review programs on patient access to care.

(4) Each private review agent shall notify the Office of Commissioner of Insurance in writing within sixty (60) days of any changes to information last filed with the Office of Commissioner of Insurance under Form GID-57.

**Cite as** Ga. Comp. R. & Regs. R. 120-2-58-.07

**AUTHORITY:** O.C.G.A. 33-2-9, 33-46-1, 33-46-11.

**HISTORY:** Original Rule entitled "Reporting Requirements" adopted. F. May 23, 1996; eff. June 12, 1996.

**Amended:** F. June 29, 2022; eff. July 1, 2022, as specified by the Agency.

## **120-2-58-.09 Severability Provision**

If any rule or portion of a rule in this Chapter of the Rules and Regulations of the Office of Commissioner of Insurance or the applicability thereof to any particular person or circumstance is held invalid by a court of competent jurisdiction, the remainder of the rules or the applicability of such provisions to other persons or circumstances shall not be affected thereby.

### **OFFICE OF COMMISSIONER OF INSURANCE**

#### **STATE OF GEORGIA**

#### **ATLANTA, GEORGIA**

#### **APPLICATION FOR CERTIFICATION AS A PRIVATE REVIEW AGENT**

(Typewritten Only)

If you are an individual with a disability and wish to acquire this application in an alternative format, please contact the ADA Coordinator at the Georgia Insurance Department, 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334 (404) 656-2056 / TDD (404) 656-4031. Application is hereby made for certification to operate as a Private Review Agent pursuant to the Laws of Georgia. In support thereof, the following information and documentary evidence is Submitted:

Date of filing:\_\_\_\_\_

Name of organization:\_\_\_\_\_

Mailing address:\_\_\_\_\_

Street address:\_\_\_\_\_

Office building:\_\_\_\_\_ Room number:\_\_\_\_\_

City:\_\_\_\_\_ County:\_\_\_\_\_

State:\_\_\_\_\_ Zip:\_\_\_\_\_

Telephone number: (\_\_\_\_)\_\_\_\_\_ Fax number: (\_\_\_\_)\_\_\_\_\_

Name of Attorney or Principal filing this application:

\_\_\_\_\_

Mailing address:\_\_\_\_\_

Street address:\_\_\_\_\_

City:\_\_\_\_\_ State:\_\_\_\_\_

Zip:\_\_\_\_\_

Telephone number: (\_\_\_\_)\_\_\_\_\_ Fax number: (\_\_\_\_)\_\_\_\_\_

NOTE: ANSWER THE FOLLOWING QUESTIONS AND PROVIDE THE INFORMATION REQUESTED ON SEPARATE SHEETS IDENTIFYING EACH BY THE CORRESPONDING NUMBER ON THIS APPLICATION.

1. Submit all applicable organizational documents including an organizational chart. The following documents MUST BE an original copy or a certified copy of the original: partnership agreement; articles of incorporation certified by your Secretary of State; trade name certificate; trust agreement; any other applicable documents; and all amendments to those documents.
2. Provide one copy of the bylaws, rules and regulations or similar documents regulating the affairs of the private review agent certified by the principal partners or the president and secretary and containing the corporate seal.
3. List the names, addresses, and official titles of positions held by individuals who are responsible for the conduct of the affairs of the private review agent in Georgia.
4. Submit one copy of the Biographical Affidavit on Form GID-65(UR) for each of the persons listed in item 3.
5. Indicate if the private review agent plans to utilize a fictitious or "dba" name. If so, attach a certified copy of the recorded application received from the Clerk of the Superior Court in the county where doing business.
6. Submit all other items required under Rule [120-2-58-.03\(6\)](#).

**DIRECTIONS FOR ATTESTING TO THIS APPLICATION:**

- a. If applicant is a sole proprietor, the application must be sworn by the sole proprietor.
- b. If applicant is a partnership, the application must be sworn by the principal partners or by all officers and directors.
- c. If applicant is a corporation, the application must be sworn by the president and secretary.

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THE FOLLOWING ATTESTATION FORM SHALL BE USED:

I do solemnly swear or affirm that I am familiar with the Laws of Georgia relating to Private Review Agents; that I have complied with all of the requirements of O.C.G.A. §§ 33-46-4, 33-46-5 and Chapter 39 of Title 33 of the Official Code of Georgia Annotated; that all the foregoing information and documentary evidence submitted is true, complete, and correct to the best of my knowledge and belief. I understand that my certification is subject to administrative action if false information is contained herein.

\_\_\_\_\_

Organization

\_\_\_\_\_

Signature of Affiant

\_\_\_\_\_

Name (typewritten)

\_\_\_\_\_

Title (typewritten)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_

(Notary Public)

**OFFICE OF COMMISSIONER OF INSURANCE**

**STATE OF GEORGIA**

**ATLANTA, GEORGIA**

**Biographical Affidavit**

(Typewritten Only)

If you are an individual with a disability and wish to acquire this affidavit in an alternative format, please contact the ADA Coordinator at the Georgia Insurance Department, 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334 (404) 656-2056 / TDD (404) 656-4031. Full Name and Address of Private Review Agent (Do Not Use Group Names).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

In connection with the above-named private review agent, I herewith make representations and supply information about myself as herein-after set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any question fully.) IF ANSWER IS "NO" or "NONE", SO STATE.

1. Affiant's Full Name (Initials Not Acceptable).

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2. a. Have you ever had your name changed? - If yes, give the reason for the change.

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b. Other names used at any time

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3. Affiant's Business Address

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4. Present or Proposed Position with the Applicant Organization

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\_\_\_\_\_  
5. Present employer may be contacted.

Yes No (Circle One)

6. List any professional licenses issued by any public or governmental licensing agency or regulatory authority which you presently hold or have held in the last ten (10) years (state date license issued, issuer of license, date terminated, reasons for termination).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Has the certificate of authority or license to do business of any private review agent of which you were an officer or director or key management person ever been suspended or revoked while you occupied such position?

\_\_\_\_\_ If yes, give details:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated and signed this \_\_\_\_\_ day of \_\_\_\_\_ at

\_\_\_\_\_. I hereby certify under penalty of perjury that I am acting on my own behalf, and that the foregoing statements are true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
(Signature of Affiant)

State of \_\_\_\_\_ County  
of \_\_\_\_\_ Personally appeared before me the above  
named \_\_\_\_\_ personally known to me, who, being duly sworn, deposes and says that he/she  
executed the above instrument and that the statements and answers contained therein are true and correct to the best  
of his/her knowledge and belief.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

(SEAL) My Commission Expires \_\_\_\_\_

**OFFICE OF COMMISSIONER OF INSURANCE**

**STATE OF GEORGIA**

**ATLANTA, GEORGIA**

**CHECKLIST OF APPLICATION DOCUMENTS**

**FOR CERTIFICATION OF PRIVATE REVIEW AGENTS**

Name of organization: \_\_\_\_\_

(Please file your documents in the same order as the checklist) (check or n/a)

\_\_\_\_\_ 1. Are all applicable organizational documents (original copy or certified copy of the original) including all amendments to those documents attached?

\_\_\_\_\_ a. Partnership Agreement

\_\_\_\_\_ b. Articles of Incorporation (certified by your Secretary of State)

\_\_\_\_\_ c. Trade Name Certificate

\_\_\_\_\_ d. Trust Agreement

\_\_\_\_\_ e. Other \_\_\_\_\_

\_\_\_\_\_ 2. Are the bylaws, rules and regulations or similar documents regulating the affairs of the private review agent certified by the principal partners or the president and secretary and containing the corporate seal attached?

\_\_\_\_\_ 3. Is one copy of the Biographical Affidavit (GID-65(UR)) for each of the individuals responsible for the conduct of the affairs of the private review agent attached?

\_\_\_\_\_ 4. Is the private review agent using a fictitious or "dba" name? If so, is a certified copy of the recorded application received from the Clerk of the Superior Court in the county where doing business attached?

\_\_\_\_\_ 5. Was the private review agent operating in Georgia prior to the effective date of this Regulation?

\_\_\_\_\_ yes \_\_\_\_\_ no

If so, was the certification applied for within sixty (60) days of such effective date?

\_\_\_\_\_ yes \_\_\_\_\_ no

\_\_\_\_\_ 6. Have the original license or certificate fee and application fee been enclosed? (Please make checks payable to the Commissioner of Insurance)

\_\_\_\_\_ 7. If a renewal, was it applied for no sooner than ninety (90) days prior to the certification expiration date?

\_\_\_\_\_ a. Was the application for renewal submitted on Forms GID-57, GID-65(UR) and GID-72?

\_\_\_\_\_ b. Has the renewal license or certificate fee been received?

\_\_\_\_\_ 8. Is the utilization review plan attached?

\_\_\_\_\_9. Is a statement or documentation that the private review agent has received full accreditation by URAC attached?

\_\_\_\_\_10. If your organization is not fully accredited by URAC, have you attached the reasons why full accreditation has not been obtained?

\_\_\_\_\_11. Is a description of the type, qualifications and number of the personnel, either employed or under contract, to perform utilization review attached?

\_\_\_\_\_12. Is a copy of the materials designed to inform applicable patients and health care providers of the requirements of the utilization review plan attached?

\_\_\_\_\_13. Is a written description of an ongoing quality assessment program attached?

\_\_\_\_\_14. Are the written policies and procedures to ensure that a representative of the private review agent is reasonably accessible to patients and providers five (5) days a week during normal business hours in this state attached?

\_\_\_\_\_15. Are the written policies and procedures to ensure compliance with all state laws and regulations to protect the confidentiality of information obtained in the course of utilization review attached?

\_\_\_\_\_16. Are the written policies and procedures for establishing and maintaining a complaint system attached?

\_\_\_\_\_17. Is a sample John Doe copy of each type of contract or agreement to be executed between the private review agent and payor, employer, claim administrator, or other entity with certification that no incentive payment provision exists in these contracts or agreements for the private review agent based on reduction of services or the charges thereof, reduction of length of stay, or utilization of alternative treatment settings to reduce amounts of necessary or appropriate medical care attached?

\_\_\_\_\_18. Is the Application for Certification as a Private Review Agent **Form GID-57** completed and attached?

\_\_\_\_\_19. Are the Biographical Affidavits on Form GID-65(UR) completed and attached?

\_\_\_\_\_20. Is the Checklist of Application Documents Form GID-72 completed and attached?

\_\_\_\_\_21. Are all the appropriate areas in the application signed and notarized or certified? If you are an individual with a disability and wish to acquire this document in an alternative format, please contact the ADA Coordinator, Office of Commissioner of insurance, 2 Martin Luther King, Jr., Dr., Atlanta, Georgia 30334. (404) 656-2056 - TDD (404) 656-4031.

## **OFFICE OF COMMISSIONER OF INSURANCE STATE OF GEORGIA**

### **ATLANTA, GEORGIA**

### **ANNUAL REPORT INFORMATION FOR UTILIZATION**

#### **REVIEW ACTIVITIES**

**FOR THE YEAR ENDED** \_\_\_\_\_

(Typewritten Only)

If you are an individual with a disability and wish to acquire this application in an alternative format, please contact the ADA Coordinator at the Georgia Insurance Department, 2 Martin Luther King, Jr. Drive, Atlanta, Georgia 30334 (404) 656-2056 / TDD (404) 656-4031. This information is necessary for the annual report which is required under

O.C.G.A. Section 33- 46-14 to assess utilization review operations and the extent to which these practices actually affect patients in Georgia. This form is distributed to each private review agent. The information obtained will be summarized providing an overall picture of the "State of Utilization Review in Georgia."

### **Background Information**

1. Legal name and address of private review agent:

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2. Telephone number: (\_\_\_\_)\_\_\_\_\_

Fax number: (\_\_\_\_)\_\_\_\_\_

3. Name, title and phone number of designated contact person responsible for this information:

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4. Indicate the year in which your organization was established:\_\_\_\_\_Indicate the year in which your organization began operations in Georgia:\_\_\_\_\_

5. Is your organization independently owned or is it a subsidiary of or owned by another organization?  
Independently owned\_\_\_\_\_(SKIP TO NEXT SECTION)

A subsidiary of or owned by another organization\_\_\_\_\_

6. Does the parent organization or any of its subsidiaries provide direct patient care?

yes\_\_\_\_\_no\_\_\_\_\_

7. Is the parent organization or any of its subsidiaries a health insurer?

yes\_\_\_\_\_no\_\_\_\_\_

8. Has the parent organization or any of its subsidiaries ever purchased any of your utilization review services?

yes\_\_\_\_\_no\_\_\_\_\_

### **Services Performed**

1. Indicate the estimated percentage distribution of clinical services reviewed:

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2. Indicate the total acute care hospital admissions reviewed:

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3. Indicate the percent of proposed admissions diverted for outpatient care:

\_\_\_\_\_

4. Indicate the volume of reviews annually performed: prospective (precertification) \_\_\_\_\_ concurrent  
(continued stay) \_\_\_\_\_ retrospective \_\_\_\_\_ other \_\_\_\_\_

5. Indicate the total number of Georgia lives covered for each entity for whom the private review agent performs utilization review services:

Entity # Georgia lives covered

a. Employers \_\_\_\_\_

b. Payors (Insurers) \_\_\_\_\_

c. Claim administrators \_\_\_\_\_

d. Others \_\_\_\_\_

6. Indicate if your organization performs the following types of review and the percentage performed telephonically and/or on-site;

Telephonic On site

Prospective Review yes no \_\_\_\_\_ % \_\_\_\_\_ %

Concurrent Stay Review yes no \_\_\_\_\_ % \_\_\_\_\_ %

Discharge Planning yes no \_\_\_\_\_ % \_\_\_\_\_ %

Case Management yes no \_\_\_\_\_ % \_\_\_\_\_ %

7. How many reviews does your organization conduct on average, per episode of care?

prospective \_\_\_\_\_

concurrent \_\_\_\_\_

retrospective \_\_\_\_\_

other \_\_\_\_\_

#### **Utilization Review Staff**

1. Personnel who conduct reviews.

(A) For each type, please indicate if, at any phase of the utilization review process, any of that staff type made decisions about the necessity or the appropriateness of requested medical or surgical care for your organization for the preceding calendar year.

(B) If "yes," please enter the total number of staff of each type that made these decisions, and the number of staff that were full-time employees of your organization, part-time employees of your organization who worked on the premises of your organization, part-time employees of your organization who worked off the premises of your organization, and consultants/advisors to your organization. (IF NONE, ENTER "o")

2. List the board specialties (as recognized by the American Board of Medical Specialists) for the number of staff physicians and the number of consultants/advisors for the organization. (i.e. Family Practice, Internal Medicine, Pediatrics, etc.) Also, indicate the same for staff recognized by the Advisory Board of Osteopathic Specialist.

### Utilization Review and Appeals

#### 1. CASE MANAGEMENT

a. During the preceding calendar year, did your organization review any catastrophic medical or surgical cases to determine the need for case management services; that is, determine the need for coordinated care for patients requiring expensive or extended care?

yes no \_\_\_\_\_ no \_\_\_\_\_ (SKIP TO QUESTION 2)

b. How many cases did you screen for case-management? \_\_\_\_\_

c. How many of these cases were recommended for case-management?

\_\_\_\_\_

d. How many were ultimately case-managed?

\_\_\_\_\_

2. Please list the top five surgeries or procedures that your organization most often did not authorize during the preceding calendar year because of unsubstantiated medical need.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Indicate the number and outcome by clinical service (i.e. medical, surgical, maternity, etc.) of each appeal as addressed in Rule [120-2-58-.05](#), entitled "Requirements for Utilization Review", paragraph (6)(b).

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_



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4. The average number of days required to complete each level of appeal:

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#### **ACKNOWLEDGEMENT**

The Office of Commissioner of Insurance expresses its gratitude and appreciation to the United States General Accounting Office for granting permission to use some material from their study entitled "Information on Utilization Review Organizations." GAO/HRD-93-22FS.

**Cite as** Ga. Comp. R. & Regs. R. 120-2-58-.09

**AUTHORITY:** O.C.G.A. §§ 33-2-9, 33-46-1, 33-46-11.

**HISTORY:** Original Rule entitled "Severability Provision" adopted. F. May 23, 1996; eff. June 12, 1996.

**Amended:** F. June 29, 2022; eff. July 1, 2022, as specified by the Agency.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,  
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN  
COMMISSIONER**

**Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER**

**Subject 120-3-3. RULES AND REGULATIONS FOR THE STATE  
MINIMUM FIRE SAFETY STANDARDS**

**120-3-3-.04 State Minimum Fire Safety Standards with Modifications**

(1) Unless otherwise stated in this chapter, the edition of the *International Fire Code (IFC)*, and the following editions of the codes, standards, recommended practices, guides and methods, as published in the *National Fire Codes (NFC)* by the National Fire Protection Association (NFPA), as adopted and modified in this Chapter, shall be the state minimum fire safety standards. Where any of the adopted publications of the NFPA references NFPA 1 or NFPA 5000, or any fire code or building code, it shall be construed that such references apply to the *International Fire Code (IFC)* or the *International Building Code (IBC)* respectively, as adopted by this Chapter 120-3-3, and the Georgia Department of Community Affairs. Where the *IFC* or *IBC* does not specifically address the referenced issue, NFPA 1 or NFPA 5000 may be applied subject to the approval of the authority having jurisdiction.

(2) Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living communities, assisted living homes, memory care units or other health care type occupancies or facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though the codes and standards or the editions of codes and standards adopted by that agency may not be specifically addressed or included in this chapter. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations.

**(3) *International Fire Code (IFC)*, 2018 Edition**

Modifications:

**(a) Modifications to Chapter 1:**

1. Delete section 101.1 in its entirety and substitute in its place the following:

101.1 "**Title.** The *International Fire Code*, 2018 edition, published by the *International Code Council*, when used in conjunction with this Chapter, shall be known as a *Georgia State Minimum Fire Prevention Code*, hereafter referred to as 'this *Code*'."

2. Delete section 101.3 in its entirety and substitute in its place the following:

101.3 " **Purposes and Intents of This *Code*.** The primary purpose of this *Code*, as adopted, is to provide, along with other adopted codes and standards, for the reasonable minimum protection of life and property from the hazards created by fire, smoke, explosion, or panic created from a fear of fire or smoke. It is intended that the purposes of this *Code* be accomplished by: (1) Coordinating application and enforcement of its provisions with those of other applicable laws, rules, regulations, codes, and standards; and, (2) By coordinating the application of its provisions, where possible, with educational programs or efforts designed to bring about changes in high risk attitudes and behaviors that are the root causes of most fire related problems in Georgia; and (3) By encouraging or requiring informational and awareness programs designed to make the citizens of Georgia aware of their responsibilities for compliance with this *Code* as well as the other Rules and Regulations of the Safety Fire Commissioner. The intent of this *Code* is to establish the minimum requirements, consistent with nationally recognized good practice, for

providing a reasonable level of life safety and property protection from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises and to provide safety to fire fighters and emergency responders during emergency operations."

3. Add an exception to section 102.1 to read as follows:

*"Exception: This Code does not apply to one- and two- family dwellings or one- and two- family row houses (townhouses) separated by a 2-hour fire wall containing not more than three dwelling units per structure."*

4. Add an exception to section 102.2 to read as follows:

*"Exception: This Code does not apply to one- and two- family dwellings or one- and two- family row houses (townhouses) separated by a 2-hour fire wall containing not more than three dwelling units per structure."*

5. Delete section 102.3 in its entirety and substitute in its place the following:

102.3 **"Change of use or occupancy.** No change shall be made in use or occupancy of any building or structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this *Code*, as may be applicable, as well as those of the *International Building Code (IBC)*, as adopted by the Department of Community Affairs. Pursuant to O.C.G.A. 25-2-14, due to a change of use or occupancy of a building or structure the building or structure shall be treated as a proposed (new) building. (Refer to 103.3 of this *Code* regarding the requirements applicable to proposed (new) buildings and structures.)"

6. Delete section 102.4 in its entirety and substitute in its place the following:

102.4 **"Application of the building code.** The design and construction of proposed (new) buildings and structures shall comply with the *International Building Code (IBC)*, as modified and adopted by the Georgia Department of Community Affairs. Repairs, alterations, additions, changes in use or occupancy classification, or changes in buildings or structures required by provisions of the *IFC*, and which are within the scope of the *IBC*, shall be made in accordance with the *IBC*, for purposes of this Chapter."

7. Add a new 102.5.1 to read as follows:

102.5.1 " The provisions of 102.5 shall apply to local authorities having jurisdiction unless there is a change of use or occupancy that would apply under 102.3 and which would bring the new use or occupancy under the jurisdiction of O.C.G.A. 25-2-13(b)(1)"

8. Delete section 102.6 in its entirety and insert in its place the following:

102.6 **"Historic Buildings, General.** O.C.G.A. 25-2-13(a)(2) defines a "Historic building or structure" as "any individual building which contributes to the historic character of a historic district, so designated by the state historic preservation officer pursuant to rules and regulations adopted by the Board of Natural Resources, or so designated pursuant to the provisions of Article 2 of Chapter 10 of Title 44, the "Georgia Historic Preservation Act."

(A) Refer to 102.1 and 102.2 regarding the application of this *Code* to existing buildings. Except to the extent required by applicable laws of Georgia (O.C.G.A. 25-2-13(b)(3)(D) and (E), the provisions of this *Code* are not mandatory for buildings or structures identified and classified by the state, or as appropriate, a local jurisdiction, as historic buildings when such buildings or structures are judged by the fire code official to be safe and in the public interest of health, safety and welfare, based on the criteria established by the referenced provisions of the Official Code of Georgia Annotated. When evaluating the safety of historic buildings the fire official should consult O.C.G.A. Title 8, Chapter 2, Article 3 entitled, 'Uniform Act for the Application of Building and Fire Related Codes to Existing Buildings,' and the provisions of O.C.G.A. Sections 25-2-13(b)(3) & 25-2-13(b)(4), and NFPA Standard 914, *Code for Fire Protection of Historic Structures*, as adopted by this Chapter as a recommended practice."

9. Delete section 102.7 in its entirety and substitute in its place the following:

102.7 **"Referenced codes and standards.** Where the provisions of this *Code* or the standards referenced thereby and in Chapter 45 of this *Code* do not apply to the specific subjects, situations or conditions encountered that involve risks to life and property from the hazards of fire, panic from fear of fire or smoke, or related hazards, compliance with the applicable chapters of the Rules and Regulations of the Safety Fire Commissioner shall be evidence of compliance with this *Code*."

10. Add a new section 102.13 to read as follows:

102.13 **"Coordination of provisions.** This *Code* shall apply to all buildings, structures and facilities as provided in subsections 102.1 and 102.2, and shall be utilized in conjunction with codes and standards specified in **Table 102.13** entitled, **"CODES REFERENCE GUIDE."**

<b>Table 102.13 Codes Reference Guide</b>		
<b>Area</b>	<b>Primary</b>	<b>Supplement</b>
Occupancy Classification	LSC	IBC
Building Construction Types, including allowable height, allowable building area, and the requirements for sprinkler protection related to minimum building construction types	IBC	LSC
Means of Egress	LSC	NONE
Standpipes	IBC	IFC
Interior Finish	LSC	NONE
HVAC Systems	IMC	NONE
Vertical Openings	LSC	NONE
Sprinklers Systems minimum construction standard	LSC	NONE
Fire Alarm Systems	LSC	NONE
Smoke alarms & Smoke Detection Systems	State Statute & LSC	NONE
Portable Fire Extinguishers	IFC	NONE
Cooking Equipment	LSC & NFPA 96	NONE
Fuel Fired Appliances	IFGC	NFPA 54
Liquid Petroleum Gas	NFPA 58	NFPA 54
Compressed Natural Gas	NFPA 52	NONE

11. Delete section 103 and all sections there-under in their entirety and substitute in its place the following:

#### **SECTION 103 "GENERAL PROVISIONS FOR EXISTING AND PROPOSED (NEW) BUILDINGS.**

103.1 **General Provisions.** The administration, enforcement and penalty provisions of O.C.G.A. Title 25, Chapter 2, and the administrative provisions of the various chapters of the Rules and Regulations of the Safety Fire Commissioner shall apply to and regulate the application and enforcement of this *Code* by the Safety Fire Division of the Office of the Safety Fire Commissioner.

NOTE: Nothing herein shall be construed as prohibiting any local jurisdiction from adopting the deleted portions of Chapter 1 of this *Code* for local purposes, provided, however, local amendments shall not be less restrictive than this *Code*, and other codes and standards as adopted by the various chapters of the Rules and Regulations of the Safety Fire Commissioner.

103.1.1 The provisions of O.C.G.A. Title 25, Chapter 2, and other applicable state laws, and the applicable provisions of various chapters of the Rules and Regulations of the Safety Fire Commissioner regarding the requirements for certificates, licenses, permits, plan reviews, inspections, approvals, fees, etc. shall apply and are in addition to any requirements of local jurisdictions. Local authorities having jurisdiction need to be consulted to determine if rules and regulations of the local jurisdiction regarding the requirements for local certificates, licenses, permits, plan reviews, inspections, approvals, fees, etc. also apply.

103.1.1.1 The administrative, operational, and maintenance provisions of this *Code*, with regard to the Safety Fire Division of the Office of the Georgia Safety Fire Commissioner, shall be limited to the scope and intents and purposes of the Official Code of Georgia Annotated (O.C.G.A.) Title 25, Chapter 2, and the Commissioner's Rules and Regulations.

103.1.1.1.1 Pursuant to O.C.G.A. 25-2-13(d), every person who owns or controls the use of any building, part of a building, or structure described in O.C.G.A. 25-2-13(b)(1), which because of floor area, height, location, use or intended use as a gathering place for large groups, or use or intended use by or for the aged, the ill, the incompetent, or the imprisoned, constitutes a special hazard to property or to the life and safety on account of fire or panic from fear of fire, must so construct, equip, maintain, and use such building or structure as to afford every reasonable and practical precaution and protection against injury from such hazards. No person who owns or controls the use or occupancy of such a building or structure shall permit the use of the premises so controlled for any such specially hazardous use unless he has provided such precautions against damage to property or injury to persons by these hazards as are found and determined by the Commissioner in the manner described in O.C.G.A. 25-2-13(d) to be reasonable and practical.

103.2 **Existing buildings.** Every building and structure existing as of April 1, 1968, which building or structure is listed in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 shall comply with the minimum fire safety standards in the Rules and Regulations of the Safety Fire Commissioner promulgated pursuant to O.C.G.A. 25-2 which were in effect at the time such building or structure was constructed.

Exception 1: Any nonconformance noted under the electrical standards adopted at the time such building or structure was constructed shall be corrected in accordance with the current electrical standards adopted pursuant to O.C.G.A. 25-2.

Exception 2: A less restrictive provision contained in any subsequently adopted minimum fire safety standard pursuant to O.C.G.A. 25-2, may be applied to any existing building or structure.

103.2.1 Existing buildings to be deemed a proposed building. For the purposes of O.C.G.A. 25-2-14(b), any existing building or structure listed in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 and which comes under the jurisdiction of the Office of the Safety Fire Commissioner, pursuant to O.C.G.A. 25-2-12, shall be deemed to be a proposed (new) building in the event such building or structure is subject to substantial renovation, a fire or other hazard of serious consequence, or a change in the classification of occupancy, or a change to the occupant load or structure issued as a condition of occupancy. The term "substantial renovation", for purposes of this subsection means any construction project involving exits or internal features of such building or structure costing more than the building's or structure's assessed value according to county tax records at the time of such renovation (O.C.G.A. 25-2-14). Where a change of classification is involved, also refer to 102.3 of this *Code*.

### 103.3 **Proposed (new) buildings and additions to existing buildings:**

103.3.1 Pursuant to O.C.G.A. 25-2-14.1(b), every proposed building and structure listed in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 shall comply with the adopted minimum fire safety standards that were in effect on the date that plans and specifications therefore were received by the state fire marshal, the proper local fire official marshal, or state inspector for review and approval. Complete plans for proposed (new) buildings and structures recorded as received by the authority having jurisdiction for review prior to the effective date of this Chapter, may be reviewed under the codes, standards, and Rules and Regulations of the Safety Fire Commissioner in force prior to the effective date of this Chapter.

103.3.1.1 Projects receiving a construction permit under earlier editions of the codes and standards must start construction no later than 360 days from the issue date of the permit in order not to require resubmittal for review under the newer adopted codes and standards.

103.3.2 Plans and specifications for all proposed buildings which come under classification in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 and which come under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. 25-2-12 shall be submitted to and receive approval by either the state fire marshal, the proper local fire marshal, or state inspector before any state, municipal, or county building permit may be issued or construction started (O.C.G.A. 25-2-14(a)). All such plans and specifications submitted as required by O.C.G.A. 25-2-14(a) shall be accompanied by a fee in the amount provided in O.C.G.A. 25-2-4.1, and shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner.

103.3.3 Pursuant to O.C.G.A. 25-2-37(a), it shall be unlawful for any person to begin construction on any proposed building or structure which comes under the classification in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 and which comes under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. 25-2-12 without first having plans approved in accordance with O.C.G.A. 25-2-14.

103.4 Proposed building construction and completion. Pursuant to O.C.G.A. 25-2-14(b), a complete set of plans and specifications approved as set forth in 103.3.3 shall be maintained on the construction site, and construction shall proceed in compliance with the state minimum fire safety standards under which such plans and specifications were approved. The owner of any such building or structure or his authorized representative shall notify the state fire marshal, the proper local fire marshal, or state inspector upon completion of approximately 80 percent of the construction thereof and shall apply for a certificate of occupancy when construction of such building or structure is completed.

103.5 **Certificate of occupancy required.** Pursuant to O.C.G.A. 25-2-14(c), every building or structure which comes under classification in paragraph (1) of subsection (b) of O.C.G.A. 25-2-13 and which comes under the jurisdiction of the Office of the Safety Fire Commissioner pursuant to O.C.G.A. 25-2-12 shall have a certificate of occupancy issued by the state fire marshal, the proper local fire marshal, or state inspector before such building or structure may be occupied. Such certificates of occupancy shall be issued for each business establishment within the building, shall carry a charge in the amount provided in O.C.G.A. 25-2-4.1, shall state the occupant load for such business establishment or building, shall be posted in a prominent location within such business establishment or building, and shall run for the life of the building, except as provided in O.C.G.A. 25-2-14(d). (See 103.2.1 of the *IFC*, as adopted by this Chapter.)"

12. The provisions of section 105, PERMITS, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes. Refer to section 103.3 with regard to permits required by the Rules and Regulations of the Safety Fire Commissioner.

13. The provisions of section 109, BOARD OF APPEALS, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes.

14. Delete section 110.4 and all sections there-under in their entirety and substitute in its place the following:

110.4 **"Violation penalties.** Persons who shall violate a provision of this *Code* or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this *Code*, shall be guilty of violation of Section 25-2-37 of the Official Code of Georgia Annotated. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

110.4.1 **Abatement of violation.** In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises."

15. The provisions of section 113, SERVICE UTILITIES, are not adopted for purposes of this Chapter. Local governing authorities may adopt the provisions for local purposes.

**(b) Modifications to Chapter 2:**

1. Delete section 201.3 in its entirety and substitute in its place the following:

201.3 **"Terms defined in other codes.** Where terms are not defined in [120-3-3-.03](#) of Chapter 120-3-3 or other applicable chapters of the Rules and Regulations of the Safety Fire Commissioner, or this *Code* and are defined in the *International Building Code (IBC)*, the *International Fuel Gas Code (IFGC)*, the *International Mechanical Code (IMC)*, or the codes and standards of the National Fire Protection Association (NFPA), as adopted by this Chapter and other Rules and Regulations of the Safety Fire Commissioner, such terms shall have the meanings ascribed to them as in those codes and standards."

2. Delete Institutional Group I-2 in its entirety and replace with:

Institutional Group I-2. Institutional Group I-2 occupancy shall include buildings and structures used for medical care on a 24-hour basis for more than five persons who are not capable of self-preservation. This group shall include, but not be limited to, the following:

Foster care facilities

Detoxification facilities

Hospitals

Nursing homes

Psychiatric hospitals

Assisted Living Communities

Memory Care Units

Limited Care Facilities (Limited Healthcare)

**(c) Modifications to Chapter 3:**

1. Delete section 303.5 in its entirety and substitute in its place the following:

303.5 **"Portable Fire Extinguishers.** There shall be at least one portable fire extinguisher complying with Section 906 and with a minimum 2-A:40-B:C rating within 25 feet (7620 mm) of each asphalt (tar) kettle during the period such kettle is being utilized, and a minimum of one additional portable fire extinguisher with a minimum 3-A:40-B:C rating on the roof being covered."

2. Add new exceptions 4, 5, 6, 7 and 8 to section 308.3 to read as follows:

**"Exception #4:**

In Group A public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter, pyrotechnic special effect devices shall be permitted to be used on stages before proximate audiences for ceremonial or religious purposes, as part of a demonstration in exhibits, or as part of a performance, provided that precautions satisfactory to the authority having jurisdiction are taken to prevent ignition of any combustible material and use of the pyrotechnic device complies with NFPA 1126, *Standard for the Use of Pyrotechnics before a Proximate Audience*, as adopted by Chapter 120-3-22 Rules and Regulations of the

Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration shot of all types of devices being used in the display.

**Exception #5:**

In Group A public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter, flame effects before an audience shall be permitted in accordance with NFPA 160, *Standard for Flame Effects Before an Audience*, as adopted by Chapter 120-3-22 Rules and Regulations of the Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display.

**Exception #6**

On stages and platforms as a necessary part of a performance in public assembly occupancies having an occupant load greater than 300, a minimum ceiling height of 25 feet and that are protected throughout by an approved, supervised automatic sprinkler system installed in accordance with NFPA 13, as adopted by this Chapter. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display.

**Exception #7**

In Group A public assembly occupancies having an occupant load greater than 100 with fixed seating, a minimum ceiling height of 25 feet and that have a minimum of two certified fire fighters on site with proper firefighting equipment as determined by the local fire official, pyrotechnic special effect devices shall be permitted to be used on stages before proximate audiences for ceremonial or religious purposes, as part of a demonstration in exhibits, or as part of a performance, provided that precautions satisfactory to the authority having jurisdiction are taken to prevent ignition of any combustible material and use of the pyrotechnic device complies with NFPA 1126, *Standard for the Use of Pyrotechnics before a Proximate Audience*, as adopted by Chapter 120-3-22 Rules and Regulations of the Safety Fire Commissioner. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration shot of all types of devices being used in the display.

**Exception #8:**

In public assembly occupancies having an occupant load greater than 100 with fixed seating, a minimum ceiling height of 25 feet and that have a minimum of two certified fire fighters on site with proper firefighting equipment as determined by the local fire official, flame effects before an audience shall be permitted in accordance with NFPA 160, *Standard for Flame Effects Before an Audience*, as adopted by this Chapter. The ceiling height may be lowered to a minimum of 15 feet upon approval of the authority having jurisdiction having witnessed a demonstration of all types of devices being used in the display."

3. Delete section 310.1 'General' its entirety and substitute in its place the following:

310.1 **"General.** The smoking or carrying of a lighted pipe, cigar, cigarette or any other type of smoking paraphernalia or material is prohibited in areas indicated in Sections 310.2 through 31.8, buildings, structures, or areas, or portions of buildings, structures, or areas, as indicated is this in any other code or standard as adopted by the Rules and Regulations of the Safety Fire Commissioner, or where prohibited in accordance Chapter 12A of Title 31 of the O.C.G.A."

4. Delete section 319.1 'General' its entirety and substitute in its place the following:

319.1 **General.** Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease-laden vapors shall comply with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3 and this section.

5. Delete section 319.3 'Exhaust hood' in its entirety and substitute in its place the following:



319.3 Exhaust hood. Cooking equipment that produces grease-laden vapors shall be provided with a kitchen exhaust hood that complies with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3.

6. Delete section 319.4 'Fire protection' in its entirety and substitute in its place the following:

319.4 **Fire protection.** Fire protection shall be provided in accordance with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations* as adopted by this Chapter 120-3-3.3 -3 of the Rules and Regulations of the Safety Fire Commissioner."

(d) **Modifications to Chapter 4:**

(4) Add section 403.1.1 to read as follows:

403.1.1 "**Caregiver training.** A minimum of three hours' initial fire safety training for receipt of a certificate of training for successful completion shall be required for all directors, operators and all staff members of day-care facilities (adult and children), and for administrator's, directors, operators and all staff of Group I-1 and Group R-4, assisted living communities, assisted living facilities, community living arrangements, memory care units, personal care homes, and residential board and care homes, as defined in Chapter 2 of this *Code* or as defined by the *Life Safety Code*, and or as adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner. The curriculum for the fire safety training shall receive written approval by the State Fire Marshal's Office and be taught by an instructor registered with the Safety Fire Commissioner's Office. All persons as required herein to obtain such required training shall receive this training within 90 days from receipt of a license, being commissioned or the opening of a new facility. Such new persons shall receive a minimum of three hours' initial fire safety training and recommendation for receipt of a certificate of training for successful completion of the training within 90 days of employment. In addition, a minimum of two hours of fire safety refresher training shall be required for receipt of a certificate of training for successful completion of the refresher training. The refresher training shall be required for all persons coming under 403.1.1, every three years from the date initial training is received. Registered instructors shall deliver the training based on policies and direction from the State Fire Marshal's Office. Instructors found not to be delivering the training in accordance with the said policies and direction shall be removed from the registry and prohibited from delivering future training."

2. Delete section 403.8.2 in its entirety and substitute in its place the following:

403.8.2 **Group I-2 occupancies.** Group I-2 occupancies to include Assisted Living Communities, Memory Care Units and Limited Care Facilities (Limited Healthcare) shall comply with Sections 401, 403.8.2.1 through 403.8.2.3 and 404 through 406.

(e) **Modifications to Chapter 5:**

1. Add a new section 501.5 to read as follows:

501.5 " Where buildings or facilities fall under the jurisdiction of the Georgia Safety Fire Commissioner as set forth in the Official Code of Georgia Annotated (O.C.G.A.), Title 25, Chapter 2, except for State owned facilities and State occupied facilities, it is intended that the provisions of Chapter 5 that primarily relate to fire department response, access to facilities, access to building interiors, key boxes, premises identification, fire department connection locations, and fire hydrant locations be administered by the local Fire Chief and/or Fire Code Official responsible for providing fire or other emergency response to the buildings or facilities. With regard to State owned State occupied facilities, that are not provided with a facility fire department, it is intended that the local Fire Chief and/or Fire Code Official providing fire protection to such facilities shall have input in the planning of facilities with regard to the noted provisions covered by Chapter 5."

2. Delete section 503.1.1 in its entirety and substitute in its place the following:

503.1.1 **"Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction as determined by the local Fire Chief and/or Fire Code Official of the responding fire department or agency. The fire apparatus access road shall comply with the requirements of this section and Appendix D of this *Code*. The fire apparatus access road shall extend to within 150 feet (45.7 m) of all portions of the facility or any portion of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility.

*Exception: The local Fire Chief and/or Fire Code Official of the responding fire department or agency is authorized to increase the dimension of 150 feet (45.7 m) where:*

1. *The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.*
2. *The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.*
3. *There are not more than two Group R-3 or Group U occupancies."*

3. Add a new section 504.1.1 to read as follows:

504.1.1 **"Access Doors.** For fire department emergency access purposes, there shall be at least one access door in each 100 linear feet (30.5 m) or major fraction thereof of the exterior walls which face the access roadways required by Section 503, unless otherwise required in this code section. In exterior walls designed with continuous rolling dock doors, which face access roadways, there shall be at least one access door in each 200 linear feet (61 m) or fraction thereof. Required access doors shall be a minimum of 3 feet (0.9 m) wide and 6 feet 8 inches (2 m) high and shall be accessible without use of a ladder. Rolling doors are acceptable for such purposes in buildings protected throughout by an approved automatic sprinkler system(s) unless otherwise approved for unsprinklered buildings by the local Fire Chief and /or Fire Code Official."

*Exception: The local Fire Chief and / or Fire Code Official of the responding fire department or agency is authorized to increase the 100 linear feet.*

4. Delete section 507.5.1 in its entirety and substitute in its place the following:

507.5.1 **"Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 500 feet (152 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrant and mains shall be provided where required by the local Fire Chief and/or Fire Code Official of the responding fire department or agency.

*Exceptions:*

1. *For group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).*
2. *For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m)."*

5. Delete subsection 507.5.1.1 in its entirety without substitution. Refer to section 905 of this *Code*.

6. Add a new section, **Appendix D 107.1, as follows:**

Developments of one- or two-family dwellings where the number of dwelling units exceeds 120 shall be provided with two separate and approved fire apparatus access roads.

**Exceptions:**

1. Where there are more than 120 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

3. The fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided. Plans shall accompany the written request that delineate improvements to proposed fire apparatus access roads approved by the fire code official of the local responding fire department. Recommended compliance alternatives for residential developments having less than the minimum of two entrances includes, but is not limited to one of more of the following alternative remedies:

1. Enhanced turning radii to meet local responding fire department requirements; and/or

2. Increased road widths to meet local responding fire department requirements; or

3. Fire Lane signs per D103.6 in locations determined by the Fire Code Official; or

4. The absence of dead-end streets and cul-de-sacs; and unless the requirements meet or exceed Table D103.4 for Fire Apparatus Access Roads; or

5. The primary entrance roadway being a boulevard with medians and each lane meeting fire access road widths; or

6. Single entrance roads providing a dedicated emergency lane separating each drive lane; or

7. Additional fire apparatus access road which is permitted to be a roadway or approved surface not accessible to motor vehicles, designed by a registered design professional to meet the loading requirements and minimum specifications of Appendix D; and this surface provides all weather conditions capabilities for emergency fire department access; or

8. Statement by Fire Code Official that the Plans submitted meet the requirements of Exception 3 and/or Appendix D for access by local responding fire department

Pursuant to O.C.G.A. Title 25-2-12 (e)(4) the local fire official, building official, or developer may obtain a waiver when adequate access appropriate for the fire apparatus of the local responding fire department is not met or provided by using alternative methods on a waiver form designed and prescribed by the Safety Fire Commissioner. The State Fire Marshal or designated representative shall respond within 30 days for the decision for approval or disapproval or recommendations for modifications to the Plan. If the 30-day time frame is not met, the Plans submitted shall be deemed to be approved.

**Add a new section, Appendix D 107.2, as follows:**

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

**(f) Modifications to Chapter 6:**

1. Add exception number 3 to 603.4 to read as follows:

*3. In emergency conditions, when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer's instructions and the authority having jurisdiction. Such devices shall be supervised*

during their period of operation by the establishment of a fire watch system based on the definition of "Fire Watch" in Chapter 2 of this Code. Persons assigned to perform fire watch duties shall be instructed as to their duties.

2. Delete section 604.4 in its entirety and substitute in its place the following:

604.4 " Multiplug adapters & Relocatable Power Taps (RPTs).

**604.4.1 Multiplug adapters.** The use of multiplug electrical outlet adapters, such as but not limited to cube adapters or plug strips, or any other similar device that is not UL listed and is not equipped with overcurrent protection shall be prohibited. Such devices that are UL listed and are equipped with overcurrent protection shall only be used in accordance with the UL listing and in accordance with the manufacturer's instructions. Such listed devices shall not be used where specifically prohibited by a provision of NFPA 70, *National Electrical Code*. Where there is any conflict between the UL listing and the manufacturer's instructions, the UL listing provisions shall prevail. The suitability for the use of RTP's shall be based, by the user, on 110.3(A)(1) of the *National Electrical Code*.

**604.4.2 Relocatable Power Taps (RPT's):**

**604.4.2.1 Relocatable Power Taps (RPT's)** shall be UL listed and labeled in accordance with UL1363. They shall be of the polarized or grounded type, and be equipped with overcurrent protection. RPT's shall be used in accordance with their UL listing and the manufacturer's instructions. [NEC, 110.3(B)] Where there is any conflict between the UL listing and the manufacturer's instructions, the UL listing provisions shall prevail. Such listed devices shall not be used where specifically prohibited by a provision of NFPA 70, *National Electrical Code*.

**604.4.2.2 RPT power supply.** RPT's shall be directly connected to a permanently installed electrical receptacle. An RPT shall not be plugged into another RPT or into an extension cord or flexible cord. A UL listed extension cord or flexible cord having only one outlet and serving only one device may be plugged into an RPT so long as the arrangement does not cause an overcurrent condition in the RPT.

**604.4.2.3 RPT power cords.** Power cords of RPT's shall not be extended through holes in walls, structural ceilings, or floors. Such cords shall not be run under doors or floor coverings. They shall not be run through doorways, windows, or similar openings.

**604.4.2.4 Protection from physical damage.** RPT's shall be mounted off floors to a wall or fixture so as to be protected against physical damage. The method of mounting shall not be permanent so that the devices may be easily relocated as need dictates.

**604.4.2.5 Restricted use in Health Care Occupancies.** "Hospital grade "RPT's listed, based on UL 1363A, for use in "patient care" or "patient sleeping rooms" of a hospital, limited care facility, nursing home, hospice, or ambulatory health care facility may be used in such locations, unless such use is specifically prohibited by this Code, NFPA 70, *National Electrical Code*, NFPA 101, *Life Safety Code*, NFPA 99, *Health Care Facilities Code*, or other applicable State or Federal rule or regulation."

3. Insert an Informational Note following section 604.4.2.4 to read as follows:

"Informational Note: Based on UL1363, RPT's are intended for indoor use as an extension of a grounding alternating-current branch circuit for general use. Where such devices are used or intended to be used for voltage surge suppression, the RPT is also required by UL1363 to meet the provisions of UL1449 for Transient Voltage Surge Suppressors. UL1363 incorporates this compliance. Such devices may be utilized for the protection of personal or laptop computers, computer related devices, word processors, memory typewriters, and other low load devices. They are not intended for use with high load equipment such as, but not limited to, refrigerators, coffee pots, microwave ovens, toasters, toaster ovens, space heaters, and other high power load devices. The labeling and manufacturer's information and instructions need to be consulted to determine if the RPT is also listed for transient voltage suppression. In addition, some RPT devices have additional options included in the device such as "electrical noise" filtration. UL1363 would also require and ensure that component would meet UL1283. The safety requirements relative RPT's regardless of the various extras that may be included in a device covered by UL1363 and the RPT manufacturer's instructions. RPT's have also been referred to as "Temporary Power Taps (TPT's)",

"power strips", "Surge/Spike Protectors", or "Portable Outlets" among other designations. NFPA 70, *National Electrical Code* (NEC), 2011 edition, does not utilize the term "Relocatable Power Tap or RPT, however, for safety provisions similar to those utilized by UL, reference can be made to NEC Article 400, Flexible Cords and Cables, Article 406, Receptacles, Cord Connectors, and Attachment Plugs (CAPS), and Article 517 Health Care Facilities."

4. Delete section 604.10 and the exception thereto, and substitute in its place the following: Sections 604.10.1 through 604.10.4 remain unchanged.

604.10 " Portable, electric space heaters. Portable, electric heaters are prohibited in all portions of occupancies in Groups A, E (including day care), I-1, I-3, R-1, R-2, and R-4. Where not prohibited by other chapters of this *Code*, or by provisions of NFPA 101, *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, portable, electrical space heaters shall be permitted to be used in all other occupancy groups. Where use is permitted, portable electric space heaters shall comply with Sections 604.10.1 through 604.10.5 and 604.10.6 where applicable."

5. Add a new section 604.10.6 to read as follows:

604.10.6 " Oil filled radiator type, portable electric space heaters that have a maximum surface temperature restriction of 250° F, may be permitted to be used in staff and employee areas that are located on floors not occupied by patient or staff sleeping areas and that are totally sprinkler protected in I-2 occupancies as defined in Chapter 2 of this *Code*. For single story I-2 occupancies, such devices may be used in staff and employee non-sleeping areas that are totally sprinkler protected and that are separated from staff and patient sleeping room areas by 1-hour fire rated construction. Such space heaters shall comply with 604.10.1 through 604.10.5."

6. Add a new 604.12 to read as follows:

604.12 "**Separation from Transformers.** Space separation for transformers shall be as follows:

(1) Transformer pad locations shall be a minimum of 10 feet (3 m) from any building, building overhangs, canopies, exterior walls, balconies, exterior stairs and/or walkways connected to the building.

(2) Transformer pad edges shall be not less than 14 feet (4.3 m) from any doorway.

(3) Transformer pad edges shall be not less than 10 feet (3 m) from any window or other opening.

(4) If the building has an overhang, the 10 foot (3 m) clearance shall be measured from a point below the edge of the overhang only if the building is three stories or less. If the building is four stories or more, the 10 foot (3 m) clearance shall be measured from the outside building wall.

(5) Fire escapes, outside stairs, and covered walkways attached to or between buildings, shall be considered as part of the building.

604.12.1 Transformer pads may be located closer to noncombustible walls than the above required minimum clearances in 605.12(1) upon written approval of the authority having jurisdiction, however, in no case shall the transformer location be less than 3 feet (0.9 m) from the building.

604.12.2 Transformer pads existing prior to December 31, 1994, are exempted from the requirements of 605.11. When buildings are modified, reductions in space separations may be less than the above required minimum clearances upon written approval of the authority having jurisdiction."

7. Delete section 607 in its entirety and substitute in its place the following:

607.1 "General. Commercial kitchen exhaust hoods and residential cooking appliances in commercial and public buildings shall comply with the requirements of NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, as adopted by this Chapter 120-3-3."

7. Delete section 609.2 in its entirety and substitute in its place the following:

607.2 **"Where required.** A commercial hood complying with NFPA 96, as adopted by this Chapter 120-3-3, shall be installed in any occupancy at or above all commercial cooking appliances, and domestic cooking appliances used for commercial purposes and which produce grease laden vapors.

607.2.1 The provisions of 607.2 shall not apply where provided for in the scoping provisions of subsection 1.1.4 of NFPA 96, as adopted by this Chapter 120-3-3."

8. Delete 607.3 in its entirety and substitute in its place the following:

607.3 **"Operations and maintenance.** Commercial cooking appliances, and domestic cooking appliances used for commercial purposes and which produce grease laden vapors, and all components of ventilation systems serving such appliances shall be installed, operated and maintained in accordance with the provisions of NFPA 96 as adopted by this Chapter 120-3-3."

(g) **Modifications to Chapter 7:**

1. Add a new 701.2.2 to read as follows:

701.2.2 **"Barrier Identification.** All fire and/or smoke barriers or walls shall be effectively and permanently identified with signs or stenciling above a decorative ceiling and/or in concealed spaces with letters a minimum of 2 inches (51 mm) high on a contrasting background spaced a maximum of 12 feet (3.7m) on center with a minimum of one per wall or barrier. The hourly rating shall be included on all rated barriers or walls. Suggested wording is, "( ) Hour Fire and Smoke Barrier-Protect All Openings."

(h) **Modifications to Chapter 8:**

1. Delete section 801.1 in its entirety and substitute in its place the following:

**SECTION 801 "GENERAL,**

**801.1**

Scope. The provisions of this *Code*, as adopted by this Chapter shall govern furniture, furnishings, decorative vegetation, and decorative materials, as defined in Chapter 2 of this *Code*, in buildings and structures. Section 803 shall be applicable to all existing buildings, structures, or spaces constructed and issued the required certificate of occupancy prior to the effective date of this Chapter 120-3-3. Sections 804 through 808 shall be applicable to such existing buildings, structures, and or spaces, and to proposed (new) buildings, structures, or spaces. For the purposes of this *Code*, wall padding, wall mounted gym pads, crash pads, or other pads mounted or secured to walls shall meet the provisions of this NFPA 101, *Life Safety Code* applicable to interior finish materials. Gym pads or other pads used on floors shall be considered as furnishings. Interior finish and trim in proposed (new) buildings shall be regulated by NFPA 101, *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(i) **Modifications to Chapter 9:**

1. Delete section 901.3 in its entirety and substitute in its place the following:

901.3 **"Approvals and Permits.** Fire protection systems shall be approved as set forth by the authority having jurisdiction. Local authorities having jurisdiction may require permits as required and set forth in 105.6 and 105.7 of this *Code*."

2. Delete section 901.4.1 in its entirety and substitute in its place the following:

901.4.1 " Required fire protection systems. Fire suppression systems required by this *Code*, the *International Building Code*, the *Life Safety Code*, or other codes and standards adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner, shall be installed, operated, tested, repaired and maintained in accordance with this *Code* and applicable standards adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner."

3. Delete section 901.4.2 in its entirety and substitute in its place the following:

901.4.2 " Provisions in excess of the minimum code requirements shall, as a minimum, be installed to meet the provisions of the currently adopted code(s) and/or standard(s) which may be applicable to the provision at the time of its installation. Any non-required fire protection system which is added onto, interconnected with, any required fire protection system (of a similar type), shall be designed, installed, and maintained in accordance with the provisions of the currently adopted code(s) and/or standard(s) which may be applicable to the provision at the time of its installation.

901.4.2.1 The provisions of 901.4.2 shall not apply to other installations not conforming with the provisions of the currently adopted code(s) and/or standard(s) applicable to the provision at the time of its installation if such installations are reported and filed with the local responding fire department and the authority having jurisdiction. In addition such systems shall be identified as required by the authority having jurisdiction.

901.4.2.2 The provisions of 901.4.2 shall not apply for non-required systems designed, reviewed, installed and approved in accordance with local codes and/or ordinances."

4. Delete section 903.2 in its entirety and substitute in its place the following:

903.2 **"Where required.**

(a) Approved automatic sprinkler systems for proposed (new) buildings and structures approved for construction as set forth in 103.3.1 of this *Code*, or where specifically required for existing buildings and structures, shall as the minimum level of protection, be that required by the applicable provisions of NFPA 101, *Life Safety Code* and applicable provisions of other codes and standards adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner, and this *Code* section; provided, however, the *International Building Code (IBC)* shall govern the requirements for sprinkler protection that are related to minimum building construction types, or to increases in building area and height limitations imposed by the *IBC*."(Refer to **Table 102.13, CODES REFERENCE GUIDE**)

(b) Where a new automatic sprinkler system is required by this *Code* or other code, standard, rule or regulation, the system shall be designed and installed in accordance with the requirements applicable to systems in proposed (new) buildings and structures.

(c) In addition, an automatic sprinkler system may be required for new or existing buildings, structures, spaces, or conditions by other NFPA standards adopted by this Chapter 120-3-3, or other Rules and Regulations of the Safety Fire Commissioner.

(d) The requirements for the installation, design, and testing of automatic sprinkler systems shall be as applicable, NFPA 13, *Standard for the Installation of Sprinkler Systems*, NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*; and NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*, or as adopted and modified by this Chapter 120-3-3.

903.2.1 The sprinkler protection provision of 903.2 shall not be mandatory for spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with a supervised automatic fire alarm system, and are separated from the remainder of the building by fire barriers consisting of walls and floor/ceiling assemblies having a fire resistance rating of not less than 2-hours.

**NOTE:** NFPA 76, *Fire Protection of Telecommunications Facilities*, should be consulted. Refer to the edition adopted by this Chapter 120-3-3."

5. Delete section 903.3.7 of this *Code* in its entirety and substitute in its place the following:

903.3.7 "**Fire department connections.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of this *Code*, adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

6. Delete section 904.2.2 in its entirety and substitute in its place the following:

904.2.2 "**Commercial hood and duct systems.** Each required commercial kitchen exhaust hood and duct system required by Section 607 to have a commercial hood complying with NFPA 96, shall be protected with an approved automatic fire-extinguishing system installed in accordance with this *Code* and applicable provisions of NFPA 96."

7. Delete section 904.12 in its entirety and substitute in its place the following: "904.12 Fire Protection for Commercial Cooking Operations.

904.12.1 The requirements for, as well as the design, installation, protection and maintenance of cooking equipment, shall be as required by NFPA 101, *Life Safety Code* and NFPA 96, Standard for the Ventilation Control and Fire Protection of Commercial Cooking Operations, as adopted by this Chapter 120-3-3." (Refer to **Table 102.13, CODES REFERENCE GUIDE**)

904.12.2 Fire suppression systems approved for the protection of commercial cooking appliances shall be designed, installed, and maintained in accordance with the applicable standards adopted in this Chapter.

904.12.3 Portable fire extinguishers for commercial cooking appliances. Portable fire extinguishers shall be installed in kitchens or other commercial cooking areas in accordance with NFPA 10 and NFPA 96, as adopted by this Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner. Class K portable fire extinguishers and the required operation sequence signage required by NFPA 10, shall be located between 5 feet and 10 feet from the manual release device(s) of the kitchen exhaust hood fire suppression system(s)."

8. Delete section 905.1 in its entirety and substitute in its place the following:

905.1 "**General.** The State's minimum requirements for standpipe systems shall be as required by the *International Building Code (IBC)* or This *Code*. Standpipe systems shall be designed, installed and tested in accordance with NFPA 14, *Standard for the Installation of Standpipe, and Hose Systems* as adopted by this Chapter 120-3-3. (Refer to **Table 102.13, CODES REFERENCE GUIDE**)"

9. Insert a new subsection 905.13 to read as follows:

905.13 "**Fire department connections.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of this *Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

10. Delete section 906.1 in its entirety and substitute in its place the following:

906.1 " **Portable Fire Extinguishers - General.** Portable fire extinguishers shall be installed in all buildings, structures and facilities falling under this *Code* and O.C.G.A. 25-2. For any other building, structure, facility, or condition or special hazard, portable fire extinguishers shall be provided as may be required by this *Code* in Table 906.1, or by various codes and standards adopted by this Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 102.13, CODES REFERENCE GUIDE**)."

11. Delete section 906.2 in its entirety and substitute in its place the following:



906.2 **"General requirements.** The selection, distribution, installation, and maintenance of portable fire extinguishers shall comply with NFPA 10, *Standard for Portable Fire Extinguishers*, as adopted by this Chapter 120-3-3.

906.2.1 The maximum travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.

906.2.2 Thirty-day inspections shall not be required and maintenance shall be allowed to be once every three years for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:

- (a) Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed.
- (b) Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal.
- (c) The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment.
- (d) Electronic monitoring devices and supervisory circuits shall be tested every three years when extinguisher maintenance is performed.
- (e) A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to ensure that hydrostatic tests are conducted at the frequency required by NFPA 10.

906.2.3 In Group E - Educational occupancies, in lieu of locating fire extinguishers in corridors and normal paths of travel as specified in NFPA 10, *Standard for Portable Fire Extinguishers*, fire extinguishers may be located in rooms that open directly onto such corridors and pathways provided all of the following are met:

- (a) The room in which such extinguishers are placed are located in close proximity to that portion of the corridor where a fire extinguisher would otherwise be placed in accordance with NFPA 10; *Standard for Portable Fire Extinguishers*,
- (b) A sign which states in white letters at least one inch in height on a red background, 'FIRE EXTINGUISHER LOCATED IN THIS ROOM,' is placed on the corridor wall immediately adjacent to the entrance way of each such room so that it can be clearly seen at all times;
- (c) The rooms in which such extinguishers are placed shall be constantly supervised during school hours; and,
- (d) Those rooms cannot be subject to being locked at any time the building is occupied."

12. Delete sections 906.3 through 906.10 without substitution (Refer to NFPA 10).

13. Delete section 907.1 in its entirety and substitute in its place the following, while retaining existing subsections:

907.1 **"Fire Alarm Systems - General.**

(a) The State's minimum requirements for fire alarm systems in proposed (new) buildings and structures approved as set forth in 103.3.1 of this *Code* shall be as required by NFPA 101, *Life Safety Code*, as adopted by this Chapter 120-3-3. Fire alarm systems shall be designed, installed, tested, and maintained in accordance with NFPA 72, *National Fire Alarm and Signaling Code*, as adopted by this Chapter 120-3-3. (b) New fire alarm systems to be installed in existing buildings shall be designed, installed, and maintained in accordance with NFPA 72, as adopted by this Chapter 120-3-3. (Refer to **Table 102. 13 CODES REFERENCE GUIDE**)"

17. Delete sections 907.2 through 907.6.6.2 in their entirety and without substitution.

18. Delete section 909.1 in its entirety and substitute in its place the following:

909.1 **"Scope and purpose.** This section applies to mechanical or passive smoke control systems when they are required for proposed (new) buildings or portions thereof by provisions of the *Life Safety Code* (LSC) or this *Code*, as adopted by this Chapter 120-3-3, or by provisions of the *International Building Code* (IBC), as adopted by the Department of Community Affairs. The purpose of this section is to establish minimum requirements for the design, installation, and acceptance testing of smoke control systems that are intended to provide a tenable environment for the evacuation or relocation of occupants. These provisions are not intended for the preservation of contents, the timely restoration of operations, or for assistance in fire suppression or overhaul activities. Smoke control systems regulated by this section serve a different purpose than the smoke and heat venting provisions found in Section 910. Mechanical smoke control systems shall not be considered exhaust systems under Chapter 5 of the *International Mechanical Code* (IMC)."

19. Delete section 909.2 in its entirety and substitute in its place the following:

909.2 **"General design requirements.** Buildings, structures, or portions thereof required by provisions of the *Life Safety Code* (LSC) or this *Code*, as adopted by this Chapter, or by provisions of the *International Building Code*, as adopted by the Department of Community Affairs, to have a smoke control system or systems shall have such systems designed in accordance with the applicable requirements of Section 909 of this *Code* and the generally accepted and well established principles of engineering relevant to the design. The construction documents shall include sufficient information and detail to describe adequately the elements of the design necessary for the proper implementation of the smoke control systems. These documents shall be accompanied with sufficient information and analysis to demonstrate compliance with these provisions."

20. Add a new section 909.2.1 to read as follows:

909.2.1 " Smoke Control. For the purposes of 909.2 the following publications shall be considered as providing the generally accepted and well established principals of engineering relevant to design of required smoke control systems.

(1) NFPA 92, *Standard for Smoke Control Systems*

(2) NFPA SPP-53, *Smoke Control in Fire Safety Design*

(3) ASHRAE/SFPE, *Design of Smoke Management Systems*

(4) ASHRAE, Guideline 5: *Guideline for Commissioning Smoke Management Systems*"

(5) NFPA 101, *Life Safety Code* (For non-mandatory guidance involving systems for existing detention and correction facilities refer to A.23.3.1.3 of the 2012 Edition)

21. Add a new section 909.2.1 to read as follows:

909.2.1 **"Deactivation of Mechanical Pressurization Systems.** The design of pressurization systems shall ensure that smoke is not introduced into the pressurized enclosure so as to result in the untenable contamination of the fresh air. Approved smoke detectors shall be installed at each intake in such approved manner that the operation of the fan providing mechanical pressurization to the enclosure where smoke is detected shall be deactivated upon detection of smoke."

22. Add a new subsection 912.2.3 to read as follows:

912.2.3 **"Location of fire department connections.** The location of fire department connections for automatic sprinkler systems shall be as approved by the Fire Chief as set forth in accordance with Section 912 and Section 501.5 of this *Code*, as adopted by 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

23. Add a new section 914.7.3 to read as follows:

914.7.3 **"Limited Use Special Amusement Buildings:** Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights;
4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the *International Fire Code* and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;
5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);
6. "NO SMOKING" signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;
7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request."

**(j) Modifications to Chapter 10:**

1. Delete sections 1001 through 1030 in their entirety and substitute in their place the following:

**1001.1 "General.**

(A) Proposed (new) buildings or portions thereof approved for construction as set forth in 103.3 of this *Code*, shall be provided with means of egress and related safeguards as set forth by NFPA 101, *Life Safety Code*, as adopted this Chapter. (Refer to **Table 102.13, CODES REFERENCE GUIDE**)

(B) Buildings and structures existing and approved prior the effective date of this Chapter 120-3-3, as set forth in 103.3 of this *Code*, having means of egress and related safeguards conforming to NFPA 101, *Life Safety Code*, under which they were approved and constructed shall be considered as complying with this *Code*. Means of egress and related safeguards in existing buildings constructed without approval, may be considered as complying with this code section if, in the judgment of the authority having jurisdiction, they do not constitute a distinct hazard to life. Where, in the judgment of the authority having jurisdiction, the means of egress or related safeguards provided constitute a distinct hazard to life, the hazardous condition or conditions shall be remedied based on the provisions for existing buildings of the *Life Safety Code* as adopted by this Chapter 120-3-3.

(C) Exit discharge termination dispersal areas may be utilized where authorized and designed in accordance with 7.7.1.5 of the *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

2. Add the following section 1001.2 to read as follows:

1001.2 **"Overcrowding and Life Safety Hazard Prevention.** Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. It is the responsibility of the manager and the person in charge of a building, structure, or portion thereof not to allow an overcrowded condition or any condition which constitutes a life safety hazard to exist, and to take prompt action to remedy an overcrowded condition or life safety hazard when evidence of such a condition is noted, or when advised or ordered by the Fire Code Official or his/her representative. (Refer to 107.6)

1001.2.1 **Decreases in the Occupant Load.** For authorized decreases in the occupant load approved by the fire code authority having jurisdiction, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.

1001.2.2 **Increases in the Occupant Load.** For approved increases in the occupant load by the fire code authority having jurisdiction, refer to 7.3.1.5 of Subsection 7.3.1 of NFPA 101, *Life Safety Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

1001.2.3 **Overcrowded Condition or Life Safety Hazard Determined.** The fire code official, upon finding any overcrowded conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected. In addition, a structure, building, room or designated portion thereof shall be deemed overcrowded if the total of occupants exceeds the exit capacity of the structure, building, room or area involved."

**(k) Modifications to Chapter 11:**

1. Delete 1101.1 and substitute in its place the following:

1101.1 **"Scope.** The provisions of this chapter shall apply to existing buildings constructed prior to the effective date of this Chapter 120-3-3.

2. Delete 1101.2 and substitute in its place the following:

1101.2 **"Intent.** The intent of this chapter is to provide a minimum degree of fire and life safety to persons occupying buildings by providing for existing building rehabilitation activities including repair, renovation, modification, reconstruction, change of use or occupancy classification, and additions to such buildings.

3. Delete 1101.3 and substitute in its place the following:

1101.3 **"Permits.** Construction permits for buildings falling under State jurisdiction, as set forth in O.C.G.A. 25-2-13, shall be required for the activities noted in 4601.1 when the criteria of O.C.G.A. 25-2-14(d) for an existing building to be classified as a proposed (new) building or structure are met. For local jurisdictions, permits shall be required as set forth in Section 105.7 of this *Code* and the *International Building Code*.

4. Delete Sections 1102 through 1104 and substitute in their place a new 1102 to read as follows:

**SECTION 1102 "FIRE AND LIFE SAFETY REQUIREMENTS FOR EXISTING BUILDINGS AND STRUCTURES"**

1102.1 **"General.** The intents and purposes of this section shall be met through the application of the applicable provisions of this *Code*, the *Life Safety Code*, and other codes and standards as adopted by Chapter 120-3-3 of the

Rules and Regulations of the Georgia Safety Fire Commissioner, as they apply to existing conditions and routine maintenance of fire and life safety protection systems and devices. For building rehabilitation activities, including repair, renovation, modification, reconstruction, change of use or occupancy classification, and additions to such buildings, the definitions and requirements of Chapter 43, of the *Life Safety Code*, adopted by Chapter 120-3-3 of the Rules and Regulations of the Georgia Safety Fire Commissioner shall apply."

**(l) Modifications to Chapter 20:**

1. Delete section 2003.5 in its entirety and substitute in its place the following:

2003.5 " Dispensing of flammable and combustible liquids. No dispensing, transfer or storage of flammable or combustible liquids shall be permitted inside any building or structure.

Exceptions:

1. *As provided in Chapter 57 of this Code, provided, the provisions are not less protective than the provisions of any applicable Codes and standards adopted by the Rules and Regulations of the Safety Fire Commissioner.*

2. *When the procedures used follow the guidelines and requirements set forth in NFPA 410 - Standard for Aircraft Maintenance, adopted by this Chapter 120-3-3."*

2. Delete sections 2006.1 through 2006.21.1 in their entirety and substitute in their place a new paragraph 2006.1 to read as follows:

2006.1 " Aircraft motor vehicle fuel-dispensing stations and Airport Fuel Systems. All aircraft motor vehicle fuel-dispensing stations and airport fuel systems shall be in accordance with Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Flammable and Combustible Liquids.'"

3. Delete section 2007.1 in its entirety and substitute in its place the following:

2007.1 "**General.** Helistops and heliports shall be maintained in accordance with Section 2007. Helistops and heliports on buildings or structures shall be constructed in accordance with the *International Building Code* and the requirements set forth by NFPA 418, Standard for Heliports, adopted by this Chapter 120-3-3."

**(m) Modification to Chapter 23.**

1. Delete sections 2301.1 through 2301.6 in their entirety and substitute in their place a new paragraph 2301.1 to read as follows:

2301.1 "**Scope.** Automotive motor fuel-dispensing facilities, marine motor fuel dispensing facilities, fleet vehicle motor fuel-dispensing facilities and repair garages shall be in accordance with Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Flammable and Combustible Liquids'."

*Exception: This chapter shall apply to hydrogen motor fuel-dispensing and generation facilities as specified in section 2309 and repair garages where referenced by subsection 406.6, entitled, 'Repair Garages,' of the International Building Code.*

2. Delete sections 2303 through 2308 and all other paragraphs there-under, and section 2310 and all other paragraphs thereunder in their entirety without substitution.

**(n) Modification to Chapter 31:**

1. Delete 3106.5.2 in its entirety and substitute in its place the following:

3106.5.2 " Cooking Operations. Cooking operations shall be evaluated and comply with NFPA 96, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(o) **Modification to Chapter 50:**

1. Add two new exceptions 12 and 13 to section 5001.1 to read as follows:

12. " Storage, transportation, use, dispensing, mixing and handling of Flammable and combustible liquids as outlined in Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, "Rules and Regulations for Flammable and Combustible Liquids.

13. Storage, handling, and transportation of liquefied petroleum gas (LP-Gas) and the installation of LP-gas equipment pertinent to systems for such use as outlined Chapter 120-3-16 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Liquefied Petroleum Gases.'

2. In Table 5003.11.1, add superscript "k" to Oxidizers in the Material column and add the following footnote "k" to read as follows:

k. " Group M occupancies with Class 2 and Class 3 oxidizers exceeding these quantities shall comply with the applicable provisions of NFPA 400, *Hazardous Materials Code* as adopted by this Chapter 120-3-3."

(p) **Modifications to Chapter 56:**

2. Delete sections 5601 through 5607 and all related paragraphs there under in their entirety and substitute in their place the following:

5601. "**Explosives and blasting.** The provisions of Chapter 120-3-10 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Explosives and Blasting Agents' shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials and small arms ammunitions."

3. Delete section 5608.1 in its entirety and substitute in its place the following:

5608.1 " **GENERAL PROVISIONS.** In addition to the requirements of this Section for the display of fireworks the provisions of O.C.G.A. Title 25, Chapter 2, and Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, shall apply. Where there may be a conflict between a provision of this Section and a provision of the above referenced law or regulation, the provision of the above referenced law or regulation shall apply. Nothing in this chapter shall be construed to prohibit the use of fireworks by railroads or other transportation agencies for the signal purposes or illumination, or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports or for the use by military organizations."

2. Insert a new section 5608.11 to read as follows:

5608.11 " **Retail display and sale.** (a) Fireworks as defined in the Official Code of Georgia (O.C.G.A.) Title 25, Chapter 10 in 25-10-1(a)(1) shall not be made available for sale at retail or wholesale, except as provided in O.C.G.A. 25-10. (b) Non-explosive sparkling devices as defined in O.C.G.A. 25-10-1(b) are permitted for retail sales to the public, provided, however, it is unlawful for any such devices to be sold to any person under 18 years of age (O.C.G.A. 25-10-2(b)(1)). In addition, it is unlawful to sell such items to any person by any means other than an in-person, face-to-face sale. Further, such person shall provide proper identification to the seller at the time of such purchase. The term 'proper identification' means any document issued by a governmental agency containing a description of the person, such person's photograph, or both, and giving such person's date of birth and includes without being limited to, a passport, military identification card, driver's license, or an identification card authorized under O.C.G.A. Sections 40-5-100 through 40-5-104. (c) In areas where devices are stored or displayed for retail sales, at least one pressurized-water type portable fire extinguisher complying with NFPA 10, as adopted by this Chapter shall be located not more than 20 feet and not closer than 15 feet from the storage or display location. In

addition, "NO SMOKING" signs complying with Section 310 shall be conspicuously posted in areas of such storage or display, unless in a building where smoking is clearly marked as prohibited."

**(q) Modification to Chapter 57:**

1. Add a new non-applicability paragraph number 12 to section 5701.2 to read as follows:

12. " The storage, transportation, use, dispensing, mixing and handling of Flammable and Combustible Liquids as outlined in Chapter 120-3-11 Rules and Regulations of the Safety Fire Commissioner entitled, 'Rules and Regulations for Flammable and Combustible Liquids.'"

**(r) Modifications to Chapter 61:**

1. Delete Chapter 61 in its entirety and substitute in its place the following:

**"CHAPTER 61 LIQUEFIED PETROLEUM GASES.** The provisions relating to the storage and handling of liquefied petroleum gases shall be those in NFPA 58, *Liquefied Petroleum Gas Code*, as adopted by Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 102.13, CODES REFERENCE GUIDE**)"

**(s) Modifications to Chapter 80:**

1. Add an Explanatory Note at the start of the Chapter to read:

"Replace the NFPA Standard Reference numbers with the year edition with the same NFPA Standard Reference numbers and titles however; each year edition shall be those as adopted by the Rules and Regulations of the Georgia Safety Fire Commissioner Chapters 102-3-3, 120-3-10, 120-3-11 and 120-3-12."

**(4) NFPA 2, 2020 Edition Hydrogen Technologies Code**

Modifications: None

**(5) NFPA 3, 2018 Edition, Guide for the Commissioning and Integrated Testing of Fire Protection and Life Safety Systems Modifications:**

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 " This document is recognized strictly as a recommended practice for fire prevention and fire protection. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, and it is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance."

**(6) NFPA 10, 2018 Edition, Standard for Portable Fire Extinguishers**

Modifications:

**(a) Modification to Chapter 6:**

1. Delete 6.1.3.8.1 in its entirety and insert in its place the following (6.1.3.8.2 and 6.1.3.8.3 remain unchanged:

6.1.3.8.1 " Portable fire extinguishers having a gross weight not exceeding 40 lb. (18.14 kg) shall be installed so that the top of the extinguisher is not more than 48 in (1.19 m) above the floor."

2. Delete 6.1.3.10.5 in its entirety and substitute in its place the following:

6.1.3.10.5 Cabinets or wall recesses for fire extinguishers shall be installed that the top of the opening for the fire extinguisher is at 50 in. (1.27 m) above the finished floor.

6.1.3.10.5.1 The provisions of 6.1.3.10.5 shall not apply to existing installations.

**(b) Modifications to Chapter 7:**

1. Delete 7.1.2.1\* in its entirety and insert in its place the following:

7.1.2.1 " Persons performing maintenance and recharging of extinguishers shall be licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated."

2. Delete subparagraphs 7.1.2.1.1 thru 7.1.2.1.5 in their entirety without substitution.

3. Delete subparagraph 7.1.2.3 in its entirety without substitution.

4. Delete subsection 7.3.4.1.1 in its entirety and substitute in its place the following:

7.3.4.1.1 " Tags shall comply the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

5. Delete subsection 7.3.4.2 in its entirety and substitute in its place the following:

7.3.4.2 "**Verification-of-Service Collar (Maintenance or Recharging)**. Verification-of-Service Collars shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 7.3.6.5.3 in its entirety and substitute in its place the following:

7.3.6.5.3 " The 6 year Maintenance internal examination label shall be blue in color and shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

7. Delete subsection 7.11.3 in its entirety and substitute in its place the following:

7.11.3 " Verification-of-Service Collars shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

**(c) Modifications to Chapter 8:**

1. Delete subsection 8.1.2.1 in its entirety and substitute in its place the following:

8.1.2.1 " Hydrostatic testing shall be performed by persons who are, licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, trained in pressure testing procedures and safeguards complying with 7.1.2, who have testing equipment, facilities, and an appropriate manufacturer's service manual(s) available."

2. Delete subsection 8.1.2.1.2 in its entirety without substitution.

3. Delete subsection 8.1.2.1.3 in its entirety and substitute in its place the following:

8.1.2.1.3 " \* Where hydrostatic testing is subcontracted to a facility described in 8.1.2.1.1, the secondary firm actually performing the hydro testing must be listed on the primary firms license(s) application on file in the Georgia State Fire Marshal's Office."

4. Delete subsection 8.7.2.2 in its entirety and substitute in its place the following:



8.7.2.2 " The label shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

**(7) NFPA 11, 2016 Edition, Standard for Low-, Medium-, and High-Expansion Foam**

Modifications: None

**(8) NFPA 12, 2018 Edition, Standard on Carbon Dioxide Extinguishing Systems**

Modifications: None

**(9) NFPA 12A, 2018 Edition, Standard on Halon 1301 Fire Extinguishing Systems**

Modifications: None

**(10) NFPA 13, 2019 Edition, Standard for the Installation of Sprinkler Systems**

Modifications:

**(a) Modification to Chapter 4:**

1. Add a new Section 4.2.1 to read as follows:

4.2.1.1 **"Modification of Existing Sprinkler Systems.** In existing sprinkler systems, heads may be relocated from original installation locations. All alterations or modifications to existing branch lines shall be submitted with hydraulic calculations if work is outside of scope of subsections 4.4.1 through 4.4.4. New hydraulic data nameplate shall be placed on any modified system at the riser or sectional valve along with the existing hydraulic data nameplate.

4.2.1.2 One additional sprinkler may be added to an original installation location if the additional sprinkler is in a remotely located or non-communicating compartment from the existing or relocated sprinkler.

4.2.1.3 Two sprinklers may be added to an existing branch line if the additional sprinklers are in remotely located or non-communicating compartments from the existing or relocated sprinkler.

4.2.1.4 New branch lines added to existing cross mains shall be sized the same as the existing branch lines.

4.2.1.5 No more than two heads shall be supplied from 1 inch (25.4 mm) pipe unless the existing system was calculated to supply more than two heads. In such case, the calculated maximum for 1 inch (25.4 mm) pipe shall take precedence."

**(b) Modification to Chapter 5:**

1. Add a new paragraph 5.2.2.3 to read as follows:

5.2.2.3 " A water test taken to determine the period of highest demand and made not more than six months prior to plan submittal shall be submitted to the authority having jurisdiction with all new system designs."

**(c) Modification to Chapter 9:**

1. Delete the Annex note A.9.3.5.1 to 9.3.5.1\* and insert a revised A.9.3.5.1 to read follows: "A.9.3.5.1 It is the intent of this section to apply the requirement for draft stops and closely spaced sprinklers to openings in fire rated floor/ceiling assemblies. It is not the intent of this section to require draft stops and closely spaced sprinklers to the perimeter around mezzanines, raised platforms, lofts or other places where stairs or escalators ascend to a floor or landing that is open to the space below.

2. Insert a new 9.3.5.2.1 to read as follows:

9.3.5.2.1 " Draft stops required by Section 8.15.4.1 shall not be required in Light and Ordinary Hazard Occupancies utilizing quick response sprinklers throughout."

**(d) Modification to Chapter 16:**

1.) Delete paragraph 16.12.5.7 in its entirety and substitute in its place the following. The annex note shall remain.

16.12.5.7 **"FDC Locations.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsections 501.5 and 912 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Where there may be conflict between subsection 501 or 912 of the *IFC* and section 8.17.2 of this *Code*, the provisions of 501 and 912 of the *IFC* shall prevail."

**(e) Modification to Chapter 27:**

1. Add a new 27.1.2.1 to read as follows:

27.1.2.1 " Where plan review notes returned with submitted plans or comments on submitted plans by the authority having jurisdiction (AHJ), indicating the need for corrections, such corrections shall be made by the Fire Protection Sprinkler Designer. Only after the needed corrections are made and shown on corrected plans shall changes by installation personnel be allowed. Corrected plans shall be kept at the project site and shall be firmly attached to the set of plans stamped as approved with comments by the AHJ. Submitted plans returned without the approval stamp of the AHJ shall have corrections made and be resubmitted to the AHJ for review and approval. The installation of a system shall not be allowed where plans have been returned without an approval stamp until corrected plans have been submitted, reviewed, and stamped as approved by the AHJ."

2. Add new items (48) through (51) to subsection 27.1.3 to read as follows:

(48) " Type of construction, (i.e., obstructed or unobstructed as defined in Section 3.7), and the distance between the sprinkler deflector and the structure in exposed structure areas.

(49) Indicate the system is a NFPA 13 designed system.

(50) Owner's Certificate, provided in accordance with Section 4.2.

(51) Name, number and signature of the Certificate of Competency holder & Designer."

3. Add a new subsection 27.2.4.11.2.1 to read as follows:

27.2.4.11.2.1 " There shall be a minimum 10 psi (0.69 bar) cushion between the hydraulically calculated sprinkler system demand and supply when there is a backflow prevention device present.

27.2.4.11.2.1.1 The 10 psi (0.69 bar) cushion may be lowered to not less than 7 psi with written approval of the authority having jurisdiction based on the capability of the fire department to provide support to the system within 10 minutes of the receipt of notification of the alarm of fire in the building."

4. Add a new subparagraph 27.2.4.11.3 to read as follows:

27.2.4.11.3 " There shall be a minimum 15 psi (1.03 bar) cushion between the hydraulically calculated sprinkler system demand and supply in systems that do not have a backflow prevention device.

27.2.4.11.3.1 The 15 psi (1.05 bar) cushion may be lowered to not less than 7 psi with approval of the authority having jurisdiction based on the capability of the fire department to provide support to the system within 10 minutes of the receipt of notification of the alarm of fire in the building."

(i) **Modification to Chapter 28:**

1. Add a new item (5) to 28.1 to read as follows:

(5) " Attach an initial **"GREEN"** inspection tag to the sprinkler system riser.

(a) After installation, acceptance testing, and inspection, at the time the system is initially accepted as being in a state of operational readiness, an Inspection Tag shall be completed and attached to the system at a conspicuous location so as to permit convenient inspection, and not hamper system activation.

(b) Inspection Tags must be **GREEN** in color and have a minimum dimension of 5¼ inches (133 mm) in length and 2 inches (67 mm) in width.

(c) Inspection tags shall bear at least the following information in an easy to read format:

1. **"DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL."** This order shall be in a minimum of 10pt capital letters.

2. The license number, name, and physical address of the licensed Fire Sprinkler Contractor.

3. The license number, printed name, and signature of the licensed Fire Sprinkler Inspector.

4. The properly punched day, month and year the system was inspected and placed in a state of operational readiness.

5. The name and physical address, including tenant space designation, as applicable of the facility."

2. Add a new Section 28.7 Document Accessibility.

28.7.1 With every new system, a documentation cabinet shall be installed in the system riser room or at another approved location at the protected premises.

28.7.2 The documentation cabinet shall be sized so that it can contain all necessary documentation.

28.7.3 Required minimum documentation shall include copies of Approved Hydraulic calculations, Approved Plans, Above and Below ground contractors test, and Inventory of sprinkler heads.

28.7.4 Where the documentation cabinet is not in the sprinkler riser room, its location shall be identified at the system control valve.

28.7.5 The documentation cabinet shall be prominently labeled **SPRINKLER SYSTEM DOCUMENTS**.

28.7.6 The contents of the cabinet shall be accessible by authorized personnel only.

(11) **NFPA 13D, 2019 Edition, *Standard for the Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes***

Modifications: None

(12) **NFPA 13R, 2019 Edition, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height***

Modifications:

(a) Modification to Chapter 1:

Delete Section 1.1 in its entirety and substitute in its place the following. Subsection 1.1.1 and 1.1.2 shall remain.

1.1 "**Scope.** This standard deals with the design and installation of automatic sprinkler systems for protection against fire hazards in residential occupancies, personal care homes, day-care centers and group day-care homes, up to and including four stories in height. When a single-story open-air parking structure of fire-restrictive construction having a rating greater than 2-hours is below a four-story residential occupancy, the structure is considered within this scope."

1. Delete Section 1.2 in its entirety and substitute in its place the following:

1.2 "**Purpose.** The purpose of this standard is to provide design and installation requirements for a sprinkler system to aid in the detection and control of fires in residential occupancies, day-care centers, group day-care homes, and personal care homes, and thus provide improved protection against injury, loss of life, and property damage. A sprinkler system designed and installed in accordance with this standard is expected to prevent flashover (total involvement) in the room of fire origin, where sprinklered, and to improve the chance for occupants to escape or be evacuated. This standard shall not be applied to "new assisted living communities" or new "memory care units" as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, and as regulated by Chapter 34 or 35, as applicable, of the *Life Safety Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

**(b) Modification to Chapter 3:**

1. Delete subsection 3.3.10 in its entirety and substitute in its place the following:

3.3.10 "**Residential Occupancies.** Residential Occupancies, as specified in the scope of this standard and for the purposes of this standard, include the following, as defined by State law, or by the Rules and Regulations of the Georgia Safety Fire Commissioner: (1) Apartment buildings, (2) Lodging and rooming houses, (3) Board and care facilities, (4) Hotels, motels, and dormitories, (5) Personal care homes (prompt and slow evacuation type only), (6) Day-care centers and group day-care homes."

2. Add a new paragraph 3.3.9.1 to read as follows:

3.3.10.1 " **Day-care Center** - For purposes of NFPA 13R, a day-care facility subject to licensure or commission by the Department of Human Resources where more than 12 clients receive care. A day-care center is within the definition of a dwelling unit."

3. Add a new paragraph 3.3.10.2 to read as follows:

3.3.10.2 "**Group Day-care Home** - For purposes of NFPA 13R, a day-care facility subject to licensure or commission by the Department of Human Resources where at least seven but not more than 12 clients receive care. A group day-care home is within the definition of a dwelling unit."

4. Add a new paragraph 3.3.10.3 to read as follows:

3.3.10.3 "**Dwelling** - For purposes of NFPA 13R, any building which contains not more than one or two 'dwelling units' intended to be used, rented, leased, hired out to be occupied for habitation purposes, or for use as a day-care center, a group day-care home, or as a personal care home or community living arrangement."

5. Add a new paragraph 3.3.10.4 to read as follows:

3.3.10.4 "**Outside Dwelling Unit** - Any area such as, but not limited to, storage, mechanical and equipment rooms and/or other area(s) that, in the opinion of the authority having jurisdiction, constitutes a fire hazard in excess of the hazards normally found within the dwelling unit."

6. Add a new paragraph 3.3.10.5 to read as follows:

3.3.10.5 **"Personal Care Home** - For the purposes of NFPA 13R, any building or part thereof that is used as defined in Chapter 120-3-3 in [120-3-3-.03\(11\)](#) of the Rules and Regulations of the Safety Fire Commissioner."

**(c) Modification to Chapter 4:**

1. Add a new Section 4.6 to read as follows:

4.6 **"Minimum Pipe Sizes.** Minimum pipe sizes shall be ¾ inch (19.1 mm) for copper and 1-inch (25.4 mm) for steel. For other approved pipe or tubing used, a minimum size of ¾ inch (19.1 mm) for those with a Hazen-Williams 'C' value of 150 or more and 1 inch (19.1 mm) for those less than 150."

**(d) Modification to Chapter 6:**

1. Delete paragraph 6.6.1 in its entirety and substitute in its place the following:

6.6.1 " Sprinklers shall be installed in all areas except where omission is permitted by 6.6.2 through 6.6.9 excluding day-care facilities. Sprinklers shall be installed in all areas of day-care facilities except where omission is permitted by 6.6.4 and 6.6.5."

2. Add a new paragraph 6.8.11 to read as follows:

6.8.11 " A non-multipurpose piping system shall be isolated from the domestic water system by not less than two spring-loaded check valves or equivalent."

3. Add a new paragraph 6.8.12 to read as follows:

6.8.12 " All valves controlling water supplies for sprinkler systems or portions thereof, including floor control valves, shall be easily accessible to authorized persons. Water supply connections shall not extend into or through a building unless such connection is under control of an outside listed indicating valve or an inside listed indicating valve located near an outside wall of the building."

**(e) Modification to Chapter 9:**

1. Delete subsection 9.6.2.1 in its entirety and substitute in its place the following:

"Where a waterflow test is used for the purpose of system design, the test shall be conducted no more than 6 months prior to working plan submittal unless otherwise approved by the authority having jurisdiction."

2. Add a new subsection 9.7.2.1 to read as follows:

9.7.2.1 " A fire pump not meeting NFPA 20, *Standard for the Installation of Stationary Pumps for Fire Protection*, may be acceptable for small community living arrangements, day-care centers, day-care homes, and small personal care homes based upon documentation and subject to written approval of the authority having jurisdiction."

**(f) Modification to Chapter 10:**

1. Add a new subsection 10.1.5 to read as follows:

10.1.5 " Upon completion of the acceptance test as set forth in this section, the installer shall attach an initial **"GREEN"** inspection tag to the sprinkler system riser.

(a) After installation, testing, and inspection, at the time the system is initially accepted as being in a state of operational readiness, an Inspection Tag shall be completed and attached to the system at a conspicuous location so as to permit convenient inspection, and not hamper system activation.

(b) Inspection Tags must be GREEN in color and have a minimum dimension of 5¼ inches (133 mm) in length and 2 inches (67 mm) in width.

(c) Inspection tags shall bear at least the following information in an easy to read format:

(1) **"DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL."** This order shall be in a minimum of 10pt capital letters.

(2) The license number, name, and physical address of the licensed Fire Sprinkler Contractor.

(3) The license number, printed name, and signature of the licensed Fire Sprinkler Inspector.

(4) The properly punched day, month and year the system was inspected and placed in a state of operational readiness.

(5) The name and physical address (including tenant space as applicable) of the facility."

(13) **NFPA 14, 2019 Edition, *Standard for the Installation of Standpipe, and Hose Systems***

Modifications:

(a) **Modifications to Chapter 1:**

1. Delete Section 1-1 in its entirety and substitute in its place the following:

1-1 **"Scope.** The State's minimum requirements for standpipes shall be established by the *IBC* (Refer to **Table 102.13, CODES REFERENCE GUIDE**) of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner). In addition, the requirements for occupant hoses are eliminated for new and existing buildings subject to the approval of the authority having jurisdiction. Where the installation of standpipes and/or hose systems is required, this standard covers the minimum requirements for the installation of standpipes and hose systems for buildings and structures. This standard does not cover requirements for periodic inspection, testing, and maintenance of standpipe systems. (See NFPA 25, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems.*)"

(b) **Modification to Chapter 7:**

1. Delete 7.8 in its entirety and substitute in its place the following:

#### **7.8 "Minimum and Maximum Pressure Limits**

7.8.1 Hydraulically designed standpipe systems shall be designed to provide the waterflow rate required by Section 7.10 at a minimum residual pressure of 100 psi (6.9 bar) at the outlet of the hydraulically most remote 2-1/2 inch (65 mm) hose connection and 65 psi (4.5 bar) at the outlet of the hydraulically most remote 1-1/2 (38 mm) hose connection.

7.8.1.1 Where the local Fire Chief or local Fire Code Official having fire suppression jurisdiction permits lower than 100 psi (6.9 bar) for 2-1/2 inch (65 mm) hose connections, based upon local suppression tactics, the pressure shall be permitted to be reduced to not less than 65 psi (4.5 bar).

7.8.1.2 Where the building is protected throughout by a supervised automatic sprinkler system and the building is not a high-rise, as defined in 3.3.5, the minimum residual pressure provisions shall not be mandatory when the standpipe system piping is a minimum of eight inches (8") nominal diameter.

7.8.1.3 Existing high-rise buildings, as defined in 3.3.5, that are protected throughout by a supervised automatic sprinkler system shall be permitted a reduction of the minimum residual pressure requirement of 100 psi (6.9 bar) at the hydraulically most remote 2-1/2 inch (63.5 mm) hose connection to 65 psi (4.5 bar).

7.8.1.4 Manual standpipe systems shall be designed to provide 100 psi (6.9 bar) at the topmost outlet with the calculations terminating at the fire department connection."

2. Insert a new subsection 7.12.3.4 to read as follows:

7.12.3.4 "**Location.** The location of fire department connections shall be approved by the Fire Chief as set forth in subsection 501.5 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

**(c) Modification to Chapter 10:**

1. Add a new subsection 10.3 to read as follows:

10.3 " A letter certifying that all pressure restricting and pressure reducing equipment is installed and set per NFPA requirements and manufacturer's instructions shall be presented to the inspector along with test certificates at the time of final inspection."

**(d) Modification to Annex A:**

1. Add a New Annex Note A.7.8.1.4 to read as follows:

A.7.8.1.4 " It is not the intent of this standard to provide an automatic water supply for manual standpipe systems. Manual standpipe systems are designed (sized) to provide 100 psi (6.9 bar) at the topmost outlet using a fire department pumper as the source of flow and pressure."

**(14) NFPA 15, 2012 Edition, *Standard for Water Spray Fixed Systems for Fire Protection***

Modifications: None

**(15) NFPA 16, 2019 Edition, *Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems***

Modifications: None

**(16) NFPA 17, 2017 Edition, *Standard for Dry Chemical Extinguishing Systems***

Modifications:

**(a) Modification to Chapter 1:**

1. Delete Section 1.6 in its entirety and substitute in its place the following:

1.6 "**\* Qualifications.** Only persons who are properly trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service dry chemical systems."

**(b) Modification to Chapter 11:**

1. Delete subsection 11.1.3 in its entirety and substitute in its place the following:

11.1.3 " Only persons trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service dry chemical extinguishing systems, in accordance with this standard and the manufacturer's instructions."

2. Delete paragraph 11.1.3.1 in its entirety without substitution.

3. Delete subparagraph 11.3.1.2.4 in its entirety and substitute in its place the following:

11.3.1.2.4 " The label shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

4. Delete subparagraph 11.3.1.2.7 in its entirety and substitute in its place the following:

11.3.1.2.7 " The collar shall comply with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner."

5. Delete paragraph 11.3.1.10 in its entirety and substitute in its place the following:

11.3.1.10 " Each dry chemical system shall have the required tags or labels complying with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner after each service has been conducted on the system. Only the current applicable tag or label shall remain on the system."

6. Delete subsection 11.4.2 in its entirety and substitute in its place the following:

Systems shall be recharged by persons who are properly trained and licensed under the requirements of Chapter 120-3-23, Rules and Regulations of the Safety Fire Commissioner, in accordance with the manufacturer's listed installation and maintenance manual."

**(17) NFPA 17A, 2013 Edition, *Standard for Wet Chemical Extinguishing Systems***

Modifications:

**(a) Modification to Chapter 1:**

1. Delete Section 1.7 in its entirety and substitute in its place the following:

1.7 **"\*Qualifications.** Only persons who are properly trained and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated, shall be considered competent to design, install, and service wet chemical systems."

**(b) Modification to Chapter 7:**

1. Delete subsection 7.3.1 in its entirety and substitute in its place the following:

7.3.1 " A service technician who performs maintenance on an extinguishing system shall be trained and shall possess a licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated."

2. Delete paragraph 7.3.1.1 in its entirety without substitution.

3. Delete subparagraph 7.3.3.6.1 in its entirety and substitute in its place the following:

7.3.3.6.1 " The owner or owner's representative shall retain all maintenance reports for a period of 3 years after the next maintenance of that type required by the standard."

4. Delete paragraph 7.3.3.7 in its entirety and substitute in its place the following:

7.3.3.7 **"\*** Each wet chemical system shall have a tag or label securely attached, complying with the requirements of Chapter 120-3-23 Rules and Regulations of the Safety Fire Commissioner. Only the current tag or label shall remain in place."



5. Add a new paragraph 7.5.2.4 to read as follows:

7.5.2.4 " Each stored pressure system agent cylinder that has undergone maintenance or hydrostatic testing that includes internal examination, or that has been recharged shall have 'Verification of Service' collar located around the neck of the cylinder. The collar shall contain a single circular piece of uninterrupted material forming a hole of a size that will not permit the collar assembly to move over the neck of the cylinder unless the valve is completely removed. The collar shall not interfere with the operation and actuation of the system cylinder. The 'Verification of Service' collar shall comply with the requirements of NFPA 10, *Standard for Portable Fire Extinguishers*, as adopted by Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner.

7.5.2.4.1 The provisions of 7.5.2.4 do not apply to stored pressure system cylinders undergoing maintenance before March 1, 2002.

7.5.2.4.2 Non-stored pressure cylinders such as cartridge cylinders for cartridge-operated systems do not require a 'Verification of Service' collar for the cartridge."

**(18) NFPA 18, 2017 Edition, *Standard on Wetting Agents***

Modifications: None

**(19) NFPA 18A, 2017 Edition, *Standard on Water Additives for Fire Control and Vapor Mitigation***

*Modifications: None*

**(20) NFPA 20, 2019 Edition, *Standard for the Installation of Stationary Pumps for Fire Protection***

Modifications:

**(a) Modification to Chapter 4:**

1. Add new paragraphs 4.6.2.3.4 and 4.6.2.3.5 to read as follows:

4.6.2.3.4 " At 150% rated capacity or below, the pump suction supply shall not drop below 20 psi (1.38 bar).

4.6.2.3.5 Suction supply pressure may be lowered upon approval of the authority having jurisdiction."

**(21) NFPA 22, 2018 Edition, *Standard for Water Tanks for Private Fire Protection***

Modifications: None

**(22) NFPA 24, 2019 Edition, *Standard for the Installation of Private Fire Service Mains and Their Appurtenances***

Modifications:

**(a) Modifications to Chapter 4:**

1. Delete 4.1.3 (10) in its entirety and substitute in its place the following:

(10) " Size, location, and piping arrangement of fire department connections as approved by the local Fire Chief having jurisdiction as set forth in 501.5 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

**(b) Modifications to Chapter 13:**

1. Delete Section 13.1 in its entirety and substitute in its place the following: "13.1\* Private Service Mains.

13.1.1 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply more than one hydrant or one hydrant on dead end mains over 500 feet (152 m).

13.1.2 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply one hydrant and automatic extinguishing systems.

13.1.3 No pipe smaller than a nominal 8 inches (203 mm) in diameter shall be used to supply more than one hydrant and automatic extinguishing systems on looped mains over 1,000 feet (305 m)."

2. Add the following in Annex A, A13.1:

A.13.1 " Pipe sizing should be based upon good engineering practices based on the projected water demand, firefighting capabilities and water supply characteristics. Pipe sizes other than those specified in 13.1 may be acceptable in new or existing installations with the written approval of the authority having jurisdiction."

**(23) NFPA 25, 2017 Edition, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems***

Modifications:

**(a) Modifications to Chapter 4:**

1. Add a new Subsection 4.3.1.2 to read as follows:

4.3.1.2 " On non-compliant or impaired systems, a copy of the inspection report shall be forwarded to the authority having jurisdiction by the owner and/or the occupant."

2. Delete 4.3.3\* in its entirety and substitute in its place the following:

4.3.3 " \* Records shall be maintained by the property owner for a period of at least three years."

3. Delete Section 4.3.5 and replace with the following:

4.3.5 " Subsequent records shall be retained for a period of 3 years after the next inspection of that type required by the standard."

4. Add a new subsection 4.3.6 to read as follows:

4.3.6 " Tagging.

**4.3.6.1 Inspection Tag.**

(a) After inspection and testing, an Inspection Tag shall be completed indicating all work that has been done, and then attached to the system in such a position as to permit convenient inspection and not hamper its activation or operation. A new Inspection Tag shall be attached to each system each time an inspection and test service is performed.

(b) Inspection Tags must be GREEN in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.

(c) Inspection tags shall bear the following information in an easily read format:

1. **'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.'** This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Sprinkler Contractor's name and physical address;
3. The license number of the Fire Sprinkler Contractor;
4. The license number of the fire sprinkler inspector;
5. The licensed fire sprinkler inspector's signature;
6. The day, month and year (to be punched);
7. The facility name and address.

(d) Inspection Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's office.

(e) An Inspection Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor.

(f) Should impairments or noncompliance items be found, the licensed inspector shall notify the building owner or his representative and the authority having jurisdiction in writing of all noncompliance items and/or impairments found. A fire sprinkler system compliance Inspection Tag shall not be installed on each system until the impairments or noncompliance items have been corrected and each system has been re-inspected and found to be in a state of operational readiness.

#### 4.3.6.2 Noncompliance Tag.

(a) If a fire sprinkler system is found in noncompliance with the applicable NFPA standards, a completed Noncompliance Tag shall be attached to the main control valve of each system to indicate that corrective action is necessary.

(b) Noncompliance Tags must be YELLOW in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.

(c) Noncompliance Tags shall bear the following information in an easily read format:

**1. 'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL-SYSTEM NOT IN COMPLIANCE WITH NFPA STANDARDS.' This particular information shall be in a minimum of 10pt type and in all capital letters.**

2. The licensed Fire Sprinkler Contractor's name and physical address;
3. The license number of the Fire Sprinkler Contractor;
4. The license number of the fire sprinkler inspector;
5. The licensed fire sprinkler inspector's signature;
6. The day, month and year (to be punched);
7. The noncompliance issue(s);
8. The facility name and address.

(d) Noncompliance Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's office.

(e) The signature of the licensee on a Noncompliance Tag certifies the impairments listed on the label cause the system to be out of compliance with NFPA standards.

(f) A Noncompliance Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor upon re-inspection of the fire sprinkler system.

(g) A letter of noncompliance conditions shall be sent to the building owner or authorized representative within five working days of the date of the inspection.

#### **4.3.6.3 Impairment Tag.**

(a) Should impairments constitute an emergency impairment as defined in this standard, then the inspector shall complete and attach an Impairment Tag to the main control valve of each system and the fire department connection to indicate that corrective action is necessary.

(b) Impairment Tags must be RED in color having a minimum dimension of 133 mm (5 1/4 inches) in height and 67 mm (2 5/8 inches) in width.

(c) Impairment Tags shall bear the following information in an easily read format:

1. **'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.'** This particular information shall be in a minimum of 10pt type and in all capital letters.

2. The licensed Fire Sprinkler Contractor's name and physical address;

3. The license number of the Fire Sprinkler Contractor;

4. The license number of the fire sprinkler inspector;

5. The licensed fire sprinkler inspector's signature;

6. The day, month and year (to be punched);

7. The emergency impairment(s);

8. The facility name and address.

(d) Impairment Tags may be printed and established for any period of time. After each printing, a minimum of three sample tags must be forwarded to the State Fire Marshal's office.

(e) The signature of the licensee on an Impairment Tag certifies the impairments listed on the label cause the system to be out of compliance with NFPA standards.

(f) An Impairment Tag shall only be removed by an authorized representative of a licensed fire sprinkler contractor upon re-inspection of the fire sprinkler system.

(g) A letter of emergency impairment conditions shall be sent to the building owner or authorized representative and to the occupant within 24 hours of the time of the inspection. The building owner and/or occupant shall notify the authority having jurisdiction within 24 hours of the time of the impairment notification."

#### **(b) Modifications to Chapter 6:**

1. Add a new 6.1.1.1.1 to read as follows:

6.1.1.1.1 " In new and existing buildings, the requirements for hose for occupant use are eliminated, subject to the approval of the local Fire Chief or local Fire Code Official having fire suppression jurisdiction."

**(24) NFPA 30, *Flammable and Combustible Liquids Code***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(25) NFPA 30A, *Code for Motor Fuel Dispensing Facilities and Repair Garages***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(26) NFPA 30B, *Code for the Manufacture and Storage of Aerosol Products***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(27) NFPA 31, *Standard for the Installation of Oil-Burning Equipment***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(28) NFPA 32, *Standard for Drycleaning Plants***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(29) NFPA 33, *Standard for Spray Application Using Flammable or Combustible Materials***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(30) NFPA 34, *Standard for Dipping, Coating and Printing Processes Using Flammable or Combustible Liquids***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(31) NFPA 35, *Standard for the Manufacture of Organic Coatings***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(32) NFPA 36, *Standard for Solvent Extraction Plants***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(33) NFPA 37, *Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(34) NFPA 40, 2019 Edition, *Standard for the Storage and Handling of Cellulose Nitrate Film***

Modifications: None

**(35) NFPA 45, 2019 Edition, *Standard on Fire Protection for Laboratories Using Chemicals***

Modifications:

**(a) Modification to Chapter 10:**

1. Delete paragraph 10.2.3.4 in its entirety and substitute in its place the following:

10.2.3.4 **"Emergency shutoff valves for laboratories.** In addition to point of use manual shutoff valves required by 10.2.3, each laboratory space containing two or more gas outlets installed on tables, benches, or in hoods in business, educational, healthcare, research, commercial, and industrial occupancies shall have a single valve through which all such gas outlets are supplied. This emergency shutoff valve shall be accessible, located within the laboratory or adjacent to the laboratory's primary egress door, and clearly identified by approved signage stating at the least, 'GAS SHUTOFF'."

**(36) NFPA 51, 2018 Edition, *Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting, and Allied Processes***

Modifications:

(a) Refer to Chapter 120-3-13, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(37) NFPA 51B, 2019 Edition, *Standard for Fire Prevention During Welding, Cutting, and Other Hot Work***

Modifications:

(a) Refer to Chapter 120-3-13, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(38) NFPA 52, 2019 Edition, *Gaseous Vehicular Fuel Systems Code***

Modifications:

(a) Refer to Chapter 120-3-14, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(39) NFPA 53, 2016 Edition, *Materials, Equipment, and Systems Used in Oxygen-Enriched Atmospheres***

Modifications:

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.3.1 to read as follows:

1.3.1 " This document is recognized strictly as a recommended practice that may be used in evaluating fire hazards in oxygen-enriched atmospheres. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone code or standard, however, it may be used in conjunction with and in the support of the applicable provisions of other adopted codes or standards."

**(40) NFPA 54, 2018 Edition, *National Fuel Gas Code***

Modifications:

(a) Refer to Chapter 120-3-14, Rules and Regulations of the Safety Fire Commissioner, and Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.

**(41) NFPA 55 2020 Edition, *Compressed Gases and Cryogenic Code***

Modifications: None

**(43) NFPA 56, 2017 Edition, *Standard for Fire and Explosion Prevention During Cleaning and Purging of Flammable Gas Piping Systems***

Modifications: None

**(44) NFPA 58, 2017 Edition, *Liquefied Petroleum Gas Code***

Modifications:

(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(45) NFPA 59, *Utility LP-Gas Plant Code (LNG)***

Modifications:

(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(46) NFPA 59A, 2019 Edition, *Standard for the Production, Storage, and Handling of Liquefied Natural Gas***

Modifications:

(a) Refer to Chapter 120-3-16, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(47) NFPA 61, 2017 Edition, *Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities***

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(48) NFPA 68, 2018 Edition, *Standard on Explosion Protection by Deflagration Venting***

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(49) NFPA 69, 2019 Edition, *Standard on Explosion Prevention Systems***

Modifications: None

**(50) NFPA 70, 2020 Edition, *National Electrical Code***

Modifications:

**(a) Modifications to Article 110, I:**

1. Add a new section 110.29 to read as follows:

110.29 " Relocatable Power Tap's (RPT's. Relocatable power taps (RPT's) shall comply with the provisions of 605.4.2 of the *International Fire Code (IFC)* as adopted by this Chapter."

**(51) NFPA 70B, 2019 Edition, *Electrical Equipment Maintenance***

Modifications:

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 " This document is recognized strictly as a recommended practice that may be used in evaluating the effectiveness of electrical equipment within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

**(52) NFPA 70E, 2018 Edition, *Standard for Electrical Safety Requirements for Employee Workplaces***

Modifications:

**(a) Modifications to Article 90 Introduction:**

1. Delete 90.1 in its entirety and substitute in its place the following:

90.1 " This standard addresses those electrical safety requirements for employee workplaces that are necessary for practical safeguarding of employees in their pursuit of gainful employment. This document is recognized strictly as a recommended practice that may be used in evaluating electrical safety requirements for employee workplaces. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards. This standard covers:



(a) Electrical conductors and equipment installed within or on buildings or other structures, including mobile homes and recreational vehicles, and other premises such as yards, carnival, parking and other lots, and industrial substations.

(b) Conductors that connect the installations to a supply of electricity.

(c) Other outside conductors on the premises."

**(53) NFPA 72, 2019 Edition, *National Fire Alarm and Signaling Code***

Modifications:

**(a) Modification to Chapter 1:**

1. Delete Section 1.1.1 in its entirety and substitute in its place the following:

1.1.1 "**Scope.** This *Code* covers the application, installation, location, performance, inspection, testing, and maintenance of fire alarm systems, supervising station alarm systems, public emergency alarm reporting systems, fire and carbon monoxide detection and warning equipment, and emergency communications systems (ECS), and their components, whether such system or component is required or not.

1.1.1.1 Where the requirements of this *Code* have technical differences and requirements from those established, as applicable, by Chapter 120-3-20 or 120-3-20A, of the Safety Fire Commissioner's Rules and Regulations for Accessibility to Buildings and Facilities, the technical provisions and requirements of Chapter 120-3-20 and 120-3-20A shall take precedence over the requirements of this *Code* where applicable."

**(b) Modifications to Chapter 7:**

1. Add a new paragraph (5) to 7.5.3 to read as follows:

(5) " For software-based systems, all access codes and passwords to grant access to the software by authorized personnel."

**(c) Modifications to Chapter 10:**

1. Add a new subsection 10.4.7 to read as follows:

10.4.7 " Protection shall not be required in Existing building installations acceptable to the authority having jurisdiction."

**(d) Modifications to Chapter 17:**

1. Add a new subparagraph 17.7.3.1.4 to read as follows:

17.7.3.1.4 " Alternate locations of smoke detectors as allowed by the *International Fire Code*, or where applicable, the *Life Safety Code*, and acceptable to the authority having jurisdiction, may be utilized and may be considered to be in compliance with this *Code*."

**(e) Modification to Annex A:**

1. Add a new Annex note A.18.4.4.2 to read as follows:

A.18.4.4.2 " For example, in critical care patient areas, it is often desirable to not have an audible fire alarm even at reduced private mode levels. Another example would be classrooms for small children in day care or educational occupancies, where verbal communication is vital between caregivers or teachers and children during drills or during an actual fire or other emergency condition. Audible alarms often frighten small children and valuable time

may be lost while trying to calm such children. Also, audible alarms at or near locations, where clear communications is required, may present a problem. A school office or a receptionist desk common to various occupancies are examples. An additional example of where an audible fire alarm could be a problem would be high noise level work areas where an audible signal needed to overcome background noise at one time of the day would be excessively loud and potentially dangerous at another time of lower ambient noise. A sudden increase of more than 30 dB over 0.5 seconds is considered to cause sudden and potentially dangerous fright. Each case requires individual consideration by the authority having jurisdiction."

**(54) NFPA 75, 2017 Edition, *Standard for the Protection of Electronic Computer/Data Processing Equipment***

Modifications: None

**(55) NFPA 76, 2016 Edition, *Standard for Fire Protection of Telecommunications Facilities***

Modifications: None

**(56) NFPA 77, 2019 Edition, *Recommended Practice on Static Electricity***

*Modifications:*

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.9 to read as follows:

1.1.9 " This document is recognized strictly as a recommended practice that may be used in evaluating systems or devices installed for the purposes of safeguarding life and/or property against the hazards of static electricity. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

**(57) NFPA 78, 2020 Edition, *Guide on Electrical Inspections***

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.4 to read as follows:

1.1.4 " This document is recognized strictly as a recommended practice that may be used in evaluating electrical/electronic equipment, apparatus, or systems of industrial machines within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards. This standard is not meant to add any requirements not found in the NEC, nor change the intent of the intent of the requirements found in the NEC. If any conflict occurs between this standards and the NEC, the NEC shall control."

**(58) NFPA 79, 2019 Edition, *Electrical Standard for Industrial Machinery***

Modifications:

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 " This document is recognized strictly as a recommended practice that may be used in evaluating electrical/electronic equipment, apparatus, or systems of industrial machines within its scope. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the

support of applicable provisions of other adopted codes or standards. This standard is not meant to add any requirements not found in the *NEC*, nor change the intent of the requirements found in the *NEC*. If any conflict occurs between this standards and the *NEC*, the *NEC* shall control."

**(59) NFPA 80, 2019 Edition, *Standard for Fire Doors and Other Opening Protectives***

Modifications: None

**(60) NFPA 80A, 2017 Edition, *Protection of Buildings from Exterior Fire Exposures***

Modifications:

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 " This document is recognized strictly as a recommended practice that may be used in evaluating the exterior fire exposure risks of buildings. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

**(61) NFPA 82, 2019 Edition, *Standard on Incinerators and Waste and Linen Handling Systems and Equipment***

Modifications: None

**(62) NFPA 85, 2019 Edition, *Boiler and Combustion Systems Hazards Code***

Modifications: None

**(63) NFPA 86, 2019 Edition, *Standard for Ovens and Furnaces***

Modifications: None

**(64) NFPA 87, 2018 Edition, *Standard for Fluid Heaters***

Modifications: None

**(65) NFPA 88A, 2019 Edition, *Standard for Parking Structures***

Modifications: None

**(66) NFPA 90A, 2018 Edition, *Standard for the Installation of Air-Conditioning and Ventilating Systems***

Modifications: None

NOTE: *The International Mechanical Code*, as adopted by the Georgia Department of Community Affairs (DCA), shall be the applicable code replacing 90A with the exception of its application to Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living homes or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to **Table 102.13, CODES REFERENCE GUIDE** in the *International Fire Code* adopted by this Chapter 120-3-3.)

**(67) NFPA 90B, 2018 Edition, *Standard for the Installation of Warm Air Heating and Air- Conditioning Systems***

Modifications: None

NOTE: *The International Mechanical Code*, as adopted by the Georgia Department of Community Affairs (DCA), shall be the applicable code replacing 90B with the exception of its application to Hospitals, hospices, ambulatory surgical centers, nursing homes, assisted living communities or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to **Table 102.13, CODES REFERENCE GUIDE** in the *International Fire Code* adopted by this Chapter 120-3-3.)

**(68) NFPA 91, 2015 Edition, *Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids***

Modifications: None

**(69) NFPA 92, 2018 Edition, *Standard for Smoke Control Systems***

Modifications: None

[Note: Also see 909.2.1 (1) of the *International Fire Code*]

**(70) NFPA 96, 2017 Edition, *Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations***

Modifications:

**(a) Modification to Chapter 1:**

1. Delete subsection 1.1.3 in its entirety and substitute in its place the following:

1.1.3 " This standard shall apply to all commercial cooking equipment used for commercial cooking operations."

2. Delete subsection 1.1.4 in its entirety and substitute in its place the following:

1.1.4 " This standard shall not apply to residential cooking equipment located in a single dwelling unit or to cooking equipment in facilities where all of the following are met:

(1) Only residential cooking equipment such as: stoves, ranges or cooking surfaces traditionally used in dwelling units are being utilized.

(2) The defined residential cooking equipment contains a maximum of four standard surface cooking elements and is not used for frying operations.

(3) The defined residential equipment is used for food warming, limited cooking, rehabilitation training or in a home economic education classroom setup.

(4) The residential cooking equipment is protected by a listed self-contained residential fire suppression system located in an approved residential hood which is vented directly to the outside and providing protection to each cooking surface. The self-contained fire suppression system for the defined residential cooking equipment need not be provided where protection is provided by an approved automatic sprinkler system protecting the cooking surface, subject to approval of the authority having jurisdiction. The self-contained residential fire suppression system shall automatically disconnect electric power to electric stoves, and shut off the gas supply and electric power to gas

fueled stoves, provided, however, this provision shall not be retroactive for installations approved prior to the effective adoption date of this standard.

(5) The facility is not an assembly occupancy, provided, this shall not apply to church facilities with a single residential stove or range complying with (2) above.

(6) Fire Extinguishers are located in all kitchen areas in accordance with NFPA 10, *Standard for Portable Fire Extinguishers*, and this *Code*, as adopted with modifications."

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 " This standard, except for operational and maintenance provisions, shall not apply for conditions existing prior to March 9, 2010, subject to the approval of the authority having jurisdiction, and where a notarized statement that no frying operations will be performed is provided. This approval shall be void for cause when the authority having jurisdiction finds cooking operations involve frying operations. (See also 1.4.1)"

**(b) Modification to Chapter 10:**

1. Delete subsection 10.2.6 in its entirety and substitute in its place the following:

10.2.6 " Automatic fire extinguishing systems shall be installed by competent personnel meeting Chapter 120-3-23, Rules and Regulations of the Safety Fire Commissioner, licensing and permit requirements. In addition, such systems shall be installed in accordance with the terms of their listing, the manufacturer's instructions, and the following applicable standard(s):

(1) NFPA 12, *Standard on Carbon Dioxide Extinguishing Systems*

(2) NFPA 13, *Standard for the Installation of Sprinkler Systems*

(3) NFPA 17, *Standard for Dry Chemical Extinguishing Systems*

(4) NFPA 17A, *Standard for Wet Chemical Extinguishing Systems*"

2. Add a New Subsection 10.4.4.1 to read as follows:

10.4.4.1 Shut off devices shall be located below any ceiling and be accessible.

**(c) Modification to Chapter 13:**

1. Delete Section 13.2 in its entirety and substitute in its place the following:

13.2 "**Design Restrictions.** All recirculating systems shall comply with the requirements of Section 13.2. Recirculating systems shall be limited to outdoor vending areas or rooms that are fully sprinklered."

(d) Add a New Chapter 16:

**Chapter 16: Mobile and Temporary Cooking Operations**

**16.1 General Requirements**

16.1.1 Annex B shall be adopted as mandatory requirements for mobile and temporary cooking operations.

16.1.2 Cooking equipment used in fixed, mobile, or temporary concessions, such as trucks, buses, trailers, pavilions, tents or any form of roofed enclosure shall comply with this chapter.

(71) NFPA 99, 2018 Edition, *Standard for Health Care Facilities*

Modifications: None

NOTE: Hospitals, hospices, ambulatory surgical centers, nursing homes, or other health care type facilities that are regulated by the federal Centers for Medicare and Medicaid Services (CMS) shall comply with the fire and life safety rules and regulations imposed by that agency even though codes and standards adopted by that agency may not be specifically included herein. The codes and standards adopted and modified herein shall also apply where applicable and shall be deemed to be the minimum state fire and life safety standards where they are at least as protective as the CMS rules and regulations. (Refer to [120-3-3-.03](#) of Chapter [120-3-3-.03](#) of the Rules and Regulations of the Safety Fire Commissioner for definitions of "assisted living communities" and "memory care units. Such facilities are regulated, as appropriate by Chapters 34 or 35 of the *Life Safety Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.)

**(72) NFPA 99B, 2018 Edition, Standard for Hypobaric Facilities**

Modifications: None

**(73) NFPA 101, 2018 Edition, Life Safety Code**

Modifications:

The 2018 Edition of the *Life Safety Code* is adopted with modifications so as to be applicable to proposed (new) and existing buildings and structures. Unless noted otherwise herein, operational provisions such as fire drills, emergency egress and relocation drills, development of fire or emergency plans, and regulation of decorations and contents of building and structures of the various provisions of NFPA 101, *Life Safety Code* shall not be applicable to proposed (new) or existing buildings, structures, facilities, or conditions. The operational provisions of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner shall apply to proposed (new) and existing buildings, structures, facilities, and conditions, unless such provisions are less protective than or are in conflict with the rules and regulations of the Centers for Medicare and Medicaid Services (CMS) as they apply to health care related occupancies.

**(a) Modifications to Chapter 1:**

1. Delete paragraph (1) of subsection 1.1.9 in its entirety and substitute in its place the following:

(1) " General fire prevention or building construction features are normally a function of fire prevention codes and building codes. The *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, and the *International Building Code (IBC)*, as adopted by the Georgia Department of Community Affairs, are applicable, and their use along with other codes and standards shall be coordinated with this *Code*, as set forth in 1.4.4 and Table 1.4.4, **CODES REFERENCE GUIDE**

2. Add a new subsection 1.4.4 to read as follows:

1.4.4 "**Code Coordination.** This *Code* shall apply to all proposed (new) and existing buildings, structures and facilities, except as herein provided, and shall be utilized in conjunction with the *IBC*, the *IFC*, the *IMC*, and the *IFGC*, to the degree provided in Table 102.13 **CODES REFERENCE GUIDE**.

1.4.4.1 This *Code* does not apply to one- and two-family dwellings or one-and two-family row houses (townhouses) separated by a 2-hour firewall, except as specified in Chapters 26, 30 and 31."

Table 102.13: CODES REFERENCE GUIDE		
Area	Primary	Supplement
Occupancy Classification	LSC	IBC
Building Construction Types including allowable height, allowable building	IBC	LSC

Table 102.13: CODES REFERENCE GUIDE		
areas, and the requirements for sprinkler protection related to minimum building construction types.		
Means of Egress	LSC	NONE
Standpipes	IBC	IFC
Interior Finish	LSC	NONE
HVAC Systems	IMC	NONE
Vertical Openings	LSC	NONE
Sprinkler Systems minimum	LSC	NONE
Fire Alarm Systems	LSC	NONE
Smoke Alarms & Smoke Detection Systems	State Statute &	NONE
Cooking Equipment	LSC & NFPA 96	NONE
Portable Fire Extinguishers	IFC	NONE
Fuel Fired Appliances	IFGC	NFPA 54
Liquid Petroleum Gas	NFPA 58	NFPA 54
Compressed Natural Gas	NFPA 52	NONE

(b) **Modification to Chapter 3:**

[Note: Refer to [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner for modified or special definitions that apply to this *Code*, unless otherwise advised by the various chapters of this *Code*.]

(c) **Modification to Chapter 4:**

1. Delete Section 4.7 in its entirety (4.7.1 through 4.8.2.3) and substitute in its place the following: "SECTION 4.7 Fire Safety and Evacuation Plans and Emergency Evacuation Drills.

**4.7.1 Fire Safety and Evacuation Plans.** Fire safety and evacuation plans shall be developed, made available, and maintained in various occupancies as required by Section 404 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

**4.7.1.1 Resources for Development of Fire Safety and Evacuation Plans.** The provisions of A.4.7, A.4.7.2, A.4.7.4, A.4.7.6, A.4.8.2.1, and Table A.4.8.2.1(3), and as applicable, A.12.7.6, A.7.7, A.12.7.7.3, A.13.7.6, A.13.7.7, A.14.7.2.1, A.15.7.2.1, A.16.7.1, A.16.7.2.1, A.17.7.1, A.18.7, A.18.7.2.1, A.19.7, A.19.7.2.1, A.20.7, A.20.7.2.1, A.21.7, A.21.7.2.1, A.22.7.1.3, A.23.7.1.3, A.28.7.1.1, and A.29.7.1.1 of this *Code* shall be deemed acceptable resources for use in the development of fire safety and evacuation plans required by the *IFC*, as set forth by the provisions of 4.7.1 of this *Code*.

**4.7.2 Emergency Evacuation Drills.** Emergency evacuation drills shall be conducted in various occupancies as required by Section 405 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

**4.7.3 Employee Training and Response Procedures.** Employees in various occupancies shall be trained in fire emergency procedures and evacuation procedures as required by Section 406 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

(d) **Modifications to Chapter 6:**

1. Delete subparagraph 6.1.14.4.1 in its entirety and substitute in its place the following:

6.1.14.4.1 " Where separated occupancies are provided, each part of the building comprising a distinct occupancy as described in this chapter, shall be completely separated from other occupancies by fire resistive assemblies as

specified in 6.1.14.4.2, and in Section 508 of the *International Building Code*, adopted by the Georgia Department of Community Affairs, as applicable to "separated occupancies", unless separation is provided by approved existing separations."

2. Delete subparagraph 6.1.14.4.3 in its entirety without substitution.

3. Delete Table 6.1.14.4.1(a) in its entirety without substitution.

4. Delete Table 6.1.14.4.1(b) in its entirety without substitution.

(e) **Modifications to Chapter 7:**

1. Add a new item (8) to subparagraph 7.2.1.4.1 to read as follows:

(8) " For conditions or circumstances not covered herein, vertical fire shutters, roll down fire doors, or similar assemblies shall not be installed in means of egress, except where expressly permitted due to special hazards or circumstances by other chapters of this *Code*, or by approval of the Office of the State Fire Marshal for buildings coming under O.C.G.A. 25-2-13, or by the fire authority having jurisdiction over other buildings."

2. Add a new subparagraph 7.2.1.8.2.1 to read as follows:

7.2.1.8.2.1 " Where fire doors are used within the means of egress, they shall comply with the applicable provisions of 7.2.1. Spring loaded hinges or spring operated self-closing devices not listed for use with rated fire door assemblies are prohibited for use as closing devices for fire rated doors.

7.2.1.8.2.1.1 Existing applications utilizing spring loaded hinges in existing buildings may be continued in use where acceptable to the authority having jurisdiction.

7.2.1.8.2.1.2 Spring loaded hinges or spring operated self-closing devices shall not be permitted for use on fire-rated smoke doors, provided, however, spring loaded hinges may be used on non-rated doors designed and installed to resist the passage of smoke, unless otherwise specified in Chapters 11 through 43.

7.2.1.8.2.1.3 Existing installations in existing buildings of spring loaded hinges on fire-rated smoke doors may be continued in use where acceptable to the authority having jurisdiction."

3. 3. Revise 7.2.2.2.1.1 (1) to read as follows.

(1) New stairs shall be in accordance with Table 7.2.2.2.1.1(a) and 7.2.2.2.1.2 and the following shall apply:

(a) Risers shall be solid

4. Revise 7.2.2.2.1.1 (3) to read as follows.

(3) Approved existing stairs shall be permitted to be rebuilt in accordance with the following:

(a) Dimensional criteria of table 7.2.2.2.1.1 (b)

(b) Other stair requirements of 7.2.2

(c) Risers shall be solid

5. Add a new subparagraph 7.2.3.10.3 to read as follows:

7.2.3.10.3 "**Deactivation of Mechanical Pressurization Systems.** The design of pressurization systems shall ensure that smoke is not introduced into the pressurized enclosure so as to result in the untenable contamination of the fresh air. Approved smoke detectors shall be installed at each intake in such approved manner that the operation of the fan



providing mechanical pressurization to the enclosure where smoke is detected shall be deactivated upon detection of smoke."

6. Add a new paragraph 7.3.1.2.1 to read as follows:

7.3.1.2.1 "Where substantial evidence and documentation is provided, the authority having jurisdiction may decrease the occupant load for some occupancy use areas. The determined occupant load capacity shall be posted at an obvious location indicating the total occupant load capacity."

7. Add to Table 7.3.1.2 entitled "Occupant Load Factor" the additional use areas to read as follows:

"Locker Rooms	15	(1.4)
Free Weight Rooms	20	(1.9)
Running Tracks	50	(4.7)
Art Museums	30	(2.8)
Pool Halls	75	(6.9)
Multi-Purpose room	7	(0.65)
Airport terminals:		
Concourse	100	(9.3)
Waiting area	15	(1.4)
Baggage Claim	20	(1.9)
Baggage Handling	300	(27.9)"

8. Add a new subparagraph 7.4.1.1.1 to read as follows:

7.4.1.1.1 "Egress stairways from mezzanines shall conform to the requirements of Chapter 7 of this *Code*. They may be open to the floor of the room in which they are located provided all of the following conditions are met:

(1) The space beneath the mezzanine is totally open and unencumbered by partitioned rooms or spaces. The space beneath the mezzanine may be enclosed provided the enclosed space is protected throughout with a smoke detection system installed in accordance with NFPA 72, *National Fire Alarm and Signaling Code*, which sounds an alarm in the mezzanine.

(2) The travel distance from the most remote point on the floor of the mezzanine to the building exit or to a protected egress corridor, exit court, horizontal passageway, enclosed stair, or exterior exit balcony does not exceed the travel distance limitations of Chapters 11 through 42.

(3) The occupant load of the mezzanine is added to the occupant load of the story or room in which it is located for the purposes of determining the minimum egress requirements.

(4) The mezzanine is not occupied for sleeping purposes unless there are exterior windows accessible to the mezzanine and located not more than two stories above grade."

9. Add a new paragraph 7.7.1.5 to subsection 7.7.1 to read as follows:

7.7.1.5 "Where the exit discharge termination cannot be at a public way, or the authority having jurisdiction determines it to be a significant hardship to provide the termination at a public way, the authority having jurisdiction may approve the exit discharge termination to be a safe dispersal area that complies with the following:

(1) The area shall be of an area that accommodates at the least 5 square feet (0.46 m<sup>2</sup>) for each person calculated to be served by the exit(s) for which the dispersal area is provided.

(2) The dispersal area shall be located on the same lot at least 50 feet (15240 mm) away from the building requiring egress. A greater distance may be required by the authority having jurisdiction based on the evaluated fire severity or other risk from the building requiring egress.)

(3) The area shall be clearly identified and permanently maintained as a safe dispersal area.

(4) The area shall be provided with a clearly identified and unobstructed exit discharge route, and comply with the applicable provisions of 7.1.6 of this *Code*.

(5) The exit discharge route and the dispersal area shall be illuminated by normal and emergency lighting, where the building requiring egress is occupied during periods of darkness."

10. Add a new subsection 7.7.7 to read as follows:

7.7.7 "Discharge from exits into fenced or walled courtyards or yards.

7.7.7.1 For occupancies covered by Chapters 14, 15, 16, 17, 32 and 33, exits shall be permitted to discharge into fenced or walled courtyards or yards, provided the courtyard or yard is provided with a gate at least 32 inches (0.81 m) in clear width. Where the population served exceeds 50, two gates shall be provided. There shall be adequate exit capacity provided for the population served. The requirements of 7.4.1.2 shall apply. Gates are permitted to be locked if adequate provisions are made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to the staff at all times that is approved by the authority having jurisdiction. Only one locking device shall be permitted on each gate.

7.7.7.2 The provisions of 7.7.7.1 shall not be construed as prohibiting the use of fenced or walled courtyards as components of the discharge of exits as set forth in Chapters 22 and 23.

7.7.7.3 The provisions of 7.7.7.1 may be applied, as approved by the authority having jurisdiction, to an "Assisted Living Community" or "Memory Care Unit" as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

7.7.7.4 The provisions of various occupancy chapters dealing with a "lock-up", as defined in 3.3.164, shall not be construed as applying to the exit discharge provisions of 7.7.7.1, provided, however, exits from approved lock-ups may discharge into fenced or walled areas complying with the provisions of Chapter 22 or 23 as may be applicable, and as approved by the authority having jurisdiction."

**(f) Modification to Chapter 8:**

1. Delete paragraph 8.2.1.2\* in its entirety and substitute in its place the following:

8.2.1.2 " \* The *International Building Code (IBC)* as adopted by the Department of Community Affairs (DCA) shall be used to determine the requirements for the construction classification."

2. Add a new subparagraph 8.2.1.2.1 and Table 8.2.1.2.1 to read as follows:

8.2.1.2.1 "**Construction Conversion Table.** The table noted herein provides a comparison of acceptable construction types as defined in NFPA Standard 220 and the *International Building Code (IBC)*."

<b>Table 8.2.1.2.1 Conversion Table for the IBC and NFPA 220 Construction Types</b>										
NFPA 220	Type I (443)	Type I (332)	Type II (222)	Type II (111)	Type II (000)	Type III (211)	Type III (200)	Type IV (2 HH)	Type V (111)	Type V (000)
<i>IBC</i>	---	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB

3. Add a new to sub-paragraph 8.2.2.2.1 to read as follows:

8.2.2.2.1 " Fire barriers/walls required for tenant separation by the *IBC* may terminate at exit access corridors with a lower fire rating including a non-rated smoke resistive barrier, if such barriers are allowed by the requirements for the protection rating of exit access corridors."

3. Add a new paragraph 8.3.1.2.1 to read follows:

8.3.1.2.1 "2- hour fire barriers shall occur at the junction of new and existing construction when the existing construction does not meet the minimum requirements of the code for existing facilities. Such barriers shall not be extended into the new construction."

4. Add new paragraph 8.3.1.5 to read as follows:

8.3.1.5 " All fire and/or smoke barriers or walls shall be effectively and permanently identified with signs or stenciling above a decorative ceiling and/or in concealed spaces with letters a minimum of 2 inches (51 mm) high on a contrasting background spaced a maximum of 12 feet (3.7 m) on center with a minimum of one per wall or barrier. The hourly rating shall be included on all rated barriers or walls. Wording shall be similar to the following: '() Hour Fire and Smoke Barrier-Protect All Openings. Where signs are utilized, they shall be designed and installed to resist peeling of detaching from the barrier."

8.3.1.5.1 Existing stenciling, acceptable to the authority having jurisdiction, shall be permitted to remain in use. Existing signs that are not peeling or detaching from the barrier shall be permitted to remain in use, subject to the approval of the authority having jurisdiction."

5. Add a new 8.3.3.6.12 to read as follows:

8.3.3.6.12 " Tested and listed fire-rated glazing material installed in separately tested fire-rated frame assemblies not tested in a single unit with fire-rated glazing material may be permitted to be used subject to approval of the authority having jurisdiction in fire-rated barriers that are not part of an exit enclosure or enclosures around unsprinklered hazardous areas not containing flammable liquids or gases, combustible liquids, or other materials having the potential for rapid oxidation or explosion potential."

7. Delete 8.7.3.1 in its entirety and substitute in its place the following:

8.7.3.1 " The use, handling and storage of flammable or combustible liquids, flammable gases, or other materials deemed hazardous to the safety of life shall be in accordance with the applicable provisions of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3, of the Rules and Regulations of the Safety Fire Commissioner, or in accordance with the applicable codes or standards adopted by other Chapters of the Rules and Regulations of the Safety Fire Commissioner."

**(g) Modification to Chapter 9:**

1. Delete 9.1.1 in its entirety and insert in its place the following:

9.1.1 " Gas. Equipment using gas and related gas piping shall be in accordance with the *International Fuel Gas Code (IFGC)*, NFPA 54, National Fuel Gas Code, or NFPA 58, *Liquefied Petroleum Gas Code*, as may be applicable and as adopted by the applicable Chapters of the Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 1.4.4, CODES REFERENCE GUIDE**. Existing installations, subject to approval of the authority having jurisdiction, shall be permitted to be continued in service."

2. Delete 9.2.1 in its entirety and substitute in its place the following:

9.2.1 " Air Conditioning, Heating, Ventilating, Ductwork, and Related Equipment. Air conditioning, heating, ventilating ductwork, and related equipment shall be in accordance with the *International Mechanical Code (IMC)*, as adopted by the Georgia Department of Community Affairs. (Refer to **Table 1.4.4, CODES REFERENCE GUIDE**)"

3. Delete section 9.3 in its entirety and substitute in its place the following:

9.3.1 **"\* General.** Smoke control systems, where required or permitted by Chapters 11 through 42, shall be designed, installed, tested, and maintained in conformance with Section 909 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

4. Add a new subsection 9.3.2 to read as follows:

9.3.2 " Detention, holding or processing cell(s) which are used for the containment of an individual for not more than two hours in a 12-hour period shall not be required to be provided with vent openings, smoke shafts, or an engineered smoke control system to provide ventilation provided each cell is monitored by closed circuit television or dedicated personnel located outside the holding area and which have visual supervision of the cell(s)."

5. Delete subsection 9.4.2.1 in its entirety and substitute in its place the following:

9.4.2.1 " New elevators, escalators, dumbwaiters, and moving walks shall be installed in accordance with the requirements of ANSI/ASME A17.1, Safety Code for Elevators and Escalators. The elevator lobby of the designated floor and the alternate floor specified by Rule 211.3(a), and determined by the Fire Chief of the fire department having emergency response jurisdiction, shall be separated from the remainder of the building by 1-hour fire-rated construction. In buildings equipped with automatic sprinkler protection, smoke partitions in accordance with Section 8.4 may be used in lieu of 1-hour fire rated construction. Except health care occupancies as approved by the AHJ, openings in the elevator lobby shall be limited to those required for access to the elevators from exit access corridors or exits only. Elevator lobbies may be used as part of the means of egress from the building.

*Exception No. 1: Elevator lobbies are not required within an atrium.*

*Exception No. 2: Elevator lobbies are not required where elevators are installed on open exterior walls.*

*Exception No. 3: Elevator lobbies are not required where elevators are installed in open air parking structures.*

*Exception No 4: Elevator lobbies are not required in buildings three stories or less with vertical openings protected in accordance with the applicable occupancy chapter.*

*Exception No 5: Elevator lobbies are not required in mercantile occupancies that have properly protected openings for escalators or stairs.*

*Exception No 6: Existing installations acceptable to the authority having jurisdiction."*

6. Add a new subparagraph 9.6.2.10.8.1 to read as follows:

9.6.2.10.8.1 " Existing battery-powered smoke alarms as permitted by other sections of this *Code* shall be permitted to remain in use provided the following criteria are met:

1. The device is no older than 10 years of the manufactures date on the device; and,
2. The device is installed in a facility that was legally permitted before July 1, 1987, as a residential occupancy; and,
3. The facility has demonstrated to the authority having jurisdiction that the testing, maintenance, and battery replacement program will ensure reliability of power to the smoke alarms,

7. Add a new subparagraph 9.6.2.10.8.2 to read as follows:

9.6.2.10.8.2 " Existing battery-powered smoke alarms as permitted by other sections of this *Code* and which meet the provisions of subparagraph 9.6.2.10.8.1 shall be replaced with smoke alarms whose device housing is tamper resistant and is powered by a non-replaceable, non-removable energy source capable of powering the alarm for a minimum of ten years from the manufacture's date on the device when any of the following apply:

1. The device is replaced for any reason; or,

2. The provisions of subparagraph 9.6.2.10.8.1 or not met; or,
3. There is no manufacture's date that exists on the device; or,
4. The device does not meet all of the provisions of subparagraph 9.6.2.10.8.1.

8. Delete 9.6.3.6.3 and in its place substitute the following:

9.6.3.6.3 " \* Where occupants are incapable of evacuating themselves because of age, dependence on verbal communication with caregivers, physical or mental disabilities, or physical restraint, the private operating mode as described in NFPA 72, *National Fire Alarm and Signaling Code*, shall be permitted to be used. Only attendants, caregivers, and other personnel that are required to relocate or assist in the relocation of occupants from a zone, area, floor, or building shall be required to be notified. The notification shall include means to readily identify the zone, area, floor, or building in need of evacuation. Where approved by the authority having jurisdiction, the requirements for audible signaling shall be permitted to be further reduced or eliminated when visible signaling is provided in accordance with NFPA 72.

9. Add an Annex Note to 9.6.3.6.3 to read as follows:

A.9.6.3.6.3 "For example, in critical care patient areas, it is often desirable to not have an audible fire alarm even at reduced private mode levels. Another example would be classrooms for small children in day care or educational occupancies, where verbal communication is vital between caregivers or teachers and children during drills or during an actual fire or other emergency condition. Audible alarms often frighten small children and valuable time may be lost while trying to calm such children. Also, audible alarms at or near locations where clear communications is required may present a problem. A school office or a receptionist desk common to various occupancies are examples. An additional example of where an audible fire alarm could be a problem would be high noise level work areas where an audible signal needed to overcome background noise at one time of the day would be excessively loud and potentially dangerous at another time of lower ambient noise. A sudden increase of more than 30 dB over 0.5 seconds is considered to cause sudden and potentially dangerous fright. Each case requires individual consideration by the authority having jurisdiction."

10. Add a new subparagraph 9.7.1.1.1 to read as follows:

9.7.1.1.1 "NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*, shall be permitted for use as specifically referenced in Chapters 24 through 33 of this *Code*. This standard shall also be permitted for the design and installation of automatic sprinkler systems in personal care homes, community living arrangements, day-care centers, and day-care homes in buildings up to and including four stories. When a single-story open-air parking structure of fire- restrictive construction is below a four-story residential occupancy the structure is considered within this scope. NFPA 13R automatic sprinkler systems shall not be permitted in assisted living communities or memory care units, as defined in [120-3-3.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, unless authorized by the State Fire Marshal's Office."

11. Delete paragraph 9.9\* in its entirety and substitute in its place the following:

9.9 " \* Portable fire extinguishers shall be installed in all buildings, structures and facilities as set forth in this *Code* and as established in 906.1 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. (Refer to **Table 1.4.4, CODES REFERENCE GUIDE**)

12. Delete paragraph 9.10 in its entirety and substitute in its place the following:

9.10 "Where required by either the provisions of another section of this *Code*, the *International Building Code (IBC)* as adopted by the Department of Community Affairs or the *International Fire Code (IFC)* as adopted by Chapter 120-3-3 Rules and Regulations of the Safety Fire Commissioner, standpipe and hose systems shall be provided in accordance with NFPA 14, *Standard for the Installation of Standpipe and Hose Systems*. Where standpipe and hose

systems are installed in combination with automatic sprinkler systems, installation shall be in accordance with the appropriate provisions established by NFPA 13, *Standard for the Installation of Sprinkler Systems*, and NFPA 14, *Standard for the Installation of Standpipe and Hose Systems*."

**(h) Modifications to Chapter 10:**

1. Delete SECTION 10.3 in its entirety and substitute in its place the following:

**SECTION 10.3 "Decorations and Furnishings.**

10.3.1 The use of decorative materials (vegetative and non-vegetative), as defined in Chapter 2 of the *International Fire Code*, and furnishings in proposed (new) and existing buildings shall be regulated as set forth by Sections 805, 806, 807, and 808 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

**(i) Modifications to Chapter 11:**

1. Delete subsection 11.1.6 in its entirety and substitute in its place the following:

11.1.6 **"Minimum Construction requirements.** The minimum construction requirements for the location of occupants of health care and ambulatory health care occupancies shall be as specified in accordance with the applicable occupancy chapter."

2. Delete paragraph 11.3.3.5 in its entirety and substitute in its place the following:

11.3.3.5 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all enclosed and normally occupied towers in accordance with 9.9 of this *Code*."

3. Add a new item (4) to paragraph 11.7.3.4 to read follows:

(4) "This requirement shall not apply to existing windowless or underground structures, excluding Chapter 15, with an occupant load of 100 or fewer persons in the windowless or underground portions of the structure."

4. Delete subsection 11.8.2.3 in its entirety and substitute in its place the following:

11.8.2.3 **"Smoke Proof Enclosures.** High-rise buildings shall be provided with smoke proof exit enclosures in accordance with 7.2.3."

5. Add a new paragraph 11.8.3.3 to read as follows:

11.8.3.3 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all high-rise buildings in accordance with 9.9."

6. Add a new subsection 11.9.6 to read as follows: "11.9.6 Extinguishing Equipment:

11.9.6.1 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all permanent membrane structures in accordance with 9.9."

7. Delete subsection 11.10.3 in its entirety and substitute in its place the following: "11.10.3 Extinguishing Equipment.

11.10.3.1 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all temporary membrane structures in accordance with 9.9."

8. Delete subsection 11.11 Tents and all subsections thereunder in its entirety and substitute in its place the following:

11.11.5.1 **Tents.** Tents shall comply with all applicable requirements of Chapter 31 of the International Fire Code as adopted in the Rules and Regulations of the Safety Fire Commissioner Chapter 120-3-3."

(j) **Modification to Chapter 12:**

1. Add a new subparagraph 12.1.1.2.1 to read as follows:

12.1.1.2.1 "Pursuant to O.C.G.A. 25-2-13(b)(1)(F), (G) and G.1) and 25-2-14(c), "Racetracks, stadiums, grandstands, theaters, auditoriums, restaurants, bars, lounges, nightclubs, dance halls, recreation halls and other places of public assembly having an occupant load of 300 or more, except that the occupant load shall be 100 or more persons where alcoholic beverages are served, shall have a certificate of occupancy issued by the appropriate authority having jurisdiction. For churches the occupant load requirement is 500 or more persons in a common area or having an occupant load greater than 1,000 persons based on the total occupant load of the building or structure."

2. Reserved.

3. Add a new paragraph 12.3.5.5 to read as follows:

12.3.5.5 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all assembly occupancies in accordance with 9.9"

4. Add a note following Table 12.4.2.3 to read as follows:

**"Note:** See 12.4.2.6 for factors A, B and C in Tables 12.4.2.3 and 12.4.2.4."

5. Delete paragraph 12.4.6.11 in its entirety and substitute in its place the following:

12.4.6.11 **"Scenery, Decorations, and Furnishings.** Combustible decorations and scenery of cloth, film, foam plastic, vegetation, and similar materials shall meet the applicable provisions of 805, 806, 807, and 808 of the *International Fire Code (IFC)*, as set forth in SECTION 10-3 of this Code. Scenery and stage properties not separated from the audience by proscenium openings shall be either noncombustible or limited-combustible."

6. Add a new subparagraph 12.4.8.9 to read as follows:

12.4.8.9 "Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights;
4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the *International Fire Code* and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition

such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;

5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);

6. **"NO SMOKING"** signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;

7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request.

8. Interior wall and ceiling finish materials complying with Section 10.2 shall be Class A throughout."

7. Delete subsection 12.7.3 in its entirety and substitute in its place the following:

12.7.3 **"Open Flame and Pyrotechnics.** No open flame devices or pyrotechnic devices shall be used in any assembly occupancy, unless otherwise provided by 12.7.3.1 through 12.7.3.4.

12.7.3.1 As set forth in the exceptions to 308.3 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

12.7.3.2 This requirement shall not apply to heat-producing equipment complying with 9.2.2.

12.7.3.3 This requirement shall not apply to food service operations in accordance with 13.7.1.

12.7.3.4 Gas lights shall be permitted to be used, provided that precautions subject to the approval of the authority having jurisdiction are taken to prevent ignition of any combustible materials."

8. Delete subsection 12.7.4 in its entirety and substitute in its place the following:

12.7.4 **"Scenery, Decorations, and Furnishings.** Combustible decorations, curtains, draperies, similar furnishings, and scenery of cloth, film, foam plastic, vegetation, and similar materials shall meet the applicable provisions of 805, 806, 807, and 808 of the *International Fire Code (IFC)*, as set forth in SECTION 10-3 of this *Code*. The authority having jurisdiction shall impose additional controls, as he or she deems necessary, on the quantity and arrangement of combustible contents in assembly occupancies to provide an adequate level of safety to life from fire. (Refer to the definition for "decorative materials" in Chapter 2 of the *International Fire Code*."

9. Delete section 12.7.5.4 and subsections 12.7.5.4.1 through 12.7.5.4.4 and substitute in its place the following:

"12.7.5.4 **Vehicles.** Vehicles on display indoors or within an exhibition facility shall comply with 2018 International Fire Code Section 314.4 as adopted in rules and regulations of the Safety Fire Commissioner Chapter 120-3-3.

10. Delete subsection 12.7.6 in its entirety and substitute in its place the following:

12.7.6 **"Crowd Managers.** Crowd managers shall be provided as required by 403.12.3 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

11. Delete subsection 12.7.13 in its entirety and substitute in its place the following:

12.7.13 **"Emergency Planning and Preparedness.** Assembly occupancies (Group A) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented



in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

**(k) Modification to Chapter 13:**

1. Add a new subparagraph 13.3.5.1.1 to read as follows:

13.3.5.1.1 "The provisions of 13.3.5.1 shall not apply to locations that were approved for occupancy prior to the adoption of the 2012 edition of the *Life Safety Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, adopted 1/1/2014, and provided the conditions approved have not been modified without subsequent required review and approval by the authority having jurisdiction, and provided the provisions of 13.1.1.4 and 13.1.1.5 of this *Code*, as applicable, and the provisions of Section 103 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner, and as applicable to existing buildings are met."

2. Add a new paragraph 13.3.5.5 to read as follows:

13.3.5.5 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all assembly occupancies in accordance with 9.9."

3. Add a note following Table 13.4.2.3 to read as follows:

"**Note:** See 12.4.2.6 for factors A, B and C in Tables 13.4.2.3 and 13.4.2.4.1."

4. Add a new paragraph 13.4.8.9 to read as follows:

13.4.8.9 "Special amusement buildings not open to the public in excess of 45 days in a twelve month period shall be permitted, provided all of the following conditions are met:

1. Portable fire extinguishers with a minimum of a 2A:10B:C rating are placed within 25 feet of each activity or viewing station, so as to be readily accessible and visible to staff;
2. A smoke detection system is placed throughout the facility with a smoke detector located at each activity or viewing station and located throughout corridors and halls not to exceed a spacing more than 15 feet (4.6 m) from a wall or more than 30 feet (9.1 m) on center. Where there is no ceiling or cover over activity or viewing stations, or over exit access routes, other than the standard ceiling, smoke detectors shall be placed so that their area of coverage does not exceed the approval listing of the detectors;
3. Emergency lighting shall be provided which will cause illumination of the means of egress upon loss of power to lighting circuits for the means of egress routes serving the special amusement building. In addition, all staff shall be provided with flashlights;
4. Personnel dedicated for the sole purpose of performing fire watch duties as defined in Chapter 2 of the *International Fire Code* and as be deemed necessary for specific circumstances by the authority having jurisdiction, shall be provided in such numbers to ensure the entire special amusement space is surveyed at least every 30 minutes starting 30 minutes prior to public occupancy. Such personnel shall be provided with a direct communication device for communication with all viewing or activity stations throughout the facility. In addition such personnel shall be provided with appropriate training for the operation of portable fire extinguishing equipment;
5. Communication to the responding fire department or emergency dispatch center is available from the facility (a regular telephone or at least two cell phones are acceptable);
6. "**NO SMOKING**" signs shall be posted at entrances to the building. Receptacles for the discard of smoking material shall be located a minimum of 15 feet (9.1 m) from the structure and shall be clearly identified by applicable signage;

7. Documentation of fire watch tours required by item 4 above is maintained. The documentation, at the minimum, shall note the time when the tour was conducted the name of personnel conducting the tour, and information about any hazards identified and actions taken to remove such hazards. Such documentation shall be readily available to the code official upon request.

8. Interior wall and ceiling finish materials complying with Section 10.2 shall be Class A throughout."

5. Delete subsection 13.7.3 in its entirety and substitute in its place the following:

13.7.3 **"Open Flame and Pyrotechnics.** No open flame devices or pyrotechnic devices shall be used in any assembly occupancy.

13.7.3.1 This requirement shall not apply as set forth in the exceptions to 308.3.1 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

13.7.3.2 This requirement shall not apply to heat-producing equipment complying with 9.2.2.

13.7.3.3 This requirement shall not apply to food service operations in accordance with 13.7.2.

13.7.3.4 Gas lights shall be permitted to be used, provided that precautions subject to the approval of the authority having jurisdiction are taken to prevent ignition of any combustible materials."

6. Delete section 13.7.5.4 and subsections 13.7.5.4.1 through 13.7.5.4.4 and substitute in its place the following:

"13.7.5.4 Vehicle. Vehicles on display indoors or within an exhibition facility shall comply with 2018 International Fire Code Section 314.4 as adopted in rules and regulations of the Safety Fire Commissioner Chapter 120-3-3."

7. Delete subsection 13.7.6 in its entirety and substitute in its place the following:

13.7.6 **"Crowd Managers.** Crowd managers shall be provided as required by 403.12.3 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

8. Delete subsection 13.7.7 in its entirety and substitute in its place the following:

13.7.7 **"Emergency Planning and Preparedness.** Assembly occupancies (Group A) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

#### (I) Modifications to Chapter 14:

1. Add a new paragraph 14.1.1.6 to read as follows:

14.1.1.6 **"Mobile/Portable Classrooms.** Each mobile/portable classroom shall not be occupied until the required Certificate of Occupancy has been authorized by the State Fire Marshal's Office, the proper local fire marshal, state inspector, or others authorized by O.C.G.A. Section 25-2-12."

2. Add a new subparagraph 14.1.1.6.1 to read as follows:

14.1.1.6.1 **"Classification.** Mobile/portable classroom structures, as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner shall also be classified as Group E - Educational occupancies and shall comply with the provisions of this section and other sections applicable to Group E - Educational occupancies, except as may be provided otherwise elsewhere in this *Code* or in Chapter 120-3-3, of the Rules and Regulations of the Safety Fire Commissioner.

3. Add a new paragraph 14.1.1.6.2 to read as follows:

14.1.1.6.2 "Plans and specifications for proposed (new) mobile/portable classrooms shall be submitted to and receive approval by either the State Fire Marshal's Office, the proper local fire marshal, state inspector, or others authorized by O.C.G.A. 25-2-12 prior to construction. A Georgia registered architect or engineer must place his or her seal on the plans submitted. Submitted plans must include a site plan that is drawn to scale and showing clearances from other mobile/portable classroom structures and other structures. Such site plan shall also show the exit discharge route(s) to a public way in accordance with this *Code*, or where such is not possible, to an approved area of refuge."

4. Add a new paragraph 14.1.1.6.3 to read as follows:

14.1.1.6.3 "Proposed (new) mobile/portable classrooms shall comply with the various provisions of this *Code* applying to classrooms in educational occupancies (Group E - Educational), unless otherwise specified."

5. Add a new paragraph 14.1.1.5.4 to read as follows:

14.1.1.6.4 "Locating Mobile/Portable Classroom Structures. Mobile/portable classrooms shall not be installed within 25 feet (7.6 m) of any exposed building or structure, or within 10 feet (3.05 m) of another exposed mobile/portable classroom unit. The mobile/portable classroom unit shall not be connected to any other unit, or to other buildings or structures by a canopy of combustible construction. The distance between a mobile/portable classroom unit and an exposed building or structure, that is totally protected by an approved automatic sprinkler system, may be reduced to 10 feet (3.05 m), provided, the exposed exterior wall is of noncombustible construction, and there are no windows or doors in the exposed wall of the building within 25 feet (7.6 m) of the mobile/portable classroom unit. The distance may be reduced to 0 feet if the exposed wall is of noncombustible construction having a certified fire resistance rating of at least 2-hours and without openings within 25 feet of the exposing mobile/portable classroom unit."

6. Add a new paragraph 14.2.1.4.1, to read as follows:

14.2.1.4.1 "The provisions of 14.2.1.2 and 14.2.1.3 shall not apply to educational facilities that meet the requirements of 16.1.6."

7. Add a new subparagraph 14.2.2.2.2.1 to read as follows:

14.2.2.2.2.1 "Doors serving as exits from mobile/portable classrooms shall not be less than 32 inches (0.91 m) in clear width, swing outward with exit travel onto landings at least 4 feet by 4 feet (1.2 m by 1.2 m), and have steps and/or ramps complying with applicable provisions of this *Code*. This includes guardrails and graspable handrails. Steps and ramps serving fewer than 50 persons may be 36 inches (0.91m) in clear width."

8. Add a new paragraph (5) to 14.2.11.1.1 to read as follows:

(5) "Windows may open onto a court or an enclosed court provided all of the following criteria are met:

(a) The court shall be of sufficient width such that persons exiting through the courtyard will be at a minimum dimension not less than 10 feet (3 m) from any portion of the building that could present an exposure condition to a fire.

(b) The court has exits directly to the exterior of the building through an exit passageway that is separated out from all other parts of the building by 2-hour fire-rated construction. No space other than exit corridors protected by 'B' labeled 1½-hour fire doors, whether normally occupied or not, shall open onto this required exit passageway.

(c) The exit capacity for the exit passageway shall be of sufficient width for the corridors connected to it as well as the enclosed court calculated at 15 square feet (1.4 sq. m) per person or minimum number of students subject to exiting into the court, whichever is the greater of the two.

(d) The travel distance from any point in a connecting classroom to the exterior of the building through the exit passageway shall not exceed 150 feet (45.7 m).

(e) The court is provided with emergency lighting to direct occupants to the exit(s) in accordance with Section 5.9.

(f) The exit(s) from the court is/are clearly marked in accordance with Section 7.10."

9. Add a new paragraph 14.2.11.4 to read as follows:

14.2.11.4 "**School Hallway Interior Emergency Lockdown Defense (SHIELD)**. The installation of a School Hallway Interior Emergency Lockdown Defense (SHIELD) shall be permitted in educational occupancies provided all of the following criteria are met:

(1) Activation shall be by means of depressing a panic button or pull station marked for emergency SHIELD available to school administration at a central location. Additional activation may be by telephone code.

(2) System activation shall automatically contact law enforcement authorities upon activation.

(3) Cross corridor doors may be provided with magnetic hold open devices to release upon activation of the system.

(4) Upon activation of the system, cross corridor doors shall be permitted to be kept in the closed position with magnetic locks.

(5) System hardware shall be provided with emergency power or battery back-up in event of loss of power.

(6) Smoke detectors shall be provided within 15 feet of cross corridor doors on the classroom egress side for each corridor zone and be identified distinctly from other required detectors. Such detectors upon activation by smoke shall release door mag locks for the locked zone to freely open. Detectors are not required to be interconnected into the building's fire alarm system.

(7) Card readers with keypad shall be installed on the ingress side of the doors requiring a PIN code and card swipe to deactivate for the activated corridor zone.

(8) Keypad shall be installed on the egress side of the doors only requiring a PIN code for deactivation of the door mag locks for the activated corridor zone.

(9) A blue light strobe and siren, distinct from that of the fire alarm may be provided to deter intruders.

(10) Staff shall be adequately trained on the intent and operation of the system with the conduction of mock drills.

14.2.11.4.1 (**SHIELD**) **Activation**. The SHIELD system shall only be activated in the following

(1) The event of intrusion or active shooter upon school premises.

(2) For the purposes of testing the system.

(3) For the purposes of conducting drills related to the intrusion or active shooter upon school premises."

10. Delete subparagraph 14.3.2.1(1)(a) in its entirety and substitute in its place the following:

(a) "Boiler and furnace rooms, unless such rooms enclose only air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 Btu. Such rooms shall not be used for any combustible storage. In addition, a minimum of 30 inches (0.76 m) shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

11. Delete the term "Laundries" from 14.3.2.1(2)(a) and substitute in its place the following:

(a) "Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m)."

12. Add a new subparagraph 14.3.2.2.1 to read as follows:

14.3.2.2.1 "Residential type cooking equipment. Residential type cooking equipment located in food preparation areas of home economic labs may be protected by a listed self-contained residential fire suppression systems located in a residential hood over each cooking surface, with the exhaust hood vented directly to the outside of the building. The fire suppression system shall automatically disconnect electric power to electric stoves or shut off the gas supply to gas fueled stoves. Food preparation areas located in home economics labs need not be so protected where located in a fully sprinklered building or where protection is provided in accordance with 9.7.1.2, provided, however, the exhaust hood shall still be required to be vented to the outside of the building."

13. Add a new subparagraph 14.3.4.2.3.3 to read as follows:

14.3.4.2.3.3 "Manual fire alarm boxes may be located in rooms which open directly onto such corridors and normal paths of travel provided all of the following are met:

- (1) The rooms in which such manual fire alarm boxes are placed are constantly supervised all school hours.
- (2) The rooms in which such manual fire alarm boxes are placed are located in close proximity to the to that portion of the corridors and normal paths of travel where a manual fire alarm box would be placed in accordance with 9.6.2.5.
- (3) A sign is placed on the corridor wall immediately adjacent to the entry door(s) of such room so that it can be readily seen at all times. The sign shall state "**MANUAL FIRE ALARM BOX LOCATED IN THIS ROOM**". The sign shall have a red background and the letters shall be white and be at least one inch in height."

14. Delete subparagraph 14.3.4.3.1.1 in its entirety and substitute in its place the following:

14.3.4.3.1.1 "Occupant notification shall be by means of audible and visual alarm devices in accordance with 9.6.3 and Chapter 120-2-20, Rules and Regulations of the Safety Fire Commissioner. Where visual alarm devices are located inside classrooms the installation of an audible device or component shall not be required, provided the audible alarm signal from alarm devices located in adjacent corridors or compartments is clearly audible in the classrooms, and is subject to the approval of the authority having jurisdiction."

15. Add a new subparagraph 14.3.5.6 to read as follows:

14.3.5.6 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in educational occupancies, including mobile/portable classrooms, in accordance with 9.9.

14.3.5.6.1 In lieu of locating portable fire extinguishers in corridors and normal paths of travel as specified in NFPA Standard 10, *Standard for Portable Fire Extinguishers*, portable fire extinguishers may be located in rooms that open directly onto such corridors and paths of travel, provided, all of the following are met:

- (a) The rooms in which such portable fire extinguishers are placed are located in close proximity to that portion of the corridor where a portable fire extinguisher would normally be placed in accordance with NFPA Standard 10.
- (b) A sign which states, in white letters at least one inch in height on a red background, "**PORTABLE FIRE EXTINGUISHER LOCATED IN THIS ROOM**," is placed on the corridor wall immediately adjacent to the entrance(s) of each such room so that it can be clearly seen at all times."
- (c) The rooms in which such portable fire extinguishers are placed shall be constantly supervised during school hours.

(d) These rooms cannot be subject to being locked at any time the building is occupied."

16. Add a new item 6 to subsection 14.3.6 to read as follows:

6. " Door closing devices are not required on doors in corridor wall openings other than those serving exits or required enclosures of hazardous areas."

17. Add a new paragraph 14.4.3.6 to read as follows:

14.4.3.6 " Corridor walls in flexible plan buildings shall comply with subsection 14.3.6 as modified.

18. Add a new paragraph 14.5.2.3 to read as follows:

14.5.2.3 " Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of educational buildings, unless such use is permitted by 603.4 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

19. Add new subparagraph 14.7.1.1 to read as follows:

14.7.1.1 " Emergency Planning and Preparedness. Educational occupancies (Group E - Educational) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency situation. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with the applicable provisions of Chapter 4 of the *IFC*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(m) Modifications to Chapter 15:

1. Add a new subparagraph 15.1.1.1.1 to read as follows:

15.1.1.1.1 "**Existing Mobile/Portable Classroom Structures.**

(a) Existing mobile/portable classroom structures, which have been installed prior to the effective date of this *Code*, and which were deemed to be in compliance with provisions in effect at the time of their installation, shall be permitted to remain in use, if deemed to have been maintained as approved, and meet specific provisions of this chapter applicable to existing mobile/portable classroom structures.

(b) When an existing mobile/portable classroom structure is removed from a school system, the certificate of occupancy for that structure becomes void, provided, however, the structure shall retain the status of an existing structure if continued in service as a classroom structure in another school system. This shall also apply to leased or rented mobile/portable classroom structures. A new certificate of occupancy shall be required for the relocated structure, and shall be issued provided the structure meets the provisions of this *Code* that are applicable to existing mobile/portable classrooms."

2. Add a new paragraph 15.1.1.6 to read as follows:

15.1.1.6 " Existing mobile/portable classrooms shall comply with the various provisions of this *Code* applying to classrooms in existing educational occupancies, unless otherwise specified in this chapter."

3. Add a new paragraph 15.1.1.7 to read as follows:

15.1.1.7 " When relocated, a mobile/portable classroom structure shall not be placed within 25 feet (7.6 m) of any building or structure or within 10 feet (3.1 m) of another mobile/portable classroom structure. Such mobile/portable classroom structures shall not be connected to any building or other mobile classroom structure by a canopy of combustible construction. An existing canopy of combustible components may be continued in use provided no combustible components are within 25 feet (7.6 m) of any building or structure or within 10 feet (3.1 m) of another mobile/portable classroom structure. The distance between a mobile/portable classroom unit and an exposed

building or structure, that is totally protected by an approved automatic sprinkler system, may be reduced to 10 feet (3.05 m), provided, the exposed exterior wall is of noncombustible construction, and there are no windows or doors of the exposed wall of the building within 25 feet (7.6 m) of the mobile/portable classroom unit. The distance may be reduced to 0 feet if the exposed wall is of noncombustible construction having a certified fire resistance rating of at least 2-hours and without openings within 25 feet of exposing mobile/portable classroom unit."

4. Add a new paragraph 15.2.1.5 to read as follows:

15.2.1.5 " The provisions of 15.2.1.2 and 15.3.2.3 shall not apply to facilities that meet the requirements of 16.1.6."

5. Add a new subparagraph 15.2.2.2.1 to read as follows:

15.2.2.2.1 " Doors serving as exits from existing mobile/portable classrooms shall not be less than 32 inches (0.91 m) in clear width, unless originally approved for a clear width of not less than 28 inches. Such exit doors shall open onto landings 4 feet by 4 feet (1.2 m by 1.2 m) and have stairs and or ramps, as needed, complying with applicable provisions of this *Code*. Landings, stairs, ramps, guardrails, and handrails installed and approved prior to the effective date of this *Code*, if maintained in a state of good repair, may be continued in use. When a mobile/portable classroom structure is moved to another site at the same school or another school, landings, stairs, ramps, guardrails, and graspable handrails shall comply with the applicable requirements of this *Code* for new construction."

6. Delete paragraph 15.2.2.2.4 and replace with a new paragraph 15.2.2.2.4

15.2.2.2.4 \* Locking of Classroom Doors and Other Instructional Spaces.

15.2.2.2.4.1 Classroom doors and doors to other instructional spaces shall be permitted to be locked provided that the locking means is approved, and all of the following conditions are met:

- (1) The locking means shall be capable of being engaged from the egress side of the door without opening the door.
- (2) The unlocking and unlatching from the egress side of the door shall be accomplished without the use of a key, tool, or special knowledge or effort.
- (3) \* Two non-simultaneous releasing motions shall be permitted where approved by the authority having jurisdiction. The Chief Fire Official of the local responding Fire Department must approve the locking device.
- (4) The releasing mechanism for unlocking and unlatching shall be located at a height not less than 34 in. (865 mm) and not exceeding 48 in. (1220 mm) above the finished floor.
- (5) Locks, if remotely engaged, shall be unlockable from the egress side of the door without the use of a key, tool, or special knowledge or effort.
- (6) The door shall be capable of being unlocked and opened from outside the room with the necessary key or other credential.
- (7) The locking means shall not modify the door closer, panic hardware, or fire exit hardware or impair their operation.
- (8) Modifications to fire door assemblies, including door hardware, shall be in accordance with NFPA 80.
- (9) The emergency action plan, required by 15.7.1, shall address the use of the locking and unlocking means from both sides of the door.
- (10) Staff shall be drilled in the engagement and release of the locking means, from both sides of the door, as part of the emergency egress drills required by 15.7.2.

A.15.2.2.2.4.1(3) The installation of new hardware that necessitates two non-simultaneous releasing motions on existing doors in existing educational occupancies in accordance with 15.2.2.2.4.1(3) is permitted where such installation is necessary for compliance with the door locking criteria in 15.2.2.2.4.1. In accordance with 43.1.4.5, rehabilitation work performed for compliance with the Code's existing occupancy requirements is exempt from Chapter 43 and the installation of such new equipment is not subject to Section 43.5, which would require compliance with the new occupancy provisions. Where a new door is installed in an existing educational occupancy, the requirements of 14.2.2.2.4 apply.

15.2.2.2.4.2 Where existing classroom doors and doors to instructional spaces are replaced, they shall comply with the provisions of 14.2.2.2.4.

7. Add a new item (4) to paragraph 15.2.11.1 to read as follows:

(4) " Windows may open onto a court or an enclosed court provided all of the following criteria are met:

(a) The court shall be of sufficient width such that persons exiting through the courtyard will be at a minimum dimension not less than 10 feet (3 m) from any portion of the building that could present an exposure condition to a fire.

(b) The court has exits directly to the exterior of the building through an exit passageway that is separated out from all other parts of the building by 2-hour fire-rated construction. No space other than exit corridors protected by 'B' labeled 1½-hour fire doors, whether normally occupied or not, shall open onto this required exit passageway.

(c) The exit capacity for the exit passageway shall be of sufficient width for the corridors connected to it as well as the enclosed court calculated at 15 square feet (1.4 sq. m) per person or minimum number of students subject to exiting into the court, whichever is the greater of the two.

(d) The travel distance from any point in a connecting classroom to the exterior of the building through the exit passageway shall not exceed 150 feet (45.7 m).

(e) The court is provided with emergency lighting to direct occupants to the exit(s) in accordance with Section 5.9.

(f) The exit(s) from the court is/are clearly marked in accordance with Section 7.10."

8. Add a new paragraph 15.2.11.3 to read as follows:

15.2.11.3 " School Hallway Interior Emergency Lockdown Defense (SHIELD). The installation of a School Hallway Interior Emergency Lockdown Defense (SHIELD) shall be permitted in educational occupancies provided all of the following criteria are met:

(1) Activation shall be by means of depressing a panic button or pull station marked for emergency SHIELD available to school administration at a central location. Additional activation may be by telephone code.

(2) System activation shall automatically contact law enforcement authorities upon activation.

(3) Cross corridor doors may be provided with magnetic hold open devices to release upon activation of the system.

(4) Upon activation of the system, cross corridor doors shall be permitted to be kept in the closed position with magnetic locks.

(5) System hardware shall be provided with emergency power or battery back-up in event of loss of power.

(6) Smoke detectors shall be provided within 15 feet of cross corridor doors on the classroom egress side for each corridor zone and be identified distinctly from other required detectors. Such detectors upon activation by smoke shall release door mag locks for the locked zone to freely open. Detectors are not required to be interconnected into the building's fire alarm system.



(7) Card readers with keypad shall be installed on the ingress side of the doors requiring a PIN code and card swipe to deactivate for the activated corridor zone.

(8) Keypad shall be installed on the egress side of the doors only requiring a PIN code for deactivation of the door mag locks for the activated corridor zone.

(9) A blue light strobe and siren, distinct from that of the fire alarm may be provided to deter intruders.

(10) Staff shall be adequately trained on the intent and operation of the system with the conduction of mock drills.

15.2.11.3.1 **(SHIELD) Activation.** The SHIELD system shall only be activated in the following situations:

(1) The event of intrusion or active shooter upon school premises.

(2) For the purposes of testing the system.

(3) For the purposes of conducting drills related to the intrusion or active shooter upon school premises."

9. Delete subparagraph 15.3.2.1(1)(a) in its entirety and substitute in its place the following:

(a) " Boiler and furnace rooms, unless such rooms enclose air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

10. Delete the term "Laundries" from subparagraph 15.3.2.1(2)(a) and substitute in its place the following:

(a) " Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m)."

11. Add a new paragraph 15.3.2.2.1 to read as follows:

15.3.2.2.1 " Food preparation areas located in home economic labs may be protected by listed self-contained residential fire suppression systems located in a residential hood over each cooking surface, with the exhaust hood vented directly to the outside. Required use of automatic disconnects of fuel source or power source is subject to the approval of the authority having jurisdiction. Food preparation areas located in home economic labs need not be protected where in a fully sprinklered building or where protection is provided in accordance with 9.7.1.2. The exhaust hood is still required to be vented to the outside if installed after July 28, 1998."

12. Add items (3) and (4) to paragraph 15.3.4.2.1 to read as follows:

(3) " Where each classroom in a mobile/portable classroom structure is provided with a two-way communication system that will permit initiation of the communication from the classroom as well as from a constantly attended location in the main administrative office of the school from which a general alarm can be sounded, if needed, and the fire department can be summoned. A telephone mounted in each classroom and equipped with speed dialing, or a similar function, to provide contact with the constantly attended location noted above, shall be acceptable as a two-way communication system for purposes of this provision. The procedure for using the system for emergency alerting shall be clearly posted near the system actuation device in each classroom and at the constantly attended location.

(4) Fire alarm alerting provisions for existing mobile/portable classroom structures approved prior to the effective date of this *Code*, and which are in a state of operational readiness. At the minimum, such provisions shall provide alerting of a fire condition in each mobile/portable classroom structure. Where alerting is by an alarm bell or horn, the sound/signal shall be distinctive from other bells or horns."

13. Add a new subparagraph 15.3.4.2.3.3 to read as follows:

15.3.4.2.3.3 " In lieu of locating manual fire alarm boxes in educational occupancies in corridors and normal paths of travel, the fire alarm boxes may be located in rooms which open directly onto such corridors and normal paths of travel provided all of the following are met:

- (1) The rooms in which such manual fire alarm boxes are placed are constantly supervised all school hours.
- (2) The rooms in which such manual fire alarm boxes are placed are located in close proximity to the to that portion of the corridors and normal paths of travel where a manual fire alarm box would be placed in accordance with 9.6.2.5.
- (3) A sign is placed on the corridor wall immediately adjacent to the entry door(s) of such room so that it can be readily seen at all times. The sign shall state **"MANUAL FIRE ALARM BOX LOCATED IN THIS ROOM"**. **The sign shall have a red background and the letters shall be white and be at least one inch in height."**

14. Add a new paragraph 15.3.5.6 to read as follows:

15.3.5.6 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in educational occupancies, including mobile/portable classrooms, in accordance with 9.9.

15.3.5.6.1 In lieu of locating portable fire extinguishers in corridors and normal paths of travel as specified in NFPA 10, *Standard for Portable Fire Extinguishers*, portable fire extinguishers may be located in rooms that open directly onto such corridors and normal paths of travel provided all of the following are met:

- (a) The room in which such portable fire extinguishers are placed are located in close proximity to that portion of the corridor where a fire extinguisher would otherwise be placed in accordance with NFPA 10; *Standard for Portable Fire Extinguishers*,
- (b) A sign which states in white letters at least one inch in height on a red background, **'PORTABLE FIRE EXTINGUISHER LOCATED IN THIS ROOM,** ' is placed on the corridor wall immediately adjacent to the entrance way of each such room so that it can be clearly seen at all times;
- (c) The rooms in which such portable fire extinguishers are placed shall be constantly supervised during school hours; and,
- (d) Those rooms cannot be subject to being locked at any time the building is occupied."

15. Add a new item (6) to subsection 15.3.6 to read as follows:

(6) " Door closing devices are not required on doors in corridor wall openings other than those serving exits or required enclosures of hazardous areas."

16. Add new paragraph 15.5.2.3 to read as follows:

15.5.2.3 " Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of educational buildings.

15.5.2.3.1 As permitted by 603.4 of the *IFC*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

17. Delete subsection 15.7.1 in its entirety and substitute in its place the following:

15.7.1 **"Emergency Planning and Preparedness.** Educational occupancies (Group E) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented

in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(n) **Modification to Chapter 16:**

1. Add a new 16.1.1.2.1 to read as follows:

16.1.1.2.1 " Pursuant to O.C.G.A. 25-2-13(b)(1)(I) the term Group Day-Care Home applies to day-care facilities where at least seven (7) but not more than twelve (12) children receive care. Further, the term Day Care Center applies where more than twelve (12) children receive care. Where such facilities are required to be licensed or commissioned as set forth by O.C.G.A. 25-2-13(b)(1)(I), the facilities are also required to comply with the Rules and Regulations of the Safety Fire Commissioner and to obtain a Certificate of Occupancy pursuant to O.C.G.A. 25-2-14(c)."

2. Add a new subparagraph 16.1.3.1.1 to paragraph 16.1.3.1 to read as follows:

16.1.3.1.1 " The provisions of 6.1.14 shall not apply to one- and two-family dwellings."

3. Delete paragraph 16.1.6.1 and its corresponding table in its entirety and substitute in its place the following:

16.1.6.1 " The location of day-care occupancies and clients of such shall be limited as shown in Table 16.1.6.1.

16.1.6.1.1 Day-Care occupancies with exits directly to the outside from each room normally occupied by clients may be of any construction type without being protected throughout by an automatic sprinkler system.

<b>Table 17.1.6.1 Day-Care Occupancy Location</b>					
<b>Type of Construction</b>	<b>Age Group</b>	<b>Number of Stories</b>			
		(Stories are counted starting at the floor of exit)			
		1	2	3	4+
I(443), I(332) and II(222)	0 through 4	YES	YES	YES	YES+
	5 and older	YES	YES	YES	YES+
II(111), III(211) and V(111)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES	YES+	NO
IV(2HH)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES+	NO	NO
II(000)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES+	NO	NO
III(200) and V(000)	0 through 4	YES+	YES+	NO	NO
	5 and	YES	YES+	NO	NO

The types of construction in the Table are from NFPA 220, *Standard on Types of Building Construction*. Refer to 8.2.1.2 and 8.2.1.2.1 of this *Code* and the conversion chart for cross-referencing to the construction types established by the *International Building Code*.

YES: Day-care occupancy location permitted in type of construction.

YES+: Day-care occupancy location permitted in type of construction if entire building is protected throughout by an approved automatic sprinkler system.

NO: Day-care occupancy location not permitted in type of construction."

4. Add a new paragraph 16.1.6.3 to read as follows:

16.1.6.3 **"Day-Care Facilities Located Below the LED.** The story below the level of exit discharge shall be permitted to be used in buildings of any construction type, other than Type II(000), Type III(200) and Type V(000) provided, the building is protected throughout by an approved automatic sprinkler system."

5. Add a new subparagraph 16.1.6.3.1 to read as follows:

16.1.6.3.1 " Where the story below the level of exit discharge is occupied as a day-care center, both of the following shall apply:

(1) One means of egress shall be an outside or interior stair in accordance with 7.2.2. An interior stair, if used, shall only serve the story below the level of exit discharge. The interior stair shall be permitted to communicate with the level of exit discharge; however, the required exit route from the level of exit discharge shall not pass through the stair enclosure.

(2) The second means of egress shall be permitted to be via an unenclosed stairway separated from the level of exit discharge in accordance with 8.6.5. The path of egress travel on the level of exit discharge shall be protected in accordance with 7.1.3.1."

6. Delete subsection 16.2.9 in its entirety and substitute in its place the following:

16.2.9 **"Emergency Lighting.** Emergency lighting shall be provided in accordance with Section 7.9 in the following areas:

1. In all interior stairs and corridors.

2. In all normally occupied spaces

3. Emergency lighting is not required in the following locations:

(1) Administrative areas other than receptionist areas.

(2) Mechanical rooms, storage areas, and rooms or areas not normally occupied by students."

7. Delete item (a) to paragraph 16.3.2.1(1) (a) in its entirety and substitute in its place the following:

(a) " Rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

8. Add an item (4) to paragraph 16.3.2.1 to read as follows:

(4) " In areas where documentation is provided indicating an unreliable water source, the authority having jurisdiction may accept separation of these areas from the remainder of the building by fire barriers having not less than a 2-hour fire-resistance rating."

9. Delete the term "Laundries" from subparagraph 16.3.2.1 (2) a. and substitute in its place the following:

a. " Laundry areas utilizing commercial equipment, multiple residential appliances, or exceeding 100 square feet (9.3 sq. m)."

10. Delete paragraph 16.3.2.3 in its entirety and substitute in its place the following:

16.3.2.3 " Food preparation facilities protected in accordance with 9.2.3 are not required to have openings protected between food preparation areas and dining areas. Where domestic cooking equipment is used for food warming or limited cooking, a listed self-contained residential fire suppression system may be installed in a residential hood to

cover the area of the cooking surface, with the exhaust hood vented directly to the outside. The fire suppression system shall automatically disconnect electric power to electric stoves or automatically shut off the gas supply to gas stoves. Such system shall be interconnected to the building fire alarm system where one is provided.

16.3.2.3.1 Subject to the approval of the authority having jurisdiction approval, where domestic cooking equipment is used for food warming or limited cooking, the requirements for a residential fire suppression system may be waived if the room is protected by approved automatic sprinkler protection. The provisions of 9.7.1.2 may be permitted. The exhaust hood is still required to be vented to the outside."

11. Delete subsection 16.3.5 in its entirety and substitute in its place the following:

16.3.5 **"Extinguishment Requirements.** Buildings containing day-care occupancies shall be sprinkler protected throughout for construction types as specified in Table 16.1.6.1 entitled "Day-Care Occupancy Location Limitations" and paragraph 16.1.6.3. Any required sprinkler system based upon Table 16.1.6.1 and paragraph 16.1.6.3 shall be in accordance with 9.7."

12. Add a new paragraph 16.3.5.1 to read as follows:

16.3.5.1 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all daycare occupancies in accordance with 9.9."

13. Add new paragraph 16.5.2.4 to read as follows:

16.5.2.4 " Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of day-care facilities.

16.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer's instructions and the authority having jurisdiction."

14. Delete paragraph 16.6.1.6 in its entirety and substitute in its place the following:

16.6.1.6 **"Minimum Construction Requirements.** The minimum construction requirements for new day-care homes shall be limited to the types of building construction permitted by the *IBC* as specified in 8.2.1. Clients of a group day-care home in a multi-story building shall be restricted to the level of exit discharge, unless the provisions of 16.1.6 are met."

15. Add a new paragraph 16.6.3.6 to read as follows:

16.6.3.6 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all daycare home occupancies in accordance with 9.9."

16. Delete subsections 16.7.1 and 16.7.2 in their entirety and substitute in their place the following:

16.7.1 **"Emergency Planning and Preparedness.** Day-care occupancies (Group E and I-4) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

**(o) Modifications to Chapter 17:**

1. Delete paragraph 17.1.1.4 in its entirety and substitute in its place the following:

17.1.1.4 " Pursuant to O.C.G.A. 25-2-13(b)(1)(I) the term Group Day-Care Home applies to daycare facilities where at least seven (7) but not more than twelve (12) children receive care. Further, the term Day Care Center applies

where more than twelve (12) children receive care. Where such facilities are required to be licensed or commissioned as set forth by O.C.G.A. 25-2-13(b)(1)(I), the facilities are also required to comply with the Rules and Regulations of the Safety Fire Commissioner and to obtain a Certificate of Occupancy pursuant to O.C.G.A. 25-2-14(c)."

2. Delete paragraph 17.1.1.5 in its entirety and substitute in its place the following:

17.1.1.5 " This section establishes life safety requirements for existing day-care occupancies, adult day-care facilities, and head start facilities in which more than 12 clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day. An existing day-care occupancy shall be allowed the option of meeting the requirements of Chapter 16 in lieu of Chapter 17. Any day-care occupancy that meets the requirements of Chapter 16 shall be judged to meet the requirements of Chapter 17."

3. Add a new subparagraph 17.1.3.1.1 to read as follows:

17.1.3.1.1 " The provisions of 6.1.14 shall not apply to one- and two-family dwellings."

4. Add a new subparagraph 17.1.4.1.1 to read as follows:

17.1.4.1.1 " Existing day-care centers that include part-day preschools, head-start programs, kindergartens, and other schools whose purpose involves education primarily for a group of children may continue to meet the requirements of this section or may be allowed the option of meeting the requirements of Chapter 15."

5. Delete subsection 17.1.6.1 and its corresponding table in its entirety and substitute in its place the following:

17.1.6.1 **"Location and Minimum Construction Requirements.** The location of day-care occupancies and clients of such shall be limited as shown in Table 17.1.6.1

17.1.6.1.2 Day-Care occupancies with exits directly to the outside from each room normally occupied by clients may be of any construction type without being protected throughout by an automatic sprinkler system.

17.1.6.1.3 " Centers located on the level of exit discharge in buildings of any construction type without a complete approved automatic sprinkler system, may be continued in use as a child day-care center housing children ages zero through four, or non-ambulatory children, as long as at least one exit door is provided directly to the outside of the building at ground level from every room or space normally occupied by children, except restrooms. For centers existing prior to April 12, 1985, where direct access to the outside of the building is not possible from interior rooms, and such interior rooms are normally subject to occupancy by children, the interior room may continue to be used provided there are two remote exits from the rooms that provide access to two separate and distinct exits to the outside."

**Table 17.1.6.1 Day-Care Occupancy Location**

Table 17.1.6.1 Day-Care Occupancy Location					
Type of Construction	Age Group	Number of Stories			
		(Stories are counted starting at the floor of exit)			
		1	2	3	4+
I(443), I(332) and II(222)	0 through 4	YES	YES	YES	YES
	5 and older	YES	YES	YES	YES
II(111), III(211) and V(111)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES	YES+	NO
IV(2HH)	0 through 4	YES	YES+	NO	NO
	5 and older	YES	YES+	NO	NO
II(000)	0 through 4	YES	YES+	NO	NO

Table 17.1.6.1 Day-Care Occupancy Location					
	5 and older	YES	YES+	NO	NO
III(200) and V(000)	0 through 4	YES+	YES+	NO	NO
	5 and older	YES	YES+	NO	NO

The types of construction in the Table are from NFPA 220, *Standard on Types of Building Construction*. Refer to 8.2.1.2 and 8.2.1.2.1 of this *Code* and the conversion chart for cross-referencing to the construction types established by the *International Building Code*.

YES: Day-care occupancy location permitted in type of construction.

YES+: Day-care occupancy location permitted in type of construction if entire building is protected throughout by an approved automatic sprinkler system.

NO: Day-care occupancy is not permitted in this construction type."

6. Delete paragraph 17.2.2.2.6 in its entirety and replace with a new 17.2.2.2.6

#### **17.2.2.2.6 Locking of Classroom Doors and Doors to Other Client Care Spaces.**

17.2.2.2.6.1 Classroom doors and doors to other client care spaces shall be permitted to be locked provided that the locking means is approved, and all of the following conditions are met:

- (1) The locking means shall be capable of being engaged from the egress side of the door without opening the door.
- (2) The unlocking and unlatching from the egress side of the door shall be accomplished without the use of a key, tool, or special knowledge or effort.
- (3) \* Two non-simultaneous releasing motions shall be permitted where approved by the authority having jurisdiction. The Chief Fire Official of the local responding Fire Department must approve the locking device.
- (4) The releasing mechanism for unlocking and unlatching shall be located at a height not less than 34 in. (865 mm) and not exceeding 48 in. (1220 mm) above the finished floor.
- (5) Locks, if remotely engaged, shall be unlockable from the egress side of the door without the use of a key, tool, or special knowledge or effort.
- (6) The door shall be capable of being unlocked and opened from outside the room with the necessary key or other credential.
- (7) The locking means shall not modify the door closer, panic hardware, or fire exit hardware or impair their operation.
- (8) Modifications to fire door assemblies, including door hardware, shall be in accordance with NFPA 80.
- (9) The emergency action plan, required by 17.7.1, shall address the use of the locking and unlocking means from both sides of the door.
- (10) Staff shall be drilled in the engagement and release of the locking means, from both sides of the door, as part of the emergency egress drills required by 17.7.2.

A.17.2.2.2.6.1(3) The installation of new hardware that necessitates two non-simultaneous releasing motions on existing doors in existing day care occupancies in accordance with 17.2.2.2.6.1(3) is permitted where such installation is necessary for compliance with the door locking criteria in 17.2.2.2.6.1. In accordance with 43.1.4.5, rehabilitation work performed for compliance with the *Code's* existing occupancy requirements is exempt from Chapter 43 and the installation of such new equipment is not subject to Section 43.5, which would require

compliance with the new occupancy provisions. Where a new door is installed in an existing day care occupancy, the requirements of 16.2.2.2.6 apply.

17.2.2.2.6.2 Where existing classroom doors and doors to client care spaces are replaced, they shall comply with the provisions of 16.2.2.2.6.

7. Delete subsection 17.2.9 in its entirety and substitute in its place the following:

17.2.9 "**Emergency Lighting.** Emergency lighting shall be provided in accordance with Section 7.9 in the following areas:

1. In all interior stairs and corridors.

2. In all normally occupied spaces.

17.2.9.1 Emergency lighting is not required in the following areas:

(1) Administrative areas other than receptionist areas.

(2) Mechanical rooms, storage areas, and rooms not normally occupied by students."

8. Add a new subparagraph 17.3.2.1(a)(1) to read as follows:

17.3.2.1(a)(1) " Rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input are not required to comply with 17.3.2.1(1) provided, such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

9. Delete paragraph 17.3.2.3 in its entirety and substitute in its place the following:

17.3.2.3 " Food preparation facilities protected in accordance with 9.2.3 are not required to have openings protected between food preparation areas and dining areas. Where domestic cooking equipment is used for food warming or limited cooking, a listed self-contained residential fire suppression system may be installed in a residential hood to cover the cooking surface, with the exhaust hood vented directly to the outside. Required use of automatic disconnects of the fuel source or power source is subject to the authority having jurisdiction. Upon receipt of a sworn affidavit, no protection is required for existing domestic cooking equipment used for limited cooking or warming of foods.

17.3.2.3.1 Subject to the approval of the authority having jurisdiction, where domestic cooking equipment is used for food warming or limited cooking, the requirements for a residential fire suppression system may be waived if the room is protected by approved automatic sprinkler protection. The provisions of 9.7.1.2 may be permitted. The exhaust hood is still required to be vented to the outside."

10. Delete the term "Laundries" from subparagraph 17.3.2.1 (2)(a) and substitute in its place the following:

(a) " Laundry areas utilizing commercial equipment, or multiple residential appliances, or having a floor area exceeding 100 square feet (9.3 m)."

11. Add a new paragraph 17.3.5.3.1 to read as follows:

17.3.5.3.1 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all day- care occupancies in accordance with 9.9."

12. Delete subsection 17.4.1 in its entirety and substitute in its place the following:



17.4.1 **"Windowless or Underground Buildings.** Windowless or underground buildings or structures shall comply with the applicable provisions of Section 11.7. All such buildings and structures housing a day-care occupancy shall be protected throughout by an approved automatic sprinkler system.

17.4.1.1 " Buildings or structures existing prior to January 28, 1993, and housing day-care occupancies with an occupant load not greater than 100 may remain in use without being protected throughout by an automatic sprinkler system."

13. Add a subparagraph 17.5.1.2.1 to read as follows:

17.5.1.2.1 " In existing day-care occupancies, in lieu of special protective covers, receptacles may be placed at a minimum of six feet above the finished floor."

14. Add a new paragraph 17.5.2.4 to read as follows:

17.5.2.4 " Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of day-care facilities.

17.5.2.4.1 " In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

15. Delete subparagraph 17.6.1.4.1.2 in its entirety and substitute in its place the following:

17.6.1.4.1.2 " This section establishes life safety requirements for group day-care homes, adult daycare homes and head start facilities in which at least seven but not more than 12 clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per day (generally within a dwelling unit). An existing day-care home shall be allowed the option of meeting the requirements of Section 16.6 in lieu of Section 17.2. Any day-care home that meets the requirements of Chapter 16 shall be judged to meet the requirements of Chapter 17."

16. Add an exception to subsection 17.6.1.4.1 to read as follows:

17.6.1.4.1 " Existing day-care homes that include part-day preschools, head-start programs, kindergartens, and other schools whose purpose involves education primarily for a group of children may continue to meet the requirements of this section or may be allowed the option of meeting the requirements of Chapter 15."

17. Delete paragraph 17.6.1.6 in its entirety and substitute in its place the following:

17.6.1.6 " Clients of a group day-care home in a multi-story building shall be restricted to the level of exit discharge, unless the provisions of 17.1.6.1 are met."

18. Add a new paragraph 17.6.3.6 to read as follows:

17.6.3.6 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all daycare home occupancies in accordance with 9.9."

19. Add a new subsection 17.6.3.7 to read as follows:

17.6.3.7 " In existing day-care homes in lieu of special protective covers, receptacles may be placed at a minimum of 6 feet (1.8 m) above the finished floor."

20. Delete subsections 17.7.1 and 17.7.2 in their entirety and substitute in their place the following:

17.7.1 **"Emergency Planning and Preparedness.** Day-care occupancies (Group E and I-4) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency

condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

**(p) Modifications to Chapter 18:**

1. Delete subsection 18.1.1.1.8 in its entirety and in its place substitute the following:

18.1.1.1.8 " Buildings, or sections of buildings, that house older persons and that provide activities that foster continued independence but that do not include services distinctive to health care occupancies (see 18.1.4.2), as defined in 3.3.196.7, shall be permitted to comply with the requirements of other chapters of this *Code*, such as Chapters 30, 32 or 34 based upon appropriate licensing if required."

2. Add a new subparagraph 18.1.1.4.3.4.1 to read as follows:

18.1.1.4.3.4.1 " Minor renovations, alterations, modernizations or repairs as used in 18.1.1.4.3.4 shall mean that construction is less than 40% of the floor area within a smoke compartment."

3. Add the following to the list of hazardous areas in Subparagraph 18.3.2.1.2 to read as follows:

(8) " Soiled utility rooms also used for combustible storage - 1 hour."

4. Add a new subparagraph 18.3.2.5.2.1 to read as follows:

18.3.2.5.2.1 " Where a residential stove (a maximum of four surface burners or cooking elements), is used for food warming, limited cooking, or rehabilitation training, a residential style hood system ducted to the outside shall be installed to cover each cooking surface. Other protection or segregation shall not be required unless subsequent inspections reveal conditions have changed and a higher level of risk to life is deemed to exist by the authority having jurisdiction."

5. Delete subsections 18.7.1 and 18.7.2 in their entirety and substitute in their place the following:

18.7.1 "**Emergency Planning and Preparedness.** Health care occupancies (Group I-2) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code (IFC)*, and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 18.7.4 in its entirety and in its place substitute the following:

18.7.4 " \* **Smoking.** Smoking regulations shall be adopted and shall include, at the least, the applicable provisions of Section 310 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

**(q) Modifications to Chapter 19:**

1. Delete subsection 19.1.1.1.8 in its entirety and in its place substitute the following:

19.1.1.1.8 " Buildings, or sections of buildings, that house older persons and that provide activities that foster continued independence but do not include services distinctive to health care occupancies (see 19.1.4.2), as defined in 3.3.196.7, shall be permitted to comply with the requirements of other chapters of this *Code*, such as Chapters 31, 33 or 35 based upon appropriate licensing if required."

2. Add the following to the list of hazardous areas in subparagraph 19.3.2.1.5 to read as follows:

(9) " Soiled utility rooms used for combustible storage."

3. Add subparagraphs 19.3.2.5.2.1 to read as follows:

19.3.2.5.2.1 " Where residential stove cooking is used for food warming, limited cooking, or rehabilitation training, a residential style hood system ducted to the outside and equipped with a listed self-contained residential fire suppression system shall be installed to cover each cooking surface. Required use of automatic disconnects of fuel source or power source is subject to the approval of the authority having jurisdiction.

19.3.2.5.2.1.1 Other installations acceptable to the authority having jurisdiction shall be acceptable."

4. Add a new subparagraph 19.3.4.3.1.1 to read as follows:

19.3.4.3.1.1 " A Zoned, coded systems shall be permitted."

5. Delete subsections 19.7.1 and 19.7.2 in their entirety and substitute in their place the following:

19.7.1 "**Emergency Planning and Preparedness.** Health care occupancies (Group I-2) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code (IFC)* and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 19.7.4 in its entirety and in its place substitute the following:

19.7.4 "**\* Smoking.** Smoking regulations shall be adopted and shall include, at the least, the applicable provisions of Section 310 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

**(r) Modification to Chapter 20:**

1. Delete subsections 20.7.1 and 20.7.2 in their entirety and substitute in their place the following:

20.7.1 "**Emergency Planning and Preparedness.** Ambulatory health care facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions for health care occupancies (Group I-2) of Chapter 4 of the *International Fire Code (IFC)* and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

**(s) Modification to Chapter 21:**

1. Delete subsections 21.7.1 and 21.7.2 in their entirety and substitute in their place the following:

21.7.1 "**Emergency Planning and Preparedness.** Ambulatory health care facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions for health care occupancies (Group I-2) of Chapter 4 of the *International Fire Code (IFC)* and NFPA 99, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

**(t) Modifications to Chapter 22:**

1. Delete paragraph 22.2.11.1.2 in its entirety and substitute in its place the following:

22.2.11.1.2 " Doors shall be permitted to be locked with approved detention locking mechanisms only in accordance with the applicable use condition. Padlocks are not permitted on housing unit doors or any other door located in the interior means of egress.

22.2.11.1.2.1 Padlocks are permitted on gates and doors located on exterior fencing, and in exterior walls, which are not part of the building, from areas of refuge located outside the building."

2. Delete the words 'fuel fired' from Table 22.3.2.1.

3. Add a note to Table 22.3.2.1 to read as follows:

"[Note: Areas incidental to resident housing will mean any areas that exceed 10% of the resident housing area. This includes sleeping areas, dayrooms, group activity space, or other common spaces for customary access of residents.]"

4. Delete paragraph 22.3.7.5 in its entirety and substitute in its place the following:

22.3.7.5 " Any required smoke barrier shall be constructed in accordance with Section 8.5 Smoke Barriers. Such barriers shall be of substantial construction and shall have structural fire resistance. Smoke barriers may have windows with wire glass in steel frames or tested window assemblies."

5. Delete subsection 22.7.1 in its entirety and substitute in its place the following:

22.7.1 **"Emergency Planning and Preparedness.** Detention and correctional facilities (Group I-3 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 22.7.2 in its entirety and substitute in its place the following:

22.7.2 " Policies and procedures shall be established by facility administrators to control and limit the amount of personal property in sleeping rooms and require periodic checks for the collection and storage of such items on a monthly basis. Records of periodic checks shall be kept and made available to the authority having jurisdiction upon request.

22.7.2.1 Facilities which provide closable metal lockers or fire-resistant containers for the storage of books, clothing, and other combustible personal property allowed in sleeping rooms."

**(u) Modifications to Chapter 23:**

1. Delete paragraph 23.2.11.1.2 in its entirety and substitute in its place the following:

23.2.11.1.2 " Doors shall be permitted to be locked with approved detention locking mechanisms only in accordance with the applicable use condition. Padlocks are not permitted on housing unit doors or any other door located in the means of egress.

23.2.11.1.2.1 Padlocks are permitted on gates and doors located on exterior fencing and walls from areas of refuge located outside the building."

2. Delete the words 'fuel fired' from Table 23.3.2.1.

3. Add a note to Table 23.3.2.1 to read as follows:

"[Note: Areas incidental to resident housing will mean any areas that exceed 10% of the resident housing area. This includes sleeping areas, dayrooms, group activity space, or other common spaces for customary access of residents.]"

4. Delete paragraph 23.3.7.5 in its entirety and substitute in its place the following:

23.3.7.5 " Required smoke barriers shall be constructed in accordance with Section 8.5 Smoke Barriers. Such barriers shall be of substantial construction and shall have structural fire resistance. Smoke barriers may have windows with wire glass in steel frames or tested window assemblies."

5. Delete subsection 23.7.1 in its entirety and substitute in its place the following:

23.7.1 **"Emergency Planning and Preparedness.** Detention and correctional facilities (Group I-3 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

6. Delete subsection 23.7.2 in its entirety and substitute in its place the following:

23.7.2 " Policies and procedures shall be established by facility administrators to control and limit the amount of personal property in sleeping rooms and require periodic checks for the collection and storage of such items on a monthly basis. Records of periodic checks shall be kept and made available to the authority having jurisdiction upon request.

23.7.2.1 Facilities which provide closable metal lockers or fire-resistant containers for the storage of books, clothing, and other combustible personal property allowed in sleeping rooms."

**(v) Modification to Chapter 24:**

1. Delete the Title of Chapter 24 and retitle it to read as follows:

**"Chapter 24 One- and Two-Family Dwellings/Community Living Arrangements"**

2. Add a new subparagraph 24.1.1.1.1 to read as follows:

24.1.1.1.1 " In addition, this chapter establishes life safety requirements for facilities licensed by the State of Georgia as a 'Community Living Arrangement' for one to four individuals not related to the owner or administrator by blood or marriage whether the facility is operated for profit or not. Community Living Arrangements for five or more residents shall comply with the applicable requirements of Chapter 32."

3. Add a new paragraph 24.1.1.6 to read as follows:

24.1.1.6 " The use of a one- and two- family dwelling for the purposes of a Community Living Arrangement as licensed by the State, for one to four residents, shall constitute a change of occupancy sub-classification. The new sub-classification shall meet the requirements established in this Chapter for the One- and Two-Family Dwelling and the additional requirements specified under Section 24.4.

4. Delete 24.2.2.1.2(2) in its entirety and substitute in its place the following:

(2) " The dwelling unit is protected throughout by an approved automatic sprinkler system in accordance with 24.3.5. This sprinkler provision shall not apply to a community living arrangement."

5. Add a new subparagraph to 24.2.4.1.1 to read as follows:

24.2.4.1.1 " Doors in the path of travel of a means of escape in Community Living Arrangement facilities shall be not less than 32 in. (81 cm) wide."

6. Add a new subparagraph 24.3.4.1.3.1 to read as follows:

24.3.4.1.3.1 " The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall apply."

7. Delete Section 24.4 in its entirety and substitute in its place the following:

**24.4 "Community Living Arrangements.**

**24.4.1 General.** The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 24.4 shall prevail.

**24.4.2 Address identification.** New and Existing Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the *International Fire Code*.

**24.4.3 Means of Egress.**

**24.4.3.1** A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, and that are accessible to the residents.

**24.4.3.2** Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls, capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15-minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1¾ in. (4.4-cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 sq. in (0.84 m2) each in area and installed in approved frames.

**24.4.3.3** A room shall not be used as a bedroom where more than one-half the room height is below ground level.

**24.4.3.4** Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

**24.4.3.5** Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

**24.4.3.6** Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

**24.4.3.7** Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or be provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

**24.4.3.8 Locks.**

**24.4.3.8.1** Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited to be used on the bedroom door of a resident.

**24.4.3.8.2** Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

**24.4.4 Detection and Alarm Systems**

**24.4.4.1** A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72 shall be installed.

**24.4.4.2 Smoke Detection.**

24.4.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10 of this *Code*. Any additional detection/alarm devices shall be as established by O.C.G.A. § 25-2-40.

24.4.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

24.4.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.22.5 of this *Code*.

24.4.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

#### **24.4.4.3 Carbon Monoxide Detectors.**

24.4.4.3.1 Carbon monoxide detectors shall be provided in the residence where natural gas, LP gas or heating oil is used to heat the residence.

24.4.4.3.2 Carbon monoxide detectors shall be provided in the residence if a solid fuel-burning fireplace or fixed heating device is installed the residence.

#### **24.4.5 Protection.**

24.4.5.1 **Portable Fire Extinguishers.** Portable fire extinguishers in accordance with Section 9.9 shall be provided near hazardous areas.

24.4.5.1.1 At least one 5 lb. 2A rated multipurpose ABC portable fire extinguisher shall be provided on each occupied floor, and, where applicable, in the basement. The extinguishers shall be installed so as to be readily accessible in accordance with NFPA 10.

24.4.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a State licensed fire extinguisher technician in accordance with NFPA 10.

24.4.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

#### **24.4.6 Heating, Ventilation and Air Conditioning.**

24.4.6.1 Portable space heaters shall not be used. The use of heating devices and equipment shall be regulated by the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

24.4.6.2 Fire screens and protective devices shall be used with fireplaces, stoves, and fixed heaters.

24.4.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

#### **24.4.7 Operating Features.**

24.4.7.1 **Staffing.** The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

24.4.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. Also, training of management and staff shall comply with Chapter 4 of the adopted *International Fire Code*.

**24.4.7.2 Evacuation Capabilities.** Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can meet a prompt evacuation capability as defined in 120-3-3-.03 of Chapter 120-3-3 Rules and Regulations of the Safety Fire Commissioner. Residents who cannot meet the prompt evacuation capability provision shall be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance at all times.

**24.4.7.3 Drills.** Fire drills shall be conducted at least quarterly on each shift at alternating times. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented and include the names of staff involved. Also, refer to Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

**24.4.7.4 Procedures.** There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each residence. Also, refer to Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

**(w) Modification to Chapter 26:**

1. Add a new subparagraph 26.3.4.5.3.1 to read as follows:

26.3.4.5.3.1 " The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

2. Add a new paragraph 26.3.6.4 to read as follows:

26.3.6.4 **"Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all lodging or rooming house occupancies in accordance with 9.9 of this *Code*."

**(x) Modification to Chapter 28:**

1. Add a new subparagraph 28.2.5.5.1 to read as follows:

28.2.5.5.1 " The provisions of 28.2.5.5 apply to exterior exit access routes and interior corridors."

2. Add a new subparagraph 28.2.5.6.1 to read as follows:

28.2.5.6.1 " The provisions of 28.2.5.6 apply to exterior exit access routes and interior corridors."

3. Add a new subparagraph 28.3.2.2.1.1 to read as follows:

28.3.2.2.1.1 " The provisions of 28.3.2.2 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

4. Delete paragraph 28.3.4.5 in its entirety and substitute in its place the following:

28.3.4.5 " A corridor smoke detection system in accordance with O.C.G.A. Sections 25-2-13(d) & 25-2-40 shall be provided in all interior corridors, halls and passageways.

28.3.4.5.1 The provisions of 28.3.4.5 are not required in hotels and motels protected throughout by an approved supervised automatic sprinkler system installed in accordance with 28.3.5. Dormitory facilities shall still be required to provide a corridor smoke detection system in accordance with O.C.G.A. Sections 25-2-13(d) and 25-2-40."

5. Add a new subparagraph 28.3.4.6.1 to read as follows:



28.3.4.6.1 " A smoke alarm shall be mounted on the ceiling or wall at a point centrally located in the corridor, hall or area giving access to each group of rooms used for sleeping purposes. Such smoke alarm shall be listed and meet the installation requirements of NFPA 72, *National Fire Alarm and Signaling Code*, and be powered from the building's electrical system. In addition, 1½-hour emergency power supply source is required for the back-up power of the smoke alarms."

6. Add a new subparagraph 28.3.4.6.2 to read as follows:

28.3.4.6.2 " Each living area within a guestroom or suite which is separated by doors or folding partitions shall be provided with an approved single station smoke alarm in accordance with 9.6.2.10 of this *Code*. The smoke alarm shall be powered from the building's electrical system."

7. Delete subsections 28.7.1, 28.7.2, 28.7.3, and 28.7.5 in their entirety and substitute in their place the following:

28.7.1 "**Emergency Planning and Preparedness.** Hotels and dormitories (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(y) **Modification to Chapter 29:**

1. Delete paragraph 29.2.5.3 in its entirety and substitute in its place the following:

29.2.5.3 " Exterior exit access or internal corridors shall be arranged so there are no dead ends in excess of 50 feet (15 m)."

2. Add a new subparagraph 29.3.4.5.3 to read as follows:

29.3.4.5.3 " The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

3. Add a new subparagraph 29.3.4.5.4 to read as follows:

29.3.4.5.4 " A corridor smoke detection system in accordance with O.C.G.A. Sections 25-2-13(d) and 25-2-40 shall be provided in all interior corridors, halls and passageways.

29.3.4.5.4.1 The provisions of 29.3.4.5.1 do not apply in hotels and motels protected throughout by an approved supervised automatic sprinkler system installed in accordance with 28.3.5.

29.3.4.5.4.2 Dormitory facilities shall be required to provide a corridor smoke detection system in accordance with O.C.G.A. Sections 25-2-13(d) and 25-2-40."

4. Delete subsections 29.7.1, 29.7.2, 29.7.3, and 29.7.5 in their entirety and substitute in their place the following:

29.7.1 "**Emergency Planning and Preparedness.** Hotels and dormitories (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(z) **Modification to Chapter 30:**

1. Delete paragraph 30.2.1.3 in its entirety and replace with the following new 30.2.1.3

30.2.1.3 Bathtub, Bathtub-Shower Combinations and Shower Grab Bars.

30.2.1.3.1 Where bathtubs, bathtub-shower combinations, or showers are present in apartments marketed as senior apartments or apartments designated as 55 or older communities, grab bars shall be provided in accordance with the provisions of 24.2.8.

30.2.1.3.2 In apartments not marketed as senior apartments or apartments designated as 55 or older communities sufficient structural supporting shall be installed so that bathtubs, bathtub-shower combinations, or showers are adaptable to meet the provisions of 24.2.8.

30.2.1.3.3 Where requested by a tenant, the apartment owner / management shall install grab bars in accordance with 24.2.8 at no cost to the tenant.

2. Delete item (2) of subsection 30.2.4.4 in its entirety and substitute in its place the following:

(2) " The dwelling unit has direct access to an outside stair complying with 7.2.2 that serves a maximum of two units where both of which are located on the same floor. This does not preclude two stairs serving a floor level with a maximum of four units with an open breezeway connecting and allowing access to either exit stair."

3. Add a new subparagraph 30.3.2.1.3 to read as follows:

30.3.2.1.3 " The provisions of 30.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage, and a minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

4. Delete the words 'fuel fired' from Table 30.3.2.1.1

5. Delete subparagraph 30.3.4.5 in its entirety and substitute in its place the following:

30.3.4.5 " Approved single station or multiple station detectors continuously powered from the building's electrical system shall be installed in accordance with 9.6.2.10 in every living unit within the apartment building regardless of the number of stories or number of apartments. In addition, a 1½-hour emergency power supply source is required for the back-up power of the detector. When activated, the detector shall initiate an alarm that is audible in the sleeping rooms of that unit. This individual unit detector shall be in addition to any sprinkler system or other detection system that may be installed in the building."

6. Delete paragraph 30.3.6.2.3 in its entirety and substitute in its place the following:

30.3.6.2.3 " Doors that open onto exit access corridors shall be self-closing and self-latching, with a listed pneumatic closure or three heavy-duty spring-loaded hinges."

7. Delete subsection 30.7.1 in its entirety and substitute in its place the following:

30.7.1 "**Emergency Planning and Preparedness.** Residential facilities (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(aa) **Modifications to Chapter 31:**

1. Delete item (2) of subsection 31.2.4.4 in its entirety and substitute in its place the following:

(2) " The dwelling unit has direct access to an outside stair complying with 7.2.2 that serves a maximum of two units where both units are located on the same floor. This does not preclude two stairs serving a floor level with a maximum of four units with an open breezeway connecting and allowing access to either exit stair."

2. Add a new subparagraph 31.3.4.5.2.1 to read as follows:

31.3.4.5.2.1 " The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

3. Add a new subparagraph 31.3.4.5.4.1 to read as follows:

31.3.4.5.4.1 " The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

4. Delete subsection 31.7.1 in its entirety and substitute in its place the following:

31.7.1 **"Emergency Planning and Preparedness.** Residential facilities (Group R-2 occupancies) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

(bb) **Modifications to Chapter 32:**

Delete paragraph 32.1.1.1 in its entirety and substitute in its place the following:

32.1.1.1 **"General.** The requirements of this chapter shall apply to new buildings or portions thereof used as residential board and care occupancies (See 3.3.196.12\* and 3.3.214\* and their Annex A notes). This designation shall include, but may not be limited to, a personal care home or community living arrangement, as defined in [120-3-3-.03](#) of the Rules and Regulations of the Safety Fire Commissioner.

32.1.1.1.1 **Additions, Conversions, Modernizations, Renovations, and Construction Operations.** Additions shall be separated from any existing structure not conforming to the provisions of Chapter 32 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7) Doors in fire barriers shall normally be kept closed, however, doors shall be permitted to be held open if they meet the requirements of 7.2.1.8.2, and such doors shall be released upon activation of the building fire alarm system.

32.1.1.1.1.2. **Conversion.** For purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing residential or health care occupancy.

32.1.1.1.1.3 **Change of Occupancy.** A change from a licensed personal care home to an assisted living community or memory care unit shall be considered a change of occupancy or subclassification and would be required to meet the provisions of Chapter 35 for existing construction. Such changes in occupancy classification or subclassification are considered as proposed (new) buildings and shall be subject to the applicable administrative provisions of Section 103 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

32.1.1.1.4. **Renovations, Alterations, and Modernizations.** (See 4.6.7)

32.1.1.1.5. **Construction, Repair, and Improvement Operations.** (See 4.6.10)"

2. Delete paragraph 32.1.1.4 in its entirety and substitute in its place the following:

32.1.1.4 " Personal Care Homes and Community Living Arrangements with Five or More Residents. A personal care home or community living arrangement with five or more residents, as defined in 120-3-3-.03 of the Rules and Regulations of the Safety Fire Commissioner, shall comply with the general provisions of 32.1 of this Chapter 32, and with the applicable provisions for residential board and care occupancies as defined in 3.3.196.12 of this *Code*.

The provisions of Chapter 32 for large facilities are deemed to provide for the use of "defend in place" fire response strategies should self-preservation measures not be deemed successful.

**32.1.1.4.1 Goals and Objectives.** The goals and objectives of Sections 4.1 and 4.2 of this *Code* shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of origin and reducing the need for total occupant evacuation except for the room of fire origin.

**32.1.1.4.2 Total Concept.** All new personal care homes, and community living arrangements with five or more residents shall be constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

**32.1.1.4.2.1** Because the safety of personal care home residents or residents of a community living arrangement cannot be adequately ensured by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate trained staff (refer to 406.2.1 of the *International Fire Code* as adopted by 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner); and development of operating and maintenance procedures composed of the following:

- (1) Design, construction, and compartmentation
- (2) Provision for detection, alarm, and extinguishment
- (3) Fire protection and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building."

3. Delete paragraph 32.1.1.5 in its entirety and substitute in its place the following:

32.1.1.5 "All new facilities classified as residential board and care occupancies shall conform to the requirements of this chapter. This chapter is divided into six sections as follows:

- (1) Section 32.1 - General Requirements.
- (2) Section 32.2 - Small Facilities (Sleeping accommodations for not more than six residents. (Includes Personal Care Homes and Community Living Arrangements for five or six residents)
- (3) Section 32.3 - Large Facilities (Sleeping accommodations for seven or more residents. This includes Personal Care Homes, as defined in section [120-3-3-.03](#) of Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner. It also includes Community Living Arrangements with seven or more residents.)
- (4) Section 32.4 - Additional minimum requirements for an Apartment Building Housing a Board and Care Occupancy.
- (5) Section 32.5 - Community Living Arrangement Facilities (small and large) (As defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner)
- (6) Section 32.7 Operating Features."

4. Delete subsection 32.1.2 in its entirety and substitute in its place the following:

32.1.2 "**Classification of Occupancy.** See 6.1.9 and provisions of this Chapter 32, and the applicable definitions in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner."

5. Delete subparagraph 32.2.1.1.1 in its entirety and substitute in its place the following:

32.2.1.1.1 "**Scope.** This section applies to a community living arrangement with 5 to 6 residents and to residential board and care occupancies, including a personal care home, providing sleeping accommodations for not more than 6 residents. Where there are sleeping accommodations for more than 6 residents of a residential board and care

occupancy, including a personal care home or community living arrangement, the occupancy shall be classed as a large facility. The requirements for large facilities are found in Section 32.3. The provisions of 32.5 also apply to community living arrangements. (Also see 3.3.196.12.)"

6. Add a new paragraph 32.2.1.5 to read as follows:

32.2.1.5 "**Classification of Hazards of Contents.** Contents of Residential Board and Care occupancies shall be classified in accordance with the provisions of Section 6.2."

7. Add a new subparagraph 32.2.3.2.6 to read as follows:

32.2.3.2.6 "Residential cooking appliances such as stoves (a maximum of four surface burners or cooking elements) and griddles shall be protected by a listed self-contained residential fire suppression systems located in residential hoods over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided. Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3, and shall not be required to have openings protected between food preparation areas and dining areas.

32.2.3.2.6.1 Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 32.2.3.5. The protection authorized by 32.2.3.5.5 is acceptable for purposes of this section, provided, however, exhaust hood shall still be required to be vented to the outside.

32.2.3.2.6.2 Subject to the approval of the authority having jurisdiction, no protection is required over residential cooking appliances such as grills and stoves in facilities which have a prompt evacuation capability and having a licensed capacity as determined by the Department of Human Resources of six or less residents."

8. Add new subparagraph 32.2.3.4.5.5 to read as follows:

32.2.3.4.5.5 "Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons."

9. Delete subparagraph 32.2.3.5.2 in its entirety and substitute in its place the following:

32.2.3.5.2 " \* In conversions, sprinklers shall not be required in small board and care homes, including personal care homes and community living arrangements serving six or fewer residents when all occupants have the ability as a group to move reliably to a point of safety within three minutes.

32.2.3.5.2.1 Where the provisions of 32.2.3.5.2 are not met and maintained, the sprinkler protection requirement may be met through the installation of a sprinkler system complying with 32.2.3.5."

10. Add a new subsection 32.2.3.5.9 to read as follows:

32.2.3.5.9 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a personal care home or community living arrangement facility in accordance with 9.9."

11. Delete (1) of subparagraph 32.2.3.6.1 and substitute in its place the following:

(1) "The separation walls of sleeping rooms shall be capable of resisting fire for not less than 30 minutes, which is considered to be achieved if the partitioning is finished on both sides with materials such as, but not limited to, ½ inch thick gypsum board, wood lath and plaster, or metal lath and plaster. It shall be acceptable for corridor walls to terminate at a ceiling which is constructed similar to a corridor wall capable of resisting fire for not less than 30 minutes."

12. Add new subparagraph 32.2.5.2.4 to read as follows:

32.2.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of small residential board and care occupancies, including personal care homes and community living arrangements.

32.2.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufacturer's instructions and the authority having jurisdiction."

13. Delete subparagraph 32.3.1.1 in its entirety and substitute in its place the following:

32.3.1.1.1 "This section applies to residential board and care occupancies, including licensed personal care homes and community living arrangements with more than 6 residents, as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Where there are sleeping accommodations for six or less residents, or a community living arrangement for 5 to 6 residents, the occupancy shall be classed as a small facility. The requirements for small facilities are found in Section 32.2.

14. Add a new Section 32.3.1.2 to read as follows:

**32.3.1.2 "Assisted Living Communities and Memory Care Units.**

32.3.1.2.1 This chapter shall not apply to any building, or portion thereof, newly constructed, or substantially renovated, as defined in O.C.G.A. 25-2-14(d), so as to be designated and licensed by the Georgia Department of Community Health as an assisted living community or memory care unit, as defined in Section [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Refer to Chapter 34 or 35 for the applicable requirements for such facilities."

15. Delete 32.3.1.2 and insert a new 32.3.1.2 to read as follows:

**32.3.1.2 Requirements Based on Evacuation Capability.** Definitions for the classifications of evacuation capability are defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. For purposes of Section 32.3, large facilities are assumed to have an impractical evacuation capability.

16. Add a new item 8 to subparagraph 32.3.2.2.2 to read as follows:

(9) ": Doors to resident rooms may be subject to being locked by the occupant, if they can be unlocked from the opposite side and keys are carried by staff at all times. Additional keys must be available/accessible to the staff."

17. Add a new subparagraph 32.3.2.6.1 to read as follows:

32.3.2.6.1 "Travel distance shall not exceed 35 feet (10.7 m) in any story below the level of exit discharge occupied for public purposes."

18. Add a new subparagraph 32.3.2.6.2 to read as follows:

32.3.2.6.2 "Travel distance shall not exceed 75 feet (22.9 m) in any story below the level of exit discharge not occupied for public purposes."

19. Add a new subparagraph 32.3.2.6.3 to read as follows:

32.3.2.6.3 "Any story below the level of exit discharge occupied for public purposes shall have at least two separate exits provided from each story with a maximum dead-end corridor of 20 feet (6.1 m). Any floor below the level of exit discharge not open to the public and used only for mechanical equipment, storage, and service operations (other than kitchens which are considered part of the residential board and care occupancies) shall have exits appropriate to its actual occupancy in accordance with other applicable sections of this *Code*."

20. Delete paragraph 32.3.2.9 in its entirety and substitute in its place the following:

32.3.2.9 "Emergency lighting in accordance with Section 7.9 of the *Code* shall be provided in means of egress and common areas in all residential board and care occupancies.

32.3.2.9.1 "Where each resident room has a direct exit to the outside of the building at ground level, no emergency lighting shall be required."

21. Add a new subparagraph 32.3.2.11.1 to read as follows:

32.3.2.11.1 "Every stairwell door shall allow reentry from the stairwell to the interior of the building or an automatic release shall be provided to unlock all stairwell doors to allow re-entry. Such automatic release shall be actuated with the initiation of the building fire alarm system or upon loss of power."

22. Add a new subparagraph 32.3.3.1.4 to read as follows:

32.3.3.1.4 "Stairway enclosures shall not be required where a one-story stair connects two levels within a single dwelling unit, resident room or suite."

23. Add a new subparagraph 32.3.3.2.4 to read as follows:

32.3.3.2.4 "The provisions of Table 32.3.3.2.2 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

24. Delete subparagraph 32.3.3.4.7 in its entirety and substitute in its place the following:

32.3.3.4.7 "**Smoke Alarms.** Each sleeping room shall be provided with an approved single station smoke alarm in accordance with 9.6.2.10. Approved smoke alarms shall be powered by the building's electrical system and be provided with a 1½-hour emergency power source."

32.3.3.4.7.1 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired residents in personal care homes or Community Living Arrangements."

25. Delete subparagraph 32.3.3.4.8 in its entirety and substitute in its place the following:

32.3.3.4.8 "**Smoke Detection Systems.** All corridors and common spaces shall be provided with smoke detectors in accordance with NFPA 72, *National Fire Alarm and Signaling Code*, arranged to initiate the fire alarm such that it is audible in all sleeping areas. Detectors shall be located in corridors or hallway so there is a detector within 15 feet (4.6 m) of the wall and at least every 30 feet (9.1 m) thereafter. Where a building has more than one floor level, a detector shall be located at the top of each stair and inside each enclosure. (Refer to 3.3.264)

32.3.3.4.8.1 Detectors may be excluded from crawl spaces beneath the building and unused and unfinished attics.

32.3.3.4.8.2 Unenclosed corridors, passageways, balconies, colonnades, or other arrangements where one or more sides along the long dimension are fully or extensively open to the exterior at all times."

26. Delete subparagraph 32.3.3.5.7 in its entirety and substitute in its place the following:

32.3.3.5.7 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a personal care home or community living arrangement facility in accordance with 9.9."

27. Delete subparagraph 32.3.3.6.6 in its entirety and substitute in its place the following:

32.3.3.6.6 "There shall be no louvers, transfer grilles, operable transoms, or other air passages penetrating such walls or doors other than properly installed heating and utility installations. Unprotected openings shall be prohibited in partitions of interior corridors serving as exit access from resident rooms. Transfer grilles, whether protected by fusible link operated dampers or not, shall not be used in corridor walls or doors between resident rooms and interior corridors.

32.3.3.6.6.1 Existing transoms installed in corridor partitions of resident rooms shall be fixed in the closed position and shall be covered or otherwise protected to provide a fire-resistance rating at least equivalent to that of the wall in which they are installed."

28. Add a new subparagraph 32.3.5.2.4 to read as follows:

32.3.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of large residential board and care occupancies.

32.3.5.2.4.1 "In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

29. Delete section 32.5 in its entirety and substitute in its place the following:

## 32.5 "Community Living Arrangement Facilities.

32.5.1 **General.** The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 32.5 shall prevail.

32.5.2 Address identification. Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the *International Fire Code*.

## 32.5.3 Means of Egress.

32.5.3.1 **Number of Means of Escape.** In any dwelling or dwelling unit of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape.

32.5.3.1.1 A secondary means of escape shall not be required where the bedroom or living area has a door leading directly to the outside of the building at or to grade level.

32.5.3.1.2 **Exits for the mobility impaired.** A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, which are accessible to the residents."

32.5.3.2 **Bedrooms.** Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls, capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15-minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1¾-in. (4.4-cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 in. 2 (0.84 m2) each in area and installed in approved frames.

32.5.3.2.1 A room shall not be used as a bedroom where more than one-half the room height is below ground level.



32.5.3.2.2 Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

32.5.3.2.3 Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

32.5.3.2.4 Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

32.5.3.2.5 Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

#### **32.5.3.3 Locks.**

32.5.3.3.1 Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited be used on the bedroom door of a resident.

32.5.3.3.2 Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

#### **32.5.4 Detection and Alarm Systems**

32.5.4.1 A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72 shall be installed.

#### **32.5.4.2 Smoke Detection.**

32.5.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10. Any additional detection/alarm devices shall be as established by O.C.G.A. § 25-2-40.

32.5.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

32.5.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.119 and 3.3.25.5.

32.5.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

#### **32.5.4.3 Carbon Monoxide Detectors.**

32.5.4.3.1 Carbon monoxide detectors shall be provided in accordance with 32.3.3.4.9.

#### **32.5.5 Protection.**

32.5.5.1 **Portable Fire Extinguishers.** Portable fire extinguishers in accordance with 9.9 shall be provided near hazardous areas.

32.5.5.1.1 At least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement that shall be readily accessible.

32.5.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a licensed fire safety technician annually in accordance with NFPA 10.

32.5.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

### 32.5.6 Heating, Ventilation and Air Conditioning.

32.5.6.1 Portable space heaters shall not be used.

32.5.6.2 **Fire screens and protective devices shall be used with fireplaces, stoves and fixed heaters.**

32.5.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

### 32.5.7 Operating Features.

32.5.7.1 **Staffing.** The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

32.5.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. (Refer to Chapter 4 of the *International Fire Code* regarding caregiver minimum training requirements.)

32.5.7.2 **Evacuation Capabilities.** Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can successfully respond to a fire or other emergency using self-preservation or assisted preservation measures as defined by [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Residents who cannot successfully respond shall be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance to the affected resident at all times.

32.5.7.3 **Drills.** Fire drills shall be conducted at least quarterly on each shift. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented with staffing involved. (See Chapter 4 of the *International Fire Code* regarding fire and emergency evacuation drills.)

32.5.7.4 **Procedures.** There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each resident room. Each sleeping room shall have a secondary exit, which may be a door or a window usable for escape."

30. Delete subsections 32.7.1, 32.7.2, and 32.7.3 in their entirety and substitute in their place the following:

32.7.1 **"Emergency Planning and Preparedness.** Residential board and care facilities (Group I-1 and R-4 occupancies), including personal care homes and community living arrangements shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The specific provisions of 32.5.7 shall also apply to community living arrangements."

31. Delete subsection 32.7.4 in its entirety and substitute in its place the following:

32.7.4 **"Smoking.** Smoking regulations shall be adopted and shall include the following minimal provisions.

32.7.4.1 Smoking shall be prohibited in any room, area or compartment where flammable liquids, combustible gases, or oxygen are used or stored and in any other hazardous location. Such areas shall be posted with '**NO SMOKING**' signs.

32.7.4.2 Smoking by residents classified as not responsible shall be prohibited, Exception unless the resident is under direct supervision.

32.7.4.3 Ashtrays of noncombustible material and safe design shall be provided in all areas where smoking is permitted.

32.7.4.4 Metal containers with self-closing cover devices into which ashtrays may be emptied shall be readily available in all areas where smoking is permitted."

32. Add a new paragraph 33.7.5.4 to read as follows:

32.7.5.4 " Wastebaskets and other waste containers shall be of noncombustible or other approved materials."

(cc) **Modifications to Chapter 33:**

1. Delete paragraphs 33.1.4.1 and 33.1.4.2 in their entirety and substitute in their place the following:

33.1.4.1 "**General.** For definitions see Chapter 3, Definitions and [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner (RRSFC). Where there is a difference in definitions, the definitions in [120-3-3-.03](#) shall prevail.

33.1.4.2 **Special Definitions.**

(1) Broad and Care Occupancies, Residential. See RRSFC [120-3-3-.03](#).

(2) Community Living Arrangement. See RRSFC [120-3-3-.03](#)

(3) Evacuation Capability, Impractical. See RRSFC [120-3-3-.03](#).

(4) Evacuation Capability, Prompt. See RRSFC [120-3-3-.03](#).

(5) Evacuation Capability, Slow. See RRSFC [120-3-3-.03](#).

(6) Personal Care. See RRSFC [120-3-3-.03](#).

(7) Personal Care Home. See RRSFC [120-3-3-.03](#).

(8) Self-preservation. See RRSFC [120-3-3-.03](#).

2. Add new subparagraphs 33.1.1.4.1 through 33.1.1.4.3 to read as follows:

33.1.1.4.1 "Community Living Arrangements for five to six residents shall comply with the requirements of Sections 33.2 and 33.5

33.1.1.4.2 Community Living Arrangements for seven or more residents shall comply with the requirements of Sections 33.3 and 33.5.

33.1.1.4.3 Refer to [120-3-3-.03](#) for the definition of a "Community Living Arrangement."

33.1.1.4.4 Existing large personal care homes with 25 or more residents desiring to be licensed as an Assisted Living Community or as a Memory Care Unit, both as defined in [120-3-3-.03](#) of the Rules and Regulations of the Safety Fire Commissioner, shall meet the requirements for a conversion to a large residential board and care occupancy and the applicable provisions for assisted living communities or memory care units as set forth by Chapter 35 of this Code. (Also defined in RRSFC [120-3-3-.03](#))."

3. Delete paragraph 33.1.1.5 in its entirety and substitute in its place the following:

33.1.1.5 "All existing facilities classified as residential board and care occupancies shall conform to the requirements of this chapter. This chapter is divided into six sections as follows:

(1) Section 33.1 - General Requirements.

(2) Section 33.2 - Small Facilities (sleeping accommodations for not more than six residents. Includes small personal care homes and community living arrangements.)

(3) Section 33.3 - Large Facilities (sleeping accommodations for seven or more residents. This includes existing "personal care homes" as defined in section [120-3-3-.03](#) of Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner, and not licensed as an "Assisted Living Community" or "Memory Care Unit")

(4) Section 33.4 - Additional minimum requirements for an Apartment Building Housing a Board and Care Occupancy.

(5) Section 33.5 - Community Living Arrangement Facilities

(6) Section 33.7 - Operating Features."

4. Add a new subsection 33.1.9 to read as follows:

33.1.9 "**Classification of Hazards of Contents.** Contents of Residential Board and Care occupancies shall be classified in accordance with the provisions of Section 6.2."

5. Delete paragraph 33.2.1.1 in its entirety and substitute in its place the following:

33.2.1.1 "**Scope.** This section applies to residential board and care occupancies, including community living arrangements with 5 to 6 residents and personal care homes providing sleeping accommodations for not more than six residents. Where there are sleeping accommodations for more than six residents of a residential board and care occupancy or a community living arrangement more than 6, the occupancy shall be classed as a large facility. The requirements for large facilities are found in Section 33.3."

6. Add a new paragraph 33.2.1.5 to read as follows:

33.2.1.5 "**Occupant Load.** The occupant load of small Residential Board and Care occupancies (personal care occupancies) or any individual story or section thereof for the purpose of determining exits shall be the maximum number of persons intended to occupy the floor on the basis of the occupant load factors of Table 7.3.1.2. (Also see 3.3.22.2.1 for Gross Floor Area.)"

7. Add a new subparagraph 33.2.3.2.6 to read as follows:

33.2.3.2.6 "Residential cooking appliances such as stoves and griddles shall be protected by listed self-contained residential fire suppression systems located in residential hoods over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided. Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3 and shall not be required to have openings protected between food preparation areas and dining areas.

33.2.3.2.6.1 "Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 33.2.3.5. The exhaust hood is still required to be vented to the outside.

33.2.3.2.6.2 "No protection is required over residential cooking appliances such as grills and stoves in facilities which have prompt evacuation capability and have a licensed capacity as determined by the Department of Community Health of six or less residents."

8. Add new subparagraph 33.2.3.4.3.1 to read as follows:

33.2.3.4.3.1 "Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons."

9. Add a new subparagraph 33.2.3.4.3.1 to read as follows:

33.2.3.4.3.1 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

10. Add new subparagraph 33.2.3.4.5 to read as follows:

33.2.3.4.5 "**Carbon Monoxide Detectors.** Carbon monoxide detectors shall be provided in all community living arrangements where natural gas, LP gas or heating oil is used to heat the residence or where a solid fuel-burning appliance is located in the residence."

11. Delete subparagraph 33.2.3.5.3.7 in its entirety and substitute in its place the following:

33.2.3.5.3.7 "**Impractical and Slow Evacuation Capability.** All slow and impractical evacuation capability facilities shall be protected throughout by an approved, supervised automatic sprinkler system installed in accordance with 33.2.3.5.3."

12. Add new subparagraph 33.2.5.2.4 to read as follows:

33.2.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fired space heating devices designed to be portable are prohibited in all portions of small residential board and care occupancies, including personal care homes and community living arrangements."

33.2.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

13. Add a new subsection 33.2.6 to read as follows:

33.2.6 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies, personal care homes or community living arrangement facilities as follows."

33.2.6.1 Portable fire extinguishers in accordance with Section 9.9 of this *Code* shall be provided near hazardous areas. Also, at least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement, and they shall be readily accessible."

33.2.6.1.2 Required portable fire extinguishers shall be inspected and maintained at least annually by a licensed fire safety technician in accordance with NFPA 10."

33.6.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition."

14. Delete paragraph 33.3.1.1.1 in its entirety and substitute in its place the following:

33.3.1.1.1 "**Scope.** This section applies to residential board and care occupancies, including personal care homes and community living arrangements providing sleeping accommodations for 7 or more residents. Where there are sleeping accommodations for six or less residents or a community living arrangement for 5 to 6 residents, the occupancy shall be classed as a small facility. The requirements for small facilities are found in Section 33.2."

15. Delete 33.3.1.2.2\* in its entirety and substitute in its place the following:

33.3.1.2.2 **"\* Impractical.** Large facilities classified as impractical evacuation capability shall meet the requirements of 33.3 for impractical evacuation capability, or the requirements for new large facilities in Chapter 32, unless the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4."

16. Add a new subsection 33.3.1.4 to read as follows:

33.3.1.4 **"Occupant Load.** The occupant load of small Residential Board and Care occupancies or Personal Care occupancies or any individual story or section thereof for the purpose of determining exits shall be the maximum number of persons intended to occupy the floor as determined on the basis of the occupant load factors of Table 7.3.1.2. Gross floor area shall be measured within the exterior building walls with no deductions. (See 3.3.22.2.1)."

17. Add a new subparagraph 33.3.3.1.4 to read as follows:

33.3.3.1.4 "Enclosure of stairs, smoke proof towers and exit passageways in buildings existing prior to April 15, 1986, shall be fire barriers of at least 20-minute fire-resistance rating with all openings protected in accordance with paragraph 8.3.3 of this *Code* in buildings less than three stories in height. In buildings existing prior to April 15, 1986, more than three stories in height, the enclosure shall not be less than a 1-hour fire-resistance rating with all openings protected in accordance with paragraph 8.3.4.4 of this *Code*."

18. Add a new exception to subparagraph 33.3.2.2.2(10) to read as follows:

33.3.2.2.2(10) "Doors to resident rooms may be subject to being locked by the occupant, if they can be unlocked from the opposite side and keys are carried by staff at all times. Additional keys must be available to and accessible by the staff."

19. Delete subparagraph 33.3.2.5.4 in its entirety and substitute in its place the following:

33.3.2.5.4 "No dead-end corridor shall exceed 35 feet (10.7 m)."

20. Delete subparagraph 33.3.2.6.3.3 in its entirety and substitute in its place the following:

33.3.2.6.3.3 "Travel distance to exits shall not exceed 150 feet (45.7 m) if the exit access and any portion of the building that is tributary to the exit access are protected throughout by approved automatic sprinkler systems. In addition, the portion of the building in which the 150 feet (45.7 m) travel distance is permitted shall be separated from the remainder of the building by construction having not less than a 1-hour fire-resistance rating for buildings not greater than three stories in height and 2-hour for buildings greater than three stories in height."

21. Add a new subparagraph 33.3.2.6.3.4 to read as follows:

33.3.2.6.3.4 "No residents shall be located on floors below the level of exit discharge.

33.3.2.6.3.4.1 In facilities existing prior to April 15, 1986, any floor below the level of exit discharge occupied for public purposes shall have exits arranged such that it will not be necessary to travel more than 100 feet (30.5 m) from the door of any room to reach the nearest exit."

22. Add a new subparagraph 33.3.2.6.4 to read as follows:

33.3.2.6.4 "Any floor below the level of exit discharge not open to the public and used only for mechanical equipment, storage, and service operations (other than kitchens which are considered part of the residential board and care occupancies) shall have exits appropriate to its actual occupancy in accordance with other applicable sections of this *Code*."

23. Add a new subparagraph 33.3.2.7.1 to read as follows:

33.3.2.7.1 "At least half of the required exit capacity of upper floors, exclusive of horizontal exits, shall lead directly to the street or through a yard, court, or passageway with protected openings and separated from all parts of the interior of the building."

24. Delete paragraph 33.3.2.9 in its entirety and substitute in its place the following:

33.3.2.9 **"Emergency Lighting.** Emergency lighting in accordance with Section 7.9 of the *Code* shall be provided in means of egress and common areas in all residential board and care occupancies.

33.3.2.9.1 Where each guestroom has a direct exit to the outside of the building at ground level, no emergency lighting shall be required."

25. Delete 33.3.2.11.1 and insert a new subparagraph 33.3.2.11.1 to read as follows:

33.3.2.11.1 "Every stairwell door shall allow re-entry from the stairwell to the interior of the building or an automatic release shall be provided to unlock all stairwell doors to allow re-entry. Such automatic release shall be actuated with the initiation of the building fire alarm system or upon loss of power."

26. Add a new subparagraph 33.3.2.11.3 to read as follows:

33.3.2.11.3 "Stairway enclosures shall not be required where a one-story stair connects two levels within a single dwelling unit, resident room or suite."

27. Add a new subparagraph 33.3.3.1.4 to read as follows:

33.3.3.1.4 "Any required exit stair which is so located such that it is necessary to pass through the lobby or other open space to reach the outside of the building shall be continuously enclosed down to the lobby level, or to a mezzanine within the lobby.

33.3.3.1.4.1 In existing two-story buildings only, the second floor level may be fire stopped with a fire barrier having at least a 1-hour fire-resistance rating. Vision panels not exceeding 1,296 square inches (8361 cu cm) and installed in steel frames shall be provided in the doors of the fire barrier."

28. Add two new subparagraphs 33.3.3.2.2.1 and 33.3.3.2.2.2 to read as follows:

33.3.3.2.2.1 "The provisions of 33.3.3.2.2 shall not apply to rooms enclosing air handling equipment compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

33.3.3.2.2.2 The provisions of 33.3.3.2.2 shall not apply in existing residential board and care occupancies constructed prior to April 15, 1986, with regard to the location of the equipment only."

29. Delete section 33.3.3.8 to read as follows:

33.3.3.8.1 "A personal care home having a licensed capacity as determined by the Department of Community Health of 16 or less residents shall have residential cooking appliances such as stoves and griddles protected by a listed self-contained residential fire suppression system located in residential hood over each cooking surface, with the exhaust hood vented directly to the outside. Automatic disconnects of the fuel source or power source shall be provided. Commercial cooking appliances including fryers shall be protected in accordance with 9.2.3 and shall not be required to have openings protected between food preparation areas and dining areas.

33.3.3.8.2 A personal care home constructed prior to January 28, 1993, and having a licensed capacity as determined by the Department of Community Health of 16 or less residents may have food preparation facilities in accordance

with NFPA 91, Standard for Exhaust Systems for Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids, 1983 edition.

33.3.3.8.3 A personal care home constructed prior to January 28, 1993, and having a licensed capacity as determined by the Department of Community Health of 16 residents or less may have food preparation facilities which have a ventilating hood meeting the provisions of NFPA 54, *National Fuel Gas Code*, as specified in Chapters 120-3-14 and 120-3-16, of the Rules and Regulations of the Safety Fire Commissioner, and NFPA 91, *Standard for Exhaust Systems for Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids*, as specified in Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner.

33.3.3.8.4 Subject to the approval of the authority having jurisdiction, the protection of residential cooking equipment shall not be required in buildings protected by an automatic sprinkler system as provided in 32.2.3.5. The exhaust hood is still required to be vented to the outside."

30. Add a new subparagraph 33.3.3.4.7.1.1 to read as follows:

33.3.3.4.7.1.1 "Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons located in Community Living Arrangements."

31. Delete subparagraph 33.3.3.4.7.2 in its entirety and substitute in its place the following:

33.3.3.4.7.2 "The provisions of 9.6.2.10.8.1 and 9.6.2.10.8.2 shall also apply."

32. Delete subparagraph 33.3.3.4.8 in its entirety and substitute in its place the following:

33.3.3.4.8 "**Smoke Detection Systems.** All corridors and common spaces shall be provided with smoke detectors in accordance with NFPA 72, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, arranged to initiate the fire alarm such that it is audible in all sleeping areas. Detectors shall be located in corridors or hallway so there is a detector within 15 feet (4.6 m) of the wall and at least every 30 feet (9.1 m) thereafter. Where a building has more than one floor level, a detector shall be located at the top of each stair and inside each enclosure.

33.3.3.4.8.2 Smoke detection systems may be excluded from crawl spaces beneath the building and unused and unfinished attics.

33.3.3.4.8.3 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements where one or more sides along the long dimension are fully or extensively open to the exterior at all times."

33. Delete subparagraph 33.3.3.5.2 in its entirety and substitute in its place the following:

33.3.3.5.2 "Sprinkler installation may be omitted in bathrooms where the area does not exceed 55 square feet (5.1 sq. m) and the walls and ceilings, including behind fixtures, are of noncombustible or limited combustible materials providing a 15-minute thermal barrier or in clothes closets, linen closets, and pantries within the facility where the area of the space does not exceed 24 square feet (2.2 sq. m) and the least dimension does not exceed 3 feet (0.91 m) and the walls and ceilings are surfaced with noncombustible or limited combustible materials as defined by NFPA 220, *Standard on Types of Building Construction*, as specified in Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner."

34. Delete subparagraph 33.3.3.5.1.3 in its entirety and substitute in its place the following:

33.3.3.5.1.3 "Automatic sprinklers installed in accordance with NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*, 1991 edition, as modified by Chapter 120-3-3, Rules and Regulations of the Safety Fire Commissioner, which were in effect shall be acceptable as a complying sprinkler system."



35. Add a new subparagraph 33.3.3.5.1.4 to read as follows:

33.3.3.5.1.4 "Automatic sprinkler systems installed in existing facilities prior to November 1, 1987, may be continued in use subject to the approval of the authority having jurisdiction as defined in paragraph 3.2.2 of the *Code*."

36. Add new subparagraph 33.3.3.4.9 to read as follows:

33.3.3.4.9 "**Carbon Monoxide Detectors.** Carbon monoxide detectors shall be provided in all community living arrangements where natural gas, LP gas or heating oil is used to heat the residence or where a solid fuel-burning appliance is located in the residence."

37. Delete subparagraph 33.3.3.5.7 in its entirety and substitute in its place the following:

33.3.3.5.7 "**Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all residential board and care occupancies and on each floor of a community living arrangement facility in accordance with 9.9."

38. Delete subparagraph 33.3.3.6.1 and subparagraphs to 33.3.3.6.1 in their entirety and substitute in its place the following:

33.3.3.6.1 "Access shall be provided from every resident use area to not less than one means of egress that is separated from all other rooms or spaces by walls complying with 33.3.3.6.3 through 33.3.3.6.3."

39. Delete subparagraph 33.3.3.6.3 in its entirety and substitute in its place the following:

33.3.3.6.3 "Fire barriers required by 33.3.3.6.1 and 33.3.3.6.2 shall have a fire-resistance rating of not less than 30 minutes. Fixed fire window assemblies in accordance with 8.3.3 shall be permitted.

33.3.3.6.3.1 The provisions of 33.3.3.6.3 shall not apply where the resident room has a door providing direct exiting at grade or to an open air balcony leading to exiting at grade."

40. Delete subparagraph 33.3.3.6.4 in its entirety and substitute in its place the following:

33.3.3.6.4 "Doors in fire barriers required by 33.3.3.6.1 or 33.3.3.6.2 shall have a fire protection rating of not less than twenty (20) minutes and shall have positive latching.

33.3.3.6.4.1 Existing 1¾ inch (44.5 mm) thick, solid bonded wood core doors shall be permitted to continue to be used. These doors shall be positive latching.

33.3.3.6.4.2 Walls that are required only to resist the passage of smoke, without a fire-resistance rating, shall be permitted to have doors that resist the passage of smoke without a fire protection rating. These doors shall be positive latching.

33.3.3.6.4.3 In existing personal care occupancies existing prior to April 15, 1986, the doors shall be constructed to resist the passage of smoke and shall be at least equal in fire protection to a 1¼ inch (31.8 mm) thick solid bonded core wood door and shall have positive latching."

41. Delete subparagraph 33.3.3.6.5 in its entirety and substitute in its place the following:

33.3.3.6.5 "Walls and doors required by 33.3.3.6.1 and 33.3.3.6.2 shall be constructed to resist the passage of fire and smoke for not less than 30 minutes. There shall be no louvers, transfer grilles, operable transoms, or other air passages penetrating such walls or doors except properly installed heating and utility installations. Unprotected openings shall be prohibited in partitions of interior corridors serving as exit access from resident rooms. Transfer grilles, whether protected by fusible link operated dampers or not, shall not be used in corridor walls or doors between resident rooms and interior corridors.

33.3.3.6.5.1 "Existing transoms installed in corridor partitions of resident rooms shall be fixed in the closed position and shall be covered or otherwise protected to provide a fire-resistance rating at least equivalent to that of the wall in which they are installed."

42. Add new subparagraph 33.3.5.2.4 to read as follows:

33.3.5.2.4 "Portable electric and liquefied petroleum gas or liquid fuel fire space heating devices designed to be portable are prohibited in all portions of large residential board and care occupancies.

33.3.5.2.4.1 In emergency conditions when approved by the authority having jurisdiction, equipment designed to be portable may be used for a specified time provided such equipment is properly protected and separated from combustibles as specified by the manufactures instructions and the authority having jurisdiction."

43. Delete subsection 33.5 in its entirety and substitute in its place the following:

### 33.5 "Community Living Arrangement Facilities.

33.5.1 **General.** The following shall be provided in addition to the requirements of this Chapter for facilities subject to being licensed as a Community Living Arrangement. Where there are conflicts in requirements specified elsewhere in this Chapter, the requirements specified under Section 33.5 shall prevail.

33.5.2 **Address identification.** Community Living Arrangement structures shall have approved address numbers, building numbers or approved building identification placed in accordance with the provisions of the *International Fire Code*.

### 33.5.3 Means of Egress.

33.5.3.1 A Community Living Arrangement serving a resident dependent upon a wheelchair or other mechanical device for mobility shall provide at least two (2) exits from the Community Living Arrangement, remote from each other, which are accessible to the residents.

33.5.3.2 Bedrooms for residents shall be separated from halls, corridors and other rooms by floor to ceiling walls, capable of resisting fire for not less than ½-hour, which is considered to be achieved if the partitioning is finished on both sides with lath and plaster or materials providing a 15-minute thermal barrier. Sleeping room doors shall be substantial doors, such as those of 1¾-in. (4.4-cm) thick, solid-bonded wood core construction or other construction of equal or greater stability and fire integrity. Any vision panels shall be fixed fire window assemblies in accordance with 8.3.3 or shall be wired glass not exceeding 1296 in. 2 (0.84 m2) each in area and installed in approved frames.

33.5.3.3 A room shall not be used as a bedroom where more than one-half the room height is below ground level.

33.5.3.4 Bedrooms which are partially below ground level shall have adequate natural light and ventilation and be provided with two useful means of egress.

33.5.3.5 Bedrooms occupied by residents shall have doors that can be closed. Doors shall be not less than 32 in. (81 cm) wide.

33.5.3.6 Any door in the path of travel of a means of means of egress or escape shall be not less than 32 in. (81 cm) wide.

33.5.3.7 Residents who need assistance with ambulation shall be provided bedrooms that have access to a ground-level exit to the outside or provided bedrooms above ground level that have access to exits with easily negotiable ramps or easily accessible lifts.

### 33.5.3.8 Locks.

33.5.3.8.1 Bedrooms may have locks on doors provided both the occupant and staff are provided with keys to ensure easy entry. Double-cylinder locks (locks requiring a key on both sides) are prohibited be used on the bedroom door of a resident.

33.5.3.8.2 Exterior doors shall be equipped with locks that do not require keys to open the door from the inside.

33.5.3.9 Number of Means of Escape. In any dwelling or dwelling unit of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape.

33.5.3.9.1 A secondary means of escape shall not be required where the bedroom or living area has a door leading directly to the outside of the building at or to grade level.

#### **33.5.4 Detection and Alarm Systems**

33.5.4.1 A fire alarm system meeting the minimum requirements for Single- and Multiple Station Alarms and Household Fire Alarm Systems per NFPA 72, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, shall be installed.

##### **33.5.4.2 Smoke Detection.**

33.5.4.2.1 Smoke alarms shall be installed in accordance with the provisions of 9.6.2.10. Any additional detection/alarm devices shall be as established by O.C.G.A. § 25-2-40.

33.5.4.2.2 Smoke alarms shall be installed on all levels, including basements but excluding crawl spaces and unfinished attics.

33.5.4.2.3 Additional smoke alarms shall be installed for all living areas as defined in 3.3.22.5.

33.5.4.2.4 Strobe alarms shall be used when required by the needs of the resident, e.g., for hearing impaired persons.

##### **33.5.4.3 Carbon Monoxide Detectors.**

33.5.4.3.1 Carbon monoxide detectors shall be provided in the residence where natural gas, LP gas or heating oil is used to heat the residence.

33.5.4.3.2 Carbon monoxide detectors shall be provided in the residence if a solid fuel-burning fireplace is installed the residence

#### **33.5.5 Protection.**

33.5.5.1 **Portable Fire Extinguishers.** Portable fire extinguishers in accordance with 9.9 shall be provided near hazardous areas.

33.5.5.1.1 At least one 2A rated multipurpose ABC fire extinguisher shall be provided on each occupied floor and in the basement that shall be readily accessible.

33.5.5.1.2 Required portable fire extinguishers shall be inspected and maintained annually by a state licensed or permitted fire extinguisher technician annually in accordance with NFPA 10, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

33.5.5.1.3 Monthly quick check inspections shall be conducted by the staff of the Community Living Arrangement to ensure they are charged and in operable condition.

#### **33.5.6 Heating, Ventilation and Air Conditioning.**

33.5.6.1 Space heaters shall not be used.

33.5.6.2 Fire screens and protective devices shall be used with fireplaces, stoves, and heaters.

33.5.6.3 A water temperature monitor or a scald valve shall be installed where necessary to ensure the safety of the residents. Heated water provided for use of residents shall not exceed 120 degrees Fahrenheit at the hot water fixture, unless a cooler temperature is required by the needs of the individual.

### 33.5.7 Operating Features.

33.5.7.1 **Staffing.** The Community Living Arrangement shall have as many qualified and trained employees on duty as shall be needed to safeguard properly the health, safety, and welfare of residents and ensure the provision of services the residents require to be delivered in the Community Living Arrangement.

33.5.7.1.1 Before working independently with residents, each staff member shall be trained and show continuing evidence of competence in fire safety and emergency evacuation procedures. A resident shall not be considered a staff person in the residence in which they live. (See Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.)

33.5.7.2 Evacuation Capabilities. Community Living Arrangement shall maintain a staffing ratio sufficient to ensure that all residents can meet a prompt evacuation capability as defined in [120-3-3-.03](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Residents who cannot meet a prompt evacuation capability classification shall be provided with a minimum of one dedicated employee whose primary responsibility is to provide evacuation of the resident in the event of a fire or other emergency. The dedicated employee/employees shall be in close attendance at all times.

33.5.7.3 **Drills.** Fire drills shall be conducted at least quarterly on each shift. At least two drills per calendar year shall be during sleeping hours. All fire drills shall be documented with staffing involved. (See Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.)

33.5.7.4 **Procedures.** There shall be established procedures and mechanisms for alerting and caring for residents in case of emergencies and for evacuating them to safety. An evacuation plan with clear instructions shall be available within each residence. Each sleeping room shall have a secondary exit, which may be a door or a window usable for escape."

44. Delete subsections 33.7.1, 33.7.2, and 33.7.3 in their entirety and substitute in their place the following:

33.7.1 **"Emergency Planning and Preparedness.** Residential board and care facilities (Group I1 and R-4 occupancies), including community living arrangements and personal care homes, shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

45. Delete subsection 33.7.4 in its entirety and substitute in their place the following:

33.7.4 **"Smoking.** Smoking regulations shall be adopted and shall include the following minimal provisions.

33.7.4.1 Smoking shall be prohibited in any room, area or compartment where flammable liquids, combustible gases, or oxygen are used or stored and in any other hazardous location. Such areas shall be posted with **"NO SMOKING"** signs.

33.7.4.2 Smoking by residents classified as not responsible shall be prohibited.

33.7.4.2.1 Smoking is permitted by residents classified as not responsible when under direct supervision.

33.7.4.3 Ashtrays of noncombustible material and safe design shall be provided in all areas where smoking is permitted.

33.7.4.4 Metal containers with self-closing cover devices into which ashtrays may be emptied shall be readily available in all areas where smoking is permitted."

46. Add a new paragraph 33.7.5.4 to read as follows:

33.7.5.4 **"Waste Containers.** Wastebaskets and other waste containers shall be of noncombustible or other approved materials."

(dd) **Modifications to reserved Chapter 34.**

1. Insert a new Chapter 34 to read as follows:

**"Chapter 34 New Assisted Living Community Occupancies**

**34.1 General Requirements.**

**34.1.1 Application.**

**34.1.1.1 General.**

34.1.1.1.1 The requirements of this chapter shall apply to new buildings or portions thereof used as assisted living community occupancies. New buildings or portions thereof used as assisted living community occupancies shall be permitted to meet all the requirements for a limited health care occupancy as prescribed in chapter 18 of this *Code* in lieu of this chapter. (See 1.3.1).

34.1.1.1.2 **Administration.** The provisions of Chapter 1, Administration, shall apply.

34.1.1.1.3 **General.** The provisions of Chapter 4, General, shall apply.

34.1.1.1.4 Buildings, or sections of buildings, that primarily house residents who, in the opinion of the governing body of the facility and the governmental agency having jurisdiction, are capable of exercising judgment and appropriate physical action for self-preservation under emergency conditions shall be permitted to comply with the provisions of Chapter 32 provided they are separated by a fire barrier having not less than a 1-hour fire resistance rating and constructed of materials as required for the addition.

34.1.1.1.5 It shall be recognized that, in buildings providing care for certain types of residents or having a security section, it might be necessary to lock doors and bar windows to confine and protect building inhabitants. In such instances, the authority having jurisdiction shall require appropriate modifications to those sections of this *Code* that would otherwise require means of egress to be kept unlocked.

34.1.1.1.6 The requirements of this chapter shall apply based on the assumption that staff is available in all resident-occupied areas to perform certain fire safety functions as required in other paragraphs of this chapter.

34.1.1.2 \* **Goals and Objectives.** The goals and objectives of Sections 4.1 and 4.2 shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of fire origin and reducing the need for occupant evacuation, except from the room of fire origin.

**34.1.1.3 Total Concept.**

34.1.1.3.1 All assisted living community facilities shall be designed, constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

34.1.1.3.2 Because the safety of assisted living community occupants cannot be ensured adequately by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate, trained staff; and development of operating and maintenance procedures composed of the following:

- (1) Design, construction, and compartmentation
- (2) Provision for detection, alarm, and extinguishment
- (3) Fire prevention and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building

#### 34.1.1.4 **Additions, Conversions, Modernization, Renovation, and Construction Operations.**

##### 34.1.1.4.1 **Additions.**

34.1.1.4.1.1 Additions shall be separated from any existing structure not conforming to the provisions within Chapter 34 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7.)

34.1.1.4.1.2 Doors in barriers required by 34.1.1.4.1.1 shall normally be kept closed, unless otherwise permitted by 34.1.1.4.1.3.

34.1.1.4.1.3 Doors shall be permitted to be held open if they meet the requirements of 34.2.2.4.

34.1.1.4.2 **Conversion.** For the purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing health care occupancy to an assisted living community occupancy.

34.1.1.4.3 **Changes of Occupancy.** A change from a personal care home to an assisted living community occupancy shall be considered a change in occupancy or occupancy sub-classification and would be required to meet the provisions of this Chapter for new construction.

34.1.1.4.4 **Renovations, Alterations, and Modernizations.** See 4.6.7.

34.1.1.4.5 **Construction, Repair, and Improvement Operations.** See 4.6.10.

34.1.2 **Classification of Occupancy.** See **Error! Hyperlink reference not valid.**, and 34.1.4.2.

##### 34.1.3 **Multiple Occupancies.**

34.1.3.1 Multiple occupancies shall comply with 6.1.14 in buildings other than those meeting the requirement of 34.1.3.2.

34.1.3.2 \* Sections of assisted living community facilities shall be permitted to be classified as other occupancies, provided that they meet both of the following conditions:

- (1) They are not intended to serve assisted living community occupants or have customary access by assisted living community residents who are incapable of self-preservation.
- (2) They are separated from areas of assisted living community occupancies by construction having a minimum 2-hour fire resistance rating.

34.1.3.3 The requirement of 34.1.3.1 shall not apply to apartment buildings housing assisted living community occupancies in conformance with Section 34.4. In such facilities, any safeguards required by Section 34.4 that are more restrictive than those for other housed occupancies shall apply only to the extent prescribed by Section 34.4.

34.1.3.4 No assisted living community occupancy shall be located above a nonresidential or non- health care occupancy, unless the assisted living community occupancy and exits therefrom are separated from the nonresidential or non-health care occupancy by construction having a minimum 2-hour fire resistance rating.

34.1.3.5 Any area with a hazard of contents classified higher than that of the assisted living community occupancy and located in the same building shall be protected as required in 34.2.

34.1.3.6 Non-residential-related occupancies classified as containing high hazard contents shall not be permitted in buildings housing assisted living community occupancies.

#### 34.1.4 Definitions.

34.1.4.1 **General.** For definitions, see Chapter 3, Definitions.

34.1.4.2 **Special Definitions.** A list of special terms used in this chapter follows:

(1) Assisted Living Community Occupancy. See [120-3-3-.03\(4\)](#).

(2) Assisted self-preservation. See [120-3-3-.03\(5\)](#)

(3) Evacuation Capability, Impractical. See [120-3-3-.03\(7\)](#).

(4) Evacuation Capability, Prompt. See [120-3-3-.03\(8\)](#).

(5) Evacuation Capability, Slow. See [120-3-3-.03\(9\)](#).

(6) Personal Care Home. See [120-3-3-.03\(21\)](#).

(7) Point of Safety. See 3.3.211 of this *Code*.

(8) Thermal Barrier. See 3.3.31.3 of this *Code*.

34.1.5 **Classification of Hazard of Contents.** The classification of hazard of contents shall be as defined in Section 6.2.

34.1.6 **Minimum Construction Requirements.** Assisted living community facilities shall be limited to the building construction types specified in Table 34.1.6 (see 8.2.1), based on the number of stories in height as defined in 4.6.3.

**Table 34.1.6**

<b>Table 34.1.6</b>	Number of Stories - <i>See Note b</i>					
Construction Type	Sprinklered <i>See Note a</i>	1	2	3	4-12	>12
Type I(442) <i>a c d</i>	YES	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type I(332) <i>a c d</i>	YES	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(222) <i>a c d</i>	YES	X	X	X	X	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(111) <i>a c d</i>	YES	X	X	X	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(000) <i>a</i>	YES	X	X	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(211) <i>a</i>	YES	X	X	N.P.	N.P.	N.P.

<b>Table 34.1.6</b>	<b>Number of Stories - See Note b</b>					
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(200) <i>a</i>	YES	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type IV(2HH) <i>a</i>	YES	X	X	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type V(111) <i>a</i>	YES	X	X	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.
Type V(000) <i>a</i>	YES	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.

X = Permitted if sprinklered as required by 32.3.3.5.

NP = Not permitted.

*a* Building shall be protected throughout by an approved supervised automatic sprinkler system installed in accordance with 9.7.1.1(1), and provided with quick response or residential sprinklers throughout. (See requirements of 34.3.5).

*b* See requirements of 4.6.3.

*c* See requirements of 34.1.6.2.1.

*d* See requirements of 34.1.6.2.2.

34.1.6.1 \* **Fire Resistance-Rated Assemblies.** Fire resistance-rated assemblies shall comply with Section 8.3.

#### 34.1.6.2 Construction Type Limitations.

34.1.6.2.1 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, *Standard Test Methods for Fire Tests of Roof Coverings*, or ANSI/UL 790, *Test Methods for Fire Tests of Roof Coverings*.

(2) The roof shall be separated from all occupied portions of the building by a noncombustible floor assembly having not less than a 2-hour fire resistance rating that includes not less than 2 1/2 in. (63 mm) of concrete or gypsum fill.

(3) The structural elements supporting the 2-hour fire resistance-rated floor assembly specified in 34.1.6.2(2) shall be required to have only the fire resistance rating required of the building.

34.1.6.2.2 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, *Standard Test Methods for Fire Tests of Roof Coverings*, or ANSI/UL 790, *Test Methods for Fire Tests of Roof Coverings*.

(2) The roof/ceiling assembly shall be constructed with fire-retardant-treated wood meeting the requirements of NFPA 220, *Standard on Types of Building Construction*.

(3) The roof/ceiling assembly shall have the required fire resistance rating for the type of construction.



34.1.6.2.3 Any level below the level of exit discharge shall be separated from the level of exit discharge by not less than Type II(111), Type III(211), or Type V(111) construction (see 8.2.1), unless both of the following criteria are met:

(1) Such levels are under the control of the assisted living community facility.

(2) Any hazardous spaces are protected in accordance with Section 8.7.

34.1.6.3 All buildings with more than one level below the level of exit discharge shall have all such lower levels separated from the level of exit discharge by not less than Type II(111) construction.

34.1.6.4 Interior nonbearing walls in buildings of Type I or Type II construction shall be constructed of noncombustible or limited-combustible materials, unless otherwise permitted by 20.1.6.4.

34.1.6.5 Interior nonbearing walls required to have a minimum 2-hour fire resistance rating shall be permitted to be fire-retardant-treated wood enclosed within noncombustible or limited-combustible materials, provided that such walls are not used as shaft enclosures.

34.1.6.6 Fire-retardant-treated wood that serves as supports for the installation of fixtures and equipment shall be permitted to be installed behind noncombustible or limited-combustible sheathing.

34.1.7 **Occupant Load.** The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

## 34.2 Means of Egress Requirements.

### 34.2.1 General.

34.2.1.1 Means of egress from resident rooms and resident dwelling units to the outside of the building shall be in accordance with Chapter 7 and this chapter.

34.2.1.2 Means of escape within the resident room or resident dwelling unit shall comply with Section 24.2 for one- and two-family dwellings.

34.2.1.3 No means of escape or means of egress shall be considered as complying with the minimum criteria for acceptance, unless emergency evacuation drills are regularly conducted using that route in accordance with the requirements of 34.7.3.

34.2.1.4 No assisted living community occupancy shall have its sole means of egress or means of escape pass through any nonresidential or non-health care occupancy in the same building.

34.2.1.5 All means of egress from assisted living community occupancies that traverse non-assisted living community spaces shall conform to the requirements of this *Code* for assisted living community occupancies, unless otherwise permitted by 34.2.1.6.

34.2.1.6 Exit through a horizontal exit into other contiguous occupancies that does not conform to assisted living community egress provisions but do comply with requirements set forth in the appropriate occupancy chapter of this *Code* shall be permitted, provided that the occupancy does not contain high hazard contents.

34.2.1.7 Egress provisions for areas of assisted living community facilities that correspond to other occupancies shall meet the corresponding requirements of this *Code* for such occupancies, and, where the clinical needs of the residents necessitate the locking of means of egress, staff shall be present for the supervised release of occupants during all times of use.

### 34.2.2 Means of Egress Components.

34.2.2.1 **Components Permitted.** Components of means of egress shall be limited to the types described in 34.2.2.2 through 34.2.2.10.

34.2.2.2 **Doors.** Doors in means of egress shall meet all of the following criteria:

- (1) Doors complying with 7.2.1 shall be permitted.
- (2) Doors within individual rooms and suites of rooms shall be permitted to be swinging or sliding.
- (3) No door in any means of egress, other than those meeting the requirement of 34.2.2.2.1 or 34.2.2.2.2, shall be equipped with a lock or latch that requires the use of a tool or key from the egress side.

34.2.2.2.1 Delayed-egress locks in accordance with 7.2.1.6.1 shall be permitted.

34.2.2.2.2 Access-controlled egress doors in accordance with 7.2.1.6.2 shall be permitted.

34.2.2.2.3 Doors that are located in the means of egress from individual resident bedrooms or private living units shall be permitted to have locks where the clinical needs of a resident require specialized protective security measures provided that staff can readily unlock doors at all times in accordance with 34.2.2.2.4.

34.2.2.2.4 Doors that are located in the means of egress and are permitted to be locked under other provisions of 34.2.2.2.3 shall comply with both of the following:

- (1) Provisions shall be made for the rapid removal of occupants by means of one of the following:
  - (a) Remote control of locks from within the locked smoke compartment
  - (b) Keying of all locks to keys carried by staff at all times
  - (c) Other such reliable means available to the staff at all times
- (2) Only one locking device shall be permitted on each door.

34.2.2.2.5 Doors located in the means of egress that are permitted to be locked under other provisions of Chapter 34, other than those meeting the requirement of 34.2.2.2.1 or 34.2.2.2.2, shall have adequate provisions made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to staff at all times.

34.2.2.2.6 Only one such locking device, as described in 34.2.2.2.5, shall be permitted on each door.

34.2.2.3 **Stairs.** Stairs complying with 7.2.2 shall be permitted.

34.2.2.4 **Smokeproof Enclosures.** Smokeproof enclosures complying with 7.2.3 shall be permitted.

34.2.2.5 **Horizontal Exits.** Horizontal exits complying with 7.2.4 shall be permitted.

34.2.2.6 **Ramps.** Ramps complying with 7.2.5 shall be permitted.

34.2.2.7 **Exit Passageways.** Exit passageways complying with 7.2.6 shall be permitted.

34.2.2.8 **Fire Escape Ladders.** Fire escape ladders complying with 7.2.9 shall be permitted.

34.2.2.9 **Alternating Tread Devices.** Alternating tread devices complying with 7.2.11 shall be permitted.

34.2.2.10 **Areas of Refuge.** Areas of refuge complying with 7.2.12 shall be permitted.

34.2.3 **Capacity of Means of Egress.**

34.2.3.1 The capacity of means of egress shall be in accordance with Section 7.3.

34.2.3.2 Street floor exits shall be sufficient for the occupant load of the street floor plus the required capacity of stairs and ramps discharging onto the street floor.

34.2.3.3 The width of corridors shall be sufficient for the occupant load served but shall be not less than 60 in. (1525 mm).

34.2.4 **Number of Means of Egress.**

34.2.4.1 Means of egress shall comply with the following, except as otherwise permitted by 34.2.4.2:

- (1) The number of means of egress shall be in accordance with Section 7.4.
- (2) Not less than two separate exits shall be provided on every story.
- (3) Not less than two separate exits shall be accessible from every part of every story.

34.2.4.2 Exit access, as required by 34.2.4.1(3), shall be permitted to include a single exit access path for the distances permitted as common paths of travel by 34.2.5.2.

34.2.5 **Arrangement of Means of Egress.**

34.2.5.1 **General.** Access to all required exits shall be in accordance with Section 7.5.

34.2.5.2 **Dead-end Corridors.** Dead-end corridors shall not exceed 30 ft. (9.1 m).

34.2.5.3 **Common Path.** Common paths of travel shall not exceed 75 ft. (23 m).

34.2.5.4 **Reserved.**

34.2.6 **Travel Distance to Exits.**

34.2.6.1 Travel distance from the door within a room, suite, or living unit to a corridor door shall not exceed 75 ft. (23 m) in buildings not protected throughout by an approved automatic sprinkler system in accordance with 34.3.5.

34.2.6.2 Travel distance from any point within a room, suite, or living unit to a corridor door shall not exceed 125 ft. (38 m) in buildings protected throughout by an approved automatic sprinkler system in accordance with 34.3.5.

34.2.6.3 Travel distance from the corridor door of any room to the nearest exit shall be in accordance with 34.2.6.3.1 or 34.2.6.3.2.

34.2.6.3.1 Travel distance from the corridor door of any room to the nearest exit, measured in accordance with Section 7.6, shall not exceed 150ft. (45.72m).

34.2.6.3.2 Travel distance to exits shall not exceed 200 ft. (61 m) for exterior ways of exit access arranged in accordance with 7.5.3.

34.2.7 **Discharge from Exits.** Exit discharge shall comply with Section 7.7.

34.2.8 **Illumination of Means of Egress.** Means of egress shall be illuminated in accordance with Section 7.8.

34.2.9 **Emergency Lighting.** Emergency lighting in accordance with Section 7.9 shall be provided.

34.2.10 **Marking of Means of Egress.** Means of egress shall be marked in accordance with Section 7.10.

34.2.11 **Special Means of Egress Features.**

34.2.11.1 **Reserved.**

34.2.11.2 **Lockups.** Lockups in residential assisted living community occupancies shall comply with the requirements of 22.4.5.

34.3 **Protection.**

34.3.1 **Protection of Vertical Openings.**

34.3.1.1 Vertical openings shall be enclosed or protected in accordance with Section 8.6.

34.3.1.2 Unenclosed vertical openings in accordance with 8.6.9.1 shall be permitted.

34.3.1.3 No floor below the level of exit discharge used only for storage, heating equipment, or purposes other than residential occupancy shall have unprotected openings to floors used for residential occupancy.

34.3.2 **Protection from Hazards.**

34.3.2.1 Rooms containing high-pressure boilers, refrigerating machinery, transformers, or other service equipment subject to possible explosion shall not be located directly under or adjacent to exits, and such rooms shall be effectively separated from other parts of the building as specified in Section 8.7.

34.3.2.2 Hazardous areas, which shall include, but shall not be limited to, the following, shall be separated from other parts of the building by construction having a minimum 1-hour fire resistance rating, with communicating openings protected by approved self-closing fire doors and be equipped with automatic fire-extinguishing systems:

(1) Boiler and heater rooms

(2) Laundries

(3) Repair shops

(4) Rooms or spaces used for storage of combustible supplies and equipment in quantities deemed hazardous by the authority having jurisdiction

*Exception to (1): Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.*

34.3.3 **Interior Finish.**

34.3.3.1 **General.** Interior finish shall be in accordance with Section 10.2.

34.3.3.2 **Interior Wall and Ceiling Finish.** Interior wall and ceiling finish materials complying with Section 10.2 shall be in accordance with the following:

(1) Exit enclosures - Class A

(2) Lobbies and corridors - Class B

(3) Rooms and enclosed spaces - Class B

**34.3.3.3 Interior Floor Finish.**

34.3.3.3.1 Interior floor finish shall comply with Section 10.2.

34.3.3.3.2 Interior floor finish in exit enclosures and exit access corridors and spaces not separated from them by walls complying with 34.3.6 shall be not less than Class II.

34.3.3.3.3 Interior floor finish shall comply with 10.2.7.1 or 10.2.7.2, as applicable.

**34.3.4 Detection, Alarm, and Communications Systems.**

34.3.4.1 **General.** A fire alarm system shall be provided in accordance with Section 9.6.

34.3.4.2 **Initiation.** The required fire alarm system shall be initiated by each of the following:

(1) Manual means in accordance with 9.6.2

(2) Manual fire alarm box located at a convenient central control point under continuous supervision of responsible employees

(3) Required automatic sprinkler system

(4) Required detection system

34.3.4.3 **Annunciator Panel.** An annunciator panel, connected to the fire alarm system, shall be provided at a location readily accessible from the primary point of entry for emergency response personnel.

**34.3.4.4 Notification.**

34.3.4.4.1 **Occupant Notification.** Occupant notification shall be provided automatically, without delay, by internal audible alarm in accordance with 9.6.3.

34.3.4.4.2 **High-Rise Buildings.** High-rise buildings shall be provided with an approved emergency voice communication/alarm system in accordance with 11.8.4.

34.3.4.5 \* **Emergency Forces Notification.** Fire department notification shall be accomplished in accordance with 9.6.4.

**34.3.4.6 Detection.**

34.3.4.6.1 **Smoke Alarms.** Approved smoke alarms shall be installed in accordance with 9.6.2.10 inside every sleeping room, outside every sleeping area in the immediate vicinity of the bedrooms, and on all levels within a resident unit.

**34.3.4.7 Smoke Detection Systems.**

34.3.4.7.1 Corridors, spaces open to the corridors, and other spaces outside every sleeping area in the immediate vicinity of the bedrooms other than those meeting the requirement of 34.3.4.7.2, shall be provided with smoke detectors that comply with NFPA 72, *National Fire Alarm and Signaling Code*, and are arranged to initiate an alarm that is audible in all sleeping areas.

34.3.4.7.2 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements with one or more sides along the long dimension fully or extensively open to the exterior at all times.

#### 34.3.5 **Extinguishment Requirements.**

34.3.5.1 **General.** All buildings shall be protected throughout by an approved automatic sprinkler system installed in accordance with 9.7.1.1(1) and provided with quick-response or residential sprinklers throughout.

34.3.5.5 **Supervision.** Automatic sprinkler systems shall be provided with electrical supervision in accordance with 9.7.2.

34.3.5.7 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in accordance with 9.9.

#### 34.3.6 **Corridors and Separation of Sleeping Rooms.**

34.3.6.1 Access shall be provided from every resident use area to at least one means of egress that is separated from all sleeping rooms by walls complying with 34.3.6.3 through 34.3.6.6.

34.3.6.1.1 Sleeping rooms shall be separated from corridors, living areas, and kitchens by walls complying with 34.3.6.2 through 34.3.6.6.

34.3.6.2 Walls required by 34.3.6.1 or 34.3.6.1.1 shall be smoke partitions in accordance with Section 8.4 having a minimum 1/2-hour fire resistance rating.

34.3.6.3.5 Hazardous areas shall be separated from corridors in accordance with 34.3.2.

34.3.6.4 Doors protecting corridor openings other than from resident sleeping rooms and hazardous areas shall not be required to have a fire protection rating, but shall be constructed to resist the passage of smoke.

34.3.6.4.1 Doors protecting resident sleeping rooms shall have a minimum 20-minute fire protection rating.

34.3.6.5 Door-closing devices shall not be required on doors in corridor wall openings, other than those serving exit enclosures, smoke barriers, enclosures of vertical openings, and hazardous areas.

34.3.6.6 No louvers, transfer grilles, operable transoms, or other air passages, other than properly installed heating and utility installations, shall penetrate the walls or doors specified in 34.3.6.

34.3.7 **Subdivision of Building Spaces.** Buildings shall be subdivided by smoke barriers in accordance with 34.3.7.1 through 34.3.7.21.

34.3.7.1 Every story shall be divided into not less than two smoke compartments, unless it meets the requirement of 34.3.7.4, 34.3.7.5, 34.3.7.6, or 34.3.7.7.

34.3.7.2 Each smoke compartment shall have an area not exceeding 22,500 ft<sup>2</sup> (2100 m<sup>2</sup>).

34.3.7.3 The travel distance from any point to reach a door in the required smoke barrier shall be limited to a distance of 200 ft. (61 m).

34.3.7.3.1 Additional smoke barriers shall be provided such that the travel distance from a sleeping room corridor door to a smoke barrier shall not exceed 150 ft. (46 m).

34.3.7.4 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy located above the assisted living community occupancy.

34.3.7.5 Smoke barriers shall not be required in areas that do not contain an assisted living community occupancy and that are separated from the assisted living community occupancy by a fire barrier complying with Section 8.3.

34.3.7.6 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy and that are more than one story below the assisted living community occupancy.

34.3.7.7 Smoke barriers shall not be required in open parking structures protected throughout by an approved, supervised automatic sprinkler system in accordance with 34.3.5.

34.3.7.8 Smoke barriers shall be constructed in accordance with Section 8.5 and shall have a minimum 1-hour fire resistance rating, unless they meet the requirement of 34.3.7.9 or 34.3.7.10.

34.3.7.9 Where an atrium is used, smoke barriers shall be permitted to terminate at an atrium wall constructed in accordance with 8.6.7(1)(c), in which case not less than two separate smoke compartments shall be provided on each floor.

34.3.7.10 Dampers shall not be required in duct penetrations of smoke barriers in fully ducted heating, ventilating, and air-conditioning systems.

34.3.7.11 Not less than 15 net ft<sup>2</sup> (1.4 net m<sup>2</sup>) per resident shall be provided within the aggregate area of corridors, lounge or dining areas, and other low hazard areas on each side of the smoke barrier.

34.3.7.12 On stories not housing residents, not less than 6 net ft<sup>2</sup> (0.56 net m<sup>2</sup>) per occupant shall be provided on each side of the smoke barrier for the total number of occupants in adjoining compartments.

34.3.7.13 Doors in smoke barriers shall be substantial doors, such as 1 3/4 in. (44 mm) thick, solid-bonded wood-core doors, or shall be of construction that resists fire for a minimum of 20 minutes.

34.3.7.14 Nonrated factory- or field-applied protective plates extending not more than 48 in. (1220 mm) above the bottom of the door shall be permitted.

34.3.7.15 Cross-corridor openings in smoke barriers shall be protected by a pair of swinging doors or a horizontal-sliding door complying with 7.2.1.14.

34.3.7.16 Swinging doors shall be arranged so that each door swings in a direction opposite from the other.

34.3.7.17 Doors in smoke barriers shall comply with 8.5.4 and shall be self-closing or automatic-closing in accordance with 7.2.1.8.

34.3.7.18 Vision panels consisting of fire-rated glazing or wired glass panels in approved frames shall be provided in each cross-corridor swinging door and in each cross-corridor horizontal-sliding door in a smoke barrier.

34.3.7.19 Rabbits, bevels, or astragals shall be required at the meeting edges, and stops shall be required at the head and sides of door frames in smoke barriers.

34.3.7.20 Positive latching hardware shall not be required.

34.3.7.21 Center mullions shall be prohibited.

34.3.8 \* **Cooking Facilities.** Cooking facilities, other than those within individual residential units, shall be protected in accordance with 9.2.3.

34.3.9 **Standpipes.**

34.3.9.1 **General.** Where required, standpipe and hose systems shall be installed and maintained in accordance with 9.10.

34.3.9.2 In High-Rise Buildings. Class I standpipe systems shall be installed throughout all high-rise buildings.

34.3.9.3 **Roof Outlets.** Roof outlets shall not be required on roofs having a slope of 3 in 12 or greater.

#### 34.4 **Special Provisions.**

34.4.1 **High-Rise Buildings.** High-rise buildings shall comply with Section 11.8.

#### 34.5 \* **Suitability of an Apartment Building to House an Assisted living community Occupancy.**

##### 34.5.1 **General.**

###### 34.5.1.1 **Scope.**

34.5.1.1.1 Section 34.5 shall apply to apartment buildings that have one or more individual apartments used as an assisted living community occupancy. (See 34.1.3.2.)

34.5.1.1.2 The provisions of Section 34.5 shall be used to determine the suitability of apartment buildings, other than those complying with 34.5.1.1.4, to house an assisted living community facility.

34.5.1.1.3 The suitability of apartment buildings not used for assisted living community occupancies shall be determined in accordance with Chapter 30.

34.5.1.1.4 When a new assisted living community occupancy is created in an existing apartment building, the suitability of such a building for apartments not used for assisted living community occupancies shall be determined in accordance with Chapter 31.

34.5.1.2 **Requirements for Individual Apartments.** Requirements for individual apartments used as residential assisted living community occupancies shall be as specified in Section 34.2. Egress from the apartment into the common building corridor shall be considered acceptable egress from the assisted living community facility.

34.5.1.3 \* **Additional Requirements.** Apartment buildings housing assisted living community facilities shall comply with the requirements of Chapter 30 and the additional requirements of Section 34.5, unless the authority having jurisdiction has determined that equivalent safety for housing an assisted living community facility is provided in accordance with Section 1.4.

###### 34.5.1.4 **Minimum Construction Requirements.**

34.5.1.4.1 In addition to the requirements of Chapter 30, apartment buildings, other than those complying with 34.5.1.4.2, housing assisted living community facilities shall meet the construction requirements of 34.1.3.

34.5.1.4.2 When a new assisted living community occupancy is created in an existing apartment building, the construction requirements of 19.1.6 shall apply.

##### 34.5.2 **Means of Egress.**

34.5.2.1 The requirements of Section 30.2 shall apply only to the parts of means of egress serving the apartment(s) used as an assisted living community occupancy, as modified by 34.5.2.2.

34.5.2.2 When a new assisted living community occupancy is created in an existing apartment building, the requirements of Section 31.2 shall apply to the parts of the means of egress serving the apartment(s) used as an assisted living community occupancy.

##### 34.5.3 **Protection.**



#### **34.5.3.1 Interior Finish.**

34.5.3.1.1 The requirements of 30.3.3 shall apply only to the parts of means of egress serving the apartment(s) used as an assisted living community occupancy, as modified by 34.5.3.1.2.

34.5.3.1.2 When a new assisted living community occupancy is created in an existing apartment building, the requirements of 31.3.3 shall apply to the parts of the means of egress serving the apartment(s) used as an assisted living community occupancy.

#### **34.5.3.2 Construction of Corridor Walls.**

34.5.3.2.1 The requirements of 30.3.6 shall apply only to corridors serving the assisted living community facility, including that portion of the corridor wall separating the assisted living community facility from the common corridor, as modified by 34.5.3.2.2.

34.5.3.2.2 If a new assisted living community occupancy is created in an existing apartment building, the requirements of 31.3.6 shall apply to the corridor serving the residential assisted living community facility.

#### **34.5.3.3 Subdivision of Building Spaces. (Reserved)**

#### **34.6 Building Services.**

34.6.1 **Utilities.** Utilities shall comply with Section 9.1.

34.6.1.1 Heating, ventilating, and air-conditioning equipment shall comply with Section 9.2.

34.6.1.2 No stove or combustion heater shall be located such that it blocks escape in case of fire caused by the malfunction of the stove or heater.

34.6.1.3 Unvented fuel-fired heaters shall not be used in any assisted living community occupancy.

34.6.3 Elevators, Dumbwaiters, and Vertical Conveyors. Elevators, dumbwaiters, and vertical conveyors shall comply with Section 9.4.

34.6.3.2 \* In high-rise buildings, one elevator shall be provided with a protected power supply and shall be available for use by the fire department in case of emergency.

34.6.4 Rubbish Chutes, Incinerators, and Laundry Chutes. Rubbish chutes, incinerators, and laundry chutes shall comply with Section 9.5.

#### **34.7 Operating Features.**

34.7.1 **Emergency Planning and Preparedness.** Assisted living community facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The provisions of this Section 34.7 shall be incorporated into the plans, training and safety practices developed by the facility."

#### **34.7.2 Emergency Plan.**

34.7.2.1 The administration of every assisted living community facility shall have, in effect and available to all supervisory personnel, written copies of a plan for protecting all persons in the event of fire, for keeping persons in place, for evacuating persons to areas of refuge, and for evacuating persons from the building when necessary.

34.7.2.2 The emergency plan shall include special staff response, including the fire protection procedures needed to ensure the safety of any resident, and shall be amended or revised whenever any resident with unusual needs is admitted to the home.

34.7.2.3 All employees shall be periodically instructed and kept informed with respect to their duties and responsibilities under the plan, and such instruction shall be reviewed by the staff not less than every 2 months.

34.7.2.4 A copy of the plan shall be readily available at all times within the facility.

### 34.7.3 **Resident Training.**

34.7.3.1 All residents participating in the emergency plan shall be trained in the proper actions to be taken in the event of fire.

34.7.3.2 The training required by 34.7.3.1 shall include actions to be taken if the primary escape route is blocked.

34.7.3.3 If a resident is given rehabilitation or habilitation training, training in fire prevention and the actions to be taken in the event of a fire shall be a part of the training program.

34.7.3.4 Residents shall be trained to assist each other in case of fire to the extent that their physical and mental abilities permit them to do so without additional personal risk.

34.7.4 **Emergency Egress and Relocation Drills.** Emergency egress and relocation drills shall be conducted in accordance with 34.7.4.1 through 34.7.4.6.

34.7.4.1 Emergency egress and relocation drills shall be conducted not less than once per quarter on each shift at alternating times. It is intended that staff and residents be trained and drilled based on fire and other emergencies that may occur during the periods of lowest staffing levels. This may require more than one drill per quarter on shifts with the lowest staffing levels.

34.7.4.2 The emergency drills shall be permitted to be announced to the residents in advance.

34.7.4.3 The drills shall involve the training of residents for the eventual actual evacuation of all residents to an assembly point, as specified in the emergency plan, and shall provide residents with experience in egressing through all exits and means of escape required by the *Code*.

34.7.4.3.1. The assembly point shall be a place outside of the building and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. A refuge area within a smoke compartment in buildings separated by smoke barriers shall be considered a temporary assembly point as part of a staged evacuation.

34.7.4.3.2. Buildings with smoke compartments shall be allowed to train residents to temporarily escape in a staged evacuation to another smoke compartment separated by smoke barriers. Residents shall be allowed to complete the training exercise on the other side of an adjacent smoke barrier. Residents shall still be trained to eventually complete building evacuation during an actual emergency evacuation. Residents shall be required to participate in one emergency egress and relocation drill per year where they continue to an assembly point outside of the building.

34.7.4.3.3. Residents, as a group, shall be required to complete the evacuation drill to an exit or across a smoke barrier in less than 13 minutes or shall be required to change its group evacuation capability and comply with Section 35.1.8.

34.7.4.4 Exits and means of escape not used in any drill shall not be credited in meeting the requirements of this *Code* for assisted living community facilities.

34.7.4.5 Actual exiting from windows shall not be required to comply with 34.7.4; opening the window and signaling for help shall be an acceptable alternative.

34.7.4.6 Residents who cannot meaningfully assist in their own evacuation or who have special health problems shall not be required to actively participate in the drill. Section 18.7 shall apply in such instances.

**34.7.5 Smoking.**

34.7.5.1 \* Smoking regulations shall be adopted by the administration of assisted living community occupancies.

34.7.5.2 Where smoking is permitted, noncombustible safety-type ashtrays or receptacles shall be provided in convenient locations.

**34.7.6 \* Furnishings, Mattresses, and Decorations.**

34.7.6.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations shall comply with 34.7.6.1.1 and 34.7.6.1.2.

34.7.6.1.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations in assisted living community facilities shall be in accordance with the provisions of 10.3.1, unless otherwise permitted by 34.7.6.1.2.

34.7.6.1.2 In other than common areas, new draperies, curtains, and other similar loosely hanging furnishings and decorations shall not be required to comply with 34.7.6.1.1 where the building is protected throughout by an approved automatic sprinkler system installed in accordance with 34.2.3.5.

34.7.6.2 \* New upholstered furniture within assisted living community facilities shall comply with 34.7.6.2.1 or 34.7.6.2.2.

34.7.6.2.1 New upholstered furniture shall be tested in accordance with the provisions of 10.3.2.1(1) and 10.3.3.

34.7.6.2.2 Upholstered furniture belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

34.7.6.3 \* Newly introduced mattresses within assisted living community facilities shall comply with 34.7.5.3.1 or 34.7.5.3.2.

34.7.6.3.1 Newly introduced mattresses shall be tested in accordance with the provisions of 10.3.2.2 and 10.3.4.

34.7.6.3.2 Mattresses belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

**34.7.7 Staff.** Staff shall be on duty and in the facility at all times when residents requiring evacuation assistance are present.

**34.7.8 Inspection of Door Openings.** Door assemblies for which the door leaf is required to swing in the direction of egress travel shall be inspected and tested not less than annually in accordance with 7.2.1.15."

**(ee) Modifications to Chapter 35:**

1. Insert a new Chapter 35 to read as follows:

**"Chapter 35 Existing Assisted Living Community Occupancies**

**35.1 General Requirements.**

**35.1.1 \* Application.**

#### 35.1.1.1 **General.**

35.1.1.1.1 The requirements of this chapter shall apply to existing buildings or portions thereof used as assisted living community occupancies or with limited applicability for a conversion as further specific specified in Section 35.1.1.4.3 entitled Change of Occupancy.

35.1.1.1.2 **Administration.** The provisions of Chapter 1, Administration, shall apply.

35.1.1.1.3 **General.** The provisions of Chapter 4, General, shall apply.

35.1.1.1.4 Buildings, or sections of buildings, that primarily house residents who, in the opinion of the governing body of the facility and the governmental agency having jurisdiction, are capable of exercising judgment and appropriate physical action for self-preservation under emergency conditions shall be permitted to comply with the provisions of Chapter 33 provided they are separated by a fire barrier having not less than a 1-hour fire resistance rating and constructed of materials as required for the addition.

35.1.1.1.5 It shall be recognized that, in buildings providing care for certain types of residents or having a security section, it might be necessary to lock doors and bar windows to confine and protect building inhabitants. In such instances, the authority having jurisdiction shall require appropriate modifications to those sections of this *Code* that would otherwise require means of egress to be kept unlocked.

35.1.1.1.6 The requirements of this chapter shall apply based on the assumption that staff is available in all resident-occupied areas to perform certain fire safety functions as required in other paragraphs of this chapter.

35.1.1.2 \* **Goals and Objectives.** The goals and objectives of Sections 4.1 and 4.2 shall be met with due consideration for functional requirements, which are accomplished by limiting the development and spread of a fire to the room of fire origin and reducing the need for occupant evacuation, except from the room of fire origin.

#### 35.1.1.3 **Total Concept.**

35.1.1.3.1 All assisted living community facilities shall be designed, constructed, maintained, and operated to minimize the possibility of a fire emergency requiring the evacuation of occupants.

35.1.1.3.2 Because the safety of assisted living community occupants cannot be ensured adequately by dependence on evacuation of the building, their protection from fire shall be provided by appropriate arrangement of facilities; adequate, trained staff; and development of operating and maintenance procedures composed of the following:

- (1) Design, construction, and compartmentation.
- (2) Provision for detection, alarm, and extinguishment.
- (3) Fire prevention and planning, training, and drilling programs for the isolation of fire, transfer of occupants to areas of refuge, or evacuation of the building.

#### 35.1.1.4 Additions, Conversions, Modernization, Renovation, and Construction Operations.

##### 35.1.1.4.1 **Additions.**

35.1.1.4.1.1 Additions shall be separated from any existing structure not conforming to the provisions within Chapter 35 by a fire barrier having not less than a 2-hour fire resistance rating and constructed of materials as required for the addition. (See 4.6.5 and 4.6.7.)

35.1.1.4.1.2 Doors in barriers required by 35.1.1.4.1.1 shall normally be kept closed, unless otherwise permitted by 35.1.1.4.1.3.

35.1.1.4.1.3 Doors shall be permitted to be held open if they meet the requirements of 35.2.2.4.

**35.1.1.6 Conversion.** For the purposes of this chapter, exceptions for conversions shall apply only for a change of occupancy from an existing personal care home occupancy or health care occupancy to an assisted living community occupancy.

**35.1.1.4.3 Changes of Occupancy.** A change from a personal care home, assisted living, or assisted living facility to an assisted living community occupancy shall be considered a change in occupancy or occupancy sub-classification. The requirements of this chapter shall be limited to only apply to a change of occupancy to an assisted living community from an existing personal care home, assisted living, or assisted living facility first occupied as such with a certificate of occupancy issued prior to March 31, 2013. Such facility may be permitted to meet all the requirements for a limited health care occupancy as prescribed in chapter 19 of this *Code* in lieu of this chapter.

35.1.1.4.3.1 An existing personal care home, assisted living, or assisted living facility with a certificate of occupancy dated after March 31, 2013, that is applying for a change of occupancy to an assisted living community or any other change of occupancy classification, sub-classification, shall meet the provisions of Chapter 34 New Assisted Living Community Occupancies.

**35.1.1.4.4 Renovations, Alterations, and Modernizations.** See 4.6.7.

**35.1.1.4.5 Construction, Repair, and Improvement Operations.** See 4.6.10.

**35.1.2 Classification of Occupancy.** See Error! Hyperlink reference not valid., and 35.1.4.2.

**35.1.3 Multiple Occupancies.**

35.1.3.1 Multiple occupancies shall comply with 6.1.14 in buildings other than those meeting the requirement of 35.1.3.2.

35.1.3.2 \* Sections of assisted living community facilities shall be permitted to be classified as other occupancies, provided that they meet both of the following conditions:

(1) They are not intended to serve assisted living community occupants or have customary access by assisted living community residents who are incapable of self-preservation.

(2) They are separated from areas of assisted living community occupancies by construction having a minimum 2-hour fire resistance rating.

35.1.3.3 The requirement of 35.1.3.1 shall not apply to apartment buildings housing assisted living community occupancies in conformance with Section 35.4. In such facilities, any safeguards required by Section 35.4 that are more restrictive than those for other housed occupancies shall apply only to the extent prescribed by Section 35.4.

35.1.3.4 No assisted living community occupancy shall be located above a nonresidential or non-health care occupancy, unless one following conditions is met:

(1) The assisted living community occupancy and exits therefrom are separated from the nonresidential or non-health care occupancy by construction having a minimum 2-hour fire resistance rating.

(2) The assisted living community occupancy is protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7 and is separated therefrom by construction having a minimum 1-hour fire resistance rating.

35.1.3.5 Any area with a hazard of contents classified higher than that of the assisted living community occupancy and located in the same building shall be protected as required in 35.3.2.

35.1.3.6 Non-residential-related occupancies classified as containing high hazard contents shall not be permitted in buildings housing assisted living community occupancies.

#### 35.1.4 Definitions.

35.1.4.1 **General.** For definitions, see Chapter 3, Definitions.

35.1.4.2 **Special Definitions.** A list of special terms used in this chapter follows:

(1) Assisted Living Community Occupancy. See [120-3-3-.03\(4\)](#).

(2) Assisted self-preservation. See [120-3-3-.03\(5\)](#)

(2) Evacuation Capability, Impractical. See [120-3-3-.03\(7\)](#).

(3) Evacuation Capability, Prompt. See [120-3-3-.03\(8\)](#).

(4) Evacuation Capability, Slow. See [120-3-3-.03\(9\)](#).

(5) Personal Care Home. See [120-3-3-.03\(21\)](#).

(6) Point of Safety. See 3.3.211 of this Code.

(7) Thermal Barrier. See 3.3.31.3 of this Code.

35.1.5 **Classification of Hazard of Contents.** The classification of hazard of contents shall be as defined in Section 6.2.

35.1.6 **Minimum Construction Requirements.** Assisted living community facilities shall be limited to the building construction types specified in Table 35.1.6 (see 8.2.1), based on the number of stories in height as defined in 4.6.3.

**Table 35.1.6**

<b>Table 35.1.6</b>	Number of Stories - See Note b						
Construction Type	Sprinkled See Note a	1	2	3	4	5-6	>6-12
Type I(442) c d	YES	X	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type I(332) c d	YES	X	X	X	X	X	X
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(222) c d	YES	N.P.	X	X	X	X	X
	NO		N.P.	N.P.	N.P.	N.P.	N.P.
Type II(111) c d	YES	X	X	X <sub>e</sub>	X <sub>e</sub>	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type II(000) a	YES	X	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(211) a	YES	X	X	X <sub>e</sub>	X <sub>e</sub>	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type III(200) a	YES	X	N.P.	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type IV(2HH) a	YES	X	X	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type V(111) See note a or e	YES	X <sub>a</sub>	X <sub>a</sub>	X <sub>e</sub>	X <sub>e</sub>	N.P.	N.P.

<b>Table 35.1.6</b>	<b>Number of Stories - See Note b</b>						
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
Type V(000) <i>a</i>	YES	X <sub>a</sub>	N.P.	N.P.	N.P.	N.P.	N.P.
	NO	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.

X = Permitted if sprinklered as required by 33.3.3.5 unless otherwise noted.

NP = Not permitted.

a Building shall be protected throughout by an approved supervised automatic sprinkler system installed in accordance with 35.3.5, and the interior walls are covered with lath and plaster or materials providing a 15-minute thermal barrier. (See requirements of 35.3.5).

b See requirements of 4.6.3.

c See requirements of 35.1.6.2.1.

d See requirements of 35.1.6.2.2.

e See requirements of 35.1.6.5.

35.1.6.1 \* **Fire Resistance-Rated Assemblies.** Fire resistance-rated assemblies shall comply with Section 8.3.

#### 35.1.6.2 **Construction Type Limitations.**

35.1.6.2.1 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, Standard Test Methods for Fire Tests of Roof Coverings, or ANSI/UL 790, Test Methods for Fire Tests of Roof Coverings.

(2) The roof shall be separated from all occupied portions of the building by a noncombustible floor assembly having not less than a 2-hour fire resistance rating that includes not less than 2 1/2 in. (63 mm) of concrete or gypsum fill.

(3) The structural elements supporting the 2-hour fire resistance-rated floor assembly specified in 35.1.6.2(2) shall be required to have only the fire resistance rating required of the building.

35.1.6.2.2 Any building of Type I(442), Type I(332), Type II(222), or Type II(111) construction shall be permitted to include roofing systems involving combustible supports, decking, or roofing, provided that all of the following criteria are met:

(1) The roof covering shall meet Class A requirements in accordance with ASTM E 108, Standard Test Methods for Fire Tests of Roof Coverings, or ANSI/UL 790, Test Methods for Fire Tests of Roof Coverings.

(2) The roof/ceiling assembly shall be constructed with fire-retardant-treated wood meeting the requirements of NFPA 220, Standard on Types of Building Construction.

(3) The roof/ceiling assembly shall have the required fire resistance rating for the type of construction.

35.1.6.2.3 Any level below the level of exit discharge shall be separated from the level of exit discharge by not less than Type II(111), Type III(211), or Type V(111) construction (see 8.2.1), unless both of the following criteria are met:

(1) Such levels are under the control of the assisted living community facility.

(2) Any hazardous spaces are protected in accordance with Section 8.7.

35.1.6.3 All buildings with more than one level below the level of exit discharge shall have all such lower levels separated from the level of exit discharge by not less than Type II(111) construction.

35.1.6.4 Interior nonbearing walls in buildings of Type I or Type II construction shall be constructed of noncombustible or limited-combustible materials, unless otherwise permitted by 20.1.6.4.

35.1.6.5 Any existing building of Type II(111), Type III(211), or Type V(111) construction shall be permitted however, occupants requiring assistance with evacuation from others shall be limited to occupancy on the first and second stories), unless one of the following criteria is met:

(1) A horizontal exit in combination with a smoke barrier is provided on the third and fourth floor; or,

(2) The building is protected throughout by an approved supervised automatic sprinkler system installed in accordance with 9.7.1.1(1), and provided with quick response or residential sprinklers throughout.

35.1.6.6 Interior nonbearing walls required to have a minimum 2-hour fire resistance rating shall be permitted to be fire-retardant-treated wood enclosed within noncombustible or limited-combustible materials, provided that such walls are not used as shaft enclosures.

35.1.6.7 Fire-retardant-treated wood that serves as supports for the installation of fixtures and equipment shall be permitted to be installed behind noncombustible or limited-combustible sheathing.

35.1.6.8 \* Changes in Group Evacuation Capability. A change in evacuation capability to a slower level shall be permitted where the facility conforms to one of the following requirements:

(1) The requirements of Chapter 34 applicable to new assisted living community facilities.

(2) The requirements of Chapter 35 applicable to existing assisted living community facilities for the new evacuation capability, provided that the building is protected throughout by an approved, supervised automatic sprinkler system complying with 35.5 or an increase in staffing to achieve evacuation of all residents to a point of safety within 13 minutes.

#### 35.1.6.9 Requirements Based on Evacuation Capability.

35.1.6.9.1 **Prompt and Slow.** Facilities classified as prompt or slow evacuation capability, other than those meeting the requirement of 35.1.6.9.1.1 or 35.1.6.9.1.2, shall comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.

35.1.6.9.1.1 \* Facilities where the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4 shall not be required to comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.

35.1.6.9.1.2 Facilities that were previously approved as complying with 35.1.6.9.2 shall not be required to comply with the requirements of Section 35, as indicated for the appropriate evacuation capability.

35.1.6.9.2 **Impractical.** Facilities classified as impractical evacuation capability shall meet the requirements of Section 35 for impractical evacuation capability, or the requirements for limited care facilities in Chapter 19, unless the authority having jurisdiction has determined equivalent safety is provided in accordance with Section 1.4.

#### 35.1.6.9.3 Evacuation Capability Determination.

35.1.6.9.3.1 Facility management shall furnish to the authority having jurisdiction, upon request, an evacuation capability determination using a procedure acceptable to the authority having jurisdiction.



35.1.6.9.3.2 Where the documentation required by 35.1.6.9.3.1 is not furnished, the evacuation capability shall be classified as impractical.

**35.1.7 Occupant Load.** The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space, or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

## **35.2 Means of Egress Requirements.**

### **35.2.1 General.**

35.2.1.1 Means of egress from resident rooms and resident dwelling units to the outside of the building shall be in accordance with Chapter 7 and this chapter.

35.2.1.2 Means of escape within the resident room or resident dwelling unit shall comply with Section 24.2 for one- and two-family dwellings.

35.2.1.3 No means of escape or means of egress shall be considered as complying with the minimum criteria for acceptance, unless emergency evacuation drills are regularly conducted using that route in accordance with the requirements of 35.7.3.

35.2.1.4 No assisted living community occupancy shall have its sole means of egress or means of escape pass through any nonresidential or non-health care occupancy in the same building.

35.2.1.5 All means of egress from assisted living community occupancies that traverse non-assisted living community spaces shall conform to the requirements of this *Code* for assisted living community occupancies, unless otherwise permitted by 35.2.1.6.

35.2.1.6 Exit through a horizontal exit into other contiguous occupancies that does not conform to assisted living community egress provisions but do comply with requirements set forth in the appropriate occupancy chapter of this *Code* shall be permitted, provided that the occupancy does not contain high hazard contents.

35.2.1.7 Egress provisions for areas of assisted living community facilities that correspond to other occupancies shall meet the corresponding requirements of this *Code* for such occupancies, and, where the clinical needs of the residents necessitate the locking of means of egress, staff shall be present for the supervised release of occupants during all times of use.

### **35.2.2 Means of Egress Components.**

35.2.2.1 **Components Permitted.** Components of means of egress shall be limited to the types described in 35.2.2.2 through 35.2.2.10.

35.2.2.2 **Doors.** Doors in means of egress shall meet all of the following criteria:

- (1) Doors complying with 7.2.1 shall be permitted.
- (2) Doors within individual rooms and suites of rooms shall be permitted to be swinging or sliding.
- (3) No door in any means of egress, other than those meeting the requirement of 35.2.2.2.1 or 35.2.2.2.2, shall be equipped with a lock or latch that requires the use of a tool or key from the egress side.

35.2.2.2.1 Delayed-egress locks in accordance with 7.2.1.6.1 shall be permitted.

35.2.2.2.2 Access-controlled egress doors in accordance with 7.2.1.6.2 shall be permitted.

35.2.2.2.3 Doors that are located in the means of egress from individual resident bedrooms or private living units shall be permitted to have locks where the clinical needs of a resident require specialized protective security measures provided that staff can readily unlock doors at all times in accordance with 35.2.2.2.4.

35.2.2.2.4 Doors that are located in the means of egress and are permitted to be locked under other provisions of 35.2.2.2.3 shall comply with both of the following:

(1) Provisions shall be made for the rapid removal of occupants by means of one of the following:

(a) Remote control of locks from within the locked smoke compartment

(b) Keying of all locks to keys carried by staff at all times

(c) Other such reliable means available to the staff at all times

(2) Only one locking device shall be permitted on each door.

35.2.2.2.5 Doors located in the means of egress that are permitted to be locked under other provisions of Chapter 35, other than those meeting the requirement of 35.2.2.2.1 or 35.2.2.2.2, shall have adequate provisions made for the rapid removal of occupants by means such as remote control of locks, keying of all locks to keys carried by staff at all times, or other such reliable means available to staff at all times.

35.2.2.2.6 Only one such locking device, as described in 35.2.2.2.5, shall be permitted on each door.

35.2.2.3 **Stairs.** Stairs complying with 7.2.2 shall be permitted.

35.2.2.4 **Smokeproof Enclosures.** Smokeproof enclosures complying with 7.2.3 shall be permitted.

35.2.2.5 **Horizontal Exits.** Horizontal exits complying with 7.2.4 shall be permitted.

35.2.2.6 **Ramps.** Ramps complying with 7.2.5 shall be permitted.

35.2.2.7 **Exit Passageways.** Exit passageways complying with 7.2.6 shall be permitted.

35.2.2.8 **Fire Escape Ladders.** Fire escape ladders complying with 7.2.9 shall be permitted.

35.2.2.9 **Alternating Tread Devices.** Alternating tread devices complying with 7.2.11 shall be permitted.

35.2.2.10 **Areas of Refuge.** Areas of refuge complying with 7.2.12 shall be permitted.

35.2.3 **Capacity of Means of Egress.**

35.2.3.1 The capacity of means of egress shall be in accordance with Section 7.3.

35.2.3.2 Street floor exits shall be sufficient for the occupant load of the street floor plus the required capacity of stairs and ramps discharging onto the street floor.

35.2.3.3 The width of corridors serving an occupant load of 50 or more in facilities having prompt or slow evacuation capability, and all facilities having impractical evacuation capability, shall be sufficient for the occupant load served but shall be not less than 60 in. (1525 mm).

35.2.3.4 The width of corridors serving an occupant load of less than 50 in facilities having prompt or slow evacuation capability shall be not less than 44 in. (1120 mm).

35.2.4 **Number of Means of Egress.**

35.2.4.1 Means of egress shall comply with the following, except as otherwise permitted by 35.2.4.2:

(1) The number of means of egress shall be in accordance with 7.4.1.1 and 7.4.1.3 through 7.4.1.5.

(2) Not less than two separate exits shall be provided on every story.

(3) Not less than two separate exits shall be accessible from every part of every story.

35.2.4.2 Exit access, as required by 35.2.4.1(3), shall be permitted to include a single exit access path for the distances permitted as common paths of travel by 35.2.5.2 and 35.2.5.3.

#### **35.2.5 Arrangement of Means of Egress.**

35.2.5.1 **General.** Access to all required exits shall be in accordance with Section 7.5.

35.2.5.2 **Dead-end Corridors.** Dead-end corridors shall not exceed 35 ft. (15 m).

35.2.5.3 **Common Path.** Common paths of travel shall not exceed 110 ft. (35.5 m).

35.2.5.4 **Reserved.**

#### **35.2.6 Travel Distance to Exits.**

35.2.6.1 Travel distance from the door within a room, suite, or living unit to a corridor door shall not exceed 75 ft. (23 m) in buildings not protected throughout by an approved automatic sprinkler system in accordance with 35.3.5.

35.2.6.2 Travel distance from any point within a room, suite, or living unit to a corridor door shall not exceed 125 ft. (38 m) in buildings protected throughout by an approved automatic sprinkler system in accordance with 35.3.5.

35.2.6.3 Travel distance from the corridor door of any room to the nearest exit shall be in accordance with 35.2.6.3.1 or 35.2.6.3.2

35.2.6.3.1 Travel distance from the corridor door of any room to the nearest exit, measured in accordance with Section 7.6, shall not exceed 200 ft. (61 m).

35.2.6.3.2 Travel distance to exits shall not exceed 200 ft. (61 m) for exterior ways of exit access arranged in accordance with 7.5.3.

35.2.7 **Discharge from Exits.** Exit discharge shall comply with Section 7.7.

35.2.8 **Illumination of Means of Egress.** Means of egress shall be illuminated in accordance with Section 7.8.

35.2.9 **Emergency Lighting.** Emergency lighting in accordance with Section 7.9 shall be provided.

35.2.10 **Marking of Means of Egress.** Means of egress shall be marked in accordance with Section 7.10

35.2.11 **Special Means of Egress Features.**

35.2.11.1 **Reserved.**

35.2.11.2 **Lockups.** Lockups in residential assisted living community occupancies shall comply with the requirements of 23.4.5.

#### **35.3 Protection.**

### **35.3.1 Protection of Vertical Openings.**

35.3.1.1 Vertical openings shall be enclosed or protected in accordance with Section 8.6.

35.3.1.2 Unenclosed vertical openings in accordance with 8.6.9.1 shall be permitted.

35.3.1.3 No floor below the level of exit discharge and used only for storage, heating equipment, or purposes other than residential occupancy shall have unprotected openings to floors used for residential occupancy.

### **35.3.2 Protection from Hazards.**

35.3.2.1 Rooms containing high-pressure boilers, refrigerating machinery, transformers, or other service equipment subject to possible explosion shall not be located directly under or adjacent to exits, and such rooms shall be effectively separated from other parts of the building as specified in Section 8.7.

35.3.2.2 Hazardous areas, which shall include, but shall not be limited to, the following, shall be separated from other parts of the building by construction having a minimum 1-hour fire resistance rating, with communicating openings protected by approved self-closing fire doors and be equipped with automatic fire-extinguishing systems:

- (1) Boiler and heater rooms
- (2) Laundries
- (3) Repair shops
- (4) Rooms or spaces used for storage of combustible supplies and equipment in quantities deemed hazardous by the authority having jurisdiction

Exception to (1): Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes.

### **35.3.3 Interior Finish.**

35.3.3.1 **General.** Interior finish shall be in accordance with Section 10.2.

35.3.3.2 **Interior Wall and Ceiling Finish.** Interior wall and ceiling finish materials complying with Section 10.2 shall be in accordance with the following:

- (1) Exit enclosures - Class A
- (2) Lobbies and corridors - Class B
- (3) Rooms and enclosed spaces - Class B

#### **35.3.3.3 Interior Floor Finish.**

35.3.3.3.1 Interior floor finish shall comply with Section 10.2.

35.3.3.3.2 Interior floor finish in exit enclosures and exit access corridors and spaces not separated from them by walls complying with 35.3.6 shall be not less than Class II.

35.3.3.3.3 Interior floor finish shall comply with 10.2.7.1 or 10.2.7.2, as applicable.

### **35.3.4 Detection, Alarm, and Communications Systems.**

35.3.4.1 **General.** A fire alarm system shall be provided in accordance with Section 9.6.

34.3.4.2 **Initiation.** The required fire alarm system shall be initiated by each of the following:

(1) Manual means in accordance with 9.6.2.

(2) Manual fire alarm box located at a convenient central control point under continuous supervision of responsible employees.

(3) Required automatic sprinkler system.

(4) Required smoke and heat detection systems, other than sleeping room smoke alarms.

35.3.4.3 **Annunciator Panel.** An annunciator panel, connected to the fire alarm system, shall be provided at a location readily accessible from the primary point of entry for emergency response personnel.

#### 35.3.4.4 **Notification**

35.3.4.4.1 **Occupant Notification.** Occupant notification shall be provided automatically, without delay, by internal audible alarm in accordance with 9.6.3.

35.3.4.4.2 **High-Rise Buildings.** High-rise buildings shall be provided with an approved emergency voice communication/alarm system in accordance with 11.8.4.

#### 35.3.4.5 \* **Emergency Forces Notification.**

35.3.4.5.1 Fire department notification shall be accomplished in accordance with 9.6.4.

35.3.4.5.2 Where the existing fire alarm system does not provide for automatic emergency forces notification in accordance with 9.6.4, provisions shall be made for the immediate notification of the public fire department by either telephone or other means, or, where there is no public fire department, notification shall be made to the private fire brigade.

35.3.4.5.3 Where a new fire alarm system is installed, or the existing fire alarm system is replaced, emergency forces notification shall be provided in accordance with 9.6.4.

#### 35.3.4.6 **Detection.**

35.3.4.6.1 **Smoke Alarms.** Smoke alarms shall be provided in accordance with 35.3.4.6.1.1, 35.3.4.6.1.2, or 35.3.4.6.1.3.

35.3.4.6.1.1 Each sleeping room shall be provided with an approved smoke alarm in accordance with 9.6.2.10 that is powered from the building electrical system.

35.3.4.6.1.2 Existing battery-powered smoke alarms, rather than building electrical service-powered smoke alarms, shall be accepted where, in the opinion of the authority having jurisdiction, the facility has demonstrated that testing, maintenance, and battery replacement programs ensure the reliability of power to the smoke alarms.

35.3.4.6.1.3 The provisions of 9.6.8.10.1 and 9.6.8.10.2.2 shall also apply.

#### 35.3.4.7 **Smoke Detection Systems.**

35.3.4.7.1 All living areas, as defined in 3.3.22.5, and all corridors shall be provided with smoke detectors that comply with NFPA 72, *National Fire Alarm and Signaling Code*, and are arranged to initiate an alarm that is audible in all sleeping areas, as modified by 35.3.4.7.2.

35.3.4.7.2 Smoke detection systems shall not be required in unenclosed corridors, passageways, balconies, colonnades, or other arrangements with one or more sides along the long dimension fully or extensively open to the exterior at all times.

### 35.3.5 Extinguishment Requirements.

35.3.5.1 \* General. Where an automatic sprinkler system is installed, for either total or partial building coverage, the system shall be installed in accordance with Section 9.7, as modified by 35.3.5.1.1.

35.3.5.1.1 In buildings four or fewer stories above grade plane, systems in accordance with NFPA 13R, *Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height*, shall be permitted.

35.3.5.1.1.1 The exemptions found in NFPA 13R for the sprinkling all closets and bathrooms regardless of size or construction shall not be applicable to assisted living community occupancies under this chapter.

35.3.5.2 **Impractical Evacuation Capability.** All facilities having impractical evacuation capability shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1) (full NFPA 13 System) or increase staffing to achieve evacuation of all residents to a point of safety within 13 minutes.

35.3.5.3 **High-Rise Buildings.** All high-rise buildings shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 35.3.5. Such systems shall initiate the fire alarm system in accordance with Section 9.6.

35.3.5.4 Attics shall be protected in accordance with 35.3.5.4.1 or 35.3.5.4.2

35.3.5.4.1 Where an automatic sprinkler system is installed, attics or areas within attics used for living purposes, storage, or fuel-fired equipment shall be protected with automatic sprinklers that are part of the required, approved automatic sprinkler system in accordance with 9.7.1.1.

35.3.5.4.2 Where an automatic sprinkler system is installed, attics not used for living purposes, storage, or fuel-fired equipment shall meet one of the following criteria:

(1) Attics shall be protected throughout by a heat detection system arranged to activate the building fire alarm system in accordance with Section 9.6.

(2) Attics shall be protected with automatic sprinklers that are part of the required, approved automatic sprinkler system in accordance with 9.7.1.1.

35.3.5.5 **Supervision.** Automatic sprinkler systems shall be supervised in accordance with Section 9.7.

35.3.5.6 **Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in accordance with 9.9.

### 35.3.6 Corridors and Separation of Sleeping Rooms.

35.3.6.1 Access shall be provided from every resident use area to not less than one means of egress that is separated from all other rooms or spaces by walls complying with 35.3.6.1.1, 35.3.6.1.3 or 35.3.6.1.4.

35.3.6.1.1 Sleeping rooms shall be separated from corridors, living areas, kitchens and all other areas by walls having a minimum 1/2-hour fire resistance rating.

35.3.6.1.2 Prompt evacuation capability facilities in buildings two or fewer stories in height, where not less than one required means of egress from each sleeping room provides a path of travel to the outside without traversing any corridor or other spaces exposed to unprotected vertical openings, living areas, and kitchens, shall not be required to comply with 35.3.6.1.1.

35.3.6.1.3 Rooms or spaces, other than sleeping rooms and hazardous areas, shall be separated from corridors by smoke partitions in accordance with Section 8.4, and the provisions of 8.4.3.5 shall not apply.

35.3.6.2 Except for Hazardous areas, in buildings protected throughout by an approved automatic sprinkler system in accordance with 9.7.1.1(1), walls may be smoke partitions in accordance with Section 8.4, and the provisions of 8.4.3.5 shall not apply.

35.3.6.3 Hazardous areas shall be separated from corridors in accordance with 35.3.2.

35.3.6.4 Doors in walls required by 35.3.6.1 or 35.3.6.2 shall comply with 35.3.6.4.1 or 35.3.6.4.2.

35.3.6.4.1 Doors shall have a minimum 20-minute fire protection rating.

35.3.6.4.2 Solid-bonded wood-core doors of not less than 1 3/4 in. (44 mm) thickness shall be permitted to continue in use.

35.3.6.5 Doors in walls required by 35.3.6.1 and 35.3.6.2 shall comply with 35.3.6.5.1 and 35.3.6.6.

35.3.6.5.1 Door-closing devices shall not be required on doors in corridor wall openings, other than those serving exit enclosures, smoke barriers, enclosures of vertical openings, and hazardous areas.

35.3.6.6 No louvers, transfer grilles, operable transoms, or other air passages, other than properly installed heating and utility installations, shall penetrate the walls or doors specified in 34.3.6.

**35.3.7 Subdivision of Building Spaces.** The requirements of 35.3.7.1 through 35.3.7.6 shall be met for all sleeping floors, unless otherwise permitted by 35.3.7.7.

35.3.7.1 Every sleeping room floor shall be divided into not less than two smoke compartments of approximately the same size, with smoke barriers in accordance with Section 8.5, unless otherwise indicated in 35.3.7.4, 35.3.7.5, and 35.3.7.6

35.3.7.1.1 Smoke barriers shall not be required in buildings having prompt or slow evacuation capability where each sleeping room is provided with exterior ways of exit access arranged in accordance with 7.5.3.

35.3.7.2 Each smoke compartment shall have an area not exceeding 22,500 ft<sup>2</sup> (2100 m<sup>2</sup>).

35.3.7.3 The travel distance from any point to reach a door in the required smoke barrier shall be limited to a distance of 200 ft. (61 m).

35.3.7.3.1 Additional smoke barriers shall be provided such that the travel distance from a sleeping room corridor door to a smoke barrier shall not exceed 150 ft. (46 m).

35.3.7.4 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy located above the assisted living community occupancy.

35.3.7.5 Smoke barriers shall not be required in areas that do not contain an assisted living community occupancy and that are separated from the assisted living community occupancy by a fire barrier complying with Section 8.3.

35.3.7.6 Smoke barriers shall not be required on stories that do not contain an assisted living community occupancy and that are more than one story below the assisted living community occupancy.

35.3.7.7 Smoke barriers shall not be required in open parking structures protected throughout by an approved, supervised automatic sprinkler system in accordance with 9.7.1.1(1).

35.3.7.8 Smoke barriers shall be constructed in accordance with Section 8.5 and shall have a minimum 1-hour fire resistance rating, unless they meet the requirement of 35.3.7.9 or 35.3.7.10.

35.3.7.9 Where an atrium is used, smoke barriers shall be permitted to terminate at an atrium wall constructed in accordance with 8.6.7(1)(c), in which case not less than two separate smoke compartments shall be provided on each floor.

35.3.7.10 Dampers shall not be required in duct penetrations of smoke barriers in fully ducted heating, ventilating, and air-conditioning systems.

35.3.7.11 Not less than 15 net ft<sup>2</sup> (1.4 net m<sup>2</sup>) per resident shall be provided within the aggregate area of corridors, lounge or dining areas, and other low hazard areas on each side of the smoke barrier.

35.3.7.12 On stories not housing residents, not less than 6 net ft<sup>2</sup> (0.56 net m<sup>2</sup>) per occupant shall be provided on each side of the smoke barrier for the total number of occupants in adjoining compartments.

35.3.7.13 Doors in smoke barriers shall be substantial doors, such as 1 3/4 in. (44 mm) thick, solid-bonded wood-core doors, or shall be of construction that resists fire for a minimum of 20 minutes.

35.3.7.14 Nonrated factory- or field-applied protective plates extending not more than 48 in. (1220 mm) above the bottom of the door shall be permitted.

35.3.7.15 Cross-corridor openings in smoke barriers shall be protected by a pair of swinging doors or a horizontal-sliding door complying with 7.2.1.14.

35.3.7.16 Swinging doors shall be arranged so that each door swings in a direction opposite from the other.

35.3.7.17 Doors in smoke barriers shall comply with 8.5.4 and shall be self-closing or automatic-closing in accordance with 7.2.1.8.

35.3.7.18 Vision panels consisting of fire-rated glazing or wired glass panels in approved frames shall be provided in each cross-corridor swinging door and in each cross-corridor horizontal-sliding door in a smoke barrier.

35.3.7.19 Rabbits, bevels, or astragals shall be required at the meeting edges, and stops shall be required at the head and sides of door frames in smoke barriers.

35.3.7.20 Positive latching hardware shall not be required.

35.3.7.21 Center mullions shall be prohibited.

35.3.8 \* **Cooking Facilities.** Cooking facilities, other than those within individual residential units, shall be protected in accordance with 9.2.3.

#### 35.3.9 **Standpipes.**

35.3.9.1 **General.** Where required, standpipe and hose systems shall be installed and maintained in accordance with 9.10.

35.3.9.2 **In High-Rise Buildings.** Class I standpipe systems shall be installed throughout all high-rise buildings.

35.3.9.3 **Roof Outlets.** Roof outlets shall not be required on roofs having a slope of 3 in 12 or greater.

#### 35.4 **Special Provisions.**

35.4.1 **High-Rise Buildings.** High-rise buildings shall comply with Section 11.8.



**35.5 Reserved.**

**35.6 Building Services.**

**35.6.1 Heating, Ventilating, and Air-Conditioning.**

35.6.1.1 Heating, ventilating, and air-conditioning equipment shall comply with Section 9.2.

35.6.1.2 No stove or combustion heater shall be located such that it blocks escape in case of fire caused by the malfunction of the stove or heater.

35.6.1.3 Unvented fuel-fired heaters shall not be used in any assisted living community occupancy.

35.6.3 Elevators, Dumbwaiters, and Vertical Conveyors. Elevators, dumbwaiters, and vertical conveyors shall comply with Section 9.4.

35.6.3.2 \* In high-rise buildings, one elevator shall be provided with a protected power supply and shall be available for use by the fire department in case of emergency.

**35.6.4 Rubbish Chutes, Incinerators, and Laundry Chutes.** Rubbish chutes, incinerators, and laundry chutes shall comply with Section 9.5.

**35.7 Operating Features.**

35.7.1 Emergency Planning and Preparedness. Assisted living community facilities shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, resident training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner. The provisions of this Section 35.7 shall be incorporated into the plans, training and safety practices developed by the facility.

**35.7.2 Emergency Plan.**

35.7.2.1 The administration of every residential assisted living community facility shall have, in effect and available to all supervisory personnel, written copies of a plan for protecting all persons in the event of fire, for keeping persons in place, for evacuating persons to areas of refuge, and for evacuating persons from the building when necessary.

35.7.2.2 The emergency plan shall include special staff response, including the fire protection procedures needed to ensure the safety of any resident, and shall be amended or revised whenever any resident with unusual needs is admitted to the home.

35.7.2.3 All employees shall be periodically instructed and kept informed with respect to their duties and responsibilities under the plan, and such instruction shall be reviewed by the staff not less than every 2 months.

35.7.2.4 A copy of the plan shall be readily available at all times within the facility.

**35.7.3 Resident Training.**

35.7.3.1 All residents participating in the emergency plan shall be trained in the proper actions to be taken in the event of fire.

35.7.3.2 The training required by 35.7.3.1 shall include actions to be taken if the primary escape route is blocked.

35.7.3.3 If the resident is given rehabilitation or habilitation training, training in fire prevention and the actions to be taken in the event of a fire shall be a part of the training program.

35.7.3.4 Residents shall be trained to assist each other in case of fire to the extent that their physical and mental abilities permit them to do so without additional personal risk.

**35.7.4 Emergency Egress and Relocation Drills.** Emergency egress and relocation drills shall be conducted in accordance with 35.7.4.1 through 35.7.4.6.

35.7.4.1 Emergency egress and relocation drills shall be conducted not less than once per quarter on each shift at alternating times. It is intended that staff and residents be trained and drilled based on fire and other emergencies that may occur during the periods of lowest staffing levels. This may require more than one drill per quarter on shifts with the lowest staffing levels."

35.7.4.2 The emergency drills shall be permitted to be announced to the residents in advance.

35.7.4.3 The drills shall involve the training of residents for the eventual actual evacuation of all residents to an assembly point, as specified in the emergency plan, and shall provide residents with experience in egressing through all exits and means of escape required by this *Code*.

35.7.4.3.1. The assembly point shall be a place outside of the building and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations. A refuge area within a smoke compartment in buildings separated by smoke barriers shall be considered a temporary assembly point as part of a staged evacuation.

35.7.4.3.2. Buildings with smoke compartments shall be allowed to train residents to temporarily escape in a staged evacuation to another smoke compartment separated by smoke barriers. Residents shall be allowed to complete the training exercise on the other side of an adjacent smoke barrier. Residents shall still be trained to eventually complete building evacuation during an actual emergency evacuation. Residents shall be required to participate in one emergency egress and relocation drill per year where they continue to an assembly point outside of the building.

35.7.4.3.3. Residents, as a group, shall be required to complete the evacuation drill to an exit or across a smoke barrier in less than 13 minutes or shall be required to change its group evacuation capability and comply with Section 35.1.8.

35.7.4.4 Exits and means of escape not used in any drill shall not be credited in meeting the requirements of this *Code* for assisted living community facilities.

35.7.4.5 Actual exiting from windows shall not be required to comply with 35.7.3; opening the window and signaling for help shall be an acceptable alternative.

35.7.4.6 If the assisted living community facility has an evacuation capability classification of impractical, those residents who cannot meaningfully assist in their own evacuation or who have special health problems shall not be required to actively participate in the drill.

#### **35.7.5 Smoking.**

35.7.5.1 \* Smoking regulations shall be adopted by the administration of assisted living community occupancies.

35.7.5.2 Where smoking is permitted, noncombustible safety-type ashtrays or receptacles shall be provided in convenient locations.

#### **35.7.6 \* Furnishings, Mattresses, and Decorations.**

35.7.6.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations shall comply with 35.7.6.1.1 and 35.7.6.1.2.

35.7.6.1.1 New draperies, curtains, and other similar loosely hanging furnishings and decorations in assisted living community facilities shall be in accordance with the provisions of 10.3.1, unless otherwise permitted by 35.7.6.1.2.

35.7.6.1.2 In other than common areas, new draperies, curtains, and other similar loosely hanging furnishings and decorations shall not be required to comply with 35.7.6.1.1 where the building is protected throughout by an approved automatic sprinkler system installed in accordance with 35.3.6.

35.7.6.2 \* New upholstered furniture within assisted living community facilities shall comply with 35.7.6.2.1 or 35.7.6.2.2.

35.7.6.2.1 New upholstered furniture shall be tested in accordance with the provisions of 10.3.2.1(1) and 10.3.3.

35.7.6.2.2 Upholstered furniture belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

35.7.6.3 \* Newly introduced mattresses within assisted living community facilities shall comply with 35.7.6.3.1 or 35.7.6.3.2.

35.7.6.3.1 Newly introduced mattresses shall be tested in accordance with the provisions of 10.3.2.2 and 10.3.4.

35.7.6.3.2 Mattresses belonging to residents in sleeping rooms shall not be required to be tested, provided that a smoke alarm is installed in such rooms; battery-powered single-station smoke alarms shall be permitted in such rooms.

35.7.7 **Staff.** Staff shall be on duty and in the facility at all times when residents requiring evacuation assistance are present.

35.7.8 **Inspection of Door Openings.** Door assemblies for which the door leaf is required to swing in the direction of egress travel shall be inspected and tested not less than annually in accordance with 7.2.1.15."

(ff) **Modification to Chapter 36:**

1. Add a new subparagraph 36.3.2.1.3 to read as follows:

36.3.2.1.3 "Rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input shall not be subject to the provisions of 36.3.2.1. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

2. Add a new subparagraph 36.3.5.1.1. to read as follows:

36.3.5.1.1 "Individual tenant spaces located in covered mall buildings shall be provided with electrically supervised control valves. Such control valves shall be located off supply mains to control each individual tenant space.

36.3.5.1.1.1 Multiple tenant spaces shall be permitted to be controlled by one control valve provided the total area covered by the single valve does not exceed 7,500 square feet (696.8 sq. m)."

3. Delete subparagraph 36.4.5.6 in its entirety and substitute in its place the following:

36.4.5.6 **"Emergency Planning and Preparedness.** Bulk merchandising and mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

4. Delete subsections 36.7.1, 36.7.2, 36.7.3, and 36.7.4 in their entirety and substitute in their place the following:

**36.7.1 "Emergency Planning and Preparedness.** Mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

**36.7.2 Food Service Operations.** Food service operations shall comply with 12.7.2

**36.7.3 Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

**36.7.4 Soiled Linen and Trash Receptacles.** The requirements of 10.3.9 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(gg) Modification to Chapter 37:

1. Add a new subparagraph 37.3.2.1.3 to read as follows:

37.3.2.1.3 "The provisions of 37.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

2. Delete subsections 37.7.1, 37.7.2, 37.7.3, and 37.7.4 in their entirety and substitute in their place the following:

**37.7.1 "Emergency Planning and Preparedness.** Mercantile occupancies (Group M) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

**37.7.2 Food Service Operations.** Food service operations shall comply with 12.7.2

**37.7.3 Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

**37.7.4 Soiled Linen and Trash Receptacles.** The requirements of 10.3.8 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(hh) Modification to Chapter 38:

1. Delete subparagraph 38.2.2.2.6 in its entirety and substitute in its place the following:

38.2.2.2.6 "Delayed egress locks complying with 7.2.1.6.1 shall be permitted, provided, however, not more than one such device shall be permitted in the means of egress path involved."

2. Delete subparagraph 38.2.2.2.7 in its entirety and substitute in its place the following:

38.2.2.2.7 "Access-controlled egress doors complying with 7.2.1.6.2 shall be permitted. For elevator lobby exit access doors see 38.2.2.2.3 and 7.2.1.6.3 (14)."

3. Add a new subparagraph 38.3.2.1.1 to read as follows:

38.3.2.1.1 "The provisions of 38.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

4. Delete subsections 38.7.1, 38.7.2, 38.7.3, and 38.7.4 in their entirety and substitute in their place the following:

**38.7.1 "Emergency Planning and Preparedness.** Business occupancies (Group B) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

**38.7.2 Food Service Operations.** Food service operations shall comply with 12.7.2

**38.7.3 Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

**38.7.4 Soiled Linen and Trash Receptacles.** The requirements of 10.3.8 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(ii) **Modification to Chapter 39:**

1. Add a new subparagraph 39.3.2.1.1 to read as follows:

39.3.2.1.1 "The provisions of 39.3.2.1 shall not apply to rooms enclosing air handling equipment, compressor equipment, furnaces or other heating equipment with a total aggregate input rating less than 200,000 BTU input. Such rooms shall not be used for any combustible storage. A minimum of 30 inches (0.76 m) unobstructed access shall be provided and maintained to equipment and electrical or emergency control panels or devices for emergency response purposes."

2. Delete subsections 39.7.1, 39.7.2, 39.7.3, and 39.7.4 in their entirety and substitute in their place the following:

**39.7.1 "Emergency Planning and Preparedness.** Business occupancies (Group B) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner.

**39.7.2 Food Service Operations.** Food service operations shall comply with 12.7.2

**39.7.3 Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in mercantile occupancies.

**39.7.4 Soiled Linen and Trash Receptacles.** The requirements of 10.3.8 of this *Code* for containers for rubbish, waste, or linen with a capacity of 20 gal (75.7 L) or more shall not apply."

(jj) **Modification to Chapter 40:**

1. Delete subsection 40.3.5 in its entirety and insert in its place the following: "40.3.5 Extinguishment Requirements.

**40.3.5.1 Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all industrial occupancies classified as Group F and/or Group H occupancies as in the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, on each floor in accordance with 9.9 of this *Code*.

**40.3.5.2 Automatic fire suppression systems.** Automatic fire suppression systems shall be installed in industrial occupancies as required by the *International Building Code*, adopted by the Georgia Department of Community Affairs, with regard to construction type, area and height requirements, and other features as set forth in Table 1.4.4, **CODES REFERENCE GUIDE**. In addition, automatic fire suppression systems, and/or specialized automatic fire suppression systems, as required by the fire code authority having jurisdiction in accordance with the *International Fire Code* or other codes and standards adopted by the Georgia Safety Fire Commissioner, shall be installed and maintained in accordance with the provisions of the applicable codes and standards."

2. Delete subsections 40.7.1 in its entirety and substitute in its place the following:

**40.7.1 Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in industrial occupancies.

3. Add new section 40.8 to read as follows: "40.8 Emergency Planning and Preparedness.

**40.8.1 Emergency Planning and Preparedness.** Industrial occupancies otherwise classified under Group F and/or Group H in the *International Fire Code*, shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

**40.8.2 Employee Training and Response Procedures.** Employees in the occupancies listed in Section 404.2 of the *International Fire Code* as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner, shall be trained in the fire emergency procedures described in their fire evacuation and life safety plans. Training shall be based on these plans and as described in Section 404.3 of the noted *International Fire Code*."

**(kk) Modification to Chapter 42:**

1. Delete subsection 42.3.5 in its entirety and substitute in its place the following: "42.3.5 Extinguishment Requirements.

**42.3.5.1 Portable Fire Extinguishers.** Portable fire extinguishers shall be provided in all storage occupancies in accordance with 9.9.

**42.3.5.2 Automatic fire suppression systems.** Automatic fire suppression systems shall be installed in storage occupancies as required by the *International Building Code*, adopted by the Georgia Department of Community Affairs, with regard to construction type, area and height requirements, and other features as set forth in **Table 1.4.4, CODES REFERENCE GUIDE**. In addition, automatic fire suppression systems, and/or specialized automatic fire suppression systems, as required by the fire code authority having jurisdiction in accordance with the *International Fire Code* or other codes and standards adopted by the Georgia Safety Fire Commissioner, shall be installed and maintained in accordance with the provisions of the applicable codes and standards."

2. Delete subsections 42.9.1 in its entirety and substitute in its place the following:

**42.9.1 "Upholstered Furniture and Mattresses.** The provisions of 10.3.2 of this *Code* and Section 805 of the *International Fire Code* shall not apply to upholstered furniture and mattresses in storage occupancies.

3. Add a new section 42.10 to read as follows: "42.10 Emergency Planning and Preparedness.

**42.10.1 Emergency Planning and Preparedness.** Storage occupancies (Group S) and High Hazard occupancies (Group H) shall develop policies, procedures, plans, staff training, and safety practices for the protection of life prior to and during an emergency condition. Such policies, procedures, plans, staff training, and safety practices shall be

developed and implemented in accordance with applicable provisions of Chapter 4 of the *International Fire Code*, as adopted by the Rules and Regulations of the Safety Fire Commissioner."

**(ll) Modifications to Chapter 43:**

1. Add a new subparagraph 43.1.4.5.1 to read as follows:

43.1.4.5.1 "The provisions of 43.1.4.5 shall specifically apply to compliance with the *International Fire Code (IFC)* and other codes and standards promulgated and adopted with modifications by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner. Accessibility issues shall be addressed in accordance with Chapter 120-3-20 of the Rules and Regulations of the Safety Fire Commissioner. Where any of the provisions of this *Code* chapter require compliance with a building code, it shall be construed that compliance is required as applicable with the *International Building Code (IBC)*, as adopted by the Georgia Board of Community Affairs. Also, refer to [120-3-3-.01](#), [120-3-3-.02](#), [120-3-3-.03](#), and [120-3-3-.04\(1\)](#) of Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner.

2. Add a new paragraph 43.7.2.6 to read as follows:

43.7.2.6 "The provisions of 43.7.2.4 and 43.7.2.5 shall be permitted to be modified by the authority having jurisdiction provided the intents and purposes of 102.3, 102.4, and 102.6 of the *International Fire Code (IFC)*, as adopted by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner are met."

3. Delete subsections 43.10.1 and 43.10.2 in their entirety and substitute in their place the following:

43.10.1 "**General Requirements.** Table 43.7.3 Hazard Categories and Classifications in 43.7.3 of this *Code* may be utilized as may be deemed appropriate by the authority having jurisdiction in the evaluation of historic buildings.

43.10.2 **Application.** The provisions of Chapter 43 shall be deemed as advisory and may be applied to buildings designated as historic to the degree deemed appropriate by the authority having jurisdiction, provided, however, the application of Chapter 43 and 43.10 provisions shall be coordinated as needed to ensure compliance with the requirements, intents, and purposes of 103.3, 102.4, and 102.6 of the *International Fire Code (IFC)* as adopted with modifications by Chapter 120-3-3 of the Rules and Regulations of the Safety Fire Commissioner are met."

**(mm) Modifications to Annex A:**

Add a new (4) to A.3.3.196.7 to read as follows:

(4) "Assisted Living Communities"

Delete (5) from A.3.3.196.12 in its entirety and substitute in its place the following:

(5) "Community Living Arrangements with five or more residents"

3. Delete (1) from A.3.3.196.13 in its entirety and substitute in its place the following:

(1) "One- and two-family dwellings and Community Living Arrangements with fewer than five residents (Chapter 24)"

4. Add a new (4) to A.6.1.5.1 to read as follows:

(4) "Assisted Living Communities"

5. Delete (5) from A.6.1.9.1 in its entirety and substitute in its place the following:"

(5) Community Living Arrangements with five or more residents"

**(73) NFPA 101A, 2013 Edition, *Guide on Alternative Approaches to Life Safety***

Modifications:

**(a) Modifications to Chapter 1:**

1. Add a new Section 1.4 to read as follows:

1.4 "This document is recognized strictly as a guide that may be used in evaluating systems or methods to determine equivalent compliance alternatives for buildings, structures and facilities which do not conform to the minimum requirements of the LSC adopted by this Chapter. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards including the *IFC* adopted by this Chapter."

**(74) NFPA 102, 2016 Edition, *Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures***

Modifications:

1. The 2016 edition of NFPA 102 is **NOT** adopted. The basic provisions of this standard have been incorporated into the 2018 Edition of NFPA 101, *Life Safety Code* as adopted by this Chapter 120-3-3. The provisions of the adopted *Life Safety Code* shall apply, as appropriate, to new and existing bleachers, grandstands, folding and telescopic seating. The *Life Safety Code* in coordination with the applicable provisions of the adopted edition of the *International Fire Code* shall apply to tents and membrane structures.

2. The following apply to facilities constructed prior to the effective date of the current Chapter of 120-3-3 Rules and regulations of the Safety Fire Commissioner.

(a) Facilities constructed after April 1, 1968 but before January 1, 1991, shall be permitted to comply with the 1978 edition of NFPA 102, Standard for Grandstands, Folding, and Telescopic Seating, Tents, and Membrane Structures.

(b) Facilities constructed after January 1, 1991, but before January 28, 1993, shall be permitted to comply with the 1986 edition of NFPA 102, Standard for Grandstands, Folding, and Telescopic Seating, Tents, and Membrane Structures.

(c) Facilities constructed after January 28, 1993, but before March 09, 2010, shall be permitted to comply with the 1992 edition of NFPA 102, Standard for Grandstands, Folding, and Telescopic Seating, Tents, and Membrane Structures.

(d) Facilities constructed after March 09, 2010, but before January 1, 2014, shall be permitted to comply with the 2006 edition of NFPA 102, which had been previously adopted."

**(75) NFPA 105, 2019 Edition, *Smoke Door Assemblies and Other Opening Protectives***

Modifications:

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.6 to read as follows:

1.6 "This document is recognized strictly as a recommended practice that may be used in evaluating the use of door assemblies in openings where the passage of smoke is to be governed. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."



**(76) NFPA 110, 2019 Edition, *Standard for Emergency and Standby Power Systems***

Modifications: None

**(77) NFPA 111, 2019 Edition, *Standard on Stored Electrical Energy Emergency and Standby Power Systems***

Modifications: None

**(78) NFPA 115, 2020 Edition, *Recommended Practice on Laser Fire Protection***

Modifications:

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice that may be used in evaluating the minimum fire protection criteria for the design, manufacture, installation, and use of lasers and associated equipment. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

**(79) NFPA 120, 2015 Edition, *Standard for Coal Preparation Plants***

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

**(80) NFPA 122, 2015 Edition, *Standard for Fire Prevention and Control in Metal / Nonmetal Mining and Metal Mineral Processing facilities***

Modifications: None

**(81) NFPA 130, 2017 Edition, *Standard for Fixed Guideway Transit and Passenger Rail Systems***

Modifications: None

**(82) NFPA 140, 2018 Edition, *Standard for Motion Picture and Television Production Studio Soundstages and Approved Facilities***

Modifications: None

**(83) NFPA 150, 2019 Edition, *Standard on Fire and Life Safety in Animal Housing Facilities***

Modifications: None

**(84) NFPA 160, 2016 Edition, *Standard for Flame Effects Before an Audience***

Modifications: None

**(85) NFPA 170, 2018 Edition, *Standard for Fire Safety Symbols***

Modifications: None

**(86) NFPA 204, 2018 Edition, *Standard for Smoke and Heat Venting***

Modifications: None

**(87) NFPA 211, 2019 Edition, *Standard for Chimneys, Fireplaces, Vents, and Solid Fuel Burning Appliances***

Modifications: None

**(88) NFPA 214, 2016 Edition, *Standard on Water-Cooling Towers***

Modifications: None

**(89) NFPA 220, 2018 Edition, *Standard on Types of Building Construction***

Modifications: None

**(90) NFPA 221, 2018 Edition, *Standard for Fire Walls and Fire Barrier Walls***

Modifications: None

**(91) NFPA 232, 2017 Edition, *Standard for the Protection of Records***

Modifications: None

**(92) NFPA 241, 2019 Edition, *Standard for Safeguarding Construction, Alteration, and Demolition Operations***

Modifications: None

**(93) NFPA 252, 2017 Edition, *Standard Methods of Fire Tests of Door Assemblies***

Modifications: None

**(94) NFPA 253, 2019 Edition, *Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source***

Modifications: None

**(95) NFPA 257, 2017 Edition, *Standard on Fire Test for Window and Glass Block Assemblies***

Modifications: None

**(96) NFPA 259, 2018 Edition, *Standard Test Method for Potential Heat of Building Materials***

Modifications: None

**(97) NFPA 260, 2019 Edition, *Standard Methods of Tests and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture***

Modifications: None

**(98) NFPA 261, 2018 Edition, *Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes***

Modifications: None

**(99) NFPA 262, 2019 Edition, *Standard Method of Test for Flame Travel and Smoke of Wires and Cables for Use in Air-Handling Spaces***

Modifications: None

**(100) NFPA 265, 2019 Edition, *Standard Methods of Fire Tests for Evaluating Room Fire Growth Contribution of Textile Coverings on Full Height Panels and Walls***

Modifications: None

**(101) NFPA 268, 2017 Edition, *Standard Test Method for Determining Ignitability of Exterior Wall Assemblies Using a Radiant Heat Energy Source***

Modifications: None

**(102) NFPA 269, 2017 Edition, *Standard Test Method for Developing Toxic Potency Data for Use in Fire Hazard Modeling***

Modifications: None

**(103) NFPA 270, 2018 Edition, *Standard Method of Test for Measurement of Smoke Obstruction Using a Conical Radiant Source in a Single Closed Chamber***

Modifications: None

**(104) NFPA 274, 2018 Edition, *Standard Test Method to Evaluate Fire Performance Characteristics of Pipe Insulation***

Modifications: None

**(105) NFPA 275, 2017 Edition, *Standard Test Method of Fire Tests for the Evaluation of Thermal Barriers Used Over Foam Plastic Insulation***

Modifications: None

**(106) NFPA 276, 2019 Edition, *Standard Method of Fire Test for Determining the Heat Release Rate of Roofing Assemblies with Combustible Above-Deck Roofing Components***

Modifications: None

**(107) NFPA 285, 2019 Edition, *Standard Method of Test for the Evaluation of Flammability Characteristics of Exterior Non-Load-Bearing Wall Assemblies Containing Combustible Components Using the Intermediate-Scale, Multistory Test Apparatus***

Modifications: None

**(108) NFPA 286, 2019 Edition, *Standard Method of Fire Tests for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth***

Modifications: None

**(109) NFPA 287, 2017 Edition, *Standard Methods for Measurement of Flammability of Materials in Cleanrooms Using a Fire Propagation Apparatus (FPA)***

Modifications: None

**(110) NFPA 288, 2017 Edition, *Standard Methods of Fire Tests of Floor Fire Door Assemblies Installed Horizontally in Fire Resistance-Rated Floor Systems***

Modifications: None

**(111) NFPA 289, 2019 Edition, *Standard Method of Fire Test for Individual Fuel Packages***

Modifications: None

**(112) NFPA 291, 2018 Edition, *Recommended Practice for Fire Flow Testing and Marking of Hydrants***

*Modifications:*

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly as a recommended practice that may be used in evaluating the design of facilities for the emergency venting of products of combustion. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

**(113) NFPA 302, 2015 Edition, *Fire Protection Standard for Pleasure and Commercial Motor Craft***

Modifications: None

**(114) NFPA 303, 2016 Edition, *Fire Protection Standard for Marinas and Boatyards***

Modifications: None

**(115) NFPA 306, 2019 Edition, *Standard for the Control of Gas Hazards on Vessels***

Modifications: None

**(116) NFPA 307, 2016 Edition, *Standard for the Construction and Fire Protection of Marine Terminals, Piers, and Wharves***

Modifications: None

**(117) NFPA 312, 2016 Edition, *Standard for Fire Protection of Vessels During Construction, Repair, and Lay-Up***

Modifications: None

**(118) NFPA 318, 2018 Edition, *Standard for the Protection of Semiconductor Fabrication Facilities***

Modifications: None

**(119) NFPA 326, 2020 Edition, *Standard for the Safeguarding of Tanks and Containers for Entry, Cleaning or Repair***

Modifications:

(a) Refer to Chapter 120-3-11, Rules of the Safety Fire Commissioner, for the adopted edition and any modifications.

**(120) NFPA 329, 2020 Edition, *Recommended Practice for Handling Releases of Flammable and Combustible Liquids and Gases***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(121) NFPA 385, 2017 Edition, *Standard for Tank Vehicles for Flammable and Combustible Liquids***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.

**(122) NFPA 400, 2019 Edition, *Hazardous Materials Code***

Modifications: None

**(123) NFPA 407, 2017 Edition, *Standard for Aircraft Fuel Servicing***

Modifications:

(a) Refer to Chapter 120-3-11, Rules and Regulations of the Safety Fire Commissioner, for the adopted edition and any modifications.

**(124) NFPA 408, 2017 Edition, *Standard for Aircraft Hand Portable Fire Extinguishers***

Modifications: None

**(125) NFPA 409, 2016 Edition, *Standard on Aircraft Hangars***

Modifications: None

**(126) NFPA 410, 2020 Edition, *Standard on Aircraft Maintenance***

Modifications: None

**(127) NFPA 415, 2016 Edition, *Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways***

Modifications: None

**(128) NFPA 418, 2016 Edition, *Standard for Heliports***

Modifications: None

**(129) NFPA 423, 2016 Edition, *Standard for Construction and Protection of Aircraft Engine Test Facilities***

Modifications: None

**(130) NFPA 424, 2018 Edition, *Guide for Airport / Community Emergency Planning***

Modifications:

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly as a guide to provide information for the elements of an airport/community emergency plan. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

**(131) NFPA 484, 2019 Edition, *Standard for Combustible Metals***

Modifications:

(1) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this standard and the adopted edition and any modifications.

**(132) NFPA 495, 2018 Edition, *Explosive Materials Code***

Modifications:

(1) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(133) NFPA 496, 2017 Edition, *Standard for Purged and Pressurized Enclosures for Electrical Equipment***

Modifications:

(1) Refer to Chapter 120-3-10, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(134) NFPA 497, 2017 Edition, *Recommended Practice for the Classification of Flammable Liquids, Gases, or Vapors and of Hazardous (Classified) Locations for Electrical Installations in Chemical Process Areas***

Modifications:

**(a) Modifications to Chapter 1:**

1. Add a new paragraph 1.1.6 to read as follows:

1.1.6 "This document is recognized strictly as a recommended practice for locations where flammable gases or vapors, flammable liquids, or combustible liquids are processed or handled and where their release into the atmosphere may result in their ignition by electrical systems or equipment. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

**(135) NFPA 498, 2018 Edition, *Standard for Safe Havens and Interchange Lots for Vehicles Transporting Explosives***

Modifications:

(a) Refer to Chapter 120-3-10, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(136) NFPA 501A, 2017 Edition, *Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities***

Modifications: None

(137) **NFPA 502, 2017 Edition, *Standard for Road Tunnels, Bridges, and Other Limited Access Highways***

Modifications:

(a) **Modifications to Chapter 1:**

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 "This document is recognized strictly as a recommended practice for the evaluation of the design, construction, operation, maintenance, and fire protection of limited access highways, tunnels, bridges, elevated roadways, depressed roadways and air-right structures. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(138) **NFPA 505, 2018 Edition, *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operations***

Modifications: None

(139) **NFPA 520, 2016 Edition, *Standard on Subterranean Spaces***

Modifications: None

(140) **NFPA 551, 2019 Edition, *Standard on Evaluation of Fire Risk Assessments***

Modifications: None

(141) **NFPA 555, 2017 Edition, *Guide on Methods for Evaluating Potential for Room Flashover***

Modifications:

(a) **Modifications to Chapter 1:**

1. Add a new paragraph 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly a guide for evaluating the potential for room flashover from fire involving the contents, furnishings, and the interior finish of a room. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

(142) **NFPA 557, 2020 Edition, *Standard for Determination of Fire Loads for Use in Structural Fire Protection Design***

Modifications: None

(143) **NFPA 600, 2015 Edition, *Standard on Industrial Fire Brigades***

Modifications:

(a)

**Modifications to Chapter 1:**

1. Delete subsection 1.1.3 in its entirety and substitute in its place the following:

1.1.3 "This document is recognized as a recommended practice for the establishment of the minimum requirements for organizing, operating, training and equipping industrial fire brigades. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

**(144) NFPA 652, 2019 Edition, *Standard on Fundamentals of Combustible Dust***

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

**(145) NFPA 654, 2017 Edition, *Standard for the Prevention of Fire and Dust Explosions from Manufacturing, Processing, and Handling of Combustible Particulate Solids***

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

**(146) NFPA 655, 2017 Edition, *Standard for Prevention of Sulfur Fires and Explosions***

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications.

**(147) NFPA 664, 2017 Edition, *Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities***

Modifications:

(a) Refer to Chapter 120-3-24, Rules and Regulations of the Safety Fire Commissioner for the application of this Standard and the adopted edition and any modifications if Standard industry code is specified in paragraph 1(b) of rule [120-3-24-.02](#). All other applications shall be as specified in the 2007 edition of this standard without modification.

**(148) NFPA 701, 2019 Edition, *Standard Methods of Fire Tests for Flame Propagation of Textiles and Films***

Modifications: None

**(149) NFPA 703, 2018 Edition, *Standard for Fire-Retardant-Treated Impregnated Wood and Fire-Retardant Coatings for Building Materials***

Modifications: None

**(150) NFPA 704, 2017 Edition, *Standard System for the Identification of the Hazards of Materials for Emergency Response***

Modifications: None

**(151) NFPA 705, 2018 Edition, *Recommended Practice for a Field Flame Test for Textiles and Films***



Modifications: None

**(152) NFPA 720, 2015 Edition, *Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment***

Modifications: None

**(153) NFPA 750, 2019 Edition, *Standard on Water Mist Fire Protection Systems***

Modifications: None

**(154) NFPA 780, 2020 Edition, *Standard for the Installation of Lightning Protection Systems***

Modifications: None

**(155) NFPA 790, 2018 Edition, *Standard for Competency of Third Party Field Evaluation Bodies***

Modifications: None

**(156) NFPA 791, 2018 Edition, *Recommended Practice and Procedures for Unlabeled Electrical Equipment Evaluation***

Modifications: None

**(157) NFPA 801, 2014 Edition, *Standard for Fire Protection for Facilities Handling Radioactive Materials***

Modifications: None

**(158) NFPA 804, 2015 Edition, *Standard for Fire Protection for Advanced Light Water Reactor Electric Generating Plants***

Modifications: None

**(159) NFPA 805, 2015 Edition, *Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants***

Modifications: None

**(160) NFPA 806, 2015 Edition, *Performance-Based Standard for Fire Protection for Advanced Nuclear Reactor Electric Generating Plants Change Process***

Modifications: None

**(161) NFPA 820, 2020 Edition, *Standard for Fire Protection in Wastewater Treatment and Collection Facilities***

Modifications: None

**(162) NFPA 850, 2015 Edition, *Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations***

Modifications:

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly a recommended practice for fire prevention and fire protection for electric generating plants and high voltage direct current converter stations except as specified in 1.1. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

**(163) NFPA 851, 2010 Edition, *Recommended Practice for Fire Protection for Hydroelectric Generating Plants***

*Modifications:*

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 "This document is recognized strictly a recommended practice for fire prevention and fire protection for hydroelectric generating plants. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is not in the form of a stand-alone enforceable code or standard, however, it may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards."

**(164) NFPA 853, *Standard for the Installation of Stationary Fuel Cell Power Systems*, 2020 Edition**

**(a) Modifications to Chapter 1:**

1. Add new subsection 1.1.3 to read as follows:

1.1.3 Where the requirements of this standard are in conflict with the International Building Code as adopted by the Georgia Department of Community Affairs or the International Fire Code as adopted and modified by this Chapter, the most restrictive requirements shall apply unless otherwise approved by the State Fire Marshal.

**(165) NFPA 855, *Standard for Installation for Stationary Energy Storage Systems*, 2020 Edition**

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.1 to read as follows:

1.1.1 Where the requirements of this standard are in conflict with the International Building Code as adopted by the Georgia Department of Community Affairs or the International Fire Code as adopted and modified by this Chapter, the most restrictive requirements shall apply unless otherwise approved by the State Fire Marshal.

**(166) NFPA 909, 2017 Edition, *Code for the Protection of Cultural Resource Properties - Museums, Libraries, and Places of Worship***

*Modifications:*

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.5 to read as follows:

1.1.5 "This document is recognized strictly as a recommended practice for fire prevention and fire protection for various cultural resources. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is in the form of a stand-alone enforceable code or standard, however, it is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance."

**(b) Modification to Chapter 3:**

1. Delete the definition 3.3.25 for Fire Hazard and substitute in its place the following:

3.3.25 " "Fire Hazard" means for the intents and purposes of this *Code*, an activity, circumstance, condition, situation, combination of materials, material process, use or improper use of heat sources, or that on the basis of applicable documentation, data, or information sources deemed reliable by the authority having jurisdiction, can cause an unwanted fire, a fire out of control, an explosion, or a related condition, such as panic from a fear of smoke, fire, or explosion, that the authority having jurisdiction determines to be a risk to persons, to property, or to the health, safety, and or welfare of the jurisdiction."

**(167) NFPA 914, 2019 Edition, *Code for Fire Protection of Historic Structures***

Modifications:

**(a) Modifications to Chapter 1:**

1. Add a new subsection 1.1.3 to read as follows:

1.1.3 "This document is recognized strictly as a recommended practice for fire prevention and fire protection of historic structures. Recommendations may be based on the document where deemed appropriate by the authority having jurisdiction. The document is in the form of a stand-alone enforceable code or standard, however, it is not adopted as a minimum state code or standard. It may be used in conjunction with and in the support of applicable provisions of other adopted codes or standards, or it may be adopted and enforced by a local jurisdiction under local ordinance."

**(b) Modifications to Chapter 3:**

1. Delete the definition 3.3.30 for Fire Hazard and substitute in its place the following:

3.3.30 " "Fire Hazard" means for the intents and purposes of this *Code*, an activity, circumstance, condition, situation, combination of materials, material process, use or improper use of heat sources, or that on the basis of applicable documentation, data, or information sources deemed reliable by the authority having jurisdiction, can cause an unwanted fire, a fire out of control, an explosion, or a related condition, such as panic from a fear of smoke, fire, or explosion, that the authority having jurisdiction determines to be a risk to persons, to property, or to the health, safety, and or welfare of the jurisdiction."

**(168) NFPA 1122, 2018 Edition, *Code for Model Rocketry***

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(169) NFPA 1123, 2018 Edition, *Code for Fireworks Display***

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(170) NFPA 1124, *Code for the Manufacture, Transportation, Storage and Retail Sales of Fireworks and Pyrotechnic Articles***

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(171) NFPA 1125, 2017 Edition, *Code for the Manufacture of Model Rocket and High Power Rocket Motors***

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(172) NFPA 1126, 2016 Edition, *Standard for the Use of Pyrotechnics before a Proximate Audience***

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(173) NFPA 1127, 2018 Edition, *Code for High-Power Rocketry***

Modifications:

(a) Refer to Chapter 120-3-22, Rules and Regulations of the Safety Fire Commissioner, for adopted edition and any modifications.

**(174) NFPA 1142, 2017 Edition, *Standard on Water Supplies for Suburban and Rural Fire Fighting***

Modifications: None

**(175) NFPA 1221, 2019 Edition, *Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems***

Modifications: None

**(176) NFPA 1961, 2013 Edition, *Standard on Fire Hose***

Modifications: None

**(177) NFPA 1962, 2018 Edition, *Standard for the Inspection, Care, and Use of Fire Hose, Couplings, and Nozzles and the Service Testing of Fire Hose***

Modifications: None

**(178) NFPA 1963, 2019 Edition, *Standard for Fire Hose Connections***

Modifications: None

**(179) NFPA 2001, 2018 Edition, *Standard on Clean Agent Fire Extinguishing Systems***

Modifications:

**(a) Modification to Chapter 8:**

1. Delete subsection 8.1.2 in its entirety and substitute in its place the following:

8.1.2 "All persons who could be expected to inspect, test, or maintain, fire extinguishing systems shall be licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated and thoroughly trained and kept thoroughly trained in the functions they are expected to perform."

2. Delete subsection 8.4 in its entirety and substitute in its place the following:

8.4 "At least annually, all systems shall be thoroughly inspected and tested for proper operation by personnel qualified in the installation and testing of clean agent extinguishing systems and licensed and/or permitted in accordance with Chapter 12 of Title 25 of the Official Code of Georgia Annotated. Discharge tests shall not be required."

(180) **NFPA 2010, 2015 Edition, *Fixed Aerosol Fire Extinguishing Systems***

Modifications: None

(181) ***International Wildland-Urban Interface Code (IWUIC)*, 2012 Edition**

Modifications:

(a) **Modifications to Chapter 1:**

1. Delete section 101.1 in its entirety and substitute in its place the following:

101.1 "**Title.** The *International Fire Code*, 2012 edition, published by the *International Code Council*, shall be known as a *Georgia State Wildland-Urban Interface Code*, hereafter referred to as "this *Code*"."

2. Delete section 101.2 in its entirety and substitute in its place the following:

101.2 "**Scope.** The provisions of this *Code* shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises within the wildland-urban interface areas designated by local jurisdictions by ordinance." (Note: See sample Ordinance on page xi of this *Code* for application and designated fire area.)

Buildings or conditions in existence at the time of the adoption of this *Code* are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this *Code*, provided such continued use does not constitute a distinct danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this *Code* for new buildings or structures.

101.2.1 **Appendices.** Provisions in the appendices shall not apply unless specifically adopted by local ordinance."

**Cite as** Ga. Comp. R. & Regs. R. 120-3-3-.04

**AUTHORITY:** O.C.G.A. § 25-2-4.

**HISTORY:** Original Rule entitled "Notes" adopted. F. Feb. 8, 1979; eff. Mar. 1, 1979, as specified by the Agency.

**Repealed:** New Rule entitled "Request for Modification of Specific Requirements" adopted. F. Nov. 10, 1980; eff. Nov. 30, 1980.

**Amended:** F. July 7, 1983; eff. August 1, 1983, as specified by the Agency.

**Repealed:** New Rule entitled "Fire Safety Information to Be furnished in Hotels, Motels, Apartments and Dormitories" adopted. F. Sept. 30, 1987; eff. Nov. 1, 1987, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Dec. 3, 1990; eff. Jan. 1, 1991, as specified by the Agency.

**Amended:** F. Jan. 8, 1993; eff. Jan. 28, 1993.

**Amended:** F. July 9, 1998; eff. July 29, 1998.

**Amended:** F. Dec. 21, 1999; eff. Jan. 10, 2000.

**Amended:** ER. 120-3-3-0.1-.04 entitled "State Minimum Fire Safety Standards With Modifications" adopted. F. and eff. May 14, 2003, the date of adoption.

**Amended:** Permanent Rule of same title adopted. F. Aug. 21, 2003; eff. Sept. 10, 2003.

**Repealed:** New Rule of same title adopted. F. Jan. 12, 2007; eff. Feb. 1, 2007.

**Repealed:** New Rule of same title adopted. F. Feb. 17, 2010; eff. Mar. 9, 2010.

**Repealed:** New Rule of same title adopted. F. Jan. 10, 2014; eff. Jan. 30, 2014.

**Amended:** F. Dec. 12, 2014; eff. Jan. 1, 2015.

**Amended:** F. Dec. 28, 2017; eff. Jan. 1, 2018, as specified by the Agency.

**Amended:** F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. Jan. 13, 2022; eff. Jan. 1, 2022, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,  
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN  
COMMISSIONER**

**Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER**

**Subject 120-3-19. RULES AND REGULATIONS FOR  
ENFORCEMENT OF THE GEORGIA FIRE SPRINKLER ACT**

**120-3-19-.07 Inspectors License**

(1) Any individual desiring to become a fire protection sprinkler system inspector shall submit to the Commissioner a completed application on the prescribed forms. Such individual shall remit with his or her application a nonrefundable license fee of \$50.00 plus a fee of \$50.00. Such fees shall not be prorated for portions of a year.

(2) Prior to obtaining a license, the applicant shall demonstrate evidence of his or her competence and employment by a sprinkler contractor by possessing at minimum a NICET Level II Certification in Inspection and Testing of Water-Based Systems or an equivalent certification acceptable to the Commissioner.

(3) The applicant shall submit to the Commissioner proof of employment by a licensed fire protection sprinkler contractor who has comprehensive liability insurance coverage. The liability insurance policy shall provide coverage in an amount not less than \$1 million and shall cover any loss to property or personal injury caused by the fire protection sprinkler inspector. The policy must be purchased from an insurer authorized to do business in Georgia.

(4) A fire protection sprinkler system inspector license shall expire annually on December 31st of each year. A license holder desiring to renew his or her license shall submit a renewal application to the Commissioner and remit a renewal fee of \$50.00 for the upcoming year, between August 1st and no later than December 1st of the current year.

(5) Individuals possessing valid waivers issued by the Commissioner prior to the effective date of these Rules and Regulations shall have twelve months from the issuance date of the waiver to obtain NICET Level II Certification in Inspection and Testing of Water-Based Systems or an equivalent certification acceptable to the Commissioner. No waivers shall be issued or renewed after the effective date of these rules and regulations.

(6) Individuals who have not yet satisfied the requirements of these Rules and Regulations as they pertain to inspector licenses shall work under the direct supervision of a NICET Level II Certified individual or approved equivalent until such time they possess a NICET Level II Inspector Certification or approved equivalent certification.

(7) "Direct supervision," or "Supervision" means to personally superintend the design and/or installation of water-based fire protection systems, by personally regulating the activity of a project through intermittent and verifiable personal contact at an installation or installations in progress.

**Cite as** Ga. Comp. R. & Regs. R. 120-3-19-.07

**AUTHORITY:** O.C.G.A. § 3-2-9.

**HISTORY:** Original Rule entitled "Inspector's License" adopted. F. Nov. 7, 2001; eff. Nov. 27, 2001.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,  
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN  
COMMISSIONER**

**Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER**

**Subject 120-3-25. RULES AND REGULATIONS FOR ESCALATORS  
AND ELEVATORS**

**120-3-25-.02 Application**

(1) Pursuant to O.C.G.A. 8-2-1, rules and regulations adopted by the Safety Fire Commissioner shall have the force and effect of law and shall have statewide application as being the state minimum fire safety codes and standards for escalators and elevators and shall not require adoption by a municipality or county.

(a) Pursuant to O.C.G.A. Section 25-15-1, the Office succeeded to all rules and regulations of the Department of Labor which were in effect on June 30, 2012, or were scheduled to go into effect on or after July 1, 2012, which related to the functions transferred to the Office pursuant to either Chapter 15 of Title 25 or Part 6 of Article 1 of Chapter 2 of Title 8. The Office has the authority to modify the Escalator and Elevator regulations or promulgate new regulations pursuant to O.C.G.A. Sections 8-2-104, 25-15-1, 33-2-9 and 50-13-21.

(b) The primary purpose of these rules and regulations is to promote consumer protection through state regulation of elevators, dumbwaiters, escalators, manlifts, and moving walks as adopted by these regulations listed below:

(c) (1) ASME A17.1, 2019 Edition, American National Standard Safety Code for elevators, escalators, dumbwaiters, moving walks, with such revisions, amendments, and interpretations thereof as are made, approved and adopted by the Council of the Standard.

Copies may be obtained from the American Society of Mechanical Engineers, 22 Law Drive, Box 2300, Fairfield, NJ 07007. The state amendments to this Code are as follows: Note - Except for Testing and Inspection Requirements, Existing Hydraulic Jack Requirements and QEI Requirements. See Rule [120-3-25-.14](#).

(2) ASME A17.2, 2020 Edition of the Inspector's Manual for Elevators, with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Standards Committee. (See (c)(1) herein to order copies.)

(3) ASME A17.3, 2020 Edition of the Safety Code for Existing Elevators and Escalators, with such revisions, amendments, and interpretations thereof as are made, approved and adopted by the Standards Committee. (See (c)(1) herein to order copies.)

(4) ASME A17.7, 2007 Performance-Based Safety Code for Elevators and Escalators.

(5) ASME A17.6, 2017 Standard for Elevator Suspension, Compensation and Governor Systems.

(6) ICC/ANSI A117.1, 2017 Edition, American National Standard for Building and Facilities, Providing Accessibility and Usability for Physically Handicapped People and Rule 120-3-20 as approved by the State Fire Marshal's office. Copies may be obtained from the State Fire Marshal's office. (See note below.)

Note - ICC/ANSI A117.1, Section 409 is a recommended Standard only. Exception taken to Section 407.4.6.2.2.

(7) ASME B20.1, 2020 Edition of the Safety Standards For Conveyors and related equipment with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Standards Committee.



(8) ASME A90.1, 2015 Edition of the Safety Standards for Manlift, with such revisions, amendments and interpretations thereof as are made, approved, and adopted by the Standards Committee. (See (c)(1) herein to order copies.)

(9) ANSI A10.4, 2016 Edition and ANSI A10.5, 2020 Edition for the Safety Requirements for Personnel Hoists and Employee Elevators used for construction and demolition and Safety Standard for Construction Hoist, with such revisions, amendments, and interpretations thereof as are made, approved, and adopted by the Council of the Standard. (See (c)(1) herein to order copies.)

(10) National Electrical Code, State adopted Edition, with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Standards Committee. Copies may be obtained from the National Fire Protection Association, 1 Battery March Park, Post Office Box 9101, Quincy, MA 02269.

(11) The International Building Code, State approved Edition, with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Standards Committee. Copies may be obtained from the International Code Council, Birmingham District Office, 900 Montclair Road, Birmingham, AL 35213-1206.

(12) NFPA Section 101, Life Safety Code, State adopted Edition of the National Fire Protection Association, with such revisions, amendments and interpretation thereof as are made, approved and adopted by the Standards Committee. (See (c)(9) herein to order copies.)

(13) ASME A18.1, 2020 Edition of the Safety Standard for Platform Lifts and Stairway Chairlifts, with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Standards Committee. (See (c)(1) herein to order.)

(14) ANSI A92.10, 2009 (R2014) Edition of the American National Standard for Transport Platforms, with such revisions, amendments, and interpretations thereof as are made, approved and adopted by the Standards Committee. Copies may be obtained from the American National Standards Institute, 11 West 42<sup>nd</sup> St, New York, NY 10036

**Cite as** Ga. Comp. R. & Regs. R. 120-3-25-.02

**AUTHORITY:** O.C.G.A. §§ 8-2-100, 8-2-101, 8-2-102, 8-2-104, 25-15-1, 33-2-9, 50-13-21.

**HISTORY:** Original Rule entitled "Definitions" adopted. F. Sep. 4, 2013; eff. Sept. 24, 2013.

**Repealed:** New Rule of same title adopted. F. Dec. 12, 2014; eff. Jan. 1, 2015.

**Repealed:** New Rule entitled "Application" adopted. F. Dec. 4, 2020; eff. Dec. 29, 2020, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

### **120-3-25-.03 Definitions**

(1) Accident means an unplanned or unscheduled event that results in property damage and/or personal injury.

(2) Act is Part 6 of Article 1 of Chapter 2 of Title 8 of the Official Code of Georgia, O.C.G.A. Sections 8-2-100 through 82-109.1.

(3) Approved means that which is acceptable to the Office.

(4) Board is the Advisory Committee as described in Section 8-2-109 of the Act.

- (5) Certified Inspector is an inspector, by reason of experience and knowledge, considered qualified by the Office. The minimum experience shall be established by these rules. Knowledge shall be evidenced by approved written and oral examinations, acceptable to and administered by the Office.
- (6) Cessation order is the official order stopping an action by an individual or company.
- (7) Citation is the written document by which a person or company is summoned or cited.
- (8) The Commissioner is the Commissioner of Insurance and Safety Fire, and
- (9) the Office is the Office of the Commissioner of Insurance and Safety Fire.
- (10) Dormant Elevator means an elevator that is intact and on the premises and the equipment is entirely disconnected in an approved manner.
- (11) Elevators as used in these Rules means, Elevators, Escalators, Dumbwaiters, Material lifts, Manlifts, Moving Walks, or Platform Lifts (Wheelchair Lifts) or Stairway Chairlifts where the Rule is applicable in accordance with the adopted Codes and Standards.
- (12) Hand powered one-man elevator is an elevator having a car platform area of not more than five square feet and a rated load of not more than three hundred pounds and which is operated from the car only by pulling on a stationary rope located in the hoistway and passing through or adjacent to the car platform. It is for the exclusive use of certain designated operating and maintenance employees and installed in a grain or feed mill or similar structure not accessible to the general public.
- (13) Inspection means the official determination by a certified inspector of the condition of all parts of the equipment meet the applicable code which determines the safe operation of an elevator.
- (14) Personnel Hoist is those elevators used during construction to carry workers. Such elevators are temporary and shall not become a permanent part of the structure.
- (15) Personal Injury, as used in O.C.G.A. § 8-2-106(a), means bodily injury, sickness, or disease sustained by any person by reason of the operation or malfunction of an elevator, escalator, manlift moving walk or power dumbwaiter, platform lifts or stairway chairlifts including death at any time resulting therefrom. Personal Injury does not include false arrest, detention, imprisonment, confinement, slander, libel, violation of privacy or any mental disease, disability or disorder not accompanied by physical injury at the time of the incident.
- (16) Property Damage, as used in O.C.G.A. § 8-2-106(b), means physical injury to, or destruction of tangible property to the structure or operational parts (including safety equipment and devices) of an elevator, escalator, manlift, moving walk or power dumbwaiter, sustained by reason of accident or malfunction, other than routine wear and tear.
- (17) Special Purpose Personnel Elevator is an elevator permanently installed to provide vertical transportation of authorized personnel. Such elevators are typically installed in Grain Elevators, Radio Antennas and Bridge Towers.
- (18) Deleted for future use.
- (19) Temporary Inspection is the inspection by a certified inspector of an elevator to be used on a temporary basis.
- (20) Elevator Contractor - Any person, firm, or corporation who possesses an "Elevator Contractor's Certification" in accordance with the provisions of Rule [120-3-25-.21](#) and who is engaged in the business of erecting, constructing, installing, altering, servicing, repairing or maintaining elevators or related conveyance equipment covered by this chapter.
- (21) Elevator Mechanic - Any person who possesses an elevator mechanic certification in accordance with the provisions of Rule [120-3-25-.21](#).

(22) Certification, Elevator Contractor (Class I, Class IR) - A certification issued to an elevator contractor who has proven qualifications and ability, and who has been authorized by the Office to possess this type of Certification. It shall entitle the holder thereof to engage in the business of erecting, constructing, installing, altering, servicing, testing, repairing or maintaining elevators or related conveyance equipment covered by this Chapter.

(23) Certification, Elevator Contractor (Class II) - A certification issued to an elevator contractor who has proven qualifications and ability, and who has been authorized by this Office to possess this type of Certification. It shall entitle the holder thereof to engage in the business of servicing, testing, repairing or maintaining elevators or related conveyance equipment covered by this Chapter.

(24) Certification, Elevator Contractor, Limited (Class III) - A certification issued to an elevator contractor who has proven qualifications and ability, and who has been authorized by the Office to possess this type of Certification. It shall entitle the holder thereof to engage in the business of erecting, constructing, installing, altering, servicing, testing, repairing or maintaining residential dumbwaiters, elevators, platform lifts and stairway chairlifts.

(25) Certification, Elevator Contractor, Limited Class IIIR - A certification issued to an elevator contractor who has proven qualifications and ability, and who has been authorized by the Office to possess this type of Certification. It shall entitle the holder thereof to engage in the business of erecting, constructing, installing, altering, servicing, testing, repairing or maintaining residential platform lifts and stairway chairlifts.

(26) Certification, Elevator Mechanic (Class I, Class IR) - A certification issued to a person who has proven qualifications and ability, and who has been authorized by the Office to work on conveyance equipment. It shall entitle the holder to install, service, repair, test, maintain and perform electrical work on elevators or related conveyance equipment covered by this Chapter.

(27) Certification, Elevator Mechanic (Class II) - A certification issued to a person who has proven qualifications and ability, and who has been authorized by the Office to work on conveyance equipment. It shall entitle the holder to service, repair, test and maintain elevators or other conveyance equipment covered in this Chapter. The Class II Mechanic shall be employed by a Class II Elevator Contractor or owner user.

(28) Certification, Elevator Mechanic (Class III) - A certification issued to a person who has proven qualifications and ability, and who has been authorized by the Office to work on residential platform lifts and stair chairlifts. It shall entitle the holder to install, alter, service, repair, test, maintain and perform electrical work on residential elevators, platform lifts and stair chairlifts.

(29) Certification, Elevator Mechanic Class IIIR - A certification issued to a person who has proven qualifications and ability, and who has been authorized by the Office to work on residential platform lifts and stair chairlifts. It shall entitle the holder to install, alter, service, repair, test, maintain and perform electrical work on residential elevators, platform lifts and stair chairlifts.

(30) Private Residence - A single unit of a multiple facility or a detached dwelling designed for, inhabited by, and accessible only to one person or that person's family.

(31) LULA Elevator - A passenger elevator limited in size, capacity, travel and speed. These elevators shall comply with ASME A17.1, Section 5.2 (Capacity, Speed, Travel, Etc.) and ICC/ANSI A117.1, Section 407.4 (Car Size, Power Operation, Signal Location, Etc.).

**Cite as** Ga. Comp. R. & Regs. R. 120-3-25-.03

**AUTHORITY:** O.C.G.A. §§ 8-2-100 to 8-2-102, 8-2-104.

**HISTORY:** Original Rule entitled "Jurisdiction Numbered Tags" adopted. F. Sep. 4, 2013; eff. Sept. 24, 2013.

**Repealed:** New Rule of same title adopted. F. Dec. 12, 2014; eff. Jan. 1, 2015.

**Repealed:** New Rule entitled "Definitions" adopted. F. Dec. 4, 2020; eff. Dec. 29, 2020, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

### **120-3-25-.07 Reporting of Accidents**

(1) All incidents involving Personal Injury or Property Damage sustained by reason of the operation or malfunction of an elevator, escalator, manlift, moving walk or power dumbwaiter, platform lifts and stairway chairlifts, including death shall be reported by the owner, operator, lessee, or Maintenance Company as follows:

(a) For incidents in which actual Personal Injury or Property Damage is observed or reported by the owner, operator, lessee, or maintenance company at the scene at the time of the incident, immediately by telephone to the Office on the same day or by noon the next business day. The elevator, escalator, manlift, moving walk, or power dumbwaiter, platform lifts and stairway chairlifts, involved shall be taken immediately out of service and no work will be done to the equipment unless otherwise advised (see subparagraph (2) below).

(b) For all other incidents becoming known as the owner, operator, lessee, or maintenance company not at the scene at the time of the incident (including belated reports of Personal Injury after the person alleging injury has departed the scene without notifying the owner, operator, lessee, or maintenance company) by telephone not later than noon the next business day after the incident becomes known to the owner, operator, lessee, or maintenance company. The elevator, escalator, manlift, moving walk, or power dumbwaiter involved shall be taken immediately out of service unless otherwise advised (see subparagraph (2) below).

(c) For all incidents, the owner, operator, lessee shall file a written report, including witness statements, within seven days of the date of the incident or of the date the incident became known to the owner, operator, lessee, or maintenance company, whichever is later.

(2) Upon receiving a telephonic report or emailed report, the Office may at its discretion determine whether or not to investigate an incident. At the time of the report, the Office shall inform the owner, operator, lessee, maintenance company, or agent reporting the incident whether the Office be investigating and when the elevator, escalator, manlift, moving walk or power dumbwaiter, platform lifts and stairway chairlifts, involved may be repaired or put back in service. In its discretion, the Office may require a telephonic conference with the certified elevator mechanic or Maintenance Company prior to making a decision to investigate an incident.

(3) All telephonic and written reports for accidents involving personal injury shall include the name(s), address, phone number and injuries of the person(s) injured and any witnesses. It will also include a description of the accident.

**Cite as** Ga. Comp. R. & Regs. R. 120-3-25-.07

**AUTHORITY:** O.C.G.A. §§ 8-2-101, 8-2-106.

**HISTORY:** Original Rule entitled "New, Altered or Relocated Elevators" adopted. F. Sep. 4, 2013; eff. Sept. 24, 2013.

**Repealed:** New Rule of same title adopted. F. Dec. 12, 2014; eff. Jan. 1, 2015.

**Repealed:** New Rule entitled "Reporting of Accidents" adopted. F. Dec. 4, 2020; eff. Dec. 29, 2020, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

### **120-3-25-.14 Fees**

(1) Payment of required fees and civil penalties imposed under these rules and regulations shall be made in accordance with instructions and forms on the website of the Commissioner of Insurance and Safety Fire. In determining acceptable methods of payment, the Commissioner should consider all relevant factors, including the convenience of the parties, the availability of better means of payment through enhanced technology, the need for efficient administration of the law, and the cost to the agency.

(2) Once permits are processed by this office, no refunds will be issued.

(3) Fees shall be paid in accordance with the following schedule:

(a) Certification - Examination:

1. Inspector ..... \$100.00

2. Elevator Mechanic ..... \$100.00

(b) Certification - Annual:

1. Inspector ..... \$50.00

2. Class I Elevator Contractor ..... \$300.00

3. Class II Elevator Contractor ..... \$200.00

4. Class III Elevator Contractor ..... \$100.00

(c) Certification - Bi-Annual Renewal:

1. Elevator Mechanic ..... \$50.00

(d) Installation Permits:

1. Passenger or Freight base price, per unit ..... \$400.00

Plus, each opening ..... \$50.00

2. Dumbwaiters and material lifts, per unit ..... \$250.00

3. Escalator, per unit ..... \$500.00

4. Workmen's hoist, per unit ..... \$500.00

5. Workmen's hoist, tower rise, per jump ..... \$150.00

6. Private residence elevators ..... \$400.00

Plus, each opening ..... \$50.00

7. Private residence platform lifts (wheelchair lifts) and stairway chairlifts, first unit permitted at single residence ..... \$250.00

any additional units at time of permitting ..... \$50.00 per unit

8. Belt Manlift ..... \$250.00

9. Special purpose personnel elevators and wheelchair lifts, per unit  
..... \$250.00

(e) One acceptance inspection is included in the installation permit fee. All additional permit inspections shall be at two hundred fifty (\$250.00) dollars per hour. Elevator Construction Permits shall expire two (2) years from the date of issue, if the permit has shown no action. Elevator Construction Permit Certificates shall expire no more than six (6) months from the date of completion of the permit. If the permit is open more than two (2) years with no action, it will therefore be cancelled.

(f) Major Alteration Permits:

1. Each Alteration - One item as outlined in the Standard, per unit ..... \$240.00
2. Each additional alteration as outlined in the Standard, per unit ..... \$120.00
3. Maximum alteration fee, per unit ..... \$1,200.00

(g) The acceptance inspection fee is included in the major alteration permit fee. The alterations acceptance inspection will not change the normal inspection or the operating permit due date.

(h) Additional permit inspections shall be at the rate of two hundred fifty dollars (\$250.00) per hour.

(i) Operating Permit:

1. Operating permit - one year, price per unit ..... \$65.00
2. Temporary operating permit, per unit ..... \$100.00

(j) Inspection by a certified inspector of the Office:

1. Initial inspection of a temporary elevator, per unit ..... \$200.00
2. Periodic inspection of a temporary elevator used during construction, per unit ..... \$50.00
3. Annual fee for inspections are based upon number of openings per unit.

101 to 110 openings	\$445.00
91 to 100 openings	\$420.00
81 to 90 openings	\$395.00
71 to 80 openings	\$370.00
61 to 70 openings	\$345.00
51 to 60 openings	\$320.00
41 to 50 openings	\$295.00
31 to 40 openings	\$270.00
21 to 30 openings	\$245.00
11 to 20 openings	\$220.00
10 openings	\$195.00
9 openings	\$170.00
8 openings	\$145.00
7 openings	\$120.00
6 openings	\$95.00
5 openings	\$85.00
4 openings	\$75.00
3 openings	\$65.00
2 openings	\$55.00

(k) All third and subsequent inspections shall be at two hundred fifty (\$250.00) dollars per elevator for routine inspections.

(l) Appeal hearings before the Board, per Appeal ..... \$500.00

(m) The Office may bill applicants for operating certificates prior to the issuance of such certificates.

(4) The Office may provide services or perform inspections not otherwise specified in the fee structure. The charge for this service shall be at the rate of \$250.00 per visit, per elevator.

(5) The Office will allow licensed private inspection companies with valid commissioned inspectors to perform permit inspections on residential equipment that falls under the scope of ASME A18.1, latest adopted addition.

(a) No inspection will be allowed as in (5) above prior to the installer obtaining the required permit and two sets of approved stamped drawings from this Office. These are required to be at the site of the prior to any inspection.

(b) These inspections shall be subject to audit by the Office.

(c) Both the installer and the inspection company will be responsible for ensuring that the installation meets all state adopted regulations and that all testing has been completed. The inspection company is responsible for supplying a copy of this report to the installer. An electronic copy of this report shall be sent to the Office prior to the equipment being placed in service.

(d) Any inspection of residential equipment that falls under the scope of ASME A18.1 not performed by a licensed private inspection companies with commissioned inspectors shall be performed by a State Deputy Inspector.

**Cite as** Ga. Comp. R. & Regs. R. 120-3-25-.14

**AUTHORITY:** O.C.G.A. §§ 8-2-102, 8-2-103, 8-2-104.

**HISTORY:** Original Rule entitled "Existing Installation (General)" adopted. F. Sep. 4, 2013; eff. Sept. 24, 2013.

**Repealed:** New Rule of same title adopted. F. Dec. 12, 2014; eff. Jan. 1, 2015.

**Repealed:** New Rule entitled "Fees" adopted. F. Dec. 4, 2020; eff. Dec. 29, 2020, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

### **120-3-25-.15 Existing Installation (General)**

(1) The minimum requirements for regular maintenance and safety practices for existing elevators as provided for in the Safety Act and Rules. All existing features or components of the elevator shall comply with the Rules as adopted by the Commissioner.

(2) All existing elevators having a travel of more than 25' 0" shall have "Fire Emergency Service" complying with ASME A17.1 1987 Edition as a minimum.

(3) A permanent decal or metal tag shall be affixed to the lift equipment, in the machine room, control space, machine space, pits, hoistway required to be tested by ASME A17.1, Section 8.6 of the Standard. This decal or tag shall be affixed to the affected equipment when new installations, alterations, or periodic tests are conducted, as required by the Standard. This decal or tag must indicate the date of the test, and the name of the person or firm which performed the test and type of test performed. A decal will not be acceptable when the Standard requires a metal tag. At the time of new installation, alteration, or periodic tests, additional data shall be provided to the building owner or his representative. This document shall include the date of the test, the name of the person or firm conducting the tests and all pertinent data relating to the test.

(4) Mass transit equipment shall have a routine and a periodic inspection as defined by ASME A17.1 latest adopted edition, as modified by O.C.G.A. Section 8-2-102.

(5) Existing Hydraulic Elevators are exempted from the requirements of Rule 8.6.5.8 for five (5) years. Elevators shall have all work required for compliance with ASME A17.3, Section 4.3.3 completed within five (5) years of the effective date of this regulation. Failure to complete work within the required time period will result in the elevator being removed from service until such work is completed, unless the cylinder is replaced.

(6) Existing escalators shall meet the Performance Step Indexing requirements of ASME A17.3, Rule 5.1.11 within two (2) years of the effective date of this Rule revision.

(7) State Elevator Inspectors are not required to meet 8.11, QEI-1 requirements.

(8) Existing passenger elevators shall meet the Restricted Opening of Hoistway Doors or Car Doors as required by ASME A17.3, Rule 2.7.5 within two (2) years of the effective date of this Rule revision.

(9) All existing automatic passenger and freight elevators shall comply with ASME A17.3 Section 3.10.12 within three (3) years of the effective date of this rule.

(10) All elevators shall have emergency key access at all landings that is no greater in height than the applicable code requires.

**Cite as** Ga. Comp. R. & Regs. R. 120-3-25-.15

**AUTHORITY: O.C.G.A. § 8-2-104.**

**HISTORY:** Original Rule entitled "Existing Installations (Special Purpose Personnel Elevators, Including Wheelchair Lifts)" adopted. F. Sep. 4, 2013; eff. Sept. 24, 2013.

**Repealed:** New Rule of same title adopted. F. Dec. 12, 2014; eff. Jan. 1, 2015.

**Repealed:** New Rule entitled "Existing Installation (General)" adopted. F. Dec. 4, 2020; eff. Dec. 29, 2020, as specified by the Agency.

**Amended:** F. Jan. 13, 2022; eff. Jan. 1, 2022, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

### **120-3-25-.20 New Installation (General)**

(1) The following sections outline the minimum requirements, regular maintenance and approved safety practices for elevators as provided for in the Georgia Laws Regulating Elevators. All Existing features or components of the elevators shall comply with this law and the rules proposed by the Board and adopted by the Commissioner.

(2) Certified Inspectors shall use the latest adopted edition of the ASME A17.2 inspector's manual with such revision, amendments, and interpretation.

(3) All new elevators machine rooms shall not have sprinklers in these rooms if they are separated from the building with a minimum of a two hour fire separation and have smoke detectors in accordance with NFPA. If these rooms do not have the two hour minimum fire separation they shall have sprinkler protection conforming to the requirements NFPA and shall be provided with means to automatically disconnect the main power supply to the affected elevator prior to the application of water as required by ASME A17.1, unless prohibited by the building code as covered in Section 3007 or 3008. The machine room door shall swing outward from the machine room. Elevator machine rooms must have conditioned air (heated and cooled) to maintain a temperature range between 55 and 90 degrees Fahrenheit, with a maximum relative humidity of 85%.



(4) Elevator machine rooms 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 be not less than two hours. 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. Exceptions:

1. Where machine rooms and machinery spaces do not meet the required fire resistance rating, they shall require sprinklers and shunt trip breaker in accordance with NFPA 72.

(5) All machine rooms, machinery spaces, control rooms, control spaces, and elevator electrical spaces must meet electrical clearances as set in NFPA 70 with the room/spaces access doors closed. This will include all machine rooms, machinery spaces, control rooms, control spaces, and elevator electrical spaces that have fused elevator and cab light disconnects.

(6) All residential elevators will be required to have a machine room, control room, machinery space, or control space with proper electrical clearance as set in NFPA 70 with the door in the closed position with the exception of machine room less elevators that have all equipment located in the hoistway.

(7) All new elevators shall have a Fireman Emergency Keybox. The keybox is to be a minimum 5.375" wide by 9" high by 2" deep. Front cover shall be hinged on the right side. Lock and key shall be uniform with Lock and Key, Catalogue #25460 or equivalent. Box may either be flush or recessed mounted. Front cover shall be engraved with 1/4" high letters and shall read in capitals "FIRE DEPARTMENT USE ONLY." Engraving shall be filled with color which will be readily conspicuous. Location of key-box shall be at each bank of elevators in the lobby normally used as a place of entrance to the building. As a minimum, the keybox shall contain the key to the elevator machine room, the elevator hoistway access key, and necessary keys to operate Fireman's Emergency Return System. The key shall be available to Group 1, Group 2 and Group 3 levels of security. This keybox shall be located within sight of the elevator(s) with all required keys at the designated level of Phase I recall.

(8) All new elevators shall be prohibited from providing side emergency exits as detailed in ASME A17.1 Rule 2.14.1.10 provided the elevators are in full compliance with paragraphs (10) and (11) below.

(9) All new elevators shall have the means in the elevator controller for a qualified elevator mechanic to electrically move a stalled elevator to the nearest landing. Key pads or control boxes used for this function shall be permanently installed.

(10) All elevators shall have emergency key access at all landings that is no greater in height than the applicable code requires.

(11) Other Devices - Gravity elevators, hand elevators, incline elevators, multideck elevators, observation elevators, moving walks, material lifts and dumbwaiters with automatic transfer devices and screw column elevators shall meet the requirements of the Codes, as referenced by these rules.

(12) Reserved for future use.

(13) All new escalators installed after January 1, 2002, shall comply with the latest adopted edition of ASME A17.1.

(14) All variance requests from the law, rules or standards on new, altered or modernized elevator, escalator, dumbwaiter, material lift, manlift, moving walk, wheelchair lift, or stairway chairlift shall be reviewed by the Elevator Advisory Board Members and recommendations given to the Safety Inspection Section. These variance requests shall be submitted to Board Members by Safety Inspection staff for email ballot within three (3) days from the date received. Board Members shall return their votes to approve or disapprove within ten (10) days. The majority of the returned votes are to be considered the recommendation of the Board.

(15) Reserved for future use.

(16) ASME A17.1, Section 5.3 shall be modified to read as follows:

5.3.1.8.3 Clearance Between Doors or Gates and Landing Sills and Car Doors or Gates. The clearance between the hoistway doors or gates and the hoistway edge of the landing sill shall not exceed 19 mm (3/4 in.). The distance between the hoistway face of the landing door or gate shall not exceed 75 mm (3 in.).

**Cite as** Ga. Comp. R. & Regs. R. 120-3-25-.20

**AUTHORITY:** O.C.G.A. § 8-2-104.

**HISTORY:** Original Rule entitled "New Installation - Wheelchair Lift" adopted. F. Sep. 4, 2013; eff. Sept. 24, 2013.

**Repealed:** New Rule entitled "New Installation - Platform Lifts (Wheelchair Lift) and Stairway Chairlifts" adopted. F. Dec. 12, 2014; eff. Jan. 1, 2015.

**Repealed:** New Rule entitled "New Installation (General)" adopted. F. Dec. 4, 2020; eff. Dec. 29, 2020, as specified by the Agency.

**Amended:** F. Jan. 13, 2022; eff. Jan. 1, 2022, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **120-3-25-.22 Certificate to Perform Elevator Installations, Alterations, Repairs, Maintenance or Inspections**

(1) Elevator Contractor (Class I): Any persons, firms, partnerships, corporations or companies wishing to engage in the business of installation, alteration, service, replacement or maintenance of elevators, dumbwaiters, escalators, moving walks, residential elevators, platform lifts, and/or stairway chairlifts shall apply for Certification by the Office on a form provided by the Office. They shall receive Certification prior to permitting any work or engaging in any business activity.

(2) Elevator Contractor (Class IR): Any persons, firms, partnerships, corporations or companies wishing to engage in the business of installation, alteration, service, replacement or maintenance of ASME A17.1, Section 4 and 5.7 elevators, temporary construction elevator and material lifts or separately cab interiors and phones, shall apply for Certification by the Office on a form provided by the Office. They shall receive Certification prior to permitting any work or engaging in any business activity.

(3) Elevator Contractor (Class II): Any persons, firms, partnerships, corporations or companies wishing to engage in the business of alteration, service, replacement or maintenance of elevators, dumbwaiters, escalators, moving walks, residential elevators, platform lifts, and/or stairway chairlifts shall apply for Certification by the Office on a form provided by the Office. They shall receive Certification prior to permitting any work or engaging in any business activity.

(4) Elevator Contractor (Class III): Any persons, firms, partnerships, corporations or companies wishing to engage in the business of installation, alteration, service, replacement or maintenance of residential dumbwaiters, elevators, platform lifts, and/or stairway chairlifts shall apply for Certification by the Office on a form provided by the Office. They shall receive Certification prior to permitting any work or engaging in any business activity.

(5) Elevator Contractor (Class IIIR): Any persons, firms, partnerships, corporations or companies wishing to engage in the business of installation, alteration, service, replacement or maintenance of residential platform lifts, and/or stairway chairlifts shall apply for Certification by the Office a form provided by the Office. They shall receive Certification prior to permitting any work or engaging in any business activity.

(6) Elevator Contractor's Certification shall expire twelve (12) months following the date of issuance after April 1, 2014.

(7) Qualifications of Elevator Contractor.

(a) No Certification shall be granted to any person or firm who has not proven their qualifications and abilities. Applicants for Elevator Contractor's Certification must demonstrate the following qualifications:

(b) Elevator Contractor Class I, Class IR and II shall submit proof of Elevator Mechanic Certification. All Class II Elevator Contractors shall employ Class I or Class II Elevator Mechanics.

(c) Elevator Contractor Class III and Class IIIR shall submit proof of Elevator Mechanics Certification.

(d) Elevator Contractors shall have insurance as required by Rule [120-3-25-.22](#).

(8) The application for Elevator Contractor Certification shall contain the following information:

(a) The Class of the Certification requested.

(b) Name and address of business.

(c) Such other information as the Office may require.

(9) The application for Elevator Mechanic shall contain the following information:

(a) Name and address of the applicant and company where employed.

(b) The Certification class requested by the applicant.

(c) The number of years the applicant has engaged in the business of installing, maintaining and/or servicing elevators, escalators and/or platform lifts and stairway chairlifts.

(d) Documentation of all training or classes applicant has attended in the last year.

(e) Such other information as the Office may require.

(10) All elevator mechanics installing, altering, repairing, maintaining, or servicing elevators, escalators, moving walks, dumbwaiters, material lifts, residential elevators, platform (wheelchair) lifts and stairway chairlifts after January 1, 2006 shall have a "Certificate of Authorization" issued by the Office.

(11) Approval of training programs for Certification and Recertification of elevator mechanics. The Elevator Advisory Board shall review and approve all certification and recertification programs. The Office of Insurance and Safety Fire Commissioner shall prepare a testing program.

(12) Renewal applications. Applicants renewing their Certification shall provide the following information:

(a) Certification number.

(b) Documentation of training, certification and classes successfully completed in the previous year [eight (8) hours minimum], including Code updates using a pre-approved or recognized training program.

(13) Qualification of Class I Elevator Mechanic.

(a) Certification shall be granted to any person with a minimum of three (3) years for all except for Class IIIR shall be one (1) year experience and who is employed by a company holding a State Certification and has proven their qualifications and abilities. Applicants must demonstrate the following qualifications:

(b) Certificate(s) of completion and successfully passing the mechanic examination of a nationally recognized training program for the elevator industry such as the National Elevator Industry Educational Program, Certified Elevator Technician Program or the equivalent of an apprenticeship program for the elevator mechanics registered with the Bureau of Apprenticeship and Training, U.S. Department of Labor or a State Apprenticeship Program.

(c) Any person who furnishes the Office with acceptable proof they have worked as an elevator constructor, maintenance person, or repair person may, upon making application for Certification and paying the fee, be entitled to receive a Certification without an examination at the discretion of the Office. They shall have worked under direct and immediate supervision of an elevator contractor certified to do business in this state. The person must make application within one (1) year of the effective date of these Rules and Regulations.

(d) A Certification may be issued to an individual holding a valid Certification or License from a state having a standard substantially equal to those of this Chapter.

(14) Qualification of Class IR Elevator Mechanic.

(a) Certification shall be granted to any person with a minimum of three (3) years' experience and who is employed by a company holding a State Certification and has proven their qualifications and abilities. Applicants must demonstrate the following qualifications:

(b) Certificate(s) of completion and successfully passing the mechanic examination of a nationally recognized training program for the elevator industry such as the National Elevator Industry Educational Program, Certified Elevator Technician Program or the equivalent of an apprenticeship program for the elevator mechanics registered with the Bureau of Apprenticeship and Training, U.S. Department of Labor or a State Apprenticeship Program.

(c) Any person who furnishes the Department with acceptable proof they have worked as an elevator constructor, maintenance person, or repair person may, upon making application for Certification and paying the fee, be entitled to receive a Certification without an examination at the discretion of the Department. They shall have worked under direct and immediate supervision of an elevator contractor certified to do business in this state. The person must make application within one (1) year of the effective date of these Rules and Regulations.

(d) A Certification may be issued to an individual holding a valid Certification or License from a state having a standard substantially equal to those of this Chapter.

(15) Qualification for Class II Elevator Mechanic.

(a) Same as (11)(a).

(b) The mechanic shall provide documentation proving they have been trained in the service, repair and maintenance of the equipment they will be working on.

(c) Same as (11)(c).

(d) Same as (11)(d).

(16) Qualification for Class III Elevator Mechanic.

(a) Same as (11)(a).

(b) Same as (11)(b).

(c) Same as (11)(c).

(d) Same as (11)(d).

(17) Qualification for Class IIIR Elevator Mechanic.

(a) Same as (11)(a).

(b) Same as (11)(b).

(c) Same as (11)(c).

(d) Same as (11)(d).

(18) Issuance and Renewal of Certification.

(a) Upon approval of a mechanic's application, the Office may issue Certification(s), all of which shall be renewed bi-annually. The Certification(s) will expire on July 1, not more than two (2) years from the date of issue.

(b) Whenever an emergency exists, and upon request, the Office may waive all requirements.

(c) A Certified Elevator Contractor shall notify the Office when there are no Certified personnel available to perform elevator work. The Certified Elevator Contractor may request the Office issue Temporary Elevator Mechanic Certifications to personnel employed by the Certified Elevator Contractor who have an acceptable combination of documented experience and education to perform elevator work. The temporary certification will expire after six (6) months. Only three (3) temporary certification will be issued per person, per company.

(d) The renewal of all Certifications granted under the provisions of this Section shall be conditional upon the submission of a certificate of completion of a course designed to ensure the continuing education of Certified Personnel. Such course shall consist of not less than eight (8) hours of instruction.

(e) The courses shall be taught by instructors who are qualified and approved by the Office.

(f) A mechanic who is unable to complete the education course required under this Section prior to the expiration of their Certification due to a temporary disability may apply for a waiver from the Office.

(19) Suspension and Revocation of Certification.

(a) A Certification issued pursuant to this Chapter may be suspended or revoked by the Office upon verification that one or more of the following exists:

1. Any false statement as to material matter in the application.

2. Violation of any provision of this Chapter.

3. Fraud or misrepresentation in securing a Certification.

(b) No Certification for a company or person shall be suspended, or revoked, until after a hearing before the Office upon notice to the person and/or company of a least ten (10) days at the last known address appearing on the Certification, served personally or by registered mail.

(c) Any company or person whose Certification is revoked or suspended may appeal such determination to the Office within thirty (30) days.

(d) Any company or person certified to perform an activity, who violates this part, after notice and hearing, may cause such company or person's Certification to be suspended and such company or person may receive a penalty not to exceed \$5,000.00 per violation.

**Cite as** Ga. Comp. R. & Regs. R. 120-3-25-.22

**AUTHORITY: O.C.G.A. §§ 8-2-101, 8-2-102, 8-2-104.**

**HISTORY:** Original Rule entitled "Insurance Requirements" adopted. F. Sep. 4, 2013; eff. Sept. 24, 2013.

**Repealed:** New Rule of same title adopted. F. Dec. 12, 2014; eff. Jan. 1, 2015.

**Repealed:** New Rule entitled "Certificate to Perform Elevator Installations, Alterations, Repairs, Maintenance or Inspections" adopted. F. Dec. 4, 2020; eff. Dec. 29, 2020, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

**Department 120. OFFICE OF COMMISSIONER OF INSURANCE,  
SAFETY FIRE COMMISSIONER AND INDUSTRIAL LOAN  
COMMISSIONER**

**Chapter 120-3. RULES OF SAFETY FIRE COMMISSIONER**

**Subject 120-3-26. RULES AND REGULATIONS FOR BOILERS AND  
PRESSURE VESSELS**

**120-3-26-.02 Application**

(1) Pursuant to O.C.G.A. 25-2-10, rules and regulations adopted by the Safety Fire Commissioner shall have the force and effect of law and shall have statewide application as being the state minimum fire safety codes and standards for boilers and pressure vessels and shall not require adoption by a municipality or county.

(2) Pursuant to O.C.G.A. Section 25-15-1, the Office succeeded to all rules and regulations of the Department of Labor which were in effect on June 30, 2012, or were scheduled to go into effect on or after July 1, 2012, which related to the functions transferred to the Office pursuant to either Chapter 15 of Title 25 or Part 6 of Article 1 of Chapter 2 of Title 8. The Office has authority to modify the Boiler and Pressure Vessel regulations or promulgate new regulations pursuant to O.C.G.A. Sections 25-15-1, 25-15-13, 33-2-9 and 50-13-21.

(3) The primary purpose of these rules and regulations is to promote consumer protection through state regulation of the construction, installation, inspection, maintenance, and repair of boilers and pressure vessels.

(4) All Editions of the Codes and Standards shall also include revisions, amendments, and interpretations made, approved and adopted by the Codes or Standards Society as adopted by these regulations listed below:

(a) The 2021 American Society of Mechanical Engineers Boiler and Pressure Vessel Code. Copies of the Code may be obtained from said Society at 22 Law Drive, Box 2300, Fairfield, New Jersey 07007-2300.

(b) The 2021 Edition of the National Board Inspection Code. Copies of this Code may be obtained from the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229.

(c) ASME B31.1 as adopted by ASME Section I Boiler Pressure Piping and Piping Systems as described in B31.1.

(d) The 2021 Edition of the ASME CSD-1, Controls and Safety Devices for Automatically Fired Boilers less than 12,500,000 BTU/hr. and State adopted Edition of the National Fire Protection Association (NFPA) 85, Boiler and Combustion System Hazard Code for boilers over 12,500,000 BTU/hr., NFPA 87 Recommended Practice for Fluid Heaters, NFPA 54 National Fuel Gas Code and all other adopted and related NFPA Codes (see below definition of Code). ASME CSD-1 Boiler Controls and Safety Devices may be obtained from the American Society of Mechanical Engineers, 345 East 47th Street, New York, NY 10017. The National Fire Protection Association Standards may be obtained from National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

(e) The 2019 ASME PVHO-1 Pressure Vessels for Human Occupancy and 2019 ASME PVHO-2 In-Service Guidelines. This Code may be ordered from ASME, 22 Law Drive, Box 2300, Fairfield, NY 07007.

**Cite as** Ga. Comp. R. & Regs. R. 120-3-26-.02

**AUTHORITY:** O.C.G.A. §§ 25-15-1, 25-15-10, 25-15-13, 33-2-9, 50-13-21.

**HISTORY:** Original Rule entitled "Definition of Terms" adopted. F. Sep. 4, 2013; eff. Sept. 24, 1913.

**Repealed:** New Rule of same title adopted. F. Mar. 16, 2015; eff. Apr. 5, 2015.

**Repealed:** New Rule entitled "Application" adopted. F. Dec. 31, 2020; eff. Jan. 20, 2021.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

### **120-3-26-.14 Non-Conforming or Non-Standard Boilers and Pressure Vessels**

(1) Boilers or unfired pressure vessels that do not conform to the ASME code may be operated as a hobby or for educational or historical purposes only, provided an inspection in accordance with these Rules is made annually. Lap Seam boilers under this section are limited to 100 psig.

(2) Boilers or unfired pressure vessels normally located outside this State may be, upon application to the Commissioner, permitted to operate for a period not exceeding 7 days provided the object has an operating certificate from the State in which it is normally operated.

(3) Non-standard boilers, or pressure vessels being installed or reinstalled in the State shall receive a State Special Permit and an operating permit prior to the operation of the boiler, or pressure vessel.

(4) No boiler, or unfired pressure vessel shall be installed in a system or operated in a service that the boiler or pressure vessel is not designed and manufactured to the intended service, (as specified on the data report or receive a State Special Permit for that intended service).

(5) A miniature hobby locomotive boiler is designed to be operated on a narrow gauge track of less than twenty-four (24) inches.

(6) At the initial inspection of a miniature hobby locomotive boiler, the owner shall provide the Chief Inspector with design specifications and calculations for review and acceptance.

(7) The owner shall ensure that a miniature hobby locomotive boiler has the following minimum equipment:

(a) A pressure gauge graduated to approximately 1.5 times the operating pressure, but no more than 4 times the operating pressure.

(b) A means to extinguish the fire in the fire box, if a low water condition exists.

(c) Two means of feeding water to the boiler, one of which shall be operable while the locomotive is stationary.

(d) A water level gauge glass located so that the top of the bottom nut of the gauge glass is approximately 10% of the distance between the crown sheet and the shell, but not less than ½ inch above the crown sheet.

(e) Two safety valves set no more than 10% above the operating pressure for boiler fabricated after the effective date of the rules. The capacity of the safety valves shall be equal to or greater than the calculated steam generating capacity of the boiler.

(8) Triennially, during the certificate inspection, the owner shall hydrostatically test the Boiler per the NBIC, in the presence of the inspector. All certificate inspections, both internal and external, will be conducted to the current adopted edition of the NBIC, Part 2, and all boiler laws and regulations with the exception of Ultrasonic thickness reading, which will not be done, unless noted on the inspection report, when visually evidenced during the internal inspection.

(9) All repairs will be conducted by an "R" stamp holder in accordance to the current adopted edition of the NBIC, Part 3.

**Cite as** Ga. Comp. R. & Regs. R. 120-3-26-.14



**AUTHORITY:** O.C.G.A. § 25-15-28.

**HISTORY:** Original Rule entitled "Reinstallation of Certain Boilers and Pressure Vessels. Amended" adopted. F. Sep. 4, 2013; eff. Sept. 24, 2013.

**Repealed:** New Rule entitled "Boiler and Pressure Vessel Repair or Alteration" adopted. F. Mar. 16, 2015; eff. Apr. 5, 2015.

**Repealed:** New Rule entitled "Non-Conforming or Non-Standard Boilers and Pressure Vessels" adopted. F. Dec. 31, 2020; eff. Jan. 20, 2021.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **120-3-26-.20 Notice of Hearing and Penalties**

### **(1) Cessation Order.**

(a) The Office may issue a written order for the cessation of operation of a boiler or pressure vessel when it has been determined to be hazardous, unsafe, or the failure to comply with any of the provisions of these rules or the safety act. Operation shall not resume until such violations are corrected to the satisfaction of the Commissioner or the Commissioner's authorized representative.

(b) In the event a person knowingly commits a violation or allows a violation to be committed after being issued a cessation order, or warning the Commissioner or the Commissioner's authorized representative may initiate a Citation as stated below.

### **(2) Issuance of Citation or Notice of Administrative Proceeding:**

(a) If upon inspection by an inspector or deputy inspector;

1. A boiler or pressure vessel is deemed to be in an unsafe condition,

2. The owner, operator, user, contractor, or installer has not complied with the Boiler & Pressure Vessel Laws or Rules, or

3. When a written warning citation has been issued and the violation continues, then the deputy inspector shall issue the violator a citation stating the date, time and place of the violation, the specific violation, the recommended penalty, and shall offer the respondent the opportunity for a hearing as set forth in this section.

(b) If upon receiving information from any source, the Chief Inspector determines that there is a reasonable belief that:

1. A boiler or pressure vessel may be in an unsafe condition,

2. The owner, operator, user, contractor, or installer has not complied with the Boiler and Pressure Vessel Law or these Rules, or

3. When a warning has been issued, and the violation is a continuing violation, the Chief Inspector or the Director, Safety Engineering, on behalf of the Office, may issue Notice of Administrative Proceeding stating the date, time, and place of the violation, the specific violation, the recommended penalty, and shall offer the respondent the opportunity for a hearing as set forth in this section.

(c) The Director, Safety Engineering, upon review of a citation issued under subsection (a) above, may, in his sole discretion, dismiss the citation and substitute therefore a Notice of Administrative Proceeding pursuant to subsection (b) above on the same, similar, or different violation, as required by the evidence.

(d) The Commissioner, upon review of a Citation or Notice of Administrative Proceeding, in his sole discretion, may refer the matter to the appropriate prosecuting official for criminal or injunctive relief as permitted under law. In such event, the Commissioner may, in his sole discretion, elect to dismiss, suspend, or continue with the civil penalty proceeding.

(3) Hearing Procedure:

(a) If request for a hearing is not received from the respondent within the allotted time, the Director, of Safety Engineering, on behalf of the Commissioner, may without further process impose a civil penalty not greater than the total of civil penalties set forth on the citation or in the Notice of Administrative Proceeding. An administrative order under the authority of the Commissioner may be issued to collect the civil penalty assessed.

(b) Upon receipt of a request for a hearing pursuant to any Citation or Notice of Administrative Proceeding, further actions or proceedings shall be governed by the Georgia Administrative Procedure Act, O.C.G.A. Chapter 50-13, O.C.G.A. § 25-2-29, O.C.G.A. § 25-15-28, and applicable Rules and Regulations of the Commissioner.

(c) All hearings, whether before the Commissioner or an appointed adjudicator, shall be conducted in accordance with the statutes and regulations cited in the preceding subparagraph.

(d) The decision of an appointed adjudicator made after a hearing shall be an initial agency decision as set forth in O.C.G.A. § 50-13-41(d)(2) and shall be subject to review by the Commissioner, as set forth in O.C.G.A. § 50-13-41(d)(3).

(e) A decision made after a hearing before the Commissioner shall be the final agency decision in the matter and shall be subject to judicial review as set forth in O.C.G.A. § 50-13-19.

(4) Guidelines for Imposition of Civil Penalties:

(a) Any person, firm, partnership, corporation or other business entity, which violates this part, shall be subject to the imposition of civil penalties. Each day on which a violation occurs shall constitute a separate offense. Repeat offenses, when a violation occurs, shall constitute a separate offense. Repeat offenders, including those who refuse to adhere to orders of the inspectors, exceed the limitations of operating permits, or refuse to adhere to the requirements of these rules and regulations, may be referred to the appropriate prosecuting official for criminal (misdemeanor) or injunction relief as permitted under law. Serious violations, including those causing serious bodily injury or death, or which exhibit gross negligence or serious disregard for public safety, may also be referred to the appropriate prosecuting official for criminal (misdemeanor) or injunctive relief as permitted under law.

(b) Notwithstanding the recommended minimum penalties set forth below, a serious violation, including those causing serious bodily injury or death, or which exhibit gross negligence or serious disregard for public safety, may receive the maximum penalty of \$5,000.00 for each violation including a first offense. The imposition of a penalty for a violation of this part shall not excuse the violation or permit it to continue.

(c) The deputy inspector issuing a Citation shall, at the time of issuance, specify a recommended civil penalty amount for each specific violation in accordance with these Rules and Regulations. The Director is charged with the responsibility to insure that recommended penalties for violations are graduated with the more serious violations receiving the heavier penalty and with assuring uniformity of recommended penalties such that offenders in similar circumstances with similar violations receive similar penalty recommendation. In this regard, the Director may dismiss a Citation and issue a Notice of Administrative Proceeding solely for the purpose of making an appropriate penalty recommendation.

(d) The recommended civil penalty set forth in the Citation or Notice of Administrative Proceeding shall be given great deference by the appointed adjudicator. The minimum recommended penalties set forth below is normally for the first offense with only one violation being cited. The appointed adjudicator shall, after hearing the case, consider factors in mitigation of the violation as well as those in aggravation. The appointed adjudicator shall impose a penalty less than the recommended minimum penalty only upon finding unusually significant mitigating factors, and shall set forth those factors in the order. The appointed adjudicator may impose a penalty substantially greater than

the Office recommended penalty upon finding significant aggravating factors associated with violations, and shall set forth those factors in the order. The appointed adjudicator shall consider the provision of these Rules and Regulations guiding the assessment of penalties. In particular, the appointed adjudicator shall, in cases involving structural damage, bodily injury, or death; or continued operation after an unsafe condition is detected or after the equipment is taken out of service by an inspector or deputy inspector, consider the imposition of separate penalties for each day of violation. The appointed adjudicator shall not assess a penalty exceeding \$5,000.00 for each violation and each day of violation.

(e) The appointed adjudicator may, in addition to a civil penalty, recommend in the order that the Commissioner suspend for a period of time or indefinitely, operating certificate, permits to install, or certificates for contractors.

(5) Minimum recommended penalties.

(a) Specific Violations:

1. Operating equipment without an operating certificate. (O.C.G.A. Section 25-15-26 & Rule [120-3-26-.09](#))

First offense ..... \$250.00

Second offense ..... \$500.00

2. Operating equipment in an unsafe condition. (O.C.G.A. Section 25-15-22 & Rule [120-3-26-.09](#))

First offense ..... \$500.00

Second offense ..... \$1000.00

3. Failure to permit access for the purpose of inspecting or investigating equipment. (O.C.G.A. Section 25-15-23 & Rule [120-3-26-.07](#))

First offense ..... \$500.00

Second offense ..... \$1000.00

4. Failing to notify the Chief Inspector of any violation involving structural damage or injury. (O.C.G.A. Section 25-15-10 & Rule [120-3-26-.08](#))

First offense ..... \$500.00

Second offense ..... \$1000.00

Offense involved in death ..... \$5000.00

5. Placing unit back in service, which has been "Red Tagged" and placed out of service by a deputy inspector without first having the unit inspected. (O.C.G.A. 25-15-10 & Rule 120-26-18)

First offense ..... \$1000.00

Second offense ..... \$2500.00

6. Placing unit back in service, which has been involved in an accident prior to first having the unit inspected. (O.C.G.A. Section 25-15-10 & Rule 120-3-26-.10)

First offense ..... \$1000.00

Second offense ..... \$2500.00

7. Turning equipment over for use without a final acceptance inspection. (O.C.G.A. Section 25-15-14 & Rule [120-3-26-.07](#))

First offense ..... \$500.00

Second offense ..... \$1000.00

8. Installing equipment without a permit. (O.C.G.A. Section 25-15-14 & Rule [120-3-26-.07](#))

First offense ..... Double Permit Fee

Second offense..... Triple Permit Fee

9. Inspecting without qualifications. (Rule [120-3-26-.10](#))

First offense ..... \$500.00

Second offense ..... \$1000.00

(b) General Violations:

1. Violating adopted Codes, Standards, Rules, Regulations or Orders. (O.C.G.A. Section 25-15-14 & Rule [120-3-26-.01](#))

First offense ..... \$250.00

Second offense ..... \$500.00

2. Certified company performing an activity which violates the law or regulations: (O.C.G.A. Section 25-15-14 & Rule [120-3-26-.16](#))

Any Offense ..... \$2500.00 and Suspension of Certificate

Any third repeated offense might subject the violator to the maximum civil penalty permitted under the Act (\$5,000.00).

**Cite as** Ga. Comp. R. & Regs. R. 120-3-26-.20

**AUTHORITY:** O.C.G.A. §§ 25-15-26, 25-15-13, 25-15-31.

**HISTORY:** Original Rule entitled "Exceptions. Amended" adopted. F. Sep. 4, 2013; eff. Sept. 24, 2013.

**Repealed:** New Rule entitled "Safety/Safety Relief Valves" adopted. F. Mar. 16, 2015; eff. Apr. 5, 2015.

**Repealed:** New Rule entitled "Notice of Hearing and Penalties" adopted. F. Dec. 31, 2020; eff. Jan. 20, 2021.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

# Department 160. RULES OF GEORGIA DEPARTMENT OF EDUCATION

## Chapter 160-1.

### Subject 160-1-4. GRANT PROGRAMS

#### 160-1-4-.309 Sources of Strength Materials Grant

1. **Purpose of Grant.** The purpose of the Sources of Strength Materials Grant is to provide training materials to sustain the implementation of the Sources of Strength program.

2. **Term and Conditions.** Grants are awarded through a competitive process to eligible local educational agencies (LEAs) that participated in the Sources of Strength training. Recipients must use grant funds to purchase training materials needed to support the Sources of Strength program. Grant recipients must also produce a report at the conclusion of the grant period that includes a list of purchased materials, their purpose, and training logs. All grant funds must be used by the end of the grant period. No carryover is allowed.

3. **Eligible Recipient(s).** LEAs that previously participated in the Sources of Strength training and are ready to implement the Sources of Strength program are eligible to apply. Individual schools are not eligible to apply.

4. **Criteria for Award.** Applications will be reviewed and scored by the Georgia Department of Education. The total amount of grant funds available will be divided by the number of eligible schools to determine the award amount for each LEA.

5. **Directions and Deadlines for Applying.** Information about the grant, including the deadline, will be communicated to School Climate Specialists. For additional information, please contact the Office of School Climate, Georgia Department of Education, 1562 Twin Towers East, 205 Jesse Hill Jr. Drive, SE, Atlanta Georgia 30334 or Rebecca Blanton at [rblanton@doe.k12.ga.us](mailto:rblanton@doe.k12.ga.us).

**Cite as** Ga. Comp. R. & Regs. R. 160-1-4-.309

**AUTHORITY:** O.C.G.A. § [20-2-240](#).

**HISTORY:** Original grant description entitled "Sources of Strength Materials Grant" submitted June 14, 2022.

# Department 160. RULES OF GEORGIA DEPARTMENT OF EDUCATION

## Chapter 160-4.

### Subject 160-4-2. DIVISION OF GENERAL INSTRUCTION

#### 160-4-2-.34 Dual Enrollment

##### (1) DEFINITIONS

(a) **Commission** - the Georgia Student Finance Commission created by O.C.G.A. § [20-3-233](#).

(b) **Dual Credit Course** - a postsecondary course, including a virtual course, taken by an eligible high school student pursuant to an arrangement at or through an eligible postsecondary institution for which the student receives secondary credit from his or her eligible high school.

(c) **Eligible core course** - a course in English, math, science, social studies, or a foreign language upon which the Commission calculates grade point averages for HOPE scholarship eligibility pursuant to O.C.G.A. § [20-2-157\(b\)](#)(3.1) and which is included in the eligible course list.

(d) **Eligible course list** - a list of courses maintained by the Commission which identifies courses approved for funding authorized by O.C.G.A. § [20-2-161.3](#) and shall include eligible core courses and eligible Career, Technology, and Agricultural Education (CTAE) courses.

(e) **Eligible CTAE course** - all career, technical, and agricultural education courses which are aligned with the Georgia Department of Education's Career Clusters and Pathways programs and which are included in the eligible course list.

(f) **Eligible dual credit course** - a dual credit course which is included in the eligible course list and which is eligible for payment, with state funds, under these Programs subject to the following maximum credit hour caps:

1. Eligible high school students with 18 or fewer semester hours, or the equivalent amount of quarter hours, of dual credit courses funded by O.C.G.A. § [20-2-161.3](#) on or before June 30, 2020, shall be limited to a total of 30 semester hours, or the equivalent amount of quarter hours, of eligible dual credit courses; and

2. Eligible high school students with 19 or more semester hours, or the equivalent amount of quarter hours, of dual credit courses funded by O.C.G.A. § [20-2-161.3](#) on or before June 30, 2020, shall be limited to 12 additional semester hours, or the equivalent amount of quarter hours, of eligible dual credit courses.

(g) **Eligible High School** - any private or public secondary educational institution located within the State of Georgia and any home study program operated pursuant to O.C.G.A. § [20-2-690](#).

(h) **Eligible High School Student** - a student who is:

1. Entering or enrolled in eleventh or twelfth grade at an eligible high school taking any eligible dual credit course at any eligible postsecondary institution; or

2. Entering or enrolled in tenth grade at an eligible high school when such student:

(i) Is enrolled in an eligible CTAE course at an institution within the Technical College System of Georgia;

(ii) Has obtained prior to the beginning of the term of dual enrollment coursework an SAT or ACT test score that would meet the assessment requirements of a Zell Miller Scholar pursuant to O.C.G.A. § [20-3-519\(27\)\(A\)\(i\)](#) and is taking eligible core courses at any eligible postsecondary institution; or

(iii) Was enrolled as a ninth grader in one or more dual credit courses at an eligible postsecondary institution for which payment was made pursuant to O.C.G.A. § [20-2-161.3](#) on or before June 30, 2020.

(i) **Eligible Postsecondary Institution** - any eligible postsecondary institution as defined in O.C.G.A. § [20-3-519\(7\)](#).

(j) **Georgia Department of Education** - the state agency charged with the fiscal and administrative management of certain aspects of K-12 public education, including the implementation of federal and state mandates. Such management is subject to supervision and oversight by the State Board of Education.

(k) **Programs** - the arrangement authorized by O.C.G.A. §§ [20-2-161.3](#) and [20-2-149.2](#), also referred throughout this rule as Options A and B respectively, whereby an eligible high school student takes one or more dual credit courses, including self-pay dual credit courses, with the goal of completing postsecondary credit and high school diploma requirements.

(l) **Self-Pay Dual Credit Course** - a postsecondary course, including a virtual course, taken by an eligible high school student pursuant to an arrangement at or through an eligible postsecondary institution for which, beginning with the 2021-2022 school year, the student receives secondary credit from his or her eligible high school and which is not funded using state funds.

(m) **Secondary Credit** - a high school credit for dual credit courses taken at or through an eligible postsecondary institution under the Programs.

## (2) REQUIREMENTS

(a) An eligible high school student may apply to an eligible postsecondary institution to take one or more dual credit courses or self-pay dual credit courses at or through that postsecondary institution which are approved for secondary credit pursuant to O.C.G.A. § [20-2-161.3\(f\)](#). If accepted at an eligible postsecondary institution, such eligible high school student may take any such approved dual credit course or self-pay dual credit course at or through that postsecondary institution, whether or not the course is taught during the regular eligible high school day and receive secondary credit therefor under the conditions provided in O.C.G.A. § [20-2-161.3](#).

(b) No later than the first day of February each year, each eligible high school shall provide information about the Programs, which shall include forms provided by the Georgia Department of Education, to all its eligible high school students. An eligible high school shall also provide counseling services to such students and their parents or guardians before the students enroll in the Programs. Prior to participating in the program, the student and the student's parent or guardian shall sign the form provided by the eligible high school or by an eligible postsecondary institution stating that they have received the counseling specified in this subsection and that they understand the responsibilities that shall be assumed in participating in the Programs.

1. Information and materials regarding the Programs shall be provided to each eighth grade public school student at the time the student is developing his or her individual graduation plan as required by O.C.G.A. § [20-2-327](#).

(c) In order to participate in the Programs, each eligible high school shall be required to execute a participation agreement as prescribed by the Commission.

(d) A participating eligible high school shall grant secondary credit to an eligible high school student enrolled in a dual credit course or self-pay dual credit course in an eligible postsecondary institution if such student successfully completes such course. The secondary credit granted shall be for a comparable required course; career, technical, and agricultural education course; or elective course. Upon completion of an eligible postsecondary institution's dual credit course or self-pay dual credit course, the eligible high school student shall be responsible for requesting that

the eligible postsecondary institution notify such student's eligible high school regarding his or her grade in such course.

1. Secondary credits granted for eligible postsecondary institution dual credit or self-pay dual credit courses as provided in (2)(d) shall be counted by the eligible high school toward graduation requirements and subject area requirements of the eligible high school. Evidence of successful completion of each dual credit or self-pay dual credit course and secondary credits granted shall be included in the eligible high school student's secondary school records and transcripts.

2. Grades earned at an eligible postsecondary institution shall be included on the high school transcript and shall be used, by the eligible high school, to compute a student's grade point average.

3. Secondary credits granted at an eligible postsecondary institution shall be converted and transcribed on the eligible high school student's transcript.

(i) Eligible postsecondary institution semester hour credit shall be converted to secondary credit as follows:

(I) 1 to 2 semester hours = .5 secondary credit

(II) 3 or more semester hours = 1 secondary credit

(III) 1 to 3 quarter hour credits = .5 secondary credit

(IV) 4 or more quarter hour credits = 1 secondary credit.

(e) A participating eligible high school shall be required to award a high school diploma to any eligible high school student who is enrolled at or through an eligible postsecondary institution under the Programs as long as the credit earned at or through such postsecondary institution satisfies course requirements needed for the eligible high school student to complete high school graduation.

**(f) Dual Enrollment Option A Requirements**

1. An eligible high school student shall meet the following requirements, pursuant to O.C.G.A. § [20-2-161.3](#), in order to be awarded a high school diploma:

(i) Receives a score of admission acceptable on the readiness assessment required by the eligible postsecondary institution.

(ii) Earns a secondary credit in State Board identified high school courses that culminate in a state administered end-of-course assessment in each of the following subject areas: English/language arts, Mathematics, Science and Social Studies. Eligible high school students must participate in the appropriate end-of-course assessment.

(I) However, State Board of Education Rule [160-3-1-.07](#) TESTING PROGRAMS - STUDENT ASSESSMENT (2)(j)1 establishes certain exemptions from end-of-course assessments.

(iii) Earns one secondary credit in health and physical education.

(iv) Completes approved postsecondary courses that satisfy high school graduation requirements.

(v) Earns the requisite credits required by State Board of Education Rule [160-4-2-.48](#) High School Graduation Requirements for Students Enrolling in the Ninth Grade for the First Time in the 2008-09 School Year and Subsequent Years.

**(g) Dual Enrollment Option B Requirements**



1. An eligible high school student shall meet the following requirements, pursuant to O.C.G.A. § [20-2-149.2](#), in order to be awarded a high school diploma:

(i) Receives a score of admission acceptable on the readiness assessment required by the eligible postsecondary institution.

(ii) Earns two secondary credits in state required ninth and tenth grade level high school courses or their equivalent: two English courses, two mathematics courses, two science courses, and two social studies courses; and any state required tests associated with any such course.

(I) Students pursuing a high school diploma according to the provisions of (2)(g) of this rule must successfully complete and pass the following courses and participate in the specified end-of-course assessments: Algebra I or Coordinate Algebra, American Literature and Composition, and Biology.

(II) Students entering the 9<sup>th</sup> grade in the 2022-2023 school year and beyond who pursue a high school diploma according to the provisions of (2)(g) of this rule must also successfully complete and pass both American Government and Personal Finance & Economics.

(iii) Earns one secondary credit in health and physical education.

(iv) Completes one of the following postsecondary requirements:

(I) An associate degree program; or

(II) A technical college diploma program and all postsecondary academic education and technical education and training prerequisites for any state, national, or industry occupational certifications or licenses required to work in the field; or

(III) At least two technical college certificate of credit programs in one specific career pathway and all postsecondary academic education and technical education and training prerequisites for any state, national, or industry occupational certifications or licenses required to work in the field as determined by the Technical College System of Georgia.

(v) A student who meets the requirements of sections (2)(g) 1. (i) through (iv) shall be deemed to have met all graduation requirements of the State Board of Education and shall not be subject to any courses or assessments otherwise required for purposes of graduation.

(h) No local school system that receives funding under the Quality Basic Education Act shall exclude eligible high school students taking one or more dual credit courses pursuant to this Code section from eligibility determinations for valedictorian and salutatorian of a participating eligible high school; provided, however, that this shall not apply to a student who moves into the local school system after tenth grade and has not taken any courses on site at the participating eligible high school.

**Cite as** Ga. Comp. R. & Regs. R. 160-4-2-.34

**AUTHORITY:** O.C.G.A. §§ [20-2-149.2](#), [20-2-161.3](#).

**HISTORY:** Original Rule entitled "Postsecondary Options" adopted. F. May 20, 1993; eff. June 9, 1993.

**Amended:** F. Aug. 21, 1995; eff. Sept. 10, 1995.

**Repealed:** New Rule of same title adopted. F. Jul. 13, 1999; eff. Aug. 2, 1999.

**Repealed:** New Rule entitled "Dual and Joint Enrollment Programs" adopted. F. Apr. 20, 2005; eff. May 10, 2005.

**Repealed:** New Rule entitled "Dual Enrollment" adopted. F. Jan. 14, 2010; eff. Feb. 3, 2010.

**Repealed:** New Rule entitled "Dual Enrollment - Move On When Ready" adopted. F. July 14, 2016; eff. August 3, 2016.

**Amended:** F. Nov. 3, 2016; eff. Nov. 23, 2016.

**Amended:** F. Aug. 24, 2017; eff. Sept. 13, 2017.

**Amended:** New title "Dual Enrollment." F. June 13, 2019; eff. July 3, 2019.

**Note:** Correction of non-substantive typographical error in paragraph (1)(e), "***Eligible Postsecondary Institution** - any eligible postsecondary institution as defined in. paragraph (7) of O.C.G.A. § 20-3-519.*" corrected to "***Eligible Postsecondary Institution** - any eligible postsecondary institution as defined in paragraph (7) of O.C.G.A. § 20-3-519.*", as requested by the Agency. Effective July 29, 2019.

**Amended:** F. Mar. 25, 2021; eff. Apr. 14, 2021.

**Amended:** F. June 16, 2022; eff. July 6, 2022.

# **Department 276. GEORGIA STATE BOARD OF HEARING AID DEALERS AND DISPENSERS**

## **Chapter 276-10. CONTINUING EDUCATION**

### **276-10-.02 Continuing Education**

(1) Courses offered by the following are preapproved by the Board as means of acquiring the required continuing education hours for license renewal subject to the specific categories as outlined in paragraph 3 of this rule.

- (a) International Institute for Hearing Instrument Studies
- (b) International Hearing Society
- (c) Georgia Society of Hearing Professionals
- (d) American Speech-Language-Hearing Association
- (e) Georgia Speech-Language-Hearing Association
- (f) American Academy of Otolaryngology, Head and Neck Surgery, Inc.
- (g) Georgia Academy of Audiology
- (h) College courses taken for credit or through official audit or seminars sponsored by such colleges
- (i) Audiology Online ([www.audiologyonline.com](http://www.audiologyonline.com))
- (j) American Academy of Audiology

(2) All educational opportunities other than those offered by various state approved/sanctioned academies, societies and associations require prior approval from the Board within thirty (30) days prior to the scheduled date of such program. Applications for approval must include sponsor, date, location, subjects, scope, instructors, qualifications of instructors, and classroom hours for each subject.

(3) Of the required hours, two (2) must be in the medical area (face-to-face only, NOT online), two (2) must be in jurisprudence (Georgia laws and rules) and/or ethics, two (2) must be in patient management. The remainder of hours may be obtained as product specific or on the topic of practice building. Effective January 1, 2016, a hearing aid dispenser must obtain a minimum of twenty (20) hours of continuing education per biennium.

(a) Online Hours: Of the required total continuing education hours, a total of six (6) hours must be obtained face-to-face, in person (of these 6 hours, the 2 required hours in the medical area MUST be obtained face-to-face, in person). Prior to December 31, 2015, the remaining eight (8) hours may be obtained via online means, however, NO more than four (4) hours may be obtained online in any given twenty-four (24) hour period. Effective January 1, 2016, a hearing aid dispenser must obtain a minimum of twenty (20) hours of continuing education per biennium. No more than fourteen (14) hours of the required twenty (20) may be obtained via online means with NO more than four (4) hours obtained online in any given twenty-four (24) hour period.

(b) Approved areas of study to satisfy the two (2) hours in the medical area are:

- 1. Anatomy and physiology
- 2. Diseases of the ear

3. Disease control

4. Otoscopy

5. Tinnitus

(c) Approved areas of study to satisfy the two (2) hours in patient management are:

1. Testing

2. Rehabilitation

3. Counseling

4. Impressions of the ear

(4) The method of reporting continuing education hours to the Board, IF selected for a Continuing Education Hours audit, shall be as follows:

(a) Each licensed hearing aid dispenser shall be responsible for maintaining certificates of attendance and any course descriptions, schedules, syllabuses, synopses or abstracts of course content for continuing education courses taken to satisfy the requirements for continuing education for a period of four (4) years from the date of attendance. Licensees who are **audited** shall submit the certificates of attendance along with the course descriptions. Additional verifications may be requested by the Board.

(b) Continuing Education Hours must be obtained within the two-year licensure cycle, i.e., between January 1st of every Even Numbered year and December 31st of the subsequent Odd Numbered year.

(c) The Board shall audit the required continuing education hours of a percentage of dispenser licensees for compliance with all rules and regulations. This percentage shall not be less than fifteen percent (15%) of the licensed Hearing Aid dispensers, randomly selected, each biennium renewal period.

(d) At the time of license renewal, each dispenser shall certify to the Georgia Board of Hearing Aid Dealers and Dispensers that he/she has completed the continuing education credits required for license renewal.

(e) In the event a licensee, who is audited, fails to submit certificates of continuing education attendance, and other documentation referred to in paragraph (4)(a) above, of having satisfied the continuing education requirements for license renewal, the application will not be processed until the continuing education audit is completed

(f) Current (licensed) members of the Board shall also be audited for each renewal cycle that they serve on the Board.

**Cite as** Ga. Comp. R. & Regs. R. 276-10-.02

**AUTHORITY:** O.C.G.A. §§ [43-1-25](#), [43-20-6\(d\)](#), [43-20-15\(c\)](#).

**HISTORY:** Original Rule entitled "Hearing Instruments Institute" adopted as ER. 276-10-0.12-.02. F. Feb. 16, 1979; eff. Jan. 29, 1979, the date of adoption.

**Amended:** Permanent Rule of same title adopted. F. May 16, 1979; eff. June 5, 1979.

**Repealed:** New Rule, same title adopted. F. Nov. 15, 1979; eff. Dec. 5, 1979.

**Amended:** Rule retitled "National Institute for Hearing Instruments Studies." F. July 24, 1981; eff. August 13, 1981.

**Repealed:** New Rule entitled "Continuing Education" adopted. F. July 17, 1984; eff. August 6, 1984.

**Amended:** F. June 24, 1988; eff. July 14, 1988.

**Amended:** F. Dec. 2, 1997; eff. Dec. 22, 1997.

**Amended:** F. Sept. 23, 1998; eff. Oct. 13, 1998.

**Repealed:** New Rule, same title adopted. F. Sept. 28, 2001; eff. Oct. 18, 2001.

**Repealed:** New Rule of same title adopted. F. Jan. 2, 2004; eff. Jan. 22, 2004.

**Repealed:** New Rule entitled "Continuing Education Courses" adopted. F. July 15, 2009; eff. August 4, 2009.

**Repealed:** New Rule entitled "Continuing Education" adopted. F. Sep. 17, 2012; eff. Oct. 7, 2012.

**Amended:** F. Mar. 16, 2016; eff. Apr. 5, 2016.

**Amended:** F. June 10, 2022; eff. June 30, 2022.

## **Department 276. GEORGIA STATE BOARD OF HEARING AID DEALERS AND DISPENSERS**

### **Chapter 276-14. RENEWAL AND REINSTATEMENT PROCESS**

#### **276-14-.02 Late Renewal**

Each license will expire and must be renewed by December 31st of every odd numbered year. A license not renewed by December 31st of every odd numbered year will be considered for late renewal until January 31st of the subsequent even numbered year by the payment of the current renewal fee, plus an additional 50% of the renewal fee. Late renewal applications must be accompanied by proof that all CE requirements (Dispensers) have been met for the current biennium renewal period.

**Cite as** Ga. Comp. R. & Regs. R. 276-14-.02

**AUTHORITY:** O.C.G.A. §§ [43-1-4](#), [43-1-7](#), [43-1-25](#), [43-20-6\(b\), \(d\)](#), [43-20-14](#), [43-20-15](#).

**HISTORY:** Original Rule entitled "Late Renewal" adopted. F. July 15, 2009; eff. August 4, 2009.

**Amended:** F. June 10, 2022; eff. June 30, 2022.

# Department 391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES

## Chapter 391-2. COASTAL RESOURCES

### Subject 391-2-4. SALTWATER FISHING REGULATIONS

#### 391-2-4-.04 [Effective 7/12/2022] Saltwater Finfishing

(1) **Purpose.** The purpose of these Rules is to implement the authority of the Board of Natural Resources to promulgate rules and regulations based on sound principles of wildlife research and management, establishing the seasons, methods of fishing, and disposition; size, possession, and creel limits; and gear and landing specifications for certain finfish.

(2) **Definitions.**

(a) "Billfish" means Blue Marlin (*Makaira nigricans*), White Marlin (*Tetrapturus albidus*) and Sailfish (*Istiophorus albicans*).

(b) "Daily creel limit" means the lawful amount of a species of finfish that a person may take in one day or possess at any one-time, except at one's place of abode or at a commercial storage facility provided the Board has not prohibited sale of that species.

(c) "Hammerhead Sharks" means a group of sharks inclusive of great hammerhead (*Sphyrna mokarran*), scalloped hammerhead (*Sphyrna lewini*) and smooth hammerhead (*Sphyrna zygaena*).

(d) "Handline" means a mainline to which no more than two hooks are attached and which is retrieved by hand without the aid of mechanical devices.

(e) "Landed" means to bring fish to shore in this state, regardless of the jurisdiction from which they were taken or harvested.

(f) "Minimum size" means the species' specific size in length, specified as fork length, lower jaw fork length or total length, below which size it is unlawful to possess that finfish species.

(g) "Maximum size" means the species' specific size in length, specified as fork length, lower jaw fork length or total length, above which size it is unlawful to possess that finfish species.

(h) "Open Season" means that specified period of time during which one may take from any of the waters of this state certain finfish species.

(i) "Prohibited Sharks" means a group of sharks inclusive of sand tiger (*Carcharias taurus*), sandbar shark (*Carcharhinus plumbeus*), silky shark (*Carcharhinus falciformis*), bigeye sandtiger (*Odontaspis noronhai*), whale shark (*Rhincodon typus*), basking shark (*Cetorhinus maximus*), white shark (*Carcharodon carcharias*), dusky shark (*Carcharhinus obscurus*), bignose shark (*Carcharhinus altimus*), Galapagos shark (*Carcharhinus galapagensis*), night shark (*Carcharhinus signatus*), reef shark (*Carcharhinus perezii*), narrowtooth shark (*Carcharhinus brachyurus*), Caribbean sharpnose shark (*Rhizoprionodon porosus*), smalltail shark (*Carcharhinus porosus*), Atlantic angel shark (*Squatina dumeril*), longfin mako (*Isurus paucus*), bigeye thresher (*Alopias superciliosus*), sharpnose sevengill shark (*Heptranchias perlo*), bluntnose sixgill shark (*Hexanchus griseus*), bigeye sixgill shark (*Hexanchus nakamurai*), and oceanic whitetip shark (*Carcharhinus longimanus*).

(j) "Sharks" means all species of sharks other than those comprising the small shark composite as defined in subparagraph 2(k), hammerhead sharks as defined in subparagraph 2(c), prohibited sharks as defined in subparagraph 2(i), and individual species regulated by this rule.

(k) "Small Shark Composite" means a group of sharks inclusive of Atlantic sharpnose shark (*Rhizoprionodon terraenovae*), bonnethead (*Sphyrna tiburo*), and spiny dogfish (*Squalus acanthias*).

(3) **Seasons, Daily Creel and Possession Limits, Minimum and Maximum Size Limits.** The following species may be taken in accordance with the seasons, daily creel and possession limits, and minimum and maximum size limits set forth below, except as otherwise specifically provided herein:

SPECIES	SEASON	Daily Creel and Possession Limit	Minimum Size (inches)	Maximum Size (inches)
(a) Amberjack	All Year	1	28 FL	
(b) Atlantic croaker	All Year	25		
(c) Atlantic sturgeon	No Open Season has been established by the Board of Natural Resources.			
(d) Black drum	All Year	15	14 TL	
(e) Black sea bass	All Year	15	12 TL	
(f) Reserved				
(g) Bluefish	All Year	15	12 TL	
(h) Cobia	March 1 - October 31	1 per person not to exceed 6 per boat	36 FL	
(i) Dolphin	All Year	10 per person not to exceed 54 per boat.	20 FL	
1. Headboats with a valid certificate of inspection are allowed 10 dolphin per paying passenger.				
(j) Flounder ( <i>Paralichthys spp.</i> )	All Year	15	12 TL	
(k) Gag grouper	All Year	2	24 TL	
(l) King mackerel	All Year	3	24 FL	
(m) Red Drum	All Year	5	14 TL	23TL
(n) Red Porgy	All Year	3	14 TL	
(o) Red Snapper	All Year	2	20 TL	
(p) Reserved				
(q) Prohibited Sharks	Unlawful to possess.			
(r) Sharks	All Year	1 per person or boat	54 FL	
(s) Sheepshead	All Year	15	10 TL	
(t) Small Shark Composite	All Year	1	30 FL	
(u) Spanish mackerel	All Year	15	12 FL	
1. A catch of Spanish mackerel under the minimum size limit is allowed equal to five percent by weight of the total catch of Spanish mackerel on board a trawler.				
(v) Spot	All Year	25		
(w) Spotted sea trout	All Year	15	14 TL	
(x) Tarpon	All Year	1	68 TL	
(y) Tripletail	All Year	2	18 TL	
(z) Weakfish	All Year	1	13 TL	
(aa) Reserved				
(bb) American eel	All Year	25	9 TL	
(cc) Hammerhead Sharks	All Year	1 per person or boat	78 FL	
(dd) Shortfin Mako Shark	All Year	1 per person or boat	83 FL	



(4) **Restrictions on Sale.** It shall be unlawful for any person in this state to sell, purchase, or barter any of the following species or part thereof, except as otherwise specifically provided herein:

(a) No person operating as a dealer may buy or sell sharks, small shark composite species, hammerhead sharks, and shortfin mako sharks caught in state waters without first obtaining a federal Commercial Shark Dealer Permit and when state or federal quotas for species within those groups have been reached.

(b) Tarpon.

(c) No person may sell any fish managed under federal law and harvested from either Georgia waters or the South Atlantic Exclusive Economic Zone except when the catch of such fish is allowed by applicable federal law. This prohibition of sale does not apply to fish harvested, landed, and sold in compliance with applicable federal law and held in cold storage by a seafood dealer or processor. This prohibition also does not apply to a seafood dealer's purchase or sale of fish harvested from waters other than those of Georgia or the South Atlantic Exclusive Economic Zone, provided such fish is accompanied by documentation of legal harvest.

(d) Reserved

(e) Reserved

(5) Possession and Landing Specifications.

(a) All fish subject to restrictions specified in this Rule may be possessed in state waters or landed only with head and fins intact, except that when landed for commercial purposes, all sharks, small shark composite species, hammerhead sharks, and shortfin mako sharks may have the heads removed but fins and tail must remain naturally attached.

(b) It shall be unlawful to transfer at sea in State waters from a fishing vessel to any other vessel or person any fish caught which are subject to the restrictions specified in this Rule.

(c) Except as otherwise provided by law, it shall be unlawful to fish for sharks, small shark composite species, hammerhead sharks, or shortfin mako sharks for recreational purposes with any gear other than rod and reel or handline as defined in subparagraph (2)(d) above. Additionally, anglers must use non-offset, corrodible, non-stainless-steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures.

(d) Except as otherwise provided by law, trawlers fishing for shrimp for human consumption pursuant to Code Section 27-4-133 shall be exempt from the creel and possession limits for spot and Atlantic croaker.

(e) Except as otherwise specifically provided herein, in state waters the size, catch, creel and possession limits, fishing period closures, and requirements pertaining to the taking, release, landing, sale, purchase, trade, or barter of billfish shall be prescribed by federal regulations implemented under the Fishery Conservation and Management Act (PL 94-265) and the Consolidated Atlantic Highly Migratory Species Fishery Management Plan.

**Cite as** Ga. Comp. R. & Regs. R. 391-2-4-.04

**AUTHORITY:** O.C.G.A. §§ 12-2-24, 27-1-4, 27-4-10.

**HISTORY: Amended:** F. July 30, 1991; eff. August 19, 1991.

**Amended:** F. Feb. 26, 1992; eff. Mar. 17, 1992.

**Amended:** F. July 22, 1992; eff. August 11, 1992.

**Amended:** F. July 26, 1993; eff. August 15, 1993.

**Amended:** F. Nov. 3, 1995; eff. Nov. 23, 1995.

**Amended:** ER. 391-2-4-0.34-.04 adopted. F. and eff. Jan. 29, 1997, the date of adoption, to be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter is adopted, as specified by the Agency.

**Amended:** F. Apr. 23, 1997; eff. May 13, 1997.

**Amended:** F. Oct. 23, 1998; eff. Nov. 12, 1998.

**Amended:** F. Oct. 28, 1999; eff. Nov. 17, 1999.

**Amended:** F. Aug. 28, 2001; eff. Sept. 17, 2001.

**Amended:** F. Dec. 8, 2006; eff. Dec. 28, 2006.

**Amended:** Feb. 11, 2009; eff. Mar. 3, 2009.

**Amended:** F. Mar. 25, 2010; eff. Apr. 14, 2010.

**Amended:** F. Dec. 18, 2012; eff. Jan. 7, 2013.

**Amended:** F. Dec. 13, 2013; eff. Jan. 2, 2014.

**Amended:** F. Feb. 5, 2014; eff. Feb. 25, 2014.

**Amended:** F. Dec. 7, 2015; eff. Jan. 1, 2016, as specified by the Agency.

**Amended:** F. Feb. 7, 2018; eff. Mar. 1, 2018, as specified by the Agency.

**Amended:** F. Feb. 10, 2020; eff. Mar. 1, 2020.

**Amended:** F. Feb. 1, 2022; eff. Feb. 21, 2022.

**Amended:** F. June 22, 2022; eff. July 12, 2022.

# Department 391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES

## Chapter 391-3. ENVIRONMENTAL PROTECTION

### Subject 391-3-1. AIR QUALITY CONTROL

#### 391-3-1-.03 Permits. Amended

##### (1) Construction (SIP) Permit.

(a) **Any person** prior to beginning the construction or modification of any facility which may result in air pollution shall obtain a permit for the construction or modification of such facility from the Director.

(b) **The application** for a construction permit shall be made on forms supplied by the Director, and shall be signed by the applicant. Said application shall be filed with the Director well in advance of any critical date involved in the construction or modification of such facility, so that adequate time will be available for review, discussion, and revision where necessary. Said application shall include and/or be accompanied by all pertinent information as the Director may require for a full evaluation of the proposed construction or modification of the facility, such as: process flow diagrams; plot plans; description of control devices; description of the proposed new or modified operation; type of operation; raw materials and chemicals to be used, the finished products; type, quantity and peak output of fuels to be used; the amount of combustible waste that will be generated and the method of disposing of same; characteristics and amounts of emissions into the atmosphere; engineering reports; plans and specifications; time schedules and reports of progress; records; information regarding any Emission Reduction Credits on which the applicant intends to rely; and related information.

(c) **The permit** for the construction or modification of any facility shall be issued upon a determination by the Director that the facility can reasonably be expected to comply with all the provisions of the Act and the rules and regulations promulgated thereunder.

##### (2) Operating (SIP) Permit.

(a) **Any person** operating a facility or performing an activity which is not exempted under 391-3-1-.03(6) from which air contaminants are or may be emitted shall obtain an Operating (SIP) Permit from the Director.

(b) **Application** for an operating permit must be made within thirty (30) days after commencement of normal operations. Said application for an operating permit shall be accompanied by such plans, specifications, and other information deemed necessary by the Director to make full evaluation of the performance of the facility. If any of the necessary information cannot be provided within the required time, the application shall include a schedule, subject to the approval of the Director, for submission of all such information as soon as practicable.

(c) **An operating permit** will be issued upon evidence satisfactory to the Director of compliance with the provisions of the Act and the rules and regulations promulgated thereunder. Said permit shall specify the conditions under which the facility shall be operated in order to comply with the Act and rules and regulations. As a condition for the issuance of an operating permit, the Director may require the applicant to conduct performance tests and monitoring and provide reports concerning operations, to demonstrate compliance with the Act and the rules and regulations. Such tests and monitoring shall be conducted, and such required reports submitted, in accordance with methods and procedures approved by the Director.

(d) **The Director** may grant a temporary operating permit for such period of time and under such conditions as he shall specify in the permit, in order to allow the applicant a reasonable period of time in which to correct deficiencies in any existing facility. The temporary operating permit shall specify a schedule for bringing the existing facility into compliance with the Act and rules and regulations in the shortest practical time period.

(e) **The requirements** of this section (2) shall not apply to any emissions unit as defined in 40 CFR 70.2 which has been issued a part 70 permit under the requirements of section (10), unless there is a modification to such unit.

(f) **Any person** operating a facility or performing an activity from which air contaminants are or may be emitted, may be required to obtain a Permit by Rule, a Generic Permit or a Part 70 Permit from the Director in addition to an Operating (SIP) Permit.

(g) **Under penalty** of law, the holder of any Air Quality Permit must adhere to the terms, limitations, and conditions of that permit and subsequent revisions of that permit.

(h) **The limitations**, controls, and requirements in federally enforceable operating permits are permanent, quantifiable, and otherwise enforceable as a practical matter.

(i) **Prior to the issuance** of any federally enforceable operating permit, EPA and the public will be notified and given a chance for comment on the draft permit.

**(3) Revocation, Suspension, Modification or Amendment of Permits.**

(a) **Any permit** issued by the Director shall be subject to periodic review and the Director may revoke, suspend, modify or amend any permit issued, for cause, including but not limited to, the following:

1. Violation of any condition of said permit, or failure to comply with a final order of the Director;
2. Failure to comply with any applicable rules or regulations in effect pursuant to this Chapter;
3. Obtaining a permit by misrepresentation, or failure to disclose fully all relevant facts, or failure to inform the Division of modifications affecting emissions;
4. Modifications which affect emissions. In the event of modification, amendment, suspension or revocation of a permit, the Director shall serve written notice of such action on the permit holder and shall set forth in such notice the reason for the action.
5. The Director may amend any permit to establish an emission limitation based on existing equipment design and reasonable operation and maintenance practices. Such limitation shall not allow emissions greater than those allowed by other provisions and emission limits specified elsewhere in the Rules, Chapter 391-3-1.

**(4) Permits Not Transferable.**

A permit is not transferable from one person to another nor from one facility to another facility.

**(5) Permits Public Records.**

Except as to information required to be kept confidential by O.C.G.A. Section [12-9-19](#), as amended all applications for construction permits and operating permits shall be public record.

**(6) Exemptions.**

Unless otherwise required by the Director, SIP permits shall not be required for the following source activities. These exemptions may not be used to avoid any emission limitations or standards of the Rules for Air Quality Control Chapter [391-3-1-.02](#), lower the potential to emit below "major source" thresholds or to avoid any "applicable requirement" (i.e., NSPS, NESHAP, etc.) as defined in 40 CFR Part 70.2.

**(a) Mobile Sources.**

Mobile sources, such as automobiles, trucks, buses, locomotives, airplanes, boats and ships, whether or not designated as subject to mandatory inspection, maintenance, or emission requirements pursuant O.C.G.A. Section [12-9-40](#), et seq., as amended, the Georgia Motor Vehicle Emission Inspection and Maintenance Act. This exemption relates only to the requirement for a permit issued under the Act, not to any other requirement under the Act, and in no way affects any requirement for a permit, license, or a certificate under any other law. This limited exemption from the permit requirements of the Act shall in no way affect the applicability of any other requirement related to mobile sources, or any other requirement or limitation which may affect mobile sources.

**(b) Combustion Equipment.**

1. Fuel-burning equipment having a total heat input capacity of less than 10 MMBtu/hr burning only natural gas, LPG and/or distillate fuel oil containing 0.50% sulfur by weight or less.
2. Fuel-burning equipment rated at less than 5 MMBtu/hr burning a wood or fossil fuel.
3. Any fuel-burning equipment with a rated input capacity of 2.5 MMBtu/hr or less.
4. Equipment used for cooking food for immediate human consumption.
5. Blacksmith forges.
6. Clean steam condensate and steam relief vents.
7. Funeral homes and crematories of any size.
8. Air curtain destructor used for land clearing at a construction site.
9. Open burning.
10. Small incinerators operating as follows:
  - (i) less than 8 MMBtu/hr input, firing types 0, 1, 2 and/or 3 waste; or
  - (ii) less than 8 MMBtu/hr input with no more than 10% pathological (type 4) waste by weight combined with types 0, 1, 2 and/or 3 waste; or
  - (iii) less than 4 MMBtu/hr heat input firing Type 4 waste.
11. Stationary engines
  - (i) Burning natural gas, LPG, gasoline, dual fuel, or diesel fuel which are used exclusively as emergency generators;
  - (ii) Burning natural gas, LPG, and/or diesel fuel and used for peaking power (including emergency generators used for peaking power) where the peaking power use does not exceed 200 hours-per-year except in the counties of Banks, Barrow, Bartow, Butts, Carroll, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gordon, Gwinnett, Hall, Haralson, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Newton, Oconee, Paulding, Pickens, Pike, Polk, Putnam, Rockdale, Spalding, Troup, Upson, and Walton where such engines with a rated capacity equal to or greater than 100 kilowatts are not exempt; or
  - (iii) Used for other purposes provided that the total horsepower of all non-gasoline burning engines combined are less than 1500 engine horsepower and no individual engine operates for more than 1000 hours-per-year; or
  - (iv) Used for other purposes provided that the total horsepower of all gasoline burning engines combined are less than 225 horsepower and no individual engine operates for more than 1000 hours-per-year.

(v) For the purpose of this subsection, the following definitions shall apply:

(I) An "emergency generator" means a generator whose function is to provide back-up power when electric power from the local utility is interrupted and which operates for less than 500 hours-per-year, except in the counties of Banks, Barrow, Bartow, Butts, Carroll, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gordon, Gwinnett, Hall, Haralson, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Newton, Oconee, Paulding, Pickens, Pike, Polk, Putnam, Rockdale, Spalding, Troup, Upson, and Walton where such generator operates less than 200 hours-per-year.

(II) "Used for peaking power" means used to reduce the electrical power requirements on the local utility grid. This could be for supplying power during the local utility's peak demand periods, or for peak shaving by the facility.

12. Boiler water treatment operations.

13. Firefighting equipment, including fire pumps or other emergency/safety equipment used to fight fires or train firefighters or other emergency personnel.

14. Temporary stationary engines used to generate electricity that are used to replace main stationary engines during periods of maintenance or repair (provided the actual and potential emissions of the temporary sources do not exceed that of the main sources.)

15. Temporary fuel-burning equipment (i.e., boilers) that are used to replace main fuel-burning equipment during periods of maintenance or repair (provided the actual and potential emissions of the temporary sources do not exceed that of the main sources.) Temporary fuel-burning equipment that remains at a location for more than 180 consecutive days is no longer considered to be a temporary boiler. Temporary fuel-burning equipment that replaces temporary fuel-burning equipment at a location and is intended to perform the same or similar function will be included in calculating the consecutive time period.

16. Onsite air curtain incinerators with mist controls used for the purpose of decontamination and disposal of livestock and materials contaminated with the avian flu virus where on-site composting and burial are not viable methods of disposal.

**(c) Storage Tanks.**

1. All petroleum liquid storage tanks storing a liquid with a true vapor pressure of equal to or less than 0.50 psia as stored.

2. All petroleum liquid storage tanks with a capacity of less than 40,000 gallons storing a liquid with a true vapor pressure of equal to or less than 2.0 psia as stored.

3. All petroleum liquid storage tanks with a capacity of less than 10,000 gallons storing a petroleum liquid.

4. Pressurized vessels designed to operate in excess of 30 psig storing a petroleum fuel.

5. Gasoline storage and handling equipment at loading facilities handling less than 20,000 gallons per day or at vehicle dispensing facilities.

6. Portable drums and barrels provided that the volume of each container does not exceed 550 gal.

7. All chemical storage tanks used to store a chemical with a true vapor pressure of less than or equal to 10 millimeters of mercury.

**(d) Agricultural Operations.**

1. Farm equipment used for soil preparation, livestock handling, crop tending and harvesting and for other farm related activities.

2. Herbicide and pesticide mixing and application activities for on site use.

**(e) Maintenance, Cleaning & Housekeeping.**

1. Heating, air conditioning and ventilation systems not designed to remove air contaminants generated by or released from process or fuel-burning equipment.

2. Routine housekeeping activities such as painting buildings, roofing or paving parking lots, all clerical activities and all janitorial activities.

3. Maintenance activities such as: vehicle repair shops, brazing, soldering and welding equipment, carpenter shops, electrical charging stations, grinding and polishing operations maintenance shop vents, miscellaneous non-production surface cleaning, preparation and painting operations.

4. Miscellaneous activities such as: aerosol spray cans; air compressors; cafeteria vents; copying, photographic and blueprint machines; decommissioned equipment; dumpsters; fire training activities; fork lifts; railroad flares; refrigerators; space heaters.

5. Cold storage refrigeration equipment.

6. Vacuum-cleaning systems used exclusively for industrial, commercial, or residential housekeeping purposes.

7. Equipment used for portable steam cleaning.

8. Blast-cleaning equipment using a suspension of abrasive in water and any exhaust system or collector serving them exclusively.

9. Portable blast-cleaning equipment.

10. Laundry dryers, extractors, or tumblers for fabric cleaned with only water solutions of bleach or detergents.

11. Non-Perchloroethylene Dry-cleaning equipment with a capacity of 100 pounds per hour or less of clothes.

12. Cold cleaners having an air/vapor interface of not more than 10 square feet and that do not use a halogenated solvent.

13. Steam sterilizers.

14. Portable equipment used for the on site painting of buildings, towers, bridges and roads.

15. Non-routine clean out of tanks and equipment for the purposes of worker entry or in preparation for maintenance or decommissioning.

16. Equipment used for the washing or drying of fabricated products provided that no VOCs are used in the process and that no oil or solid fuels are burned.

17. Devices used exclusively for cleaning metal parts or surfaces by burning off residual amounts of paint, varnish, or other foreign material, provided that such devices are equipped with afterburners.

18. Fresh water cooling towers provided that the total potential emissions from the entire source remain below 10 tons per year of any single hazardous air pollutant and below 25 tons per year of any combination of hazardous air pollutants.

**(f) Laboratories and Testing.**

1. Laboratory equipment used exclusively for chemical or physical analyses;
2. Sampling connections used exclusively to withdraw materials for testing and analysis, including air contaminant detectors and vent lines;
3. Vacuum producing devices;
4. Research and development facilities, quality control testing facilities and/or small pilot projects, where combined daily emissions from all operations are below all of the following thresholds:
  - (i) Less than 125 pounds per day of carbon monoxide;
  - (ii) Less than 0.8 pounds per day of lead;
  - (iii) Less than 50 pounds per day of particulate matter, PM<sub>10</sub>, or sulfur dioxide;
  - (iv) Less than 50 pounds per day of nitrogen oxides or VOCs except in the Counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale, where less than 15 pounds per day of nitrogen oxides; or VOCs; and
  - (v) Less than 5 pounds per day of any single hazardous air pollutant and less than 12.5 pounds per day of any combination of hazardous air pollutants.

**(g) Pollution Control.**

1. Sanitary wastewater collection and treatment systems, except incineration equipment, that are not subject to any standard, limitation or other requirement under section 111 or section 112 (excluding section 112(r)) of the federal Clean Air Act.
2. On site soil or groundwater decontamination units that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.
3. Bioremediation operations.
4. Garbage compactors and garbage handling equipment.
5. Municipal Solid Waste Landfills which meet the following criteria:
  - (i) The total design capacity of the landfill is less than or equal to 2.756 million tons (2.5 million megagrams) or 3.27 million cubic yards (2.5 million cubic meters) of solid waste; and
  - (ii) The emissions of VOC are less than 25 tons per year for landfills located within Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale counties; and
  - (iii) The emissions of nitrogen oxides (NO<sub>x</sub>) from operations other than the final control device are less than 25 tons per year for landfills located within Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale counties.

**(h) Industrial Operations.**

1. Concrete block, brick plants, concrete products plants, and ready mix concrete plants producing less than 125,000 tons per year of product.
2. Small aluminum scrap metal reclaimers (non-smelters).



3. Any of the following processes or process equipment which are electrically heated or which fire natural gas, LPG or distillate (#2) fuel oil at a maximum total heat input rate of not more than 10 MMBtu/hr.

(i) Furnaces for heat treating glass or metals, the use of which does not involve molten materials, oil-coated parts, or oil quenching.

(ii) Porcelain enameling furnaces or porcelain enameling drying ovens.

(iii) Kilns for firing ceramic ware.

(iv) Crucible furnaces, pot furnaces, or induction melting and holding furnaces with a capacity of 1,000 pounds or less each, in which sweating or distilling is not conducted and in which fluxing is not conducted utilizing free chlorine, chloride or fluoride derivatives, or ammonium compounds.

(v) Bakery ovens and confection cookers.

(vi) Feed mill or grain mill ovens.

(vii) Surface coating drying ovens.

4. Grain, metal, or mineral extrusion process.

5. Equipment used exclusively for rolling, forging, pressing, stamping, spinning, or extruding either hot or cold metals or plastic such as drop hammers or hydraulic presses for forging or metalworking.

6. Die casting machines.

7. Equipment used exclusively for sintering of glass or metals, but not exempting equipment used for sintering metal-bearing ores, metal scale, clay, fly ash, or metal compounds.

8. Equipment for the mining and screening of uncrushed native sand and gravel.

9. Ozonization process or process equipment.

10. Electrostatic powder coating booths with an appropriately designed and operated particulate control system.

11. Equipment used for the application of a hot melt adhesive.

12. Equipment used exclusively for mixing and blending water-based adhesives and coating at ambient temperatures.

13. Equipment used for compression, molding and injection of plastics.

14. Wood products operations in the following SIC categories (combustion equipment and coatings operations are not included in this exemption):

(i) 2426 Dimensional Hardwood Lumber Mills,

(ii) 2431 Lumber Millwork,

(iii) 2434 Wood Kitchen Cabinets,

(iv) 2439 Structural Wood Trusses,

(v) 2441 Wood Boxes,

- (vi) 2448 Wood Pallets,
- (vii) 2449 Wood Containers, and
- (viii) 2499 Miscellaneous Wood Products.

15. Industrial process equipment used exclusively for educational purposes at educational institutions.

(i) **Other.**

1. Facilities where the combined emissions from all non-exempt source activities [i.e., not listed in 391-3-1-.03(6)(a)-(h) ] are below the following for all pollutants:

- (i) 50 tons per year of carbon monoxide;
- (ii) 300 pounds per year of lead total; with a 3.0 pound per day maximum emission;
- (iii) 20 tons per year of particulate matter, PM<sub>10</sub>, or sulfur dioxide;
- (iv) 20 tons per year of nitrogen oxides or VOCs except in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale, where less than 5 tons per year of nitrogen oxides or VOCs is exempted; and
- (v) 2 tons per year total with a 15 pound per day maximum emission of any single hazardous air pollutant and less than 5 tons per year of any combination of hazardous air pollutants.

2. Facilities where the combined emissions from all source activities are below the thresholds in "1" above for one or more pollutants, are not required to list those pollutants in the permit application.

3. Cumulative modifications not covered in an existing permit to an existing permitted facility where the combined emission increases (excluding any contemporaneous emission decreases, i.e., "netting" is not allowed) from all nonexempt modified activities are below the following thresholds for all pollutants:

- (i) 25 tons per year of carbon monoxide;
- (ii) 150 pounds-per-year total with a 1.5 pound-per-day maximum emission of lead;
- (iii) 10 tons per year of particulate matter, PM<sub>10</sub> or sulfur dioxide;
- (iv) 10 tons per year of nitrogen oxides or VOCs except in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale, where less than 2.5 tons per year of nitrogen oxides or VOCs is exempted; and
- (v) 2 tons per year total with a 15 pound per day maximum emission of any single hazardous air pollutant and less than 5 tons per year of any combination of hazardous air pollutants.

4. As an alternative to subparagraph 3, cumulative modifications not covered in an existing permit to an existing permitted facility where the combined emissions increases, including any contemporaneous emission decreases (i.e., "netting is allowed") from all nonexempt modified activities are less than 10 tons per year of particulate matter and PM<sub>10</sub>. For the purpose of this subparagraph, "contemporaneous" means within that period beginning on the date of issuance of the most recent permit through the date of reissuance of such permit. This shall exclude any amendment to such permit unless such amendment incorporates the previously exempted modification(s) in which case the amendment shall be considered a reissuance of such permit for the purpose of this subparagraph. Facilities using this exemption shall maintain records of all emissions increases and decreases and shall notify the Division, in writing, within 7 days after making any modification covered by this subparagraph. The Division may require the use of a Division approved form for tracking the emissions increases and decreases. If a facility elects to use this

subparagraph in lieu of subparagraph 3, it shall not use subparagraph 3 with respect to particulate matter and PM<sub>10</sub> until such time that all modifications exempted from SIP permitting under subparagraph 4 have been incorporated into the permit. A facility may use subparagraph 3 with respect to any pollutant other than particulate matter and PM<sub>10</sub> while using this subparagraph. Only the following facilities are eligible for this exemption:

(i) Facilities with an SIC code of 1422 or 1423 that are not a major source subject to the provisions of 391-3-1-.03(10) (i.e., a minor or synthetic minor source).

5. Changes in a process or process equipment which do not involve installing, constructing, or reconstructing an emission unit or the primary air cleaning device of an air pollution control system provided that such changes do not result in the increase of emissions from any emission unit or the emissions of a pollutant not previously emitted. Examples of such changes in a process or process equipment include the following:

(i) Change in the supplier or formulation of similar raw materials, fuels, or paints and other coatings;

(ii) Changes in product formulations;

(iii) Change in the sequence of the process;

(iv) Change in the method of raw material addition;

(v) Change in the method of product packaging;

(vi) Change in process operating parameters;

(vii) Replacement of a fuel burner in a boiler with a more efficient burner; or

(viii) Lengthening a paint drying oven to provide additional curing time.

6. Sources of minor significance as specified by the Director.

7. Sources for which there is no applicable emission limit, standard or other emission requirement established under, by, or pursuant to the Act.

**(j) Construction Permit Exemption for Pollution Control Projects.**

Projects listed in subparagraphs [391-3-1-.01\(qqqq\)1.](#) and [2.](#) of these rules are exempt from the requirement to obtain a construction (SIP) permit as specified in paragraph 391-3-1-.03(1) of this rule provided that the project is not subject to the provisions of paragraph [391-3-1-.02\(7\)](#), Prevention of Significant Deterioration of Air Quality, or the non-attainment new source review permitting requirements of subparagraph 391-3-1-.03(8)(c). The Director has the authority to rebut the presumption that projects listed in subparagraphs (qqqq)1. and 2. are environmentally beneficial in accordance with the criteria specified in subparagraph (qqqq) and thus exempt from the requirement to obtain a construction (SIP) permit. Owners and operators of projects exempt from the requirement to obtain a construction (SIP) permit under this subparagraph (6)(j) shall obtain an operating permit or amendment under either paragraph 391-3-1-.03(2) or 391-3-1-.03(10) of this rule, whichever is applicable, prior to commencement of operation of the project.

**(7) Combined Permits and Applications.**

The Director may combine the requirements of and the permits for construction and operation (temporary or otherwise) into one permit. He may likewise combine the requirements of and applications for construction and operating permits into one application.

**(8) Permit Requirements.**

(a) **Each application** for a permit to construct a new stationary source or modify an existing stationary source shall be subjected to a preconstruction or premodification review by the Director. The Director shall determine prior to issuing any permit that the proposed construction or modification will not cause or contribute to a failure to attain (as expeditiously as practicable) or maintain any ambient air quality standard, a significant deterioration of air quality, or a violation of any applicable emission limitation or standard of performance or other requirement under the Act or this Chapter (391-3-1). Each person applying to the Director for a permit to construct a new stationary source or modify an existing stationary source shall provide information required by the Director to make such determination.

(b) **In addition** to any other requirement under the Act, or this Chapter (391-3-1), no permit to construct a new stationary source or modify an existing stationary source shall be issued unless such proposed source meets all the requirements for review and for obtaining a permit prescribed in Title I, Part C of the Federal Act, and Section [391-3-1-.02\(7\)](#) of these Rules.

(c) **In addition** to any other requirement under the Act or this Chapter (391-3-1), no permit to construct a new or modified major stationary source to be located in any area of the State determined and designated by the U.S. EPA Administrator or the Director as not attaining a National Ambient Air Quality Standard or in areas contributing to the ambient air levels of such pollutants in such areas of non-attainment shall be issued unless the following provisions are met. The provisions of [391-3-1-.02\(7\)](#) apply to projects subject to this subparagraph as specified in Subparagraph (g) of this paragraph.

1. The Director determines that by the time the source is to commence operation, sufficient offsetting emissions reductions have been obtained, such that total allowable emissions from existing sources in the non-attainment area or areas designated by the Director as contributing to ambient air levels of such pollutants in the non-attainment area, from new or modified sources which are not major emitting facilities, and from the proposed sources, will be sufficiently less than total emissions from existing sources allowed prior to the application for such permit to construct or modify, so as to represent (when considered together with other air pollution control measures legally enforced in such area or region) reasonable further progress (as defined in Section 171 of the Federal Act); and

2. The proposed source is required to comply with the lowest achievable emission rate; and

3. The owner or operator of the proposed new or modified source has demonstrated that all major stationary sources owned or operated by such person (or by an entity controlling, controlled by, or under common control with such person) in this State, are subject to emission limitations and are in compliance, or on a schedule for compliance, with all applicable emission limitations and standards under the Act; and

4. An analysis (by the person proposing such construction or modification) of alternative sites, sizes, production processes and environmental control techniques for such proposed source demonstrates to the satisfaction of the Director that benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its proposed location, construction, or modification; and

5. The State's Implementation Plan (approved by the Administrator pursuant to the Federal Act) is being carried out in the non-attainment area or an area designated by the Director as contributing to the ambient air level of any such pollutant in a non-attainment area in which the proposed source is to be constructed or modified in accordance with the requirements of Title I, Part D of the Federal Act.

6. The offset baseline for determining credits for emission reductions at a source is either the applicable emission limits in the Chapter or the actual emissions, in tons per year, at the time the application to construct is filed, whichever is less. The time period used to calculate the baseline emissions shall be the 24-month period immediately preceding the date the application to construct is filed. The Division may allow the use of a different time period upon a determination that such period is more representative of normal source operation.

7. (i) Emission reductions achieved by shutting down an existing source or permanently curtailing production or operating hours below baseline levels may be credited provided that the work force to be affected has been notified of the proposed shutdown or curtailment.

(ii) In addition, emissions reductions achieved by shutting down an existing emission unit or curtailing production or operating hours may be generally credited for offsets if they meet the requirements in subparagraphs (I) and (II) of this subparagraph:

(I) Such reductions are surplus, permanent, quantifiable, and federally enforceable.

(II) The shutdown or curtailment occurred after the last day of the base year for the most recently submitted attainment demonstration, maintenance plan, reasonable further progress plan, or rate of progress plan. For purposes of this paragraph, the Division may choose to consider a prior shutdown or curtailment to have occurred after the last day of the base year if the projected emissions inventory used to develop the attainment demonstration, maintenance plan, reasonable further progress plan, or rate of progress plan explicitly includes the emissions from such previously shutdown or curtailed emission units. However, in no event may credit be given for shutdowns that occurred before August 7, 1977.

(iii) Emission reductions achieved by shutting down an existing emission unit or curtailing production or operating hours and that do not meet the requirements in subparagraph 7.(ii)(II) of this subparagraph may be generally credited only if:

(I) The shutdown or curtailment occurred on or after the date the construction permit application is filed; or

(II) The applicant can establish that the proposed new emissions unit is a replacement for the shutdown or curtailed emissions unit, and the emissions reductions achieved by the shutdown or curtailment met the requirements of subparagraph 7.(ii)(I) of this subparagraph.

8. No emission offset credit may be allowed for replacing one VOC compound with another of less reactivity.

9. Procedures relating to the permissible location of offsetting emissions shall be followed which are at least as stringent as those contained in 40 CFR, Part 51, Appendix S, Section IV.D.

10. Offset credit for an emission reduction can be claimed to the extent that the Director has not relied on it in issuing any other permit or has not relied on it in demonstrating attainment of reasonable further progress.

11. The Director may elect not to consider fugitive emissions, to the extent they are quantifiable, in calculating the potential to emit from a stationary source or modification in determining whether the source is major and the source does not belong to any of the following categories:

(i) Coal cleaning plants (with thermal dryers);

(ii) Kraft pulp mills;

(iii) Portland cement plants;

(iv) Primary zinc smelters;

(v) Iron and steel mills;

(vi) Primary aluminum ore reduction plants;

(vii) Primary copper smelters;

(viii) Municipal incinerators capable of charging more than 250 tons of refuse per day;

(ix) Hydrofluoric, sulfuric, or nitric acid plants;

(x) Petroleum refineries;

- (xi) Lime plants;
- (xii) Phosphate rock processing plants;
- (xiii) Coke oven batteries;
- (xiv) Sulfur recovery plants;
- (xv) Carbon black plants (furnace process);
- (xvi) Primary lead smelters;
- (xvii) Fuel conversion plants;
- (xviii) Sintering plants;
- (xix) Secondary metal production plants;
- (xx) Chemical process plants;
- (xxi) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;
- (xxii) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
- (xxiii) Taconite ore processing plants;
- (xxiv) Glass fiber processing plants;
- (xxv) Charcoal production plants;
- (xxvi) Fossil fuel-fired steam electric plants for more than 250 million British thermal units per hour heat input; and
- (xxvii) Any other stationary source category which, as of August 7, 1980, is being regulated under Section 111 or 112 of the Act.

## 12. Offsets.

(i) The owner or operator of a new or modified major stationary source may comply with any offset requirement in effect under this subsection for increased emissions of any air pollutant only by obtaining emission reductions of such air pollutants from the same source or other sources in the same non-attainment area, except that the Director may allow the owner or operator of a source to obtain such emission reductions in another non-attainment area if:

- (I) The other area has an equal or higher non-attainment classification than the area in which the source is located;
- (II) Emissions from such other area contribute to a violation of the national ambient air quality standard in the non-attainment area in which the source is located; and
- (III) Such emission reductions shall be, by the time a new or modified source commences operation, in effect and enforceable and shall assure that the total tonnage of increased emissions of the air pollutant from the new or modified source shall be offset by an equal or greater reduction, as applicable, in the actual emissions of such air pollutant from the same or other sources in the area.

(ii) Emission reductions otherwise required by the Federal Act shall not be creditable as emissions reductions for purposes of any such offset requirement. Incidental emission reductions that are not otherwise required by the

Federal Act shall be creditable as emission reductions for such purposes if such emission reductions meet the requirements of subparagraph (8)(c)1.

(iii) In order to be used as an offset under this subsection, emission reductions must satisfy the criteria in section (13), subsections (a) and (b).

(iv) At least 30 days prior to commencement of operation of the new or modified stationary source permitted under this subparagraph, the owner or operator shall provide documentation to the Division of the possession of sufficient offsets required under subparagraph (c)1. and as specified under subparagraph (c)14. or 15., whichever is applicable, as follows:

(I) If offsets are obtained from the Emission Reduction Credit Banking Program specified under paragraph 391-3-1-.03(13), the owner or operator shall submit an application or applications for Use of Emission Reduction Credits as required under 391-3-1-.03(13)(f) using forms specified by the Division. If said offsets are not currently owned by the owner or operator, the current owner/operator must submit an application or applications to Transfer Ownership of Emission Reduction Credits as required under 391-3-1-.03(13)(g) using forms specified by the Division simultaneously with or prior to submittal of the application or applications to withdraw Emission Reduction Credits.

(II) If offsets are not obtained from the Emission Reduction Credit banking program, the owner or operator shall submit the following information. (If offsets are obtained from one or more enforceable mechanisms, items I through VI shall be submitted for each enforceable mechanism.):

I. The name of the permittee that generated the offsets.

II. The name of the plant or facility at which the offsets were generated.

III. The address (street address, city, state, zip code, and county) of the plant or facility at which the offsets were generated. (This should be for the physical location of the plant or facility.)

IV. Identification of the enforceable mechanism (permit number and date of issuance, permit amendment number and date of issuance, or date of permit revocation) that resulted from creation of the offsets.

V. The number of offsets from the permit, permit amendment, or permit revocation identified in IV, above, that will be used for the new or modified stationary source permitted under this subparagraph.

VI. If the offsets were created by an owner or operator other than the owner or operator which will be using the offsets for the new or modified stationary source permitted under this paragraph, a letter from the owner or operator that created the offsets shall be submitted to the Division stating that the offsets have been transferred to the owner or operator that will be using the offsets, the date of such transfer, the number of offsets transferred, and the information contained in I through IV above.

(v) [reserved]

(vi) When multiple new or modified emissions units are permitted at the same time but commence operation on different dates, the documentation required under subparagraph (iv) shall be submitted to the Division at least 30 days prior to commencement of each new or modified emissions unit in order to demonstrate that adequate offsets have been obtained for each new or modified emissions unit prior to commencement.

13. [reserved]

14. Additional Provisions for Ozone Non-Attainment Areas.

(i) In Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding, and Rockdale counties the terms "major source" and "major stationary source" include any stationary source or group of sources located within a contiguous area and under common control that emits, or has the potential to emit, at least 100 tons per year of volatile organic compounds or nitrogen oxides. Any physical

change that would occur at a stationary source not qualifying as a major stationary source as defined in this subparagraph shall be considered a "major stationary source" if the change would constitute a major stationary source by itself.

(ii) Any physical change in or change in the method of operation of a major stationary source located in these counties that results in a net emissions increase of volatile organic compounds or nitrogen oxides equal to or exceeding 40 tons per year of such air pollutant shall be considered a modification when determining the applicability of the permit requirements established by this subsection. "Net emissions increase" shall have the meaning defined in subparagraph (8)(g)1.(iii) of this rule.

(iii) [reserved]

(iv) For purposes of satisfying the emission offset requirements of this subsection, the ratio of total emission reductions of volatile organic compounds or nitrogen oxides to total increased emissions of such pollutants shall be at least 1.15 to 1 for emission offsets external or internal to the contiguous area under common control at which the proposed new emission point is located.

#### 15. Additional Provisions for Electrical Generating Units Located in Areas Contributing to the Ambient Air Level of Ozone in the Metropolitan Atlanta Ozone Non-Attainment Area.

(i) In Banks, Barrow, Butts, Carroll, Chattooga, Clarke, Dawson, Floyd, Gordon, Hall, Haralson, Heard, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Oconee, Pickens, Pike, Polk, Putnam, Spalding, Troup, Upson, and Walton counties, the terms "major source" and "major stationary source" include any stationary source or group of sources located within a contiguous area and under common control, containing an electrical generating unit, and that emits, or has the potential to emit, at least 100 tons per year of nitrogen oxides from electrical generating units. Any physical change that would occur at a stationary source not qualifying as a major stationary source as defined in this subparagraph shall be considered a "major stationary source" if the change would constitute a major stationary source by itself.

(ii) Any physical change or change in the method of operation at a major stationary source in these counties that results in a net emissions increase of nitrogen oxides equal to or exceeding 40 tons per year of such air pollutant from the installation or modification of one or more electrical generating units shall be considered a modification when determining the applicability of the permit requirements established by this subsection. "Net emissions increase" shall have the meaning defined in subparagraph (8)(g)1.(iii) of this rule.

(iii) In the case of any new electrical generating unit or modified existing electrical generating unit located at a new or modified major stationary source in these counties, the requirements of 391-3-1-.03(8)(c)2. shall only apply to that electrical generating unit and best available control technology (BACT), as defined by the Federal Act, shall be substituted for the lowest achievable emission rate (LAER).

(iv) For purposes of satisfying the emission offset requirements of this subsection, the ratio of total emission reductions of nitrogen oxides to total increased emissions of such pollutant from the new or modified electrical generating units shall be at least 1.1 to 1 for emission offsets external or internal to the contiguous area under common control at which the proposed new or modified major stationary source is located.

(v) [reserved]

(vi) [reserved]

(vii) For the purpose of this subsection, "electrical generating unit" means a fossil fuel fired stationary boiler, combustion turbine, or combined cycle system that serves a generator that produces electricity for sale.

16. [reserved]

(d) [reserved]



(e) **The Director** shall, upon analysis of the ambient air in the State, determine, and so designate, those areas of the State, if any, which are not attaining any National Ambient Air Quality Standards specified under the Federal Act, and any area contributing to the ambient air level of any such pollutant (for which such a standard has been established) in such areas of non-attainment. The Director's analyses determinations, and designations hereunder shall be used for the purpose of implementing the requirements of this section, shall be continuing, and shall be conducted in a manner sufficient to meet the requirements of Title 1, Part D of the Federal Act.

1. The counties of Banks, Barrow, Butts, Carroll, Chattooga, Clarke, Dawson, Floyd, Gordon, Hall, Haralson, Heard, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Oconee, Pickens, Pike, Polk, Putnam, Spalding, Troup, Upson, and Walton have been determined by the Director as areas contributing to the ambient air level of ozone in the following metropolitan Atlanta counties: Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding, and Rockdale. No permit to construct an electric generating unit at a new or modified major stationary source in this area shall be issued unless such proposed source meets all the requirements of Subsection (8)(c).

(f) **In addition** to any other requirement under the Act, or this Chapter 391-3-1, no permit to construct a new stationary source or modify an existing stationary source shall be issued unless such proposed source or modification meets all the requirements for review and for obtaining a permit prescribed in Paragraph [391-3-1-.02\(9\)\(b\)16](#), of this Rule.

(g) **The following provisions** of paragraph [391-3-1-.02\(7\)](#) apply to projects subject to the permitting requirements of subparagraph (c) of this paragraph with respect to those pollutants subject to Subparagraph (c).

1. [391-3-1-.02\(7\)\(a\)2](#). Definitions, with the following exceptions and additions:

(i) The definition of "Major Stationary Source" does not apply.

(ii) Within the definition of "Major Modification,"

(I) The date within the "capable of accommodating" provision shall be December 21, 1976; and

(II) Paragraphs 40 CFR 52.21(b)(2)(iii)(j) and (k) do not apply.

(iii) The definition of "Net Emissions Increase," as it pertains to subparagraphs 8(c)14.(ii) and 8(c)15.(ii) of this rule, shall have the meaning defined in 40 CFR 51.165(a)(1)(vi) with the following exceptions:

(I) In lieu of (a)(1)(vi)(A)(1), the following shall apply: The increase in emissions from a particular change or change in the method of operation at a stationary source pursuant to paragraph 52.21(a)(2)(iv) as adopted in subparagraph (7)(a)3. of this rule; and

(II) In (a)(1)(vi)(A)(2), baseline actual emissions shall be determined as provided in subparagraph (7)(a)2.(i) of this rule, except that sub paragraphs (7)(a)2.(i)(I)III. and (7)(a)2.(i)(II)IV. do not apply.

(iv) To the definition of "Secondary Emissions," the following sentence is added: "Secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification which causes the secondary emissions."

(v) The definition of "Significant" does not apply.

(vi) "Lowest achievable emission rate" or "LAER" means, for any source, the more stringent rate of emissions is based on the following:

(I) The most stringent emission limitation which is contained in the implementation plan of any State for such class or category of stationary source, unless the owner or operator of the proposed stationary source demonstrates that such limitations are not achievable; or

(II) The most stringent emission limitation which is achieved in practice by such class or category of stationary sources. This limitation, when applied to a modification, means the lowest achievable emission rate for the new or modified emission units within the stationary source. In no event shall the application of this term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under applicable new source standards of performance.

2. [391-3-1-.02\(7\)\(a\)3.](#), Applicability procedures, with the following exception:

(i) The term "significant amount" in subparagraph (7)(a)3. shall mean an increase that is considered as a modification as specified in 391-3-1-.03(8)(c)14.(ii) or 15.(ii).

3. [391-3-1-.02\(7\)\(a\)4.](#)

4. [391-3-1-.02\(7\)\(b\)14.](#), Public participation.

5. [391-3-1-.02\(7\)\(b\)15.](#), Source obligation, with the following exception:

(i) The term "significant amount" in subparagraph (7)(b)15.(i)(V) shall mean an increase that is considered as a modification as specified in 391-3-1-.03(8)(c)14.(ii) or 15.(ii).

6. [391-3-1-.02\(7\)\(b\)21.](#), Actual PALs, with the following exception:

(i) Under the provision for "Setting the 10-year actual PAL level" specified in paragraph 40 CFR 52.21(aa)(6), the amount added to the baseline actual emissions shall be the amount that is considered not to be a modification as specified in 391-3-1-.03(8)(c)14.(ii) or 15.(ii).

#### (9) Permit Fees.

(a) **The owner** or operator of any stationary source subject to the provisions of Georgia Air Quality Rule 391-3-1-.03 "Permits. Amended" shall pay to the Division an annual fee or its equivalent (e.g. quarterly payments).

(b) **The dollar-per-ton fee** rate for each calendar year is specified in the table below. Each calendar year's emissions and annual permit fees shall be determined and submitted in accordance with the Georgia Department of Natural Resources' Fee Manual specified below.

Calendar Year	\$/Ton Rate	Fee Manual
1991	\$25/Ton	"Procedures for Calculating Air Permit Fees" dated July 1, 1992.
1992	\$25/Ton	"Procedures for Calculating 1992 Air Permit Fees" dated May 1, 1993.
1993	\$25/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 1993" dated February 1, 1994.
1994	\$25/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 1994" dated May 1, 1995.
1995	\$25/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 1995" dated April 2, 1996.
1996	\$25/Ton	"Procedures for Calculating Air Permit Fees for Calendar Years 1996 and 1997" dated August 1, 1997.
1997	\$28/Ton	"Procedures for Calculating Air Permit Fees for Calendar Years 1996 and 1997" dated August 1, 1997.
1998	\$28/Ton	"Procedures for Calculating Air Permit Fees for Calendar Years 1998 and 1999" dated January 19, 1999.
1999	\$28/Ton	"Procedures for Calculating Air Permit Fees for Calendar Years 1998 and 1999" dated January 19, 1999.

<b>Calendar Year</b>	<b>\$/Ton Rate</b>	<b>Fee Manual</b>
2000	\$31/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2000" dated April 30, 2001.
2001	\$31/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2001" dated February 26, 2002.
2002	\$32.50/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2002" dated March 25, 2003.
2003	\$32.50/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2003" dated April 20, 2004.
2004	\$32.50/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2004" dated March 22, 2005.
2005	\$33.00/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2005" dated March 15, 2006.
2006	\$28.50/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2006" dated February 7, 2007.
2007	\$34.00/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2007" dated April 2, 2008.
2008	\$34.00/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2008" dated February 12, 2009.
2009	\$34.00/Ton	"Procedures for Calculating Air Permit Fees for Calendar Year 2009" dated January 26, 2010.
2010	\$35.84/Ton for coal-fired electric generating units; \$34/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2010" dated January 31, 2011.
2011	\$35.84/Ton for coal-fired electric generating units; \$34/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2011" dated March 2, 2012.
2012	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2012" dated February 5, 2013.
2013	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2013" dated January 14, 2014.
2014	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2014" dated January 12, 2015.
2015	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2015" dated February 22, 2016.
2016	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Fees for Calendar Year 2016" dated February 8, 2017.
2017	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Application & Annual Permit Fees for Calendar Year 2017" dated February 8, 2018.
2018	\$37.34/Ton for coal-fired electric generating units;	"Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2019 and June 30,

Calendar Year	\$/Ton Rate	Fee Manual
	\$35.50/Ton for all other sources	2020" dated December 26, 2018.
2019	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2020 and June 30, 2021" dated February 3, 2020.
2020	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2021 and June 30, 2022" dated February 3, 2021.
2021	\$37.34/Ton for coal-fired electric generating units; \$35.50/Ton for all other sources	"Procedures for Calculating Air Permit Application & Annual Permit Fees for Fees Due Between July 1, 2022 and June 30, 2023" dated February 3, 2022.

When no applicable calculation method or procedure is published therein, the Director may specify or approve an applicable method or procedure prior to its use.

(c) **For the purpose** of this section, the following definitions shall apply:

1. "Criteria Pollutant" means volatile organic compounds, sulfur dioxide, particulate matter, and nitrogen oxides.
2. "Stationary source" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (i.e., which have the same first two digit code) as described in the most recent Standard Industrial Classification Manual, published by the U.S. Government Printing Office.

(d) **No annual fee shall** be collected for more than 4,000 tons per year per stationary source of any individual criteria pollutant as calculated in accordance with the Fee Manual.

(e) **The Director** may reduce any permit fee required under this Chapter to take into the account the financial resources of small businesses stationary sources.

(f) **The collection** of fees pursuant to this Chapter shall preclude collection of any air quality control permit fee by any other state or local government authority.

(g) **The collection** of annual fees pursuant to this section shall begin on or after July 1, 1995, and shall be for the calendar year ending December 31, 1994. Thereafter, annual permit fees for each calendar year are due no later than September 1 of the following calendar year. Fees shall be paid in accordance with the procedures specified in the Fee Manual.

(h) **The owner** of a stationary source subject to this paragraph (9), "Permit Fees" shall make a one-time payment on or before April 30, 2001, in accordance with the following schedule. This one-time payment shall serve as a credit toward the calendar year 2000 permit fees (which are to be adopted at a later date). The procedures and methods contained in the Georgia Department of Natural Resources **Procedures for Calculating Air Permit Fees for Calendar Years 1998 and 1999 dated January 19, 1999** (1998/1999 Fee Manual), which is hereby incorporated by reference, along with calendar year 2000 activities and emissions shall be used to determine which, if any, of the following one-time payments are applicable to each stationary source.

1. Any Stationary Source subject to one or more Federal Standard of Performance for New Stationary Sources (NSPS) that is not classified as a Part 70 major source is defined in 40 CFR 70.2 shall pay a one-time payment of \$400 unless ALL of the equipment at the stationary source that is subject to an NSPS standard is listed in the exception list found in section 2.0(a) of the 1998/1999 Fee Manual and/or did not operate during calendar year 2000.

2. Any Stationary Source that is classified as a Part 70 major source, as defined in 40 CFR 70.2, that operated for any period of time in calendar year 2000, and whose calculated emissions (calculated using the Methods of Calculation contained in section 3.2 of the 1998/1999 Fee Manual and calendar year 2000 activities) of EACH OF THE FOUR criteria pollutants (as defined in section 1.0 of the 1998/1999 Fee Manual: particulate matter, sulfur dioxide, volatile organic compounds, and nitrogen oxides) are less than or equal to the threshold values listed in section 3.16 of the 1998/1999 Fee Manual shall pay a one-time payment of \$600.

3. Any Stationary Source that is classified as a Part 70 major source, as defined in 40 CFR 70.2, that operated for any period of time in calendar year 2000, whose calculated emissions (calculated using the Methods of Calculation contained in section 3.2 of the 1998/1999 Fee Manual and calendar year 2000 activities) of AT LEAST ONE of the four criteria pollutants (as defined in section 1.0 of the 1998/1999 Fee Manual: particulate matter, sulfur dioxide, volatile organic compounds, and nitrogen oxides) are above the applicable threshold value listed in section 3.16 of the 1998/1999 Fee Manual, and whose COMBINED calculated emissions (calculated using the Methods of Calculation contained in section 3.2 of the 1998/1999 Fee Manual and calendar year 2000 activities) is less than 700 tons shall pay a one-time payment of \$1150. For the purpose of determining this one-time payment, the calculated emissions of any single criteria pollutant shall not be considered when determining if the calculated emissions are less than 700 tons if the calculated emissions for that criteria pollutant are less than or equal to the applicable threshold value listed in section 3.16 of the 1998/1999 Fee Manual.

4. Any Stationary Source that is classified as a Part 70 major source, as defined in 40 CFR 70.2, that operated for any period of time in calendar year 2000, whose total calculated emissions (calculated using the Methods of Calculation contained in section 3.2 of the 1998/1999 Fee Manual and calendar 2000 activities) of AT LEAST ONE of the four criteria pollutants (as defined in section 1.0 of the 1998/1999 Fee Manual: particulate matter, sulfur dioxide, volatile organic compounds, and nitrogen oxides) is above the applicable threshold value listed in section 3.16 of the 1998/1999 Fee Manual, and whose COMBINED calculated emissions (calculated using the Methods of Calculation contained in section 3.2 of the 1998/1999 Fee Manual and calendar year 2000 activities) are greater than or equal to 700 tons shall pay a one-time payment of \$3000. For the purpose of determining this one-time payment, the calculated emissions of any single criteria pollutant shall not be considered when determining if the calculated emissions are greater than or equal to 700 tons if the calculated emissions for that criteria pollutant are less than or equal to the applicable threshold value listed in section 3.16 of the 1998/1999 Fee Manual.

(i) **As part of the annual permit fees** required under this paragraph, the owner or operator of any stationary source shall also pay administrative fees in accordance with the following subparagraphs in addition to the permit fees determined in accordance with the Fee Manual(s) specified in Subparagraph (b) of this paragraph.

1. The owner or operator shall pay an administrative fee of 0.05 percent of the total fee due determined in accordance with the Fee Manual(s) specified in Subparagraph (b) of this paragraph for each calendar day in which the air permit fee form is submitted to the Division after October 1 of the calendar year in which the fee was due or October 1, 2010, which is later.

2. For air permit fee forms submitted using the online Georgia air emissions fee reporting form, that date on which the air permit fee form is submitted to the Division shall be the date in which the owner or operator completes a final submittal on the online reporting form. For air permit fee forms that were submitted using a hard-copy paper form, the date on which the air permit fee form is submitted to the Division shall be the date on which the permit fee form and required payment are received at the address specified in the Fee Manual or at the office of the Division's Air Protection Branch.

(j) **Beginning with calendar year 2009 fees**, when the ownership of any stationary source is transferred to a new owner or operator, the new owner or operator of the stationary source shall be responsible for paying any past due fees.

(k) **Beginning on March 1, 2019**, the owner or operator of any stationary source subject to the provisions of Georgia Air Quality Rule 391-3-1-.03 "Permits. Amended" shall pay to the Division a processing fee when submitting an application for the following permit application types:

Permit Type
Minor Source Permit or Amendment
Synthetic Minor Source Permit or Amendment
Major Source Permit or Amendment (but not subject to PSD or 112(g))
Name Change
Permit-by-Rule
Title V 502(b)(10) Permit Amendment
Title V Minor Modification with Construction
Title V Minor Modification without Construction
Title V Significant Modification with Construction
Title V Significant Modification without Construction
PSD Permit per <a href="#">391-3-1-.02(7)</a>
Nonattainment New Source Review Permit per 391-3-1-.03(8)(c)
112(g) permit per <a href="#">391-3-1-.02(9)(b)16.</a>

1. Fees shall be paid in accordance with the procedures specified in the Fee Manual.
2. No final action of the Director shall occur until complete fee payment is received, unless the fee payment is waived or partially waived in accordance with subparagraph 391-3-1-.03(9)(e).
3. Application fees shall not be refunded as the fee is used to cover application processing labor.
4. Title V modification application fees are waived for applicants submitting PSD/112(g) or Nonattainment NSR permit applications via Title V permit applications. The PSD/112(g) or Nonattainment NSR fee still applies.

(l) **Beginning on July 1, 2020**, the owner or operator of any stationary source subject to the provisions of Georgia Air Quality Rule 391-3-1-.03(10) "Title V Operating Permits" shall pay to the Division an annual maintenance fee for Title V sources. Fees shall be paid in accordance with the procedures specified in the Fee Manual.

**(10) Title V Operating Permits.**

**(a) General Requirements.**

1. The provisions of this paragraph (10) shall apply to any source and the owner and operator of any such source subject to any requirements under 40 Code of Federal Regulations (hereinafter, 40 CFR), Part 70.
2. All sources subject to this paragraph (10) shall have a Part 70 Permit to operate that assures compliance by the source with all applicable requirements. Such Part 70 Permits will be issued consistent with the timing established in subparagraph (10)(c).
3. The requirements of this paragraph (10), including provisions regarding schedules for submission and approval or disapproval of permit applications, shall apply to the permitting of affected sources under the federal acid rain program except as provided herein or modified in federal regulations promulgated under Title IV of the federal Clean Air Act.
4. Definitions: For the purpose of this paragraph (10), 40 CFR Part 70.2 is hereby incorporated and adopted by reference, with the following exception(s):
  - (i) "Potential to emit" shall have the meaning ascribed in subparagraph (ddd) of rule [391-3-1-.01](#).
  - (ii) [Reserved.]
  - (iii) The definition and use of the term "subject to regulation" in 40 CFR, Part 70.2 is hereby incorporated by reference; provided, however, that in the event all or any portion of 40 CFR, Part 70.2 containing that term is:

(I) declared or adjudged to be invalid or unconstitutional or stayed by the United States Court of Appeals for the Eleventh Circuit or for the District of Columbia Circuit; or

(II) withdrawn, repealed, revoked, or otherwise rendered of no force and effect by the United States Environmental Protection Agency, Congress, or Presidential Executive Order.

Such action shall render the regulation as incorporated herein, or that portion thereof that may be affected by such action as invalid, void, stayed, or otherwise without force and effect for purposes of this rule upon the date such action becomes final and effective; provided, further, that such declaration, adjudication, stay, or other action described herein, shall not affect the remaining portions, if any, of the regulation as incorporated herein, which shall remain of full force and effect as if such portion so declared or adjudged invalid or unconstitutional or stayed or otherwise invalidated or effected were not originally a part of this rule. The Board declares that it would have incorporated the remaining parts of the federal regulation if it had known that such portion hereof would be declared or adjudged invalid or unconstitutional or stayed or otherwise rendered of no force and effect.

5. The subparagraphs of paragraph (10) that incorporate by reference portions of 40 CFR, Part 70 are as promulgated and published in the Federal Register through October 18, 2016, unless otherwise specified.

**(b) Applicability.**

1. The following sources shall be subject to this paragraph (10):

- (i) Any major source as defined in 40 CFR Part 70.2, which is incorporated by reference in subparagraph (a)4;
- (ii) Any source, including an area source, subject to a standard, limitation, or other requirement under Section 111 of the federal Act;
- (iii) Any source, including an area source, subject to a standard or other requirement under Section 112 of the federal Act, except that a source is not required to obtain a permit solely because it is subject to regulations or requirements under Section 112(r) of the federal Act;
- (iv) Any affected source as defined in 40 CFR Part 70.2, which is incorporated by reference in subparagraph (a)4; and
- (v) Any source in a source category designated by the EPA Administrator pursuant to 40 CFR Part 70.3.

2. The following sources shall not be subject to this paragraph (10):

- (i) Any source listed in subparagraph 10(b)1.(ii) that is not a major source;
- (ii) Any source required to obtain a permit solely because they are subject to 40 CFR Part 61, Subpart M, National Emission Standard for Hazardous Air Pollutants for Asbestos, 61.145, Standard for Demolition and Renovation, or solely because they are subject to 40 CFR Part 60, Subpart AAA Standards of Performance for New Residential Wood Heaters; and
- (iii) Any source listed in subparagraph (10)(b)1.(iii) that is an area source except those subject to an Emission Standard for Hazardous Air Pollutants under 40 CFR Part 63 that does not exempt the owner or operator from the obligation to obtain a Part 70 permit.

3. Emission units and Part 70 permits.

- (i) For major sources, Part 70 permits shall include all applicable requirements for all relevant emission units in the major source.

(ii) For any non-major source subject to the requirements of this paragraph (10), Part 70 permits shall include all applicable requirements applicable to emission units that cause the source to be subject to this paragraph (10).

4. Fugitive emissions from a source subject to the requirements of this paragraph (10) shall be included in the permit application and the Part 70 permit in the same manner as stack emissions, regardless of whether the source category in question is included in the list of sources contained in the definition of major source.

5. Any Part 70 source may make Section 502(b)(10) changes as defined in 40 CFR 70.2, which is incorporated by reference in subparagraph (a)4, without requiring a Part 70 permit revision, if the changes are not modifications under any provisions of Title I of the federal Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions). For each such change, the source shall provide the Director and the EPA Administrator with written notification as required below in advance of the proposed changes and shall obtain any permits required under Rules 391-3-1-.03(1) and (2). The source and the Director shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the source's written notification and application for a construction permit shall be submitted well in advance of any critical date (construction date, permit issuance date, etc.) involved in the change, but no less than seven days in advance of such change and shall include a brief description of the change within the permitted facility, the date on which the change is proposed to occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in subparagraph (d)6. shall not apply to any change made pursuant to this paragraph.

6. Off-permit Changes: Any Part 70 source may make changes that are not addressed or prohibited by the permit, other than those described in subparagraph 7., without a Part 70 permit revision, provided the following requirements are met:

(i) Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition.

(ii) Sources must provide contemporaneous written notice to the Director and EPA Administrator of each such change, except for changes that qualify as insignificant as specified in subparagraph (g). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.

(iii) The change shall not qualify for the shield under subparagraph (10)(d)6.

(iv) The permittee shall keep a record describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

(v) The source shall obtain any permits required under Rules 391-3-1-.03(1) and (2).

7. No Part 70 source may make, without a permit revision, any changes that are not addressed or prohibited by the Part 70 permit, if such changes are subject to any requirements under Title IV of the federal Act or are modifications under any provision of Title I of the federal Act.

### **(c) Permit Applications**

1. For each Part 70 source, the owner or operator shall submit a complete application:

(i) Within 12 months after the U. S. EPA grants approval of this paragraph (10) or on or before such earlier date as the Director may establish, for a source applying for the first time;

(ii) Within 12 months after commencing operation, for a source required to meet the requirements under Section 112(g) of the federal Clean Air Act or to have a permit under the preconstruction review program requirements of



Rule 391-3-1-.03(8)(b) or Rule 391-3-1-.03(8)(c). Where an existing Part 70 permit would prohibit such construction or change in operation, the source must obtain a permit revision before commencing operation;

(iii) At least six months, but not more than 18 months prior to the date of permit expiration, for a source subject to permit renewal; or

(iv) By January 1, 1996, for initial Phase II sulfur dioxide acid rain permits and by January 1, 1998, for initial Phase II nitrogen oxide acid rain permits.

(v) within 12 months after commencing operation for a major source which commences operation after the date specified in subparagraph (10)(c)1.(i).

2. Standard Permit Application and Required Information. The application shall be made in a format specified by the Director. It shall be signed by a responsible official, as defined in 40 CFR 70.2, which is incorporated by reference in subparagraph (a)4, certifying its truthfulness, accuracy and completeness. For the purpose of this paragraph (10), 40 CFR 70.5(c) and 40 CFR 70.5(d) are hereby incorporated and adopted by reference. The application may require additional pertinent information which is not specified in 40 CFR 70.5(c), as incorporated by reference in this subparagraph, as the Director may require. To be deemed complete, an application must provide all information required pursuant to this subparagraph and subparagraph (g), except that applications for permit revision need supply such information only if it is related to the proposed change.

3. Unless the Director determines that an application, including renewal applications, is not complete within 60 days of receipt of the application, such application shall be deemed to be complete, except as otherwise provided in 40 CFR 70.7(a)(4) which is hereby incorporated by reference.

4. If, while processing an application that has been determined or deemed to be complete, the Director determines that additional information is necessary to evaluate or take final action on that application the Director may request such information in writing and set a reasonable deadline for a response. The source's ability to operate without a Part 70 permit shall be in effect from the date the application is determined or deemed to be complete until the final permit is issued, provided that the applicant submits any requested additional information by the deadline specified by the Director.

5. Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a draft permit.

**(d) Permit Content.**

**1. Standard Permit Requirements.**

(i) For the purposes of this paragraph (10), 40 CFR Part 70.6(a) and 40 CFR 70.7(f) are hereby incorporated and adopted by reference.

(ii) The permit may include terms and conditions allowing for the trading of emissions changes in the permitted facility solely for the purpose of complying with a federally enforceable emissions cap that is established in the permit independent of otherwise applicable requirements. The permit applicant shall include in its application proposed replicable procedures and permit terms that ensure that the emissions trades are quantifiable and enforceable. The Director shall not be required to include in the emissions trading provisions any emissions units for which emissions are not quantifiable or for which there are no replicable procedures to enforce the emissions trades. The following conditions apply to the emissions trades:

(I) The permittee shall provide written notification to the Director and EPA no less than seven days in advance of any change made pursuant to this subparagraph. The written notification shall state when the change will occur and

shall describe the changes in emissions that will result and how these increases and decreases in emissions will comply with the terms and conditions of the permit.

(II) The permit shield described in subparagraph (d)6. may extend to the permit terms and conditions that allow for the emissions increases and decreases described in this subparagraph.

(iii) The permit may include additional elements not specified in 40 CFR Part 70.6(a), which is incorporated by reference in subparagraph (d)1.(i), as required by the Director.

2. The Director shall specifically designate as not being federally enforceable under the federal Clean Air Act any terms and conditions included in the permit that are not required under the federal Clean Air Act or under any of its applicable requirements. If the Director does not so designate a term or condition, it shall be deemed federally enforceable.

3. Compliance Requirements. For the purposes of this paragraph (10), 40 CFR 70.6(c) is hereby incorporated and adopted by reference.

4. General Permits: For the purpose of this paragraph (10), 40 CFR 70.6(d) is hereby incorporated and adopted by reference.

5. The Director may issue a single permit authorizing emissions from similar operations by the same source owner or operator at multiple temporary locations. The operation must be temporary and involve at least one change of location during the term of the permit. No affected source shall be permitted as a temporary source. Permits for temporary sources shall include:

(i) Conditions that will assure compliance with all applicable requirements at all authorized locations;

(ii) Requirements that the owner or operator notify the Director at least 30 days in advance of each change in location; and

(iii) Conditions that assure compliance with all of the provisions of this paragraph.

#### 6. Permit Shield.

(i) Except as provided in this paragraph (10), the Director may expressly include in a Part 70 permit a provision stating that a source which is in compliance with the conditions of the permit shall be deemed to be in compliance with any applicable requirements as of the date of the permit issuance, provided that:

(I) Such applicable requirements are included and are specifically identified in the permit; or

(II) The Director, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.

(ii) A Part 70 permit that does not expressly state that a permit shield exists shall be presumed not to provide such a shield.

(iii) Nothing in this paragraph or in any Part 70 permit shall alter or affect the following:

(I) The provisions of Section 303 of the federal Clean Air Act (emergency orders), including the authority of the Administrator under that section or the provisions of O.C.G.A. Section [12-9-14](#).;

(II) The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or

(III) The applicable requirements of the acid rain program, consistent with Section 408(a) of the federal Clean Air Act; or

(IV) The ability of EPA to obtain information from a source pursuant to Section 114 of the federal Clean Air Act or of the Director to obtain information from a source pursuant to paragraph [391-3-1-.02\(6\)](#).

7. Emergency Provision: For the purpose of subparagraph (d)7., 40 CFR Part 70.6(g) is hereby incorporated and adopted by reference.

**(e) Permit Issuance, Renewal, Reopenings and Revisions.**

**1. Action on application.**

(i) A permit, permit modification, or renewal may be issued only if all of the following conditions have been met:

(I) The Director has received a complete application, except that a complete application need not be received before issuance of a general permit under subparagraph (d);

(II) Except for modifications qualifying for minor permit modification procedures under subparagraphs (e)5.(i) or (e)5.(ii), the Director has complied with the requirements for public participation under subparagraph (e)8.;

(III) The Director has complied with the requirements for notifying and responding to affected States under subparagraph (f);

(IV) The conditions of the permit provide for compliance with all applicable requirements; and

(V) The EPA Administrator has received a copy of the proposed permit and any notices required under subparagraph (f) and has not objected to issuance of the permit under subparagraph (f) within the time period specified therein.

(ii) Except as provided under the initial transition plan or under regulations promulgated under Title IV of the federal Clean Air Act, the Director shall take final action on each permit application (including request for permit modification or renewal) within 18 months after receiving a complete application.

(iii) The Director shall provide a statement that sets forth the legal and factual basis for the draft permit conditions (including references to the applicable statutory or regulatory provisions). The Director shall send this statement to EPA and to any other person who requests it.

(iv) The submittal of a complete application shall not affect the requirement that any source have a preconstruction permit under paragraph 391-3-1-.03(8).

**2. Requirement for a permit.**

Except as provided in subparagraphs (b)5., (e)5.(i)(V) and (e)5.(ii)(V), no Part 70 source may operate after the time that it is required to submit a timely and complete application, except in compliance with a permit issued under this paragraph (10). If a Part 70 source submits a timely and complete application for permit issuance (including for renewal), the source's failure to have a Part 70 permit is not a violation until the Director takes final action on the permit application. This protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit by the deadline specified in writing by the Director any additional information identified as being needed to process the application.

**3. Permit renewal and expiration.**

(i) Permits being renewed are subject to the same procedural requirements, including those for public participation, affected State and EPA review, that apply to initial permit issuance.

(ii) Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted.

(iii) If a timely and complete application for permit renewal is submitted, but the Director has failed to issue or deny the renewal permit before the end of the term of the previous permit, then the permit shall not expire until the renewal permit has been issued or denied and any permit shield that may be granted pursuant to subparagraph (d)6. shall extend beyond the original permit term until renewal.

#### 4. Administrative permit amendments.

(i) Definitions: For the purpose of this paragraph, 40 CFR, Part 70.7(d)(1) is incorporated and adopted by reference.

(ii) Administrative permit amendments for purposes of the acid rain portion of the permit shall be governed by regulations promulgated under Title IV of the federal Clean Air Act.

(iii) An administrative permit amendment may be made by the Director consistent with the following:

(I) The Director shall take no more than 60 days from receipt of a request for an administrative permit amendment to take final action on such request, and may incorporate such changes without providing notice to the public or affected States provided that it designates any such permit revisions as having been made pursuant to this subparagraph.

(II) The Director shall submit a copy of the revised permit to the EPA Administrator.

(III) The source may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request.

(iv) The Director may, upon taking final action granting a request for an administrative permit amendment, allow coverage by the permit shield for administrative permit amendments made pursuant to 40 CFR Part 70.7(d)(1)(v), which is incorporated by reference in subparagraph (e)4.(i) of this rule, which meet the requirements for significant permit modifications.

#### 5. Permit modification.

A permit modification is any revision to a Part 70 permit that cannot be accomplished under subparagraph 4. A permit modification for purposes of the acid rain program shall be governed by regulations promulgated under Title IV of the federal Clean Air Act.

(i) Minor permit modification procedures.

(I) Minor permit modification procedures may be used only for those permit modifications that:

I. Do not violate any applicable requirement;

II. Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;

III. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;

IV. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject, including a federally enforceable emissions cap assumed to avoid classification as a modification under any provision of 391-3-1-.03(8), and an alternative emissions limit approved pursuant to regulations promulgated under Section 112(j)(5) of the federal Clean Air Act;

V. Are not modifications under any provision of 391-3-1-.03(8); and

VI. Are not required by this paragraph (10) to be processed as a significant modification.

(II) An application requesting the use of minor permit modification procedures shall meet the requirements of paragraph (8) and shall include the following:

I. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;

II. The source's suggested draft permit;

III. Certification by a responsible official, consistent with subparagraph (c), that the proposed modification meets the criteria for use of minor modification procedures and a request that such procedures be used; and

IV. Completed forms for the Director to use to notify the EPA Administrator and affected States as required under subparagraph (f).

(III) Within five working days of receipt of a complete minor permit modification application, the Director shall meet his obligation under subparagraph (f)(1) and subparagraph (f)(2)(i) to notify the EPA Administrator and affected States of the requested permit modification. The Director shall promptly send any notice required under subparagraph (f)(2)(ii) to the EPA Administrator.

(IV) The Director may not issue a final permit modification until after EPA's 45-day review period or until EPA has notified the Director that EPA will not object to issuance of the permit modification, whichever is first, although the Director can approve the permit modification prior to that time. Within 90 days of the Director's receipt of an application under minor permit modification procedures or 15 days after the end of the EPA Administrator's 45-day review period under subparagraph (f)(3), whichever is later, the Director shall:

I. Issue the permit modification as proposed;

II. Deny the permit modification application;

III. Determine that the requested modification does not meet the minor permit modification criteria and should be reviewed under the significant modification procedures; or

IV. Revise the draft permit modification and transmit to the EPA Administrator the new proposed permit modification as required by subparagraph (f).

(V) The source may make changes proposed in its minor permit modification application as follows:

I. For proposed changes that require a permit in accordance with 391-3-1-.03(1), the source may make the change proposed in its minor permit modification application immediately after obtaining a permit for the modification pursuant to the requirements of 391-3-1-.03(1). After the source makes such change and until the Director takes any of the actions specified in subparagraph (IV), the source must comply with the applicable requirements governing the change, the proposed permit terms and conditions, and requirements of the construction permit issued under 391-3-1-.03(1). During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions and the requirements of the construction permit issued under 391-3-1-.03(1) during this time period, the existing permit terms and conditions it seeks to modify and the requirements of the construction permit issued under 391-3-1-.03(1) may be enforced against it.

II. For proposed changes that do not require a permit in accordance with 391-3-1-.03(1), the source may make the change proposed in its minor permit modification application upon receipt of a letter from the Division acknowledging receipt of said application. If the Director denies the permit modification application in accordance

with subparagraph (IV)II, the existing terms and conditions that the applicant seeks to modify may be enforced by the Division.

(VI) The permit shield may not extend to minor permit modifications.

(ii) Group processing of minor permit modifications. The Director may modify the procedure outlined in subparagraph (e)5.(i) to process groups of a source's applications for certain modifications eligible for minor permit modification processing.

(I) Group processing of modifications may be used only for those permit modifications:

I. That meet the criteria for minor permit modification procedures under subparagraph (e)5.(i); and

II. That collectively are below 10 percent of the emissions allowed by the permit for the emissions unit for which the change is requested, 20 percent of the applicable definition of major source in subparagraph (a)4., or 5 tons per year, whichever is least.

(II) An application requesting the use of group processing procedures shall meet the requirements of subparagraph (c)2. and shall include the following:

I. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs.

II. The source's suggested draft permit.

III. Certification by a responsible official that the proposed modification meets the criteria for use of group processing procedures under a request that such procedures be used.

IV. A list of the source's other pending applications awaiting group processing, and determination of whether the requested modification, aggregated with these other applications, equals or exceeds the threshold set under subparagraph (e)5.(ii)(I)II.

V. Certification that the source has notified EPA of the proposed modification. Such notification need only contain a brief description of the proposed modification.

VI. Completed forms for the Director to use to notify the EPA Administrator and affected States as required under subparagraph (f).

(III) On a quarterly basis or within five business days of receipt of an application demonstrating that the aggregate of a source's pending applications equals or exceeds the threshold level set in subparagraph (e)5.(ii)(I)II., whichever is earlier, the Director promptly shall comply with subparagraphs (f)(1) and (f)(2). The Director shall send any notice required under subparagraph (f)(2)(ii) to the EPA Administrator.

(IV) The provisions of subparagraph (e)5.(i)(IV) shall apply to modifications eligible for group processing, except that the Director shall take one of the actions specified in subparagraphs (e)5.(i)(IV)I through IV. within 180 days of receipt of the application or 15 days after the end of the EPA Administrator's 45-day review period under subparagraph (f)(3), whichever is later.

(V) The provisions of subparagraph 5.(i)(V) shall apply to modifications eligible for group processing.

(VI) The provisions of subparagraph 5.(i)(VI) shall also apply to modifications eligible for group processing.

(iii) Significant modification procedures.

(I) Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative amendments. At a minimum, every significant change in

existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions shall be considered significant. Nothing herein shall be construed to preclude the permittee from making changes consistent with this paragraph (10) that would render existing permit compliance terms and conditions irrelevant.

(II) Significant permit modifications shall meet all requirements of this paragraph (10), including those for applications, public participation, review by affected States, and review by EPA, as they apply to permit issuance and permit renewal.

#### 6. Reopening for cause.

(i) A permit shall be reopened and revised under any of the following circumstances:

(I) Additional applicable requirements become applicable to a major Part 70 source with a remaining permit term of three or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended under subparagraph (e)3.(iii).

(II) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

(III) The Director determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

(IV) The Director determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(ii) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists.

(i) Reopenings shall not be initiated before a notice of such intent is provided to the source by the Director at least 30 days in advance of the date that the permit is to be reopened, except that the Director may provide a shorter time period in the case of an emergency.

#### 7. Reopenings for cause by EPA.

(i) If the EPA Administrator finds that cause exists to terminate, modify or revoke and reissue a permit pursuant to subparagraph 6. and notifies the Director of such finding in writing, the Director shall, within 90 days after receipt of such notification, forward to EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate. If the EPA Administrator finds that a new or revised permit application is necessary or that the Director must require the permittee to submit additional information and extends this 90 day period, the Director shall forward the subject determination within 180 days of receipt of EPA's notification.

(ii) Within 90 days from receipt of an EPA objection, the Director shall resolve such objection and terminate, modify, or revoke and reissue the permit in accordance with EPA's objection.

#### 8. Public participation.

40 CFR Part 70.7(h) is hereby incorporated and adopted by reference.

#### (f) **Permit review by EPA and affected states.**

1. The Director shall provide the EPA Administrator a copy of each permit application (including any application for permit modification), each proposed permit, and each final Part 70 permit. The Director may require the

applicant to provide a copy of the permit application (including the compliance plan) directly to the EPA Administrator. Upon approval by the EPA Administrator, the Director may submit to the EPA Administrator a permit application summary form and any relevant portion of the permit application and compliance plan, in place of the complete permit application and compliance plan.

## 2. Review by affected States.

(i) The Director shall give notice of each draft permit to any affected State on or before the time that the Director provides this notice to the public under subparagraph (e)8., except to the extent that subparagraphs (e)5.(i) or (e)5.(ii) require the timing of the notice to be different.

(ii) The Director, as part of the submittal of the proposed permit to the EPA Administrator [or as soon as possible after the submittal for minor permit procedures allowed under subparagraphs (e)5.(i) or (e)5.(ii)], shall notify the EPA Administrator and any affected State in writing of any refusal by the Director to accept all recommendations for the proposed permit that the affected State submitted during the public or affected State comment period. The notice shall include the Director's reasons for not accepting any such recommendation. The Director is not required to accept recommendations that are not based on applicable requirements or the requirements of this paragraph (10).

## 3. EPA objection.

(i) No permit for which an application must be transmitted to the EPA Administrator under subparagraph (f)1. shall be issued if the EPA Administrator objects to its issuance in writing within a timely manner pursuant to 40 CFR 70.8(c) and 40 CFR 70.8(d) which are hereby incorporated by reference.

### **(g) Insignificant Activities List**

Unless otherwise required by the Director, the following air pollutant sources/activities must be listed, but need not be described in detail, in the Part 70 permit application. Exclusion of these emissions from detailed reporting does not exclude them from inclusion in any applicability determination. Additionally, this insignificant listing may not be used to avoid any applicable requirement (i.e. NESHAP, NSPS, etc.) as defined in 40 CFR Part 70.2, which is incorporated by reference in subparagraph (a)4.

#### 1. Mobile Sources.

(i) Cleaning and sweeping of streets and paved surfaces.

#### 2. Combustion Equipment.

(i) Firefighting equipment, including fire pumps or other emergency/safety equipment used to fight fires or train firefighters or other emergency personnel.

(ii) Small incinerators that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act and are not considered a "designated facility" as specified in 40 CFR 60.32e of the Federal emissions guidelines for Hospital/Medical/ Infectious Waste Incinerators, that are operating as follows:

(I) Less than 8 million BTUs per hour heat input, firing types 0, 1, 2 and/or 3 waste; or

(II) Less than 8 million BTUs per hour heat input with no more than 10% pathological (Type-4) waste by weight combined with types 0, 1, 2 and/or 3 waste; or

(III) Less than 4 million BTUs per hour heat input firing Type 4 waste.

(IV) For the purpose of this subparagraph, the following definitions apply:

I. "Type 0 waste" means trash. This refers to a mixture of combustible waste such as paper, cardboard, wood and floor sweepings; which contains up to 10% petrochemical waste, 5% non-combustibles and 10% moisture, by



weight; which is generated from commercial activities; and having a higher heat value (HHV) of approximately 8,500 BTU/lb.

II. "Type 1 waste" means rubbish. This refers to a mixture of combustible waste such as paper, cardboard, wood foliage and floor sweepings; which contains up to 10% petrochemical waste, 5% non-combustibles and 10% moisture, by weight; which is generated from domestic and commercial activities; and having a HHV of approximately 6,500 BTU/lb.

III. "Type 2 waste" means refuse. This refers to an evenly distributed mixture of rubbish and garbage as usually received in municipal waste; which contains up to 50% moisture content, by weight and 7% non-combustible solids; and having a HHV of approximately 4,300 BTU/lb.

IV. "Type 3 waste" means garbage. This refers to animal and vegetable wastes from restaurants, cafeterias, hotels, markets, and like installations; which contains up to 70% moisture, by weight, and 5% non-combustible solids; and having a HHV of approximately 2,500 BTU/lb.

V. "Type 4 waste" means human and animal remains. This refers to carcasses, organs, and solid organic wastes from hospitals, laboratories, abattoirs, animal pounds; and having a HHV of approximately 1,000 BTU/lb.

(iii) Open burning in compliance with Georgia Rule [391-3-1-.02\(5\)](#).

(iv) Stationary Engines Burning:

(I) Natural gas, gasoline, diesel fuel, or dual fuels which are used exclusively as emergency generators; or

(II) Natural gas, LPG, and/or diesel fuel and used for peaking power (including emergency generators used for peaking power) where the peaking power use does not exceed 200 hours-per-year, except in the counties of Banks, Barrow, Bartow, Butts, Carroll, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gordon, Gwinnett, Hall, Haralson, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Newton, Oconee, Paulding, Pickens, Pike, Polk, Putnam, Rockdale, Spalding, Troup, Upson, and Walton where such engines with a rated capacity equal to and greater than 100 kilowatts are not insignificant activities; or

(III) Natural gas, LPG, and/or diesel fuel used for other purposes, provided that the output of each engine does not exceed 400 horsepower and that no individual engine operates for more than one thousand hours-per-year; or

(IV) Gasoline used for other purposes, provided that the output of each engine does not exceed 100 horsepower and that no individual engine operates for more than 500 hours-per-year except in the counties of Banks, Barrow, Bartow, Butts, Carroll, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gordon, Gwinnett, Hall, Haralson, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Newton, Oconee, Paulding, Pickens, Pike, Polk, Putnam, Rockdale, Spalding, Troup, Upson, and Walton where such engines with a rated capacity equal to and greater than 100 kilowatts used for peaking power are not insignificant activities.

(V) For the purpose of this subparagraph, the following definitions shall apply:

I. An "emergency generator" means a generator whose function is to provide back-up power when electric power from the local utility is interrupted and which operates for less than 500 hours-per-year, except in the counties of Banks, Barrow, Bartow, Butts, Carroll, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Dawson, DeKalb, Douglas, Fayette, Floyd, Forsyth, Fulton, Gordon, Gwinnett, Hall, Haralson, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Newton, Oconee, Paulding, Pickens, Pike, Polk, Putnam, Rockdale, Spalding, Troup, Upson, and Walton where such generator operates less than 200 hours-per-year.

II. "Used for peaking power" means used to reduce the electrical power requirements on the local utility grid. This could be for supplying power during the local utility's peak demand periods or for peak shaving by the facility.

### 3. Trade Operations.

(i) Brazing, soldering and welding equipment, and cutting torches related manufacturing and construction activities whose emissions of hazardous air pollutants (HAPs) fall below 1,000 pounds per year.

### 4. Maintenance, Cleaning, and Housekeeping.

(i) Blast-cleaning equipment using a suspension of abrasive in water and any exhaust system (or collector) serving them exclusively.

(ii) Portable blast-cleaning equipment.

(iii) Non-Perchloroethylene Dry-cleaning equipment with a capacity of 100 pounds per hour or less of clothes.

(iv) Cold cleaners having an air/vapor interface of not more than 10 square feet and that do not use a halogenated solvent.

(v) Non-routine clean out of tanks and equipment for the purposes of worker entry or in preparation for maintenance or decommissioning.

(vi) Devices used exclusively for cleaning metal parts or surfaces by burning off residual amounts of paint, varnish, or other foreign material, provided that such devices are equipped with afterburners.

(vii) Cleaning Operations: Alkaline/phosphate cleaners and associated cleaners and burners.

### 5. Laboratories and Testing.

(i) Laboratory fume hoods and vents associated with bench-scale laboratory equipment used for physical or chemical analysis.

(ii) Research and development facilities, quality control testing facilities and/or small pilot projects, where combined daily emissions from all operations are not individually major and are not support facilities making significant contributions to the product of a collocated major manufacturing facility.

### 6. Pollution Control.

(i) Sanitary wastewater collection and treatment systems, except incineration equipment or equipment subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(ii) On site soil or groundwater decontamination units that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(iii) Bioremediation operations units that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(iv) Landfills that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

### 7. Industrial Operations.

(i) Concrete block and brick plants, concrete products plants, and ready mix concrete plants producing less than 125,000 tons per year.

(ii) Any of the following processes or process equipment which are electrically heated or which fire natural gas, LPG or distillate fuel oil at a maximum total heat input rate of not more than five million BTUs per hour:

(I) Furnaces for heat treating glass or metals, the use of which do not involve molten materials or oil-coated parts.

(II) Porcelain enameling furnaces or porcelain enameling drying ovens.

(III) Kilns for firing ceramic ware.

(IV) Crucible furnaces, pot furnaces, or induction melting and holding furnaces with a capacity of 1,000 pounds or less each, in which sweating or distilling is not conducted and in which fluxing is not conducted utilizing free chlorine, chloride or fluoride derivatives, or ammonium compounds.

(V) Bakery ovens and confection cookers.

(VI) Feed mill or grain mill ovens.

(VII) Surface coating drying ovens.

(iii) Carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, shot blasting, shot peening, or polishing; ceramics, glass, leather, metals, plastics, rubber, concrete, paper stock or wood, also including roll grinding and ground wood pulping stone sharpening, provided that:

(I) The activity is performed indoors; and

(II) No significant fugitive particulate emissions enter the environment; and

(III) No visible emissions enter the outdoor atmosphere.

(iv) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy (e.g., blueprint activity, photographic developing and microfiche).

(v) Grain, food, or mineral extrusion processes.

(vi) Equipment used exclusively for sintering of glass or metals, but not including equipment used for sintering metal-bearing ores, metal scale, clay, fly ash, or metal compounds.

(vii) Equipment for the mining and screening of uncrushed native sand and gravel.

(viii) Ozonization process or process equipment.

(ix) Electrostatic powder coating booths with an appropriately designed and operated particulate control system.

(x) Activities involving the application of hot melt adhesives where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year.

(xi) Equipment used exclusively for mixing and blending water-based adhesives and coatings at ambient temperatures.

(xii) Equipment used for compression, molding and injection of plastics where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year.

(xiii) Ultraviolet curing processes where VOC emissions are less than five tons per year and HAP emissions are less than 1,000 pounds per year.

## 8. Storage Tanks and Equipment.

(i) All petroleum liquid storage tanks storing a liquid with a true vapor pressure of equal to or less than 0.50 psia as stored.

(ii) All petroleum liquid storage tanks with a capacity of less than 40,000 gallons storing a liquid with a true vapor pressure of equal to or less than 2.0 psia as stored that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(iii) All petroleum liquid storage tanks with a capacity of less than 10,000 gallons storing a petroleum liquid.

(iv) All pressurized vessels designed to operate in excess of 30 psig storing petroleum fuels that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(v) Gasoline storage and handling equipment at loading facilities handling less than 20,000 gallons per day or at vehicle dispensing facilities that are not subject to any standard, limitation or other requirement under Section 111 or 112 [excluding 112(r)] of the Federal Act.

(vi) Portable drums, barrels, and totes provided that the volume of each container does not exceed 550 gallons.

(vii) All chemical storage tanks used to store a chemical with a true vapor pressure of less than or equal to 10 millimeters of mercury (0.19 psia).

**(11) Permit by Rule.**

**(a) General Requirements.**

1. Accepting a Permit by Rule does not exempt that facility from the obligation to apply for and obtain a Construction (SIP) Permit and/or an Operating (SIP) Permit unless specifically exempted in the permit by rule. Complying with the requirements of a Permit by Rule does not relieve a facility of having to comply with other requirements of the Rules.

2. The permitting authority may, after notice and opportunity for public participation, issue a Permit by Rule covering numerous similar sources. Any Permit by Rule shall identify criteria and standards by which sources may qualify for the Permit by Rule. Any facility wishing to operate under a Permit by Rule shall certify that in writing to the permitting authority, unless specifically exempted from this requirement in the specific Permit by Rule. To sources that qualify, the permitting authority shall grant the conditions and terms of the Permit by Rule by Certification letter. Notwithstanding the shield provisions of 40 CFR Part 70.6(f), the source shall be subject to enforcement action for operation without a Part 70 Permit if the source is later determined not to qualify for the conditions and terms of the Permit by Rule.

3. It is the responsibility of any facility accepting a "Permit by Rule" to submit a report within 15 days following the last day of any month in which the facility exceeds the annual limit during the previous 12 months or monthly limit during the previous month. The report shall include the following:

(i) Facility name, ID, and location.

(ii) The "Permit by Rule" name, number and applicable limits.

(iii) A summary of the records showing the exceedance along with an explanation.

(iv) What the facility plans to do to prevent future occurrences.

**(b) Permit by Rule Standards.**

1. Fuel-Burning Equipment Burning Natural Gas/LPG and/or Distillate Oil.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with external combustion fuel burning equipment rated at less than or equal to 100 million BTU per hour, with a potential to emit in excess of the Part 70 major source threshold, without existing permit conditions that are federally enforceable or enforceable

as a practical matter limiting the source to below Part 70 major source thresholds. Facilities for which the only source of regulated air pollutants from external combustion fuel-burning equipment (excluding turbines) is from equipment permitted to burn natural gas/LPG and/or distillate oil exclusively shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit. All facilities located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, which were granted a Permit by Rule by certification letter dated prior to January 1, 2004 and which seek to continue to operate under this Permit by Rule, shall submit a new written certification of compliance with revised paragraphs (I) and (II) by no later than October 31, 2004.

(I) Monitoring and Record keeping. A log of the monthly fuel use must be kept. The total fuel usage for the previous twelve consecutive months must be included in each month's log. Consumption of distillate oil shall be recorded in gallons, consumption of LPG shall be recorded in gallons and consumption of natural gas shall be recorded in cubic feet. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Fuel Usage. Facility fuel usage shall be limited to 900 million cubic feet of natural gas (or 7.0 million gallons of LPG) and 1.6 million gallons of distillate oil during any twelve consecutive months except in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, where fuel usage shall be limited to 300 million cubic feet of natural gas (or 1.5 million gallons of LPG) and 500,000 gallons of distillate oil during any twelve consecutive months.

## 2. Fuel-Burning Equipment Burning Natural Gas/LPG and/or Residual Oil.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with external combustion fuel burning equipment rated at less than or equal to 100 million BTU per hour, with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Facilities for which the only source of regulated air pollutants from external combustion fuel burning equipment is from equipment permitted to burn only natural gas/LPG and/or residual fuel oil exclusively shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that have potential emissions greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit. All facilities located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, which were granted a Permit by Rule by certification letter dated prior to January 1, 2004 and which seek to continue to operate under this Permit by Rule, shall submit a new written certification of compliance with revised paragraphs (I) and (II) by no later than October 31, 2004.

(I) Monitoring and Recordkeeping. A log of the monthly fuel use must be kept. The total fuel usage for the previous twelve consecutive months must be included in each month's log. Consumption of residual fuel oil shall be recorded in gallons, consumption of LPG shall be recorded in gallons and consumption of natural gas shall be recorded in cubic feet. This log shall be kept for five years past the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Fuel Usage. Annual facility fuel usage shall be limited to 1,000 million cubic feet of natural gas (or 7.5 million gallons of LPG) and 400,000 gallons residual fuel oil during any twelve consecutive months except in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, or Rockdale, where fuel usage shall be limited to 300 million cubic feet of natural gas (or 1.5 million gallons of LPG) and 200,000 gallons of residual fuel oil.

## 3. On-Site Power Generation.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Facilities that operate internal combustion engines for purposes of generating emergency power, peaking power, and/or temporary on-site

power and where such equipment burns natural gas/LPG, #1 fuel oil (kerosene/JP4 or JP5) and/or #2 fuel oil/diesel exclusively shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit. All facilities located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, which were granted a Permit by Rule by certification letter dated prior to January 1, 2004 and which seek to continue to operate under this Permit by Rule, shall submit a new written certification of compliance with revised paragraphs (I) and (II) by no later than October 31, 2004.

(I) Monitoring and Record Keeping. A log of the monthly total horsepower-hours for the facility based on the number of hours of operation of each unit per month times the maximum horsepower rating of that unit must be included in each month's log. The total horsepower-hours for the previous twelve consecutive months must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Power Production Limits. A facility's power generation is limited to a total of no more than 6.7 million horsepower-hours during any twelve consecutive months except in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale counties, where the total is no more than 1.675 million horsepower-hours during any twelve consecutive months.

#### 4. Concrete Mixing Plants.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Concrete mixing plants shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that would otherwise have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit.

(I) Monitoring and Recordkeeping. A log of the monthly production must be kept. The total production for the previous twelve consecutive months must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Annual Production. Production on the plant site shall be limited to 600,000 cubic yards during any twelve consecutive months.

#### 5. Hot Mix Asphalt Plants.

(i) Notwithstanding any other provision of these Rules, this standard applies to hot mix asphalt facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Hot mix asphalt plants shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that would otherwise have potential emissions of greater than major source thresholds or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit. All facilities located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale, which were granted a Permit by Rule by certification letter dated prior to January 1, 2004 and which seek to continue to operate under this Permit by Rule, shall submit a new written certification of compliance with revised paragraphs (I) and (II) by no later than October 31, 2004.

(I) Monitoring and Record Keeping.

I. New asphalt plants (which commenced construction or modification after June 11, 1973) permitted to burn natural gas/LPG and/or distillate oil only shall maintain a monthly log of production and hours of operation. The total production and hours of operation for the previous twelve consecutive months must be included in each month's log. These logs shall be kept for five years from the date of last entry and shall be available for inspection and/or submittal to the Division.

II. New and existing asphalt plants permitted to burn natural gas/LPG, distillate oil, and residual oil in any combination shall maintain a monthly log of production, hours of operation and monthly fuel use. The total production, hours of operation and fuel oil usage for the previous twelve consecutive months must be included in each month's log. Fuel oil certifications showing sulfur content equal to or less than 1.5% shall also be maintained. These logs and certifications shall be kept for five years from the date of last entry and shall be available for inspection and/or submittal to the Division.

(II) Annual Production.

I. New asphalt plants (which commenced construction or modification after June 11, 1973) permitted to burn natural gas/LPG and/or distillate oil only shall limit:

A. Production to 400,000 tons during any twelve consecutive months; and

B. Operations to 3000 hours during any twelve consecutive months.

II. New and existing asphalt plants permitted to burn natural gas/LPG, distillate oil, and residual oil in any combination shall limit:

A. Production to 200,000 tons during any twelve consecutive months;

B. Fuel sulfur content to less than or equal to 1.5%;

C. Operation to 3000 hours during any twelve consecutive months; and

D. Fuel oil usage to 678,000 gallons during any twelve consecutive months.

III. New asphalt plants (which commenced construction or modification after June 11, 1973) permitted to burn natural gas/LPG and/or distillate oil only, which are located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall limit:

A. Production to 300,000 tons during any twelve consecutive months; and

B. Operations to 3000 hours during any twelve consecutive months.

IV. New and existing asphalt plants permitted to burn natural gas/LPG, distillate oil, and residual oil in any combination, which are located in the counties of Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale shall limit:

A. Production to 125,000 tons during any twelve consecutive months;

B. Fuel sulfur content to less than or equal to 1.5%;

C. Operation to 3000 hours during any twelve consecutive months; and

D. Fuel oil usage to 250,000 gallons during any twelve consecutive months.

6. Cotton Ginning Operations.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Cotton ginning operations shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that have potential emissions greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit.

(I) Monitoring and Record keeping. A log of the monthly production must be kept. The total production for the previous twelve consecutive months must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Annual Production. Production shall be limited to 120,000 standard bales of cotton during any twelve consecutive months.

#### 7. Coating and/or Gluing Operations.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in amounts equal to or exceeding the Part 70 and Part 63 major source thresholds without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 or Part 63 major source thresholds. This standard applies only to facilities:

(I) Where the actual VOC emissions from coating and/or gluing operations represent at least 90 percent of the plant wide actual VOC emissions; and

(II) Where the actual HAP emissions from coating and/or gluing operations represent at least 90 percent of the plant wide actual HAP emissions or where the actual HAP emissions from non-coating and non-gluing operations are less than 1.0 tons per year.

(ii) This standard establishes federally enforceable conditions limiting the potential to emit for VOC and HAPs. Coating and/or gluing operations shall be deemed to have a Permit by Rule if the conditions in one of the following paragraphs (I), (II), (III) or (IV) are met. Facilities that have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I), (II), (III), or (IV) and the remainder of this subsection shall obtain a Part 70 Permit. In accordance with the General Requirements in subparagraph (11)(a)2., the owner or operator of a facility wishing to operate under this Permit-by-Rule must also declare which of the four options are going to be met.

(I) The owner or operator of the source shall consume less than 20,000 pounds of any VOC and/or HAP containing materials during any twelve consecutive months. A log of the monthly consumption of VOC and/or HAP containing material must be kept. The total consumption for the previous twelve consecutive months must be included in each month's log. Records for materials (including but not limited to coatings, thinners, and solvents) shall be recorded in pounds. These records shall be maintained and made readily available for inspection for a minimum of five years upon date of entry and shall be submitted to the Division upon request.

(II) The owner or operator of the facility shall use less than 250 total gallons each month, of coating, gluing, cleaning, and washoff materials at the facility. The owner or operator shall demonstrate compliance by maintaining records of the total gallons of coating, gluing, cleaning, and washoff materials used each month. These records shall be maintained and made readily available for inspection for a minimum of five years upon date of entry and shall be submitted to the Division upon request.

(III) The owner or operator of the source shall use less than 3,000 total gallons per rolling 12-month period, of coating, gluing, cleaning, and washoff materials at the facility. A rolling 12-month period includes the previous 12 months of operation. The owner or operator of the facility shall demonstrate compliance by maintaining records of the total gallons of coating, gluing, cleaning, and washoff materials used each month and the total gallons used each rolling 12-month period. These records shall be maintained and made readily available for inspection for a minimum of five years upon date of entry and shall be submitted to the Division upon request.

(IV) The owner or operator of the facility shall use materials containing less than 5 tons of any one HAP per rolling 12-month period, less than 12.5 tons of any combination of HAPs per rolling 12-month period, less than 25 tons of VOC per rolling 12-month period for sources located in ozone non-attainment counties (Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale counties), and less than 50 tons of VOC per rolling 12-month period for facilities not located in ozone non-attainment counties. The owner or operator shall demonstrate compliance by maintaining records that demonstrate that annual emissions do



not exceed these levels, including monthly usage records for each finishing, gluing, cleaning, and washoff material used to include the VOC and individual HAP content of each material; certified product data sheets for these materials; summation of VOC and individual and total HAP usage on a monthly basis; and the total VOC and individual and total HAP usage each rolling 12-month period and any other records necessary to document emissions. These records shall be maintained and made readily available for inspection for a minimum of five years upon date of entry and shall be submitted to the Division upon request.

(iii) The owner or operator that chooses to comply with this Permit by Rule for Coating and/or Operations shall maintain all purchase orders and/or invoices of materials containing VOC's and HAP's for a minimum of five years. These purchase orders and/or invoices must be made available to the Division upon request for use in confirming the general accuracy of the records retained and reports submitted.

(iv) For the purpose of this paragraph, the following definitions apply:

(I) "Certified product data sheet (CPDS)" means documentation furnished by coating or adhesive suppliers or an outside laboratory that provides the Volatile Hazardous Air Pollutant (VHAP), as listed in Table 2 of 40 CFR Part 63, Subpart JJ, content of a finishing material, contact adhesive, or solvent, by percent weight, measured using Method 311 of the Georgia Department of Natural Resources Procedures for Testing and Monitoring Sources of Air Pollutants (PTM), or an equivalent or alternative method [or formulation data if the coating meets the criteria specified in 40 CFR 63.805(a)]; the solids content of a finishing material or contact adhesive by percent weight, determined using data from Method 24 of the Georgia PTM as referenced in this section, or an alternative or equivalent method [or formulation data if the coating meets the criteria specified in 40 CFR 63.805(a)]; and the density, measured by Method 24 of the Georgia PTM as referenced in this section or an alternative or equivalent method. Therefore, the reportable VHAP content shall represent the maximum aggregate emissions potential of the finishing material, adhesive, or solvent in concentrations greater than or equal to 1.0 percent by weight or 0.1 percent for VHAP that are carcinogens, must be reported on the CPDS. The purpose of the CPDS is to assist the affected source in demonstrating compliance with the emission limitations presented in subparagraph (11)(b)7.(ii)(IV).

(Note: Because the optimum analytical conditions under Method 311 vary by coating, the coating or adhesive supplier may also choose to include on the CPDS the optimum analytical conditions for analysis of the coating, adhesive, or solvent using Method 311. Such information may include, but not be limited to, separation column, oven temperature, carrier gas, injection port temperature, extraction solvent, and internal standard.)

(II) "Coating" means a protective, decorative, or functional film applied in a thin layer to a surface. Such materials include, but are not limited to, paints, topcoats, varnishes, sealers, stains, washcoats, basecoats, enamels, inks, and temporary protective coatings. Aerosol spray paints used for touch-up and repair are not considered coatings under this section of the rule.

(III) "Gluing" means those operations in which adhesives are used to join components, for example, to apply a laminate to a wood substrate or foam to fabric.

## 8. Printing Operations.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Printing operations shall be deemed to have a Permit by Rule if the conditions in paragraph (I), and (II) are met. Facilities that have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit.

(I) Monitoring and Record keeping. A log of the monthly consumption of VOC and/or Hazardous Air Pollutant containing material must be kept. The total consumption for the previous twelve consecutive months must be included in each month's log. Records for materials (including but not limited to inks, thinners, and solvents) shall be recorded in pounds. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Annual consumption. The consumption of any VOC and/or Hazardous Air Pollutant emitting materials (including but not limited to inks, thinners, and solvents) by the facility shall be limited to 20,000 pounds during any twelve consecutive months.

#### 9. Non-Reactive Mixing Operations.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Non-reactive mixing operations shall be deemed to have a Permit by Rule if the conditions in paragraphs (I) through (V) are met. Facilities that have potential emissions of greater than major source thresholds even after this rule is met or are not able to meet the conditions in this rule shall obtain a Part 70 Permit.

(I) Monitoring and Record keeping. A monthly log of materials mixed must be kept. The mixing total for the previous twelve consecutive months must be included in each month's log. Records for materials (including but not limited to coatings, thinners, and solvents) shall be recorded in pounds. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Annual mixing limit. Materials mixed shall be limited to 500 tons during any twelve consecutive months.

(III) Mixing/blending tanks shall be equipped with lids.

(IV) Tank lids must be closed at all times during operation except when charging raw materials, retrieving samples, or discharging finished product.

(V) Mixing tanks must be maintained at a temperature of less than 150°F.

#### 10. Fiberglass Molding and Forming Operations.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source thresholds. Fiberglass molding operations shall be deemed to have a Permit by Rule if the conditions in paragraph (I) and (II) are met. Facilities that have potential emissions greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraphs (I) and (II) shall obtain a Part 70 Permit.

(I) Monitoring and Record keeping. A log of the combined monthly usage of polyester resin and gel coat must be kept. The previous twelve consecutive month material usage total must be included in each month's log. Records for the combined weight of polyester resin and gel coat shall be recorded in pounds. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) Material Usage. Annual facility material usage shall be limited to 89,000 pounds during any twelve consecutive months for any combination of hand and spray lay-up operations. Annual facility material usage shall be limited to 120,000 pounds during any twelve consecutive months for spray lay-up operations only. This material input must represent the combined weight of polyester resin and gel coat used during any twelve consecutive months.

#### 11. Peanut/Nut Shelling Operation.

(i) Notwithstanding any other provision of these Rules, this standard applies to facilities with a potential to emit in excess of the Part 70 major source threshold without existing permit conditions that are federally enforceable or enforceable as a practical matter limiting the source to below Part 70 major source threshold. Peanut/nut shelling facilities shall be deemed to have a Permit by Rule if the conditions in paragraph (I), (II) and (III) are met. Facilities that have potential emissions greater than major source thresholds even after this rule is met or are not able to meet the conditions in paragraph (I), (II) and (III) shall obtain a Part 70 Permit.

(I) **Monitoring and Recordkeeping.** A log of the monthly unshelled peanuts/nuts processed must be kept. The total amount of unshelled peanuts/nuts processed for the previous 12 consecutive months must be included in each month's log. This log shall be kept for five years from the date of last entry. The log shall be available for inspection or submittal to the Division.

(II) **Annual Process input:** Facility process input shall be limited to 130,000 tons of unshelled nuts during any twelve consecutive months.

(III) **Annual hours of operation** shall not exceed 5000 hours during any twelve consecutive months.

(ii) For the purposes of this standard, the term process, as it applies to peanut/nut shelling facilities, shall include all of the activities associated with the nut shelling process from nut drying, cleaning, shelling, to and including product and waste material handling at the facility.

**(12) Generic Permit.**

(a) **Under penalty** of law, the holder of any Air Quality General Generic Permit must adhere to the terms, limitations, and conditions of that permit and subsequent revisions of that permit.

(b) **The limitations**, controls, and requirements in federally enforceable operating permits are permanent, quantifiable, and otherwise enforceable as a practical matter.

(c) **Prior to the issuance** of any federally enforceable operating permit, EPA and the public will be notified and given a chance for comment on the draft permit.

**(13) Emission Reduction Credits.**

**(a) Applicability.**

This section provides for the creation, banking, transfer, and use of nitrogen oxides and VOC Emission Reduction Credits in Federally designated ozone non-attainment areas in Georgia and any areas designated by the Director as contributing to the ambient air level of ozone in Federally designated ozone non-attainment areas in Georgia. The following sources are eligible to create and bank nitrogen oxides and VOC Emission Reduction Credits:

1. [reserved]

2. Any stationary source located within the counties of Bartow, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding, and Rockdale and which has the potential to emit nitrogen oxides or VOCs in amounts greater than 100 tons-per-year.

3. Electrical Generating Units located at any stationary source within the counties of Banks, Barrow, Butts, Carroll, Chattooga, Clarke, Dawson, Floyd, Gordon, Hall, Haralson, Heard, Jackson, Jasper, Jones, Lamar, Lumpkin, Madison, Meriwether, Monroe, Morgan, Oconee, Pickens, Pike, Polk, Putnam, Spalding, Troup, Upson, and Walton and which has the potential to emit nitrogen oxides in amounts greater than 100 tons-per-year.

**(b) Eligibility of Emission Reductions.**

1. In order to be approved by the Division as an Emission Reduction Credit, a reduction in emissions must be real, permanent, quantifiable, enforceable, and surplus and shall have occurred after December 31, 1996.

2. To be eligible for consideration as Emission Reduction Credits, emission reductions may be created by any of the following methods:

(i) Installation of control equipment;

(ii) A change in process inputs, formulations, products or product mix, or raw materials;

- (iii) A reduction in actual emission rate;
- (iv) A reduction in operating hours;
- (v) Production curtailment;
- (vi) Shutdown of emitting sources or facilities; or
- (vii) Any other enforceable method as determined by the Division.

**(c) Quantification of Emission Reduction Credits.**

1. For purposes of calculating the amount of emission reduction that can be quantified as an Emission Reduction Credit, the following procedures must be followed:

- (i) The source must calculate its average actual annual emissions prior to the emission reduction. Actual emissions prior to the reduction shall be calculated in tons per year. In calculating average actual annual emissions prior to the emission reduction, the source shall use data from the 24-month period immediately preceding the reduction in emissions. The Division may allow the use of a different time period upon determination that such period is more representative of normal source operation.
- (ii) The Emission Reduction Credit generated by the emission reduction shall be calculated by subtracting the allowable annual emissions rate following the reduction from the average actual annual emissions prior to the reduction.

**(d) Discounting and Revocation of Emission Reduction Credits.**

1. Except as provided below, the Director shall not discount or otherwise reduce the value of Emission Reduction Credits banked under this section.

(i) [reserved]

(ii) Discounting Based on Time Banked.

Emission Reduction Credits banked under this section will not expire at any time. However, Emission Reduction Credits will be discounted at a rate of 10 percent of the original Emission Reduction Credit value per year beginning on the 11th anniversary of the date on which the reduction in emissions initially occurred, up to a maximum total discount of 50 percent of the original Emission Reduction Credit value on the 15th anniversary of the date on which the reduction in emissions initially occurred. Annual discounting under this subsection (ii) shall not occur if the affected Emission Reduction Credits have already been discounted by 50% or more under the following subsection (iii) due to the promulgation of more stringent regulations affecting the source category that created the Emission Reduction Credits.

(iii) Discounting for More Stringent Regulations.

If any State or Federal statute, rule, or regulation decreases an allowable emission rate or otherwise requires a reduction in nitrogen oxides or VOC from a particular source category or categories, any banked nitrogen oxides or VOC Emission Reduction Credits created by that source category or categories shall be reduced to reflect the new more stringent allowable emission limit or required reduction.

(iv) Discounting or Revocation for Cause.

The Director may revoke, suspend, or reduce the value of Emission Reduction Credits for cause, including evidence of noncompliance with permit conditions imposed to make the emission reductions permanent and enforceable; failure to achieve in practice the emission reductions on which the Emission Reduction Credits are based; or

misrepresentations made in the Emission Reduction Credit application or any other applications on which the Emission Reduction Credits are based, supporting data entered therein or attached thereto, or any subsequent submittal or supporting data.

2. The owner of a Certificate of Emissions Reduction Credit may submit an application to re-evaluate a Certificate of Emission Reduction Credit to determine whether the amount of credits specified in the Certificate of Emission Reduction Credit has been discounted or revoked in accordance with subparagraph 1., above. Such application shall be submitted on forms and contain information specified by the Division.

**(e) Creation and Banking of Emission Reduction Credits.**

1. Sources seeking to create and bank Emission Reduction Credits must submit an application on forms supplied by the Division and signed by the applicant. The application shall include, at a minimum, the following information:

(i) The company name, contact person and phone number, and street address of the source seeking the Emission Reduction Credit;

(ii) A description of the type of source, including SIC code, where the proposed emission reduction shall occur;

(iii) A detailed description of the method or methods to be employed by the source to create the emission reduction;

(iv) The date the emission reduction occurred or is to occur;

(v) Quantification of the Emission Reduction Credit, as required under subsection (c);

(vi) The proposed method for ensuring the reductions are permanent and enforceable, including any necessary application to amend the source's operating permit or, in the case of a shutdown of process equipment or an entire source, request for permit revocation;

(vii) Whether any portion of the reduction in emissions to be used to create the Emission Reduction Credit has previously been used to avoid New Source Review through a "netting demonstration;" and

(viii) Any other information that may be required to demonstrate that the reduction in emissions is real, permanent, quantifiable, enforceable, and surplus, as defined in subsection (b).

2. The Division will determine whether the application is complete and will notify the source seeking the Emission Reduction Credit of its determination. A Certificate of Emission Reduction Credit will be issued to the source upon a determination by the Director that the emission reduction meets the requirements of this section. Upon issuance of the Certificate, the Division will simultaneously take any action required to ensure the reduction is permanent and enforceable, including issuance of a revised permit or revocation of a permit.

3. Certificates of Emission Reduction Credit shall be issued by the Director and shall contain the following information:

(i) The amount of the credit, in tons per year;

(ii) The pollutant reduced (nitrogen oxides or VOC);

(iii) The date the reduction occurred;

(iv) The street address and county of the source where the reduction occurred; and

(v) The date of issuance of the Certificate.

4. The Division shall maintain an Emission Reduction Credit registry that constitutes the official record of all Certificates of Emission Reduction Credit issued and all withdrawals made. The registry shall be available for public

review. For each certificate issued, the registry will indicate the amount of the Emission Reduction Credit, the pollutant reduced, the location of the facility generating the Emission Reduction Credit, and the facility contact person.

**(f) Use of Emission Reduction Credits.**

1. Emission Reduction Credits may be used in any manner authorized under this subsection (f).
2. Persons holding Emission Reduction Credits may withdraw the Emission Reduction Credits and may dispose of them in any manner not inconsistent with this Section.
3. An Emission Reduction Credit may be withdrawn only by the owner of record or by the Director and may be withdrawn in whole or in part. In the case of a partial withdrawal, the Division shall issue a revised certificate of Emission Reduction Credit to the owner of record reflecting the new amount of the credit and shall revoke the original Certificate.
4. Emission Reduction Credits may be used for the following purposes:
  - (i) As offsets required by Section 391-3-1-.03(8) for a major new source of nitrogen oxides or VOC in a federally designated ozone non-attainment area, or an area designated by the Director as an area contributing to the ambient concentration of ozone in a federally designated ozone non-attainment area;
  - (ii) As offsets required by Section 391-3-1-.03(8) for a major modification to an existing major source of nitrogen oxides or VOC in a federally designated ozone non-attainment area, or an area designated by the Director as an area contributing to the ambient concentration of ozone in a federally designated ozone non-attainment area;
  - (iii) As part of a netting demonstration under the following conditions:
    - (I) The source using the Emission Reduction Credits is the same source that created and banked the Emission Reduction Credits, and;
    - (II) The emission reduction represented by the Emission Reduction Credits occurred within the five-year period before construction commences on the modification; or
  - (iv) As internal offsets under Section 391-3-1-02(8)(c)(13)(iii) and (iv) of these Rules provided that the source using the Emission Reduction Credits is the same source that created and banked the Emission Reduction Credits.
5. Emission Reduction Credits can only be used to offset emissions of the same pollutant that was reduced by the source that created and banked the Emission Reduction Credit.
6. Emission reduction credits used as offsets as required by Section 391-3-1-.03(8) within a federally designated ozone non-attainment area shall have been created within that federally designated ozone non-attainment area. Emission reduction credits created within any area designated by the Director as contributing to the ambient air level of ozone in a federally designated ozone non-attainment area may not be used as offsets as required by Section 391-3-1-.03(8) in that federally designated non-attainment area.

**(g) Transfer of Certificates of Emission Reduction Credit.**

1. If the owner of a Certificate of Emission Reduction Credit transfers the Certificate to a new owner, the Division shall issue a Certificate of Emission Reduction Credit to the new owner and shall revoke the certificate held by the current owner of record.
2. If the owner of a Certificate of Emission Reduction Credit transfers part of the Emission Reduction Credits represented by the Certificate to a new owner, the Division shall issue a Certificate of Emission Reduction Credit to the new owner reflecting the transferred amount and shall issue a Certificate of Emission Reduction Credit to the

current owner of record reflecting the amount of Emission Reduction Credit remaining after the transfer. The original Certificate of Emission Reduction credit shall be revoked.

**(h) Administrative Fees.**

1. Any Source or person seeking to create, certify, bank, use, transfer, or re-evaluate Emission Reduction Credits shall pay fees to the Division in accordance with the following schedule:

(i) \$6000 per application to create, certify and bank emission credits in accordance with subparagraph (e) of this paragraph.

(ii) \$3500 per application to use a banked emission credit in accordance with subparagraph (f)4. of this paragraph. If the Certificate of Emission Reduction Credit has either been transferred in accordance with subparagraph (g) of this paragraph or re-evaluated in accordance with subparagraph (d)2. of this paragraph, or both, within 12 months prior to submission of an application to use a banked emission credit, the administrative fee to use a banked emission credit shall be reduced by the amount administrative fee(s) paid to the Division for transfer and re-evaluation. The 12-month period shall be based on the date of issuance of the new Certificate of Emission Reduction Credit to the new owner (for a transfer) or the date of written notification of the owner of the results of the re-evaluation by the Division (for a re-evaluation).

(iii) \$3000 per application to transfer a Certificate of Emission Reductions Credit as per subparagraph (g) of this paragraph. If a re-evaluation of the Certificate of Emission Reduction Credit has been completed by the Division in accordance with subparagraph (d)2. of this paragraph within 12 months prior to submission of an application to transfer the Certificate of Emission Reduction Credit, the administrative fee to transfer the Certificate of Emission Reduction Credit shall be reduced by the amount administrative fee paid for re-evaluation. The 12-month period shall be based on the date of written notification of the owner of the results of the re-evaluation by the Division.

(iv) \$2500 per application to re-evaluate an Certificate of Emission Reduction Credit as per subparagraph (d)2. of this paragraph.

2. Payment of administrative fees required by this subsection shall be submitted along with an application to create, certify, bank, use, transfer, or re-evaluate Emission Reduction Credits.

**(i) Definitions.**

For the purposes of this section, the following definitions shall apply:

1. "Electrical Generating Unit" means a fossil fuel fired stationary boiler, combustion turbine, or combined cycle system that serves a generator that produces electricity for sale.

2. "Enforceable" means enforceable by the Division. Methods for ensuring that Emission Reduction Credits are enforceable shall include, but not be limited to, conditions in air quality construction or operating permits issued by the Division.

3. "Netting Demonstration" means the act of calculating a "net emissions increase" under the preconstruction review requirements of Title I, Part D of the Federal Act and the regulations promulgated thereunder.

4. "Permanent" means assured for the life of the corresponding Emission Reduction Credit through an enforceable mechanism such as a permit condition or revocation.

5. "Quantifiable" means that the amount, rate and characteristics of the Emission Reduction Credit can be estimated through a reliable method and are approved by the Division.

6. "Real" means a reduction in actual emissions emitted into the air.

7. "Surplus" means not required by any local, state, or federal law, regulation, order, or requirement and in excess of reductions used by the Division in issuing any other permit or to demonstrate attainment of federal ambient air quality standards or reasonable further progress towards achieving attainment of federal ambient air quality standards. For the purpose of determining the amount of surplus emission reductions, any seasonal emission limitation or standard shall be assumed to apply throughout the year. Emission reductions which have previously been used to avoid New Source Review through a netting demonstration are not considered surplus.

**Cite as** Ga. Comp. R. & Regs. R. 391-3-1-.03

**AUTHORITY:** O.C.G.A. § [12-9-1](#) *et seq.*, as amended.

**HISTORY:** Original Rule entitled "Permits" adopted. F. Sept. 6, 1973; eff. Sept. 26, 1973.

**Amended:** F. June 30, 1975; eff. July 20, 1975.

**Amended:** F. Oct. 31, 1975; eff. Nov. 20, 1975.

**Amended:** F. Mar. 20, 1979; eff. Apr. 9, 1979.

**Amended:** F. Aug. 27, 1982; eff. Sept. 16, 1982.

**Amended:** F. Dec. 9, 1986; eff. Dec. 29, 1986.

**Amended:** F. Dec. 20, 1990; eff. Jan. 9, 1991.

**Amended:** F. Aug. 27, 1992; eff. Sept. 16, 1992.

**Amended:** F. Nov. 2, 1992; eff. Nov. 22, 1992.

**Amended:** F. July 1, 1993; eff. July 21, 1993.

**Amended:** F. Oct. 28, 1993; eff. Nov. 17, 1993.

**Amended:** F. May 24, 1994; eff. June 13, 1994.

**Amended:** F. July 28, 1994; eff. August 17, 1994.

**Amended:** F. Oct. 31, 1994; eff. Nov. 20, 1994.

**Amended:** F. June 30, 1995; eff. July 20, 1995.

**Amended:** F. June 3, 1996; eff. June 23, 1996.

**Amended:** F. June 3, 1997; eff. June 23, 1997.

**Amended:** F. Dec. 5, 1997; eff. Dec. 25, 1997.

**Amended:** F. May 26, 1998; eff. June 15, 1998.

**Amended:** F. June 18, 1999; eff. July 8, 1999.

**Amended:** F. Sept. 17, 1999; eff. Oct. 7, 1999.

**Amended:** F. Jan. 27, 2000; eff. Feb. 16, 2000.

**Amended:** F. July 27, 2000; eff. August 16, 2000.



**Amended:** F. Dec. 8, 2000; eff. Dec. 28, 2000.

**Amended:** F. June 28, 2001; eff. July 18, 2001.

**Amended:** F. Dec. 6, 2001; eff. Dec. 26, 2001.

**Amended:** F. June 27, 2002; eff. July 17, 2002.

**Amended:** F. Mar. 31, 2003; eff. Apr. 20, 2003.

**Amended:** F. June 4, 2003; eff. June 24, 2003.

**Amended:** F. July 8, 2004; eff. July 28, 2004.

**Amended:** F. June 30, 2005; eff. July 20, 2005.

**Amended:** F. Mar. 7, 2006; eff. Mar. 27, 2006.

**Amended:** F. Mar. 30, 2006; eff. Apr. 19, 2006.

**Amended:** F. June 23, 2006; eff. July 13, 2006.

**Amended:** F. July 24, 2006; eff. August 13, 2006.

**Amended:** F. Feb. 20, 2007; eff. Mar. 12, 2007.

**Amended:** F. July 5, 2007; eff. July 25, 2007.

**Amended:** F. Aug. 22, 2008; eff. Sept. 11, 2008.

**Amended:** F. June 30, 2009; eff. July 20, 2009.

**Amended:** F. June 21, 2010; eff. July 11, 2010.

**Amended:** F. Dec. 9, 2010; eff. Dec. 29, 2010.

**Amended:** F. Aug. 24, 2011; eff. Sept. 13, 2011.

**Amended:** F. Jul. 20, 2012; eff. Aug. 9, 2012.

**Amended:** F. Jul. 12, 2013; eff. Aug. 1, 2013.

**Amended:** F. Aug. 16, 2013; eff. Sept. 5, 2013.

**Amended:** F. Jul. 30, 2014; eff. Aug. 19, 2014.

**Amended:** F. Sep. 24, 2014; eff. Oct. 14, 2014.

**Amended:** F. June 22, 2015; eff. July 12, 2015.

**Amended:** F. July 14, 2015; eff. August 3, 2015.

**Amended:** F. July 25, 2016; eff. August 14, 2016.

**Amended:** F. June 1, 2017; eff. June 21, 2017.

**Amended:** F. June 30, 2017; eff. July 20, 2017.

**Amended:** F. May 29, 2018; eff. June 18, 2018.

**Amended:** F. July 3, 2018; eff. July 23, 2018.

**Amended:** F. Apr. 29, 2019; eff. May 19, 2019.

**Amended:** F. Sep. 6, 2019; eff. Sept. 26, 2019.

**Amended:** F. June 12, 2020; eff. July 2, 2020.

**Amended:** F. July 9, 2020; eff. July 29, 2020.

**Amended:** F. June 10, 2021; eff. June 30, 2021.

**Amended:** F. June 1, 2022; eff. June 21, 2022.

# **Department 391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES**

## **Chapter 391-3. ENVIRONMENTAL PROTECTION**

### **Subject 391-3-21. GRANT PROGRAMS**

#### **391-3-21-.17 Solid Waste Trust Fund Grant Program**

(1) Statutory Authority: O.C.G.A. 12-8-27.1 and O.C.G.A. 12-8-37.1

(2) General Scope and Purpose. The purpose of this grant is to provide financing to the entities described in O.C.G.A. 12-8-37.1 for the purposes identified in that Code section.

(3) General Terms and Conditions of the Grant. The terms and conditions of the grant are:

(a) Grants will be made to entities identified as eligible in O.C.G.A. 12-8-37.1 to support projects that further the purposes of the Solid Waste Trust Fund as described in that Code section including: the cleanup of solid waste disposal facilities, including those used for the disposal of scrap tires; the development and implementation of solid waste enforcement programs for the prevention and abatement of illegal dumping of solid waste, including without limitation the prevention and abatement of litter; the funding of grants or loans, in accordance with procedures developed by the division; the implementation of innovative technologies for the recycling and reuse of solid waste, including without limitation scrap tires; and/or for educational and other efforts to promote waste reduction, recycling, and recycling market development.

(b) Grants will be awarded each year subject to the amount of funds available that year to support the Solid Waste Trust Fund Grant Program. Eligible applicants may apply for any amount up to the maximum available in that year.

(c) The grant may pay up to 100% of project costs, subject to available funding, maximum limitations, and match requirements.

(d) Further terms and conditions for the Solid Waste Trust Fund Grant Program may be described in publications on the Environmental Protection Division's website at: <https://epd.georgia.gov/about-us/land-protection-branch>

(4) Eligible Recipients. Eligible recipients of competitive grants are those described as eligible in 12-8-37.1. Local governments also must be designated by the Georgia Department of Community Affairs as having Qualified Local Government Status, in compliance with the requirements of the Georgia Planning Act of 1989, to be eligible.

(5) Criteria for the Award.

(a) The following minimum eligibility criteria apply to all grant applications:

1. The application must describe the need, purpose, and objective of the proposed activity.
2. The application must include details regarding the specific activities or categories of activities to be carried out with grant assistance.
3. The application must include a detailed budget outlining all anticipated sources of project funding as well a detailed line-item estimate of all expenses.
4. The application must include a detailed project schedule including start date, completion date and intermediate milestones.

5. The application must describe how the projects for which grant funds are requested support the Solid Waste Trust Fund purposes identified in O.C.G.A. 12-8-37.1.

(b) Applications may be prioritized for funding based on the following additional criteria:

1. A clear demonstration of the need for the project in the proposed affected community(ies).
2. Community investment has been established through a documented financial or in-kind match.
3. The steps for project implementation are adequately identified and, if followed, are likely to result in the achievement of the outlined goals and objectives.
4. The project description includes clear metrics for success that are appropriate and, if achieved, will have a significant impact on achieving the Solid Waste Trust Fund purposes as described in 12-8-37.1.
5. The project is cost effective, and the benefits are likely to be sustainable.

(c) Applications may be assigned bonus points in the prioritization assessment for:

1. Projects that use Georgia-based suppliers for products and services.
2. Regional or multi-jurisdictional project proposals jointly submitted by two or more local governments.
3. Demonstrating coordination with the local solid waste management plan or other recycling, waste reduction and/or diversion projects and activities.
4. Bringing together new resources or innovative approaches to recycling, waste reduction, and diversion.
5. Applicants that have or who have partners for the proposed project who have "buy recycled" ordinances, policies, practices, and procedures.
6. Project proposals that demonstrate additional environmental benefits including, but not limited to, water conservation, emissions reduction, and energy conservation.

(6) Directions and Deadlines for Applying. Awards will be made annually as funds allow and deadlines will vary. Requests for information and applications should be directed to the:

Environmental Protection Division

Recovered Materials Program

4244 International Parkway, Suite 104

Atlanta, Georgia 30354

Phone (404) 362-2537

**Cite as** Ga. Comp. R. & Regs. R. 391-3-21-.17

**AUTHORITY:** O.C.G.A. § 12-8-20 *et seq.*, as amended.

**HISTORY:** Original grant description entitled "Solid Waste Trust Fund Grant Program." Submitted June 29, 2022.

# **Department 391. RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES**

## **Chapter 391-4. WILDLIFE RESOURCES DIVISION**

### **Subject 391-4-2. HUNTING REGULATIONS**

#### **391-4-2-.12 [Effective 7/12/2022] Trapping**

(1) The trapping season for raccoon, mink, otter, fox, opossum, muskrat, skunk, bobcat and weasel is December 1 through the last day of February except that on private lands not managed by the department there is no closed season on trapping of beaver, coyotes, opossum, and raccoon.

(2) Within thirty (30) days after the close of trapping season, all trappers must report to the department in writing the number of furs, hides or pelts which have been taken during the open season. Completion of the annual trapping survey distributed by the department satisfies the reporting requirements herein.

(3) All bobcats and otters trapped in Georgia and exported out of Georgia shall be tagged with a department-provided Federal Export Tag. The tag must be attached to the hide or carcass no later than thirty (30) days after closure of trapping season.

(4) Snares may be used for trapping beaver provided that snares are set in water or on land within ten (10) feet of water, including swamps, marshes, and tidal areas. All snares must be marked with the trapper's name or identification number.

**Cite as** Ga. Comp. R. & Regs. R. 391-4-2-.12

**AUTHORITY:** O.C.G.A. §§ 27-1-4, 27-3-8, 27-3-62.

**HISTORY:** Original Rule entitled "Tagging Game" adopted. F. Oct. 19, 1973; eff. Nov. 8, 1973.

**Repealed:** New Rule of same title adopted. F. July 22, 1974; eff. August 11, 1974.

**Repealed:** New Rule of same title adopted. F. Dec. 9, 1975; eff. Dec. 29, 1975.

**Repealed:** New Rule of same title adopted. F. Aug. 5, 1976; eff. Aug. 25, 1976.

**Repealed:** New Rule entitled "Trapping" adopted. F. Sept. 14, 1977; eff. Oct. 4, 1977.

**Repealed:** New Rule of same title adopted. F. July 26, 1979; eff. August 15, 1979.

**Repealed:** New Rule of same title adopted. F. July 29, 1980; eff. August 18, 1980.

**Repealed:** New Rule of same title adopted. F. July 6, 1982; eff. July 26, 1982.

**Amended:** F. July 25, 1983; eff. August 14, 1983.

**Amended:** F. June 5, 1992; eff. June 25, 1992.

**Amended:** F. May 29, 2001; eff. June 18, 2001.

**Amended:** F. June 16, 2005; eff. July 6, 2005.

**Amended:** F. Jun. 1, 2011; eff. Jun. 21, 2011.

**Repealed:** New Rule of same title adopted. F. Jun. 13, 2013; eff. July 3, 2013.

**Amended:** F. June 22, 2022; eff. July 12, 2022.

### **391-4-2-.31 [Effective 7/12/2022] Fox, Grouse, Opossum, Quail, Rabbit, Raccoon, Squirrel, Bobcat**

(1) The following species may be hunted in accordance with the areas, seasons, and daily bag limits set forth below, except as otherwise specifically provided herein:

<b>Species</b>	<b>Area</b>	<b>Season</b>	<b>Bag Limit</b>
(a) Bobcat	Statewide	Dec. 1 through last day in February	No Limit
(b) Fox	Statewide	Dec. 1 through last day in February	No Limit
(c) Grouse	Statewide	Oct. 15 through last day in February	Daily: 3
(d) Opossum	Department managed lands: All other lands:	August 15 through the last day of February Jan. 1 - Dec. 31	No Limit No Limit
(e) Quail	Statewide	First Saturday after Nov. 11 through last day in February	Daily: 12
(f) Rabbit	Statewide	First Saturday after Nov. 11 through last day in February	Daily: 12
(g) Raccoon	Department managed lands: All other lands:	August 15 through the last day of February Jan. 1 - Dec. 31	No Limit No Limit
(h) Squirrel	Statewide	August 15 through last day in February	Daily: 12

(2) Hunting with dogs is allowed. Electronic calls may not be used for hunting fox and bobcats.

**Cite as** Ga. Comp. R. & Regs. R. 391-4-2-.31

**AUTHORITY:** O.C.G.A. §§ 27-1-4, 27-3-15.

**HISTORY:** Original Rule entitled "Trapping" was filed on October 19, 1973; effective November 8, 1973.

**Amended:** Rule repealed and a new Rule of the same title adopted. Filed July 22, 1974; effective August 11, 1974.

**Amended:** Rule repealed and a new Rule entitled "Deer" adopted. Filed December 9, 1975; effective December 29, 1975.

**Amended:** Rule repealed and a new Rule entitled "Deer Statewide (Archery)" adopted. Filed August 5, 1976; effective August 25, 1976.

**Amended:** Rule repealed and a new Rule entitled "Deer Firearms Zone V" adopted. Filed September 14, 1977; effective October 4, 1977.

**Amended:** Rule repealed and a new Rule entitled "Grouse Statewide" adopted. Filed September 6, 1978; effective September 26, 1978.

**Amended:** Rule repealed. Filed July 26, 1979; effective August 15, 1979.

**Adopted:** New Rule entitled "Fox, Grouse, Opossum, Quail, Rabbit, Raccoon, Squirrel, Bobcat." F. Jun. 13, 2013; eff. July 3, 2013.

**Repealed:** New Rule of same title adopted. F. June 1, 2017; eff. June 21, 2017.

**Amended:** F. June 22, 2022; eff. July 12, 2022.

## **Department 410. RULES OF GEORGIA BOARD OF NURSING**

### **Chapter 410-8. REGISTERED NURSING EDUCATION PROGRAMS**

#### **410-8-.03 Organization and Administration**

(1) The nursing education program must be an integral part of a parent institution accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.

(2) The relationship of the nursing unit as a program, department, division, school, or college to the parent institution must be delineated on a current organizational chart in accordance with the structural or functional plan of the parent institution.

(3) The nurse administrator shall assume authority and responsibility for the administration, planning, implementation, and evaluation of the nursing education program. This will include oversight of and budgeting for the program, selection and evaluation of qualified faculty, and evaluation of program outcomes. A percentage of time for, and description of, administrative responsibilities and must be identified. The Board must be notified within 30 days of a change in the nurse administrator.

(4) The minimum length of a nursing education program shall be six (6) academic quarters or four (4) academic semesters, each of which shall include nursing courses with learning activities in classes, simulated settings, and practice settings.

(5) If a nursing education program has an accelerated option for students who have earned a baccalaureate or higher degree in another discipline, or a bridge program for healthcare professionals, the minimum length of study as identified in Rule 410-8-.03(4) may be shortened as approved by the Board. The course of study must be comparable to that required for prelicensure students graduating from the same nursing education program. Healthcare professional means a licensed practical nurse, paramedic, military medical corpsman, or respiratory therapist.

(6) Adequate financial resources shall be provided for the effective operation of the nursing education program and the professional development of faculty.

(7) A faculty/student ratio of at least one (1) full-time nursing faculty member for each twenty-five (25) students enrolled in the nursing education program (including audited courses) shall be maintained.

(8) The nursing education program shall have a plan for continuous quality assessment and improvement which includes, but is not limited to: organization and administration; curriculum; faculty; students; performance of students and graduates; and educational facilities and resources.

(9) Implementation of the plan for continuous quality assessment and improvement, findings, and relevant actions and/or decisions shall be documented.

(10) All information, course materials, and documentation pertaining to the nursing education program shall be accurate and current.

**Cite as** Ga. Comp. R. & Regs. R. 410-8-.03

**AUTHORITY:** O.C.G.A. §§ [43-1-25](#), [43-26-2](#), [43-26-3](#), [43-26-5\(a\)\(5\)](#), [43-26-32](#), [43-26-36](#).

**HISTORY:** Original Rule entitled "Temporary Permits Prior to Employment" was filed on June 6, 1986; effective June 26, 1986.

**Amended:** Rule repealed. Filed December 18, 1986; effective January 7, 1987.



**Adopted:** New Rule entitled "Organization and Administration." F. Aug. 24, 2015; eff. Sept. 13, 2015.

**Amended:** F. Nov. 8, 2017; eff. Nov. 28, 2017.

**Amended:** F. Oct. 19, 2018; eff. Nov. 8, 2018.

**Note:** Correction of non-substantive administrative error in Rule History, duplicate entry of "**Amended:** F. Nov. 8, 2017; eff. Nov. 28, 2017." deleted.

**Amended:** F. June 10, 2022; eff. June 30, 2022.

## **410-8-.05 Faculty**

(1) A nursing faculty member includes any registered nurse, appointed by the parent institution, regardless of the institutional designation, who is engaged in teaching/evaluation in classes, simulated settings, and practice settings.

(2) The nurse administrator and nurse faculty members of any nursing education program must be currently licensed as registered nurses in Georgia and authorized as advanced practice registered nurses (if applicable) from the initial date of appointment.

(3) Faculty who are assigned to practice settings in another state or country shall comply with the relevant nurse practice act in that jurisdiction.

(4) The nurse administrator, who is appointed with the authority and responsibility for the development, administration, and evaluation of the nursing program(s) within the nursing unit, must have at least one (1) earned graduate degree in nursing and at least three (3) years of teaching experience in a nursing education program leading to initial registered nurse licensure or completion of a higher degree in nursing.

(5) Any registered nurse, appointed by the parent institution, who is engaged in teaching/evaluation in classes, simulated settings and practice settings, must hold at least a baccalaureate or higher degree in nursing.

(6) For any given academic term, the nursing education program must be able to provide evidence that at least the majority of faculty members are full time in didactic settings with an exemption for clinical settings and that at least three-fourths of individual full-time and part-time faculty members hold one (1) or more earned graduate degrees in nursing.

(7) A full-time faculty member with only a baccalaureate degree in nursing must be able to provide documentation of progress toward an earned graduate degree in nursing, have experience in the area of responsibility, and be directed by a faculty member with at least one (1) earned graduate degree in nursing.

(8) Faculty members shall have the graduate nursing education, expertise, and professional development necessary to enable the goals/outcomes of the curriculum.

(9) For any course with a nursing title and number, a qualified registered nurse faculty member must be the coordinator.

(10) Faculty members must be available to direct, coach, mentor, and critique students engaged in learning activities in classes, simulated settings, and practice settings.

(11) A faculty/student ratio of at least one (1) registered nurse faculty member providing direct supervision for no more than ten (10) students engaged in direct patient care in inpatient practice settings must be maintained to provide for the safety of patients/clients, students, and faculty members.

(12) Faculty members shall participate in and document the development, implementation, and evaluation of the nursing education program.

(13) Policies in effect for nursing faculty, including workload, shall be consistent with those in effect for all faculty appointed by the parent institution.

(14) The process of selection, approval, and role development, and delineation of responsibilities of full-time and part-time faculty members shall be documented.

(15) Out of state nursing education programs that have faculty and students engaged in learning activities in Georgia practice settings must comply with the Georgia Registered Professional Nurse Practice Act.

(16) An international nursing educator, who is not licensed as a registered professional nurse in Georgia and who is participating as an exchange visitor in a nursing education program, may direct, coach, mentor, and critique students engaged in learning activities in classes and simulated settings under the following conditions:

(a) Responsibility for any course, in which the international nursing educator participates, must be assumed by a faculty member appointed by the parent institution;

(b) Monetary compensation to the international nursing educator must not be provided by the parent institution;

(c) Until licensure by examination has been granted, the international nursing educator must not be involved in actual, interactive learning activities with students and patients/clients in practice settings; and

(d) In advance of the exchange period, the Board of Nursing must be notified of the academic and regulatory credentials of the international nursing educator for a one-time period not to exceed all or part of a quarter or semester.

**Cite as** Ga. Comp. R. & Regs. R. 410-8-.05

**AUTHORITY:** O.C.G.A. §§ [43-1-25](#), [43-26-2](#), [43-26-5\(a\)\(4\)-\(6\)](#).

**HISTORY:** Original Rule entitled "Faculty" adopted. F. Aug. 24, 2015; eff. Sept. 13, 2015.

**Amended:** F. Nov. 8, 2017; eff. Nov. 28, 2017.

**Amended:** F. June 10, 2022; eff. June 30, 2022.

# Department 505. PROFESSIONAL STANDARDS COMMISSION

## Chapter 505-2. CERTIFICATION

### 505-2-.03 Pre-Service Teaching Certificate

(1) **Summary.** The Pre-Service teaching certificate is part of Georgia's tiered teacher certification system and provides a statewide structure to organize procedures related to pre-service teachers once admitted to certain state-approved educator preparation programs. Such procedures are designed to:

- (a) Assure the safety of school children.
- (b) Provide opportunities for pre-service teachers to practice/demonstrate knowledge and skills.
- (c) Standardize the criminal background check process across the state for pre-service teachers, eliminating those who are not eligible or suited to the profession.
- (d) Assist pre-service educators in understanding the Georgia Code of Ethics for Educators and hold them accountable under the Code.
- (e) Require attainment of the Pre-Service certificate for anyone participating in field experiences and student teaching in Georgia schools (to include candidates in Georgia and out-of-state educator preparation programs).

(2) **Requirements.** To qualify for the Pre-Service certificate, an applicant must:

(a) Be admitted to an educator preparation program in the state of Georgia, any other U.S. state or online, which meets the following requirements:

- 1. Leads to a Five (5)-Year Induction certificate in a teaching field.
- 2. Requires participation in field experiences or clinical practice including student teaching, residency work or any other program requirements in Georgia schools.

(b) Pass the Georgia Educator Ethics Assessment, with the following exception:

- 1. Candidates who have been continuously enrolled in the same educator preparation program since July 1, 2014 or earlier are exempt from this requirement. Note: the term "enrolled" is defined as admitted to a program and actively taking coursework.
- 2. The GACE Educator Ethics - Program Entry will continue to be accepted for individuals who previously completed the assessment for program admission. For those individuals, the GACE Educator Ethics Assessment (previously titled GACE Educator Ethics - Program Exit) must be passed for conversion of the Pre-Service certificate.

(c) Have a successful Georgia Crime Information Center (GCIC) criminal record check.

(d) Must be requested by the candidate following procedures outlined in GaPSC Rule [505-2-.27](#) Certification Application, MyPSC and Test Eligibility Procedures.

(e) Not hold a valid Georgia certificate or Permit in a teaching field, or an expired Georgia renewable professional certificate in a teaching field.

(3) **Validity.** The Pre-Service certificate is valid for five (5) years, with the following exceptions:

(a) Invalidated upon program completion.

(b) Invalidated if an individual withdraws, transfers or is removed from a program.

1. Previously enrolled candidates who withdraw, transfer or are removed from an educator preparation program and are subsequently readmitted to the program or admitted to a different educator preparation program are eligible for the Pre-Service certificate.

(i) Under these circumstances the five (5)-year validity period begins again upon readmission and issuance of the new certificate. Requirements in (2) above, must be met after readmission to the educator preparation program in order to reissue the Pre-Service certificate.

(c) May be extended at the request of the EPP.

(4) **In-Field Statement.** Pre-Service certificate holders are in-field to participate in supervised field experience, clinical practice, student teaching, or residency work consistent with the grade levels of certification sought. Individuals holding valid Georgia certificates or Permits in teaching fields are also in-field to participate in these activities. These experiences provide certificate holders with an intensive and extensive culminating activity. Certificate holders are immersed in the learning community and provided opportunities to develop and demonstrate competence in the professional roles for which they are preparing. Holding a Pre-Service certificate, even upon successful completion of an educator preparation program, does not automatically result in movement to the Induction tier in the tiered certification system.

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.03

**AUTHORITY: O.C.G.A. § 20-2-200.**

**HISTORY:** Original Rule entitled "Suspension, Revocation, Denial or Recall of Certificates" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** New Rule entitled "Suspension, Revocation, Denial, Recall and/or Reprimand" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Amended:** F. Dec. 10, 1996; eff. Jan. 1, 1997, as specified by the Agency.

**Amended:** F. June 5, 1998; eff. July 1, 1998, as specified by the Agency.

**Amended:** Rule retitled "The Code of Ethics for Educators". F. June 8, 1999; eff. July 1, 1999, as specified by the Agency.

**Repealed:** Rule Reserved F. July 10, 2000; eff. August 1, 2000, as specified by the Agency.

**Amended:** New Rule entitled "Clear Renewable Certificate" adopted. F. Feb. 20, 2004; eff. Mar. 15, 2004, as specified by the Agency.

**Amended:** F. Oct. 22, 2004; eff. Nov. 15, 2004, as specified by the Agency.

**Amended:** F. Aug. 15, 2008; eff. Sept. 15, 2008, as specified by the Agency.

**Repealed:** F. Jun. 11, 2014; eff. July 1, 2014, as specified by the Agency.

**Adopted:** New Rule entitled "Pre-Service Teaching Certificate." F. June 12, 2015; eff. July 1, 2015, as specified by the Agency.

**Amended:** F. Dec. 21, 2015; eff. Jan. 15, 2016, as specified by the Agency.

**Amended:** F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

**Amended:** F. June 22, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.08 Provisional Certificate**

(1) **Summary:** This rule outlines the requirements and procedures for issuance of a Provisional certificate, which allows individuals holding this certificate and meeting entry requirements to teach up to three years while completing requirements for professional certification.

### **(2) Provisional Requirements.**

#### **(a) Degree Requirement.**

1. Hold a bachelor's degree or higher from a GaPSC-accepted accredited institution, unless Georgia does not require a bachelor's degree for the specific field. Minimum degree requirements are defined in the applicable teaching or service rule.

#### **(b) Assessment Requirements.**

1. Attain a passing score on the GACE content assessment.

(i) If no GACE or other GaPSC-approved content assessment is available for the certification field requested, the individual is exempt from this requirement.

(ii) For Special Education certificates, the content assessment is not required up front, but must be passed before conversion. Issuance of special education academic content concentration(s) requires the appropriate GACE content assessment(s) for the concentration area(s) for the Provisional Certificate.

2. Pass the GACE Educator Ethics Assessment.

3. Have the certificate requested by the employing Georgia local unit of administration (LUA) following procedures outlined in Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) The Provisional certificate is issued in the following fields to individuals employed by a Georgia LUA who meet the Provisional certificate requirements outlined in the rule specific to that field:

1. CAREER AND TECHNICAL SPECIALIZATIONS (See GaPSC Rule [505-2-.90](#) CAREER AND TECHNICAL SPECIALIZATIONS).

2. HEALTHCARE SCIENCE (See GaPSC Rule [505-2-.87](#) HEALTHCARE SCIENCE).

### **(3) Additional Certificate Titles Issued in the Field.**

(a) The Provisional certificate is issued in the following service fields to individuals employed by a Georgia LUA who meet the Provisional service certificate requirements outlined in the rule specific to that field:

1. Media Specialist (See GaPSC Rule [505-2-.143](#) MEDIA SPECIALIST).

2. School Counseling (See GaPSC Rule [505-2-.144](#) SCHOOL COUNSELING).

3. School Nutrition Director (See GaPSC Rule [505-2-.145](#) SCHOOL NUTRITION DIRECTOR).

**(4) Conversion to an Induction or Professional Certificate.**

(a) Individuals holding a Provisional certificate may apply to convert their certificate to an Induction or Professional certificate upon meeting all requirements for that certificate.

**(5) Certificate Upgrade.**

(a) Individuals holding a Provisional certificate are not eligible to upgrade to a higher certificate level until conversion to an Induction or Professional certificate and meeting requirements outlined in GaPSC Rule [505-2-.33](#) CERTIFICATE UPGRADE. Initial issuance of the Provisional certificate level will be as specified in GaPSC Rule [505-2-.02](#) CLASSIFICATION.

**(6) Validity.**

(a) The Provisional certificate is valid for three (3) years with the following exceptions:

1. Provisional certificates will be issued for one (1) year pending verification of enrollment in a GaPSC-accepted educator preparation program leading to certification in the Provisional certification field held by the individual. Once enrolled in a GaPSC-accepted program, the certificate may be extended for two additional years if requested by the employing local unit of administration (LUA) and following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(i) Individuals who are not enrolled in a GaPSC-accepted program after the initial one-year validity period may be issued a certificate for an additional year upon the request of the employing local unit of administration (LUA). In order to qualify for the remaining year of eligibility, an individual must be enrolled in an approved program. Once enrolled in a GaPSC-accepted program, the certificate may be extended for a third year if requested by the employing local unit of administration and following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES. Should an individual not be enrolled by the third year, a waiver certificate must be requested by the employing local unit of administration (LUA).

2. Valid from one (1) to three (3) years if an individual has previously held a Non-Renewable Non-Professional, Induction Pathway 4, or GaTAPP (Clinical Practice, Core Academic, Intern and One-Year Supervised Practicum) certificate in any field. In these circumstances, the Provisional certificate will be issued for the number of full years for which the individual can document that the previous certificate was unused. Provisional certificates are not issued for partial academic years.

**(7) Restrictions.**

(a) The Provisional certificate is not issued to an individual who has completed the student teaching component of a state-approved educator preparation program leading to Induction certification but has outstanding institutional requirements for program completion.

(b) The Provisional certificate is not issued if an individual previously held a Provisional or equivalent certificate for the full validity that was not converted.

(c) The Provisional certificate is not issued for leadership fields (See GaPSC Rule [505-2-.153](#) EDUCATIONAL LEADERSHIP).

(d) Individuals holding a Provisional certificate are not eligible to add Endorsements.

(e) Individuals who hold a Provisional certificate or held a previous equivalent certificate will not qualify for the One (1)-Year Induction or One (1)-Year Nonrenewable to complete assessment requirements.

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.08

**AUTHORITY:** O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "Alternative Certification" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** New Rule entitled "Special Georgia Requirements" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Amended:** F. June 29, 1994; eff. July 19, 1994.

**Amended:** F. June 19, 1995; eff. July 9, 1995.

**Amended:** F. June 21, 1996; eff. July 11, 1996.

**Amended:** F. Aug. 11, 2000; eff. Sept. 1, 2000, as specified by the Agency.

**Repealed:** New Rule entitled "International Exchange Certificate" adopted. F. Feb. 20, 2004; eff. Mar. 15, 2004, as specified by the Agency.

**Amended:** F. Dec. 14, 2004; eff. Jan. 15, 2005, as specified by the Agency.

**Amended:** F. June 23, 2005; eff. July 15, 2005, as specified by the Agency.

**Amended:** F. Feb. 16, 2009; eff. Mar. 15, 2009, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. June 12, 2009; eff. July 15, 2009, as specified by the Agency.

**Repealed:** New Rule entitled "Career, Technical and Agricultural Education" adopted. F. June 11, 2014; eff. July 1, 2014, as specified by the Agency.

**Amended:** F. Dec. 22, 2014; eff. Jan. 15, 2015, as specified by the Agency.

**Amended:** F. May 25, 2016; eff. June 15, 2016, as specified by the Agency.

**Amended:** F. Sep. 26, 2016; eff. Oct. 15, 2016, as specified by the Agency.

**Repealed:** New Rule entitled "Provisional Certificate" adopted. F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

**Amended:** F. Dec. 11, 2020; eff. Jan. 1, 2021, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.10 Permit**

(1) **Summary:** The permit is a certificate designed for individuals who qualify to teach in specific fields based on a combination of work experience, specified educational requirements and assessment(s). Permitted personnel include individuals with fluency in a language other than English; performing artists from the fields of art, dance, drama and music; Junior Reserve Officer's Training Corps (JROTC) personnel; and teachers and leaders from business, government, military, or other professions.

(2) **Fields of Issuance.** The following Permit fields are offered:

(a) Career and Technical Specializations

- (b) Engineering and Technology
- (c) Foreign Languages
- (d) Healthcare Science
- (e) Junior Reserve Officer's Training Corps (JROTC)
- (f) Performing Arts (Art, Dance, Drama and Music)
- (g) Superintendent

**(3) Career and Technical Specializations.**

(a) Issuance.

1. Pass the GACE Educator Ethics Assessment.
2. Have at least two (2) years of occupational work experience in the area of specialization.
  - (i) The fields of Aviation-Flight Operations, Computer Animation and Electronics Technology have options that do not require occupational work experience. Please refer to the chart of licensure options [HERE](#).
3. Satisfy minimum degree requirements and industry testing and/or licensure, which may be found [HERE](#).
  - (i) With the exception of the specializations in (I) below, individuals meeting all other requirements except industry testing and/or licensure may be issued a Permit certificate. For those who do not meet the licensure requirement, it must be satisfied prior to extension of the Permit.
  - (I) The following fields require industry licensure for issuance of the initial Permit: Barbering, Esthetics, Cosmetology, and Nails.
4. Have the certificate requested by the employing Georgia local unit of administration (LUA) following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Extension.

1. Satisfy the Special Education requirement with a grade of B or better.
2. Complete industry testing and/or licensure if the field did not require it for initial issuance.
3. Satisfy a locally-developed professional learning plan (PLP).
4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

**(4) Engineering and Technology.**

(a) Issuance.

1. Pass the GACE Educator Ethics Assessment.
2. Hold a bachelor's degree or higher from a GaPSC-accepted accredited institution in engineering or the GaPSC-determined equivalent.



3. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Extension.

1. Meet the following Special Georgia Requirements:

(i) Pass the GACE content assessment in Engineering and Technology.

(ii) Satisfy the Special Education requirement with a grade of B or better.

2. Satisfy the locally-developed professional learning plan (PLP).

3. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

**(5) Foreign Language.**

(a) Issuance.

1. Pass the GACE Educator Ethics Assessment.

2. Pass the appropriate GACE content assessment or pass the American Council on the Teaching of Foreign Languages (ACTFL) Oral Proficiency Interview (OPI) and Writing Proficiency Test (WPT) at the levels indicated in GaPSC Rule [505-2-.26](#) CERTIFICATION AND LICENSURE ASSESSMENTS.

3. Hold a bachelor's degree or higher from a GaPSC-accepted accredited institution, or the U.S. equivalent of a bachelor's degree or higher based on a GaPSC-accepted Foreign Credential Report (See GaPSC Rule [505-2-.29](#) EVALUATION OF CREDIT EARNED OUTSIDE OF THE U.S.).

4. Be proficient in English, as determined by the LUA.

5. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Extension.

1. Satisfy the Special Education requirement with a grade of B or better.

2. Satisfy the locally-developed professional learning plan (PLP).

3. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

**(6) Healthcare Science.**

(a) Issuance.

1. Pass the GACE Educator Ethics Assessment.

2. Hold a valid healthcare professional license, registration, or certification that relates to the healthcare field and has been issued by an appropriate governing or regulatory body, which may be found [here](#).
3. Have a minimum of two (2) years of occupational work experience in the healthcare field.
4. Hold an associate's degree or higher from a GaPSC-accepted accredited institution in a healthcare-related field.
5. Meet Standards of Conduct.
6. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Extension.

1. Satisfy the Special Education requirement with a grade of B or better.
2. Satisfy the locally-developed professional learning plan (PLP).
3. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

**(7) Junior Reserve Officer's Training Corps (JROTC).**

(a) Issuance.

1. Pass the GACE Educator Ethics Assessment.
2. Hold a minimum of a high school diploma or GED.
3. Hold official military retirement orders, or a DD Form 214 Member Copy #4, with Block #24 reflecting honorable retirement from a branch of military service (Army, Air Force, Coast Guard, Marine Corps, or Navy). National Guard personnel may, in lieu of the DD Form 214, use NGB Form 22, with Block #24 reflecting honorable retirement.
4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Extension.

1. Hold a letter or certificate from a branch of military service verifying successful completion of all required JROTC instructor training for full branch certification.
2. Satisfy the Special Education requirement with a grade of B or better.
3. Satisfy the locally-developed professional learning plan (PLP).
4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) Salaries for JROTC instructors are not calculated in the same way as other certified personnel. Determination of JROTC instructor salary is negotiated by the LUA in accordance with United States Code, Title 10 Armed Forces, Part III, Chapter 102 Junior Reserve Officer's Training Corps and appropriate Georgia Department of Education

rules regarding state salaries and supplements and experience for salary purposes. When JROTC units are established, the respective military service branch will provide instructor pay information to LUAs.

**(8) Performing Arts: Art, Dance, Drama and Music.**

(a) Issuance.

1. Pass the GACE Educator Ethics Assessment.
2. Hold a minimum of a high school diploma or GED.
3. Have at least two (2) years of occupational work experience in the area of specialization.
4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Extension.

1. Meet the following Special Georgia Requirements:

- (i) Pass the GACE content exam for the fields of Art and Music.
- (ii) Satisfy the Special Education requirement with a grade of B or better.

2. Satisfy the locally-developed professional learning plan (PLP).

3. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

**(9) Superintendent.**

(a) Issuance.

1. Pass the GACE Ethics for Educational Leadership Assessment.
2. Hold a master's degree or higher from a GaPSC-accepted accredited institution.
3. Have at least two (2) years of occupational work experience of business, management, leadership and/or instructional experiences acceptable to the employing LUA as meeting qualifications for employment.
4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Extension.

1. Meet the following Special Georgia Requirements:

- (i) Pass the GACE content exam in Educational Leadership.
- (ii) Satisfy the Special Education requirement with a grade of B or better.

2. Satisfy the locally-developed professional learning plan (PLP).

3. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) If requirements in (9)(b) (1) or (2) have not been satisfied for the extension, the chair of the Board of Education must submit a letter supporting the extension.

**(10) Conversion to Professional.**

(a) An individual holding a Permit in a teaching field and seeking renewable professional certification must meet all requirements for issuance of the 5-Year Induction, Standard Professional or Performance-Based Professional certificate as outlined in GaPSC Rule [505-2-.04](#) INDUCTION CERTIFICATE and GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

(11) **Endorsements.** Permit holders are not eligible to add endorsement fields, with the following exceptions: permit holders in foreign language fields may add the ESOL endorsement; permit holders in Drama and Audio/Video Technology & Film may add the Dramatic Writing micro-endorsement; permit holders in teaching fields, with the exception of JROTC, may add the Online Teaching endorsement. Information on the endorsement requirements may be found in the appropriate endorsement rules.

**(12) Professional Learning.**

(a) The LUA shall establish a mentor system to provide permitted personnel with orientation to the school, guidance for basic principles of classroom management, and support as they adjust to the school work place.

(b) A Professional Learning Plan (PLP) shall be locally developed and implemented for the validity period of the permit. This plan must incorporate all Special Georgia Requirements to include course work in the identification and education of children with special education needs. The plan shall also address such areas as the development and assessment of teacher competence in the areas of learner characteristics and curriculum and methods specific to the age level and certificate field issued. It is appropriate for the plan to include prescribed course work. For example, a course in methods for teaching foreign languages in grades P-12 might be required for international speakers permitted to teach foreign languages. This plan must be developed at the beginning of the validity period and used to guide the permit holder's professional learning activities to support the school improvement plan and enhanced student achievement. The plan must be satisfied by the educator and maintained locally by the LUA.

**(13) Exceptions.**

(a) The GACE Educator Ethics Assessment is not required to convert to the five-year Permit if the initial permit was issued prior to October 15, 2017.

(b) The GACE Ethics for Educational Leadership Assessment is not required to convert to the five-year Permit if the initial permit was issued prior to October 15, 2017.

**(14) Restrictions.**

(a) A permit cannot be issued to individuals in the following circumstances:

1. Those who have been previously certified in Georgia but have not passed the required content assessment(s) will not be eligible for a permit in the same field.

2. Those who have two (2) or more un-remediated "Unsatisfactory," "Needs Development" or "Ineffective" performance evaluations as defined in GaPSC Rule [505-2-.43](#) ANNUAL PERFORMANCE EVALUATION.

3. Those who hold or have held a Non-Professional type certificate but have not successfully completed requirements to convert to a renewable professional certificate, unless the employing Georgia local unit of

administration (LUA) that requested the initial Non-Professional type certificate provides documentation that the original certificate was requested in error.

4. The permit is not issued to an individual who has completed a state-approved educator preparation program leading to Induction or Professional certification and has not satisfied Special Georgia Requirements.

(15) **Validity.** The initial permit is valid for three (3) years and may be extended for multiple five (5)-year cycles upon completion of specific requirements outlined in correspondence accompanying the Permit and "Satisfactory," "Proficient" or "Exemplary" performance evaluations on the statewide evaluation instrument.

(a) Permits must be requested by an employing Georgia local unit of administration (LUA). As part of the application packet, the LUA must verify by completing the GaPSC Employer Assurance Form that the permit applicant is the best-qualified individual available for the position. Should a Permit holder change LUAs, it is not necessary to issue a new permit until the end of the validity period. However, the gaining LUA is responsible for developing a new Professional Learning Plan (PLP).

(16) **Legacy.** All valid permits issued prior to the effective date of this rule shall continue in effect and be extended, as long as there is no break in the validity period, based on completion of the requirements in existence at the time the permit was issued. If the permit is allowed to expire, all requirements in effect for the new permit must be satisfied at the time of application.

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.10

**AUTHORITY:** O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "Classification" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** New Rule entitled "Classification: Type, Title, Level, Field, Category" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Amended:** F. Apr. 29, 1994; eff. July 1, 1994, as specified by the Agency.

**Amended:** F. June 21, 1996; eff. July 11, 1996.

**Amended:** F. Apr. 7, 2000; eff. May 1, 2000, as specified by the Agency.

**Amended:** F. July 10, 2000; eff. August 1, 2000, as specified by the Agency.

**Amended:** F. Sept. 10, 2001; eff. Oct. 1, 2001, as specified by the Agency.

**Amended:** F. Sept. 19, 2002; eff. Oct. 15, 2002, as specified by the Agency.

**Repealed:** New Rule entitled "Permit" adopted. F. Feb. 20, 2004; eff. Mar. 15, 2004, as specified by the Agency.

**Amended:** F. Aug. 20, 2004; eff. Sept. 15, 2004, as specified by the Agency.

**Amended:** F. June 23, 2005; eff. July 15, 2005, as specified by the Agency.

**Amended:** F. Feb. 10, 2006; eff. Mar. 15, 2006, as specified by the Agency.

**Amended:** F. Aug. 3, 2006; eff. Sept. 1, 2006, as specified by the Agency.

**Amended:** F. June 18, 2007; eff. July 15, 2007, as specified by the Agency.

**Amended:** F. Nov. 15, 2007; eff. Dec. 15, 2007, as specified by the Agency.

**Amended:** F. Sept. 16, 2008; eff. Oct. 15, 2008, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. June 7, 2010; eff. July 15, 2010, as specified by the Agency.

**Amended:** F. Sep. 25, 2013; eff. Oct. 15, 2013, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Jun. 11, 2014; eff. July 1, 2014, as specified by the Agency.

**Amended:** F. Sep. 26, 2016; eff. Oct. 15, 2016, as specified by the Agency.

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**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.26 Certification and Licensure Assessments**

(1) **Summary:** This rule outlines specific assessment requirements for obtaining certification. The Georgia Professional Standards Commission (GaPSC) administers through a testing supplier educator assessments required for certification. As of September 1, 2006, the Georgia Assessments for the Certification of Educators™ (GACE) is the state-approved educator certification assessment program in Georgia. GACE assessments include Program Admission, Content, Standards-based assessment of knowledge of the Georgia Code of Ethics for Educators and Paraprofessional assessments. All GACE assessments are aligned with state-approved educator preparation program standards, national standards, and the state standards for the P-12 curriculum. Information about the GACE program is available at [www.gapsc.com](http://www.gapsc.com). In addition to the GACE, there are other state-accepted content assessments for certain foreign language and career and technical specializations.

### **(2) Content Assessment.**

(a) GACE content assessments test knowledge in a variety of content areas as required for certification. GACE content assessments have two passing levels: Induction and Professional. All passing scores earned on GACE assessments will be treated as Professional level scores for certification purposes even if the official score report reflects an Induction level score. Information on the content assessments required for Georgia certification may be accessed at [www.gapsc.com](http://www.gapsc.com).

(b) The following individuals are required to pass the GACE content assessment for the desired certification field:

1. Individuals seeking a Provisional certificate.

(i) For Special Education fields, the pre-requisite is the special education academic content concentration(s), which must be met by passing the appropriate academic content assessment(s). Individuals enrolled in GaTAPP have the option of verifying an academic content concentration if approved by the GaTAPP provider. The appropriate Special Education field assessment must then be completed before conversion to a Professional.

(ii) Individuals holding the Military Support Provisional certificate must pass the GACE content assessment(s) prior to issuance of the Year Two (2) Provisional certificate.

2. Individuals seeking an initial permit in a foreign language field.

3. Georgia Pre-Service certificate holders applying for an Induction certificate.

(i) A One (1)-Year Induction certificate may be issued at the request of an employing Georgia local unit of administration (LUA) to individuals applying for initial certification based on completion of a GaPSC-accepted program who must satisfy the content assessment.

4. Georgia Professional or Induction certificate holders applying to add a certification field.

5. Individuals applying for initial Professional or Induction certification in Georgia based on reciprocity.

(i) These individuals may exempt the content assessment requirement by meeting the exemption criteria outlined in section (10)(a) below.

(ii) A One (1)-Year Non-Renewable Professional or One (1)-Year Induction certificate may be issued at the request of an employing Georgia local unit of administration (LUA) to individuals applying for initial certification based on reciprocity who must satisfy the content assessment.

6. Georgia educators who complete out-of-state programs leading to certification must pass the GACE content assessment; these educators will not be eligible for the exemption outlined in section (11)(a) below, even upon submission of an out-of-state professional certificate.

7. Individuals seeking to extend an initial permit in the fields of Art, Music, Engineering & Technology and Superintendent.

8. Individuals seeking an Adjunct license must pass the appropriate GACE content assessment(s) for the field(s) being taught or hold the appropriate professional licensure for the profession or field of instructional experience.

9. Individuals seeking an initial professional Service field.

(c) For fields in which there is no GACE assessment available, the GaPSC may designate other state-approved certification exams. The Praxis exam is the Georgia state-approved content assessment for the field of Speech and Language Pathology, and the proficiency exams offered by the American Council on the Teaching of Foreign Languages (ACTFL), detailed in section (9) below, are one of the Georgia state-approved content assessments for foreign language fields.

(d) Georgia does not have a content assessment for the fields of Audiology, Dance, Drama, School Nutrition Director, School Social Work, Speech, Physical and Health Disabilities, Special Education Preschool, Visual Impairment, and some foreign language fields. In fields for which there is no Georgia state-approved or state-accepted content assessment, passing a content assessment for certification is not required. (See GaPSC Rule [505-3-.24 SPECIAL GEORGIA REQUIREMENTS](#)).

(e) The following outlines the GACE content assessments alignment for Montessori fields:

1. Birth Through Kindergarten must be passed for Infant Toddler (birth - 3) and PK2 - K (ages 2 1/2 - 6).

2. Elementary Education must be passed for Elementary I Grades 1<sup>st</sup> - 3<sup>rd</sup> (ages 6 - 9) and Elementary I- II Grades 1<sup>st</sup> - 6<sup>th</sup> (ages 6 - 12).

3. Middle Grades Language Arts and Social Science must be passed for Secondary I Language Arts & Social Studies.

4. Middle Grades Science and Middle Grades Mathematics must be passed for Secondary I Science & Mathematics.
5. English must be passed for Secondary II English.
6. Mathematics must be passed for Secondary II Mathematics.
7. Science must be passed for Secondary II Science.
8. Behavioral Science, Economics, Geography, History, and Political Science must be passed for Secondary II Social Studies, as determined by the field(s) of instruction.

**(3) Educator Ethics Assessments.**

(a) The GACE Educator Ethics Assessment is designed to both teach and assess knowledge and skills in the areas of the Georgia Code of Ethics for Educators and of ethical understanding to guide behaviors and decision-making.

(b) A passing score on GACE Educator Ethics Assessment is required for the following:

1. Issuance of a Pre-Service certificate, with the following exception:

(i) Pre-Service certificate applicants who have been continuously enrolled in the same educator preparation program since July 1, 2014, or earlier are exempt from this requirement. Note: the term "enrolled" is defined as admitted to a program and actively taking coursework.

(ii) The GACE Educator Ethics - Program Entry will continue to be accepted for individuals who previously completed the assessment for program admission. For those individuals, the GACE Educator Ethics Assessment must be passed for conversion of the Pre-Service certificate.

2. Issuance of an initial Clearance certificate to individuals who are not required to hold an in-field certificate as outlined in GaPSC Rule [505-2-.42](#) CLEARANCE CERTIFICATE.

3. Issuance of a Provisional teaching certificate, including the Military Support Provisional teaching certificate.

4. Issuance of a Five (5)-Year Induction certificate in a teaching field.

5. Issuance of an International Exchange certificate.

6. Issuance of an initial three-year Permit.

7. Conversion to the five-year Permit if the initial Permit was issued on or after October 15, 2017.

8. Conversion of a Provisional or Induction Pathway 4 teaching certificate to a Professional certificate.

(c) A passing score on GACE Ethics for Educational Leadership is required for the following:

1. Issuance of a Non-Renewable certificate in educational leadership for completion of an approved program.

(i) The GACE Ethics for Educational Leadership - Program Entry will continue to be accepted for individuals who previously completed the assessment for issuance of the Non-Renewable certificate. For those individuals, the GACE Ethics for Educational Leadership must be passed for conversion to the Professional certificate.

2. Issuance of an initial professional certificate in educational leadership.

3. Issuance of an initial Superintendent Permit.

4. Conversion to the five-year Superintendent if the initial Permit was issued on or after October 15, 2017.



#### **(4) Paraprofessional Assessment.**

(a) The GACE assessment for paraprofessionals in Georgia covers four (4) areas: reading, writing, mathematics and classroom skills. The Paraprofessional assessment is designed to enable individuals and school districts to satisfy state and federal No Child Left Behind requirements that call for "highly qualified paraprofessionals" in a P-12 setting. These requirements indicate that paraprofessionals working in Title I schools or paid with Title I funds must meet a rigorous standard of quality and demonstrate, through formal state or local assessment, knowledge of and ability to assist in instructing, reading, writing, and mathematics; or knowledge of and ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate.

(b) Passing the GACE Paraprofessional assessment, in combination with a high school diploma or GED equivalent, is one of the options available to qualify for a Paraprofessional Certificate. (See GaPSC Rule [505-2-.18](#) PARAPROFESSIONAL CERTIFICATE).

#### **(5) Educational Leadership Assessment.**

(a) The GACE Educational Leadership content assessment is designed to assess knowledge and skills for those completing GaPSC-approved Educational Leadership programs. The GACE Educational Leadership assessment is required for Educational Leadership Tier I and Tier II certification even if the educator has previously passed the Teacher Certification Test (TCT).

(b) Individuals applying for certification in Educational Leadership Tier I or Tier II in Georgia based on reciprocity must pass the GACE Educational Leadership assessment or meet exemption criteria in (10)(a) for content knowledge assessment(s) appropriate to the field of educational leadership prior to the issuance of the Professional certificate:

1. A one (1)-year Non-Renewable Professional certificate may be issued at the request of an employing Georgia local unit of administration (LUA) to individuals applying for initial certification based on reciprocity who must satisfy the content assessment.

(c) A passing score on the Performance-Based Assessment for School Leaders (PASL) is required for educators completing GaPSC-approved Tier II programs after 7/1/17.

#### **(6) Career and Technical Specializations.**

(a) For Career and Technical Specializations certificates, GaPSC accepts a number of different industry assessments offered by a variety of external organizations. The accepted assessments are detailed in GaPSC Rule [505-2-.90](#) CAREER AND TECHNICAL SPECIALIZATIONS.

#### **(7) Foreign Language Assessment.**

(a) A GACE assessment is not available for certain foreign language fields. For these fields, the GaPSC requires The American Council on the Teaching of Foreign Languages (ACTFL) Oral Proficiency Interview (OPI) and Written Proficiency Test (WPT). If the OPI and WPT are passed for fields that have a GACE content assessment for issuance of a Permit, the GACE content assessment is not required for conversion of a Permit to an Induction or Professional certificate.

(b) The American Council on the Teaching of Foreign Languages (ACTFL) foreign language assessments are considered appropriate content assessments for adding a new foreign language teaching field in fields. The validation of passing levels of proficiency is the responsibility of the applicant and the employing local unit of administration (LUA). Contact information for scheduling the ACTFL is available at <http://www.languageTesting.com/academic-services>.

(c) The GaPSC-accepted assessments for foreign language fields are as follows:

### **ROMAN-BASED ALPHABET**

French	(GACE)
German	(GACE)
Italian	(ACTFL)
Latin	(GACE)
Portuguese	(ACTFL)
Spanish	(GACE)

### **NON-ROMAN BASED ALPHABET**

Arabic	(ACTFL)
Chinese (Mandarin)	(ACTFL)
Farsi (Persian)	(ACTFL)
Hebrew	(ACTFL)
Japanese	(ACTFL)
Korean	(ACTFL)
Russian	(ACTFL)
Swahili	(ACTFL)
Turkish	(ACTFL)
Urdu	(ACTFL)

### **OTHER**

American Sign Language	(GACE)
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1. The ACTFL assessments for Greek are not Greek (Classical), and therefore are not accepted for the Georgia Greek (Classical) Permit or Certificate.
2. At the time of this rule change, the WPT is not available in the language of Swahili. Until the WPT in this field is available, the OPI will meet assessment requirements for Swahili.
3. For the Roman-Based Alphabet ACTFL assessments, the passing proficiency level for the OPI and the WPT is "Advanced-Low."
4. For the Non-Roman Based Alphabet ACTFL assessments, the passing proficiency level for the OPI and the WPT is "Intermediate-High."

### **(8) Educational Interpreter Performance Assessment (EIPA).**

- (a) Individuals seeking licensure as an Educational Interpreter must meet assessment requirements outlined in GaPSC Rule [505-2-.16](#) EDUCATIONAL INTERPRETER LICENSE.

### **(9) Content Exemption Criteria.**

- (a) The GACE content assessment requirement may be exempted in the following circumstances:

1. Veteran out-of-state educators moving into Georgia may be eligible to exempt all Special Georgia Requirements except the Standards of Conduct. To be eligible, the individual must hold a valid out-of-state certificate and have a minimum of five (5) full years of successful education experience as defined in section (5) of GaPSC Rule [505-2-.25](#) EXPERIENCE REQUIREMENTS.
2. Individuals holding a valid National Board for Professional Teaching Standards (NBPTS) certification in the specific certificate field, with the exception of the Middle Grades Generalist field are exempted from the content assessment requirement. The NBPTS Middle Grades Generalist field does not exempt the GACE Middle Grades content assessments.

3. Out-of-state professional certificate holders applying for initial Georgia certification who have passed the out-of-state content assessment required for issuance of the out-of-state certificate field.

4. Individuals seeking certification in a field for which the GaPSC has not adopted a content assessment.

**(10) Previous State-Approved Assessments.**

(a) Georgia honors passing scores on previous state-approved Georgia assessments that are passed during the validity period for those assessments. The following are previous Georgia state-approved assessments:

**1. Georgia Teacher Certification Test (TCT):**

(i) The TCT was the first content assessment required for Georgia certification effective July 1, 1978, through June 30, 1997.

(ii) Individuals who obtained a passing score on the Special Education Professional Knowledge TCT assessment at the time it was required now meet the certification assessment requirement for the fields of Special Education Adapted Curriculum (P-12) and Special Education General Curriculum (P-12).

(iii) The GaPSC will accept passing scores on a TCT assessment taken in a broad-field area (Science or Social Science) to award certification in the comparable field currently issued.

**2. Praxis Series:**

(i) The Praxis Series replaced the TCT effective July 1, 1997.

(ii) For Georgia certification candidates in the field of Speech and Language Pathology, the Praxis II Speech and Language Pathology Assessment (Test 0330) will remain the required assessment as it is accepted for national licensing with the American Speech-Language-Hearing Association (ASHA). The passing score may be found at <http://www.gapsc.com/EducatorPreparation/Assessment/passingscores.aspx>.

(iii) The GaPSC accepts a passing score on the Praxis Paraprofessional Assessment taken before June 30, 2007.

(iv) The GaPSC accepts passing scores on the required Georgia Praxis assessment in Educational Leadership (Test 0410) on or before March 15, 2008.

3. The GACE replaced the Praxis Series for most fields on September 1, 2006; however, the GaPSC accepts passing scores on the required Georgia Praxis assessment taken in its entirety on or before March 5, 2007, except in the field of Educational Leadership. The GACE Educational Leadership assessment is required for educators completing Educational Leadership programs [See 7(a) and 7(b)].

**4. The School Leaders Licensure Assessment:**

(i) The GaPSC accepts passing scores on the Praxis School Leaders Licensure Assessment (Test 1010) taken on or after July 1, 2005, through March 15, 2008.

**5. Georgia Paraprofessional Assessment:**

(i) The Georgia Paraprofessional Assessment was administered July 2002 and November 2002, and was replaced by the Praxis Paraprofessional Assessment and later with the GACE Paraprofessional assessment.

**6. Content Pedagogy Assessment (edTPA) September 1, 2015 - July 1, 2020:**

(i) A passing score on the GaPSC-approved content pedagogy assessment (edTPA) was required for the following:

(I) Issuance of an Induction certificate to any individual who completed the clinical practice or student teaching requirements of the GaPSC-approved or GaPSC-accepted initial certification program on or after September 1, 2015.

(II) Conversion of an Induction Pathway Four (4) or Provisional teaching certificate held by any individual who completed the clinical practice or student teaching requirements of the GaPSC-approved or GaPSC-accepted initial certification program on or after September 1, 2015.

#### 7. Educator Ethics Assessments:

(i) Georgia Educator Ethics - Program Entry Assessment, January 1, 2015 - July 1, 2020:

(I) Completion of the Georgia Educator Ethics - Program Entry Assessment was required for issuance of a Pre-Service certificate unless an applicant was continuously enrolled in the same educator preparation program since July 1, 2014, or earlier. Note: the term "enrolled" was defined as admitted to a program and actively taking coursework.

(II) Completion of the Georgia Educator Ethics - Program Entry Assessment was required for issuance of an Induction Pathway Four (4) or Provisional certificate.

(III) GACE Educator Ethics - Program Entry Assessment will continue to be accepted for individuals who previously completed the assessment for program admission or issuance of a Provisional certificate.

(ii) Georgia Educator Ethics - Program Exit Assessment was rebranded as the GACE Educator Ethics Assessment.

(iii) Georgia Ethics for Educational Leadership - Program Entry Assessment, January 15, 2016 - July 1, 2020:

(I) Georgia Ethics for Educational Leadership - Program Entry Assessment was required for issuance of a Non-Renewable certificate in Educational Leadership for completion of an approved program.

(II) Georgia Ethics for Educational Leadership - Program Entry Assessment will continue to be accepted for individuals who previously completed the assessment for program admission or issuance of a Non-Renewable certificate.

(iv) GACE Ethics for Educational Leadership - Program Exit was rebranded as GACE Ethics for Educational Leadership.

#### 8. GACE Program Admission Assessment, March 6, 2007 - July 1, 2022:

(i) A passing score on the Program Admission Assessment was required for issuance of a Provisional certificate, extension of a Permit, and in certain instances, issuance of a Professional certificate in School Social Work.

##### (11) Duplicate Score Reports.

(a) The GaPSC, as a courtesy to the state's educators, can provide certain official test score information for those assessments whose scores are otherwise not retrievable. The GaPSC does not charge for the retrieval, validation, or mailing of the score. Complete information on how to request test scores can be accessed at <http://www.gapsc.com/EducatorPreparation/Assessment/testScoreRequest.aspx>.

##### 1. Test Scores available from GaPSC:

(i) Teacher Certification Test (TCT) regardless of score report date.

(ii) Georgia state-administered Paraprofessional assessment, in 2002 only.

(iii) Praxis I and Praxis II assessments taken on or prior to September 1, 2006.

2. For any GACE scores, examinees must contact the appropriate testing Supplier for the GACE program. Complete contact information is provided at <http://www.gapsc.com/EducatorPreparation/Assessment/testScoreRequest.aspx>.

**(12) Every Student Succeeds Acts (ESSA) In-Field Assessment Requirements.**

(a) For complete ESSA in-field requirements, including assessment, please refer to the Georgia Department of Education website at [www.gadoe.org](http://www.gadoe.org).

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**AUTHORITY:** O.C.G.A. § 20-2-200.

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**Repealed:** Rule Reserved. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

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**Repealed:** New Rule of same title adopted. F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Note:** Correction of typographical errors in subparagraph (3)(b)1.(i), *"The appropriate Special Education field assessment must then be completed before conversion to a Professional"* corrected to *"The appropriate Special*

*Education field assessment must then be completed before conversion to a Professional certificate;*", as requested by the Agency. Effective Jan. 1, 2020.

**Repealed:** New Rule of same title adopted. F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.27 Certification Application, MyPSC and Test Eligibility Procedures**

(1) **Summary:** This rule outlines the requirements and procedures to apply for Georgia Professional Standards Commission (GaPSC) certification/licensure, registering for a MyPSC account, and securing eligibility to register for GACE assessments.

### **(2) MyPSC Account.**

#### **(a) Registration**

1. Application submission for individuals applying for certification begins by registering for a MyPSC account at <https://mypsc.gapsc.org/Register.aspx>.

2. A Certification ID is assigned to all newly registered individuals and is used for certification identification purposes. Educators holding a valid or expired GA certificate/license will have an assigned number prior to registering for a MyPSC account. The number may be obtained by registering for a MyPSC Account or visiting [www.gapsc.com/Certification/Lookup.aspx](http://www.gapsc.com/Certification/Lookup.aspx).

#### **(b) Application**

1. The application is available after logging into MyPSC and selecting the *Applications/Documentation/Status* tab. Once in the *Applications/Documentation/Status* tab, click on the *Start* button to complete the online application. Multiple certification transactions may be requested with the submission of one application.

2. MyPSC Personal Affirmation Questions (PAQs) are required as part of a complete application. Current PAQs must be on file for applications submitted during the fiscal year beginning July 1 and ending June 30. There are certain transactions that only require PAQs rather than a complete online application. These transactions are outlined in Section (8)(a) 3 below on gapsc.com.

3. Online applications that are complete are essential for timely processing. It is the responsibility of the individual to ensure that a complete application is submitted. The application is considered complete when all requirements for certification or licensure have been completed, the online application has been submitted, and all required documentation and fees have been received.

4. Incomplete applications will be placed on hold for a period of up to forty-five (45) days, awaiting receipt of the remaining documents. A letter outlining missing documentation will be posted to the *Correspondence/Notifications* tab of MyPSC and an email reminder sent to the email on file. If all documentation is not received by the Certification Division during this time period, the application will close.

5. Once a case closes, an individual must submit a new online application, as well as any missing or updated documents. Documents previously submitted to the GaPSC will remain on file even if a case is closed.

#### **(c) Supporting Documentation**

1. Supporting documentation will vary according to the type of transaction and certificate or license being requested. Individuals are responsible for submitting appropriate materials and following the instructions made available in this

rule and with the online application process. Supporting documentation received without an application will be placed in the individual's file, but will not open a case for processing.

2. Documentation may be submitted electronically to the GaPSC by the individual, or by a local unit of administration (LUA) or Educator Preparation Provider (EPP) as outlined in Section (3) below.

3. All documentation submitted to the GaPSC must include the Certification Identification Number. If the number is not included and the document does not reflect ample information to identify the individual, posting documentation to the file will be delayed. The number may be obtained by logging into MyPSC or visiting [www.gapsc.com/Certification/Lookup.aspx](http://www.gapsc.com/Certification/Lookup.aspx).

4. All supporting documents must be complete and official. The GaPSC will accept official documentation submitted by applicants, LUAs, EPPs, college registrars' offices, Regional Educational Service Agencies (RESAs) or other official sources in the manner prescribed in Sections (7), (8), and (9) below.

5. Documentation has been received when viewable in the *View Submitted Documents* tab of MyPSC. If the documents submitted are not viewable, the GaPSC has not received the documentation and individuals should continue to monitor this tab for receipt.

(d) GAPSC Issued Certificates and Correspondence

1. Correspondence detailing missing documentation for incomplete applications is posted to the *Correspondence/Notifications* tab in MyPSC.

2. Correspondence may accompany issuance of a certificate/license outlining requirements. All correspondence is posted to the *Correspondence/Notifications* tab in MyPSC.

3. Official certificates and licenses may be viewed/printed from the *Certificate/License* tab in MyPSC. Certificates/Licenses will not be mailed.

4. Individuals must monitor their MyPSC account for receipt of submitted documents and to check the status of an application.

(e) GACE Eligibility

1. Individuals must request and be granted eligibility to test by the GaPSC before creating a GACE account and registering for a test, with the exception of the GACE Paraprofessional assessment.

(i) Login to MyPSC at <https://mypsc.gapsc.org/home.aspx>.

(ii) Click on the *Assessments* tab and follow the instructions to request eligibility.

(iii) Once eligibility is transferred, you may proceed to the GACE website to create an account and register for a test.

2. Questions regarding GACE registration, test preparation, and assessment score reporting should be directed to GACE.

(3) **ExpressLane.**

(a) ExpressLane must be utilized by a local unit of administration (LUA) or a Georgia Educator Preparation Provider (EPP) when submitting documentation to the GaPSC. LUA and EPP personnel must first request and be approved for gapsc.org access. Once granted, ExpressLane is available to LUAs and EPPs as part of the gapsc.org account.

1. LUAs and EPPs must monitor the educator/candidate certification file in [gapsc.org](http://gapsc.org) for receipt of submitted documents, issuance of correspondence, and to check the status of an application.

**(4) Traditional Program Management System (TPMS).**

(a) TPMS is a data collection system utilized by EPPs to verify program admission and completion for candidates enrolled in traditional (college/university) programs.

**(5) Non Traditional Reporting System (NTRS).**

(a) NTRS is a data collection system utilized by EPPs to verify program admission and completion for candidates enrolled in GaTAPP and alternative leadership programs.

**(6) Documentation and Forms.**

(a) Personal Affirmation Questions

(b) Online Application

(c) Verification of Lawful Presence

(d) Official Transcripts

(e) Foreign Credential Report

(f) Approved Program Completion

(g) Certificate or License

(h) Experience Verification

(i) Assessment Score Reports

(j) Employer Assurance

(k) Alternate Level Six Certification Option

(l) Upgrade Degree Approval

(m) Dramatic Writing Verification

(n) Professional Learning Verification

(o) Voluntary Certificate Field Deletion

(p) Verification of Degree Validation

(q) International Exchange Verification

(r) Temporary Certification ID Number

(a) [Personal Affirmation Questions](#) (PAQs) are a set of questions individuals applying for certification must answer for processing of certification transactions. False answers may be grounds for disciplinary action. A "Yes" response to any question requires an attached explanation with supporting documentation and will be investigated by the GaPSC Ethics Division. This documentation should not be uploaded to the MyPSC account but sent directly to the



Ethics Division. All individuals applying for certification or planning to apply for certification must complete PAQs through their MyPSC Account for the current fiscal year beginning July 1 and ending June 30.

(b) An [online application](#) is required to open certain certification transactions for processing by the GaPSC. It is completed through an individual's MyPSC Account. The [online application](#) is required in addition to PAQs as outlined in Sections (7) and (8) below.

(c) [Verification of Lawful Presence](#) is required by Georgia law, O.C.G.A. 50-36-1, and stipulates that "every agency or political subdivision shall verify the lawful presence in the United States of any applicant for public benefits." The documentation requires a notarized affidavit, and the supporting document that was used to verify status (Ex: Driver's license for US citizen). All US citizens must verify lawful presence once, and individuals who are not US citizens will verify lawful status prior to processing each certification transaction unless previous verification is under 180 days. This documentation may be uploaded to MyPSC by the applicant or submitted by the LUA or EPP through ExpressLane.

(d) [Official transcripts](#) are unaltered transcripts embossed with the stamp or signature of the college registrar, imprinted with a college or university seal, or imprinted with a special seal used by the institution for certification purposes. Transcripts must include course numbers, titles, grades and credit earned. When a degree is awarded, transcripts must also bear a degree statement and date that specifies the month, day and year the degree was awarded. The GaPSC will accept electronic transcripts from institutions of higher learning only if the transcripts are emailed directly to the GaPSC, a Georgia LUA, or an EPP from the institution or by one of the GaPSC-approved secure electronic transcript delivery services. GaPSC will reject any transcript faxed, emailed, mailed, or uploaded by an educator to their MyPSC account. Transcripts emailed directly to the candidate are not acceptable for certification purposes.

1. Official Georgia Professional Learning Unit (PLU) and Continuing Education Unit (CEU) transcripts must reflect the name of the individual awarded credit along with provider name, course title, completion date, and credit earned. PLU and CEU transcripts may be uploaded to MyPSC by an individual unless CEUs are through a college/university, which must be submitted as outlined above.

(e) A [foreign credential report](#) is required for individuals who have attended colleges or universities outside the United States. Individuals must provide the GaPSC with a detailed course-by-course credential report of college-level credit completed unless a subsequent advanced degree was earned from a US institution and the degree earned outside the country was not an educator preparation program degree. The course-by-course evaluation must be prepared by a [GaPSC-recognized agency](#), and include English translation of such information as course titles, grade, semester hours earned, and U.S. equivalency of degree(s). In addition, if the equivalent of a GaPSC-approved educator preparation program was completed, this must also be documented in the report. These agencies are private enterprises who charge a fee for their services. Regardless of the agency selected, should the report not be sufficiently detailed for processing purposes, further information will be requested. See GaPSC Rule [505-2-.29 EVALUATION OF CREDIT EARNED OUTSIDE OF THE U.S.](#) This documentation may be uploaded to MyPSC by the applicant or submitted by the LUA or EPP through ExpressLane.

(f) [Approved program completion](#) is required to verify program completion for teaching, service and leadership fields unless an out-of-state professional certificate is submitted and accepted by the GaPSC based on reciprocity. The form must be completed by a certification official at a [GaPSC-accepted](#) college with a state-approved educator preparation program in the field requested. This form is also required when an individual completes a leadership degree and the GaPSC must determine if a leader level is applicable, even if the individual is not applying for leadership certification. See GaPSC Rule [505-2-.02 CLASSIFICATION](#) for more information on the leader level. This form may be uploaded to MyPSC by the applicant or submitted by the LUA through ExpressLane.

1. The NTRS completion form will be electronically generated and posted to the candidate's certification file once a program provider verifies all requirements for program completion have been met.

2. The TPMS completion form will be electronically generated and posted to the candidate's certification file once a program provider verifies all requirements for program completion have been met.

(g) A professional certificate or license is required as supporting documentation for a transaction request from individuals applying by reciprocity, renewing a GA certificate based on out-of-state experience, for certain service fields, or Career and Technical Specialization fields, See GaPSC Rule [505-2-.90](#) CAREER AND TECHNICAL SPECIALIZATIONS. The GaPSC will accept copies of official certificates. However, an unofficial printout from a personal online account is not acceptable unless the information is publically verifiable. The GaPSC maintains a record of all valid and expired Georgia educator certificates, so Georgia educator certificates should not be submitted to the GaPSC unless specifically requested. This documentation may be uploaded to MyPSC by the applicant or submitted by the LUA or EPP though ExpressLane.

(h) [Experience verification](#) is required to verify educational work experience for certification purposes. Experience for other purposes such as salary determination is handled by the LUA. Experience in Georgia public schools is reported electronically and should not be verified on this form. Georgia accredited private schools without access to ExpressLane may use this form to verify experience. This form may be used to verify out-of-state educator experience for initial certification by reciprocity and renewal for educators working outside the state. Experience must indicate performance ratings to be accepted for certification purposes. Otherwise, performance documentation must accompany the form. This form may be uploaded to MyPSC by the applicant or submitted by the LUA though ExpressLane.

1. This form is not accepted to verify occupational work experience for Career & Technical Specializations, Healthcare Science, and the following Permit fields: Art, Dance, Drama, Music, and Superintendent. Experience to qualify for these fields must be submitted on official letterhead from previous employers to include a signature.

2. If the form is updated to indicate missing information, a new signature and date must be reflected on the form.

(i) [Assessment score](#) reports are required as supporting documentation for certain certification transactions. The GaPSC will accept copies of official out-of-state score reports. However, an unofficial printout from a personal online account is not acceptable. If an out-of-state applicant is unable to obtain an official score report copy, the GaPSC will accept verification by official correspondence from the certification/licensure office in the state for which the assessment was required. GACE scores must be received electronically by the GaPSC. GACE assessments with more than one test will not reflect on the file until both tests are passed. GACE score reports should not be submitted to the GaPSC by an individual unless specifically requested. Official non-GACE assessment score report copies may be uploaded to MyPSC by the applicant or submitted by the LUA or EPP though ExpressLane.

(j) [Employer assurance](#) is required to verify employment in a Georgia LUA, document transaction requests made by Georgia LUAs, and waive certification fees for certain transactions. Georgia LUAs must submit the form electronically to the GaPSC. Georgia private schools without access to ExpressLane may use this form to verify employment for upload to MyPSC by an individual. The ExpressLane cover page may serve as the Employer Assurance form when a transaction is requested in ExpressLane.

(k) [Alternate level six](#) certification option is required to verify completion of a minimum of thirty-six (36) semester hours of course work required for a level seven (7) doctoral degree and successful completion of the oral and/or written comprehensive examinations in order to determine if an individual qualifies for the alternate level 6 certificate upgrade. This form may be uploaded to MyPSC by the applicant or submitted by the LUA or EPP though ExpressLane.

(l) [Upgrade degree approval](#) is required to determine the acceptability of an advanced degree program for a certificate level upgrade when the program of interest is not listed in the Certificate Upgrade Advisor. This form should be submitted prior to enrollment in a prospective advanced degree program and should not be submitted with an upgrade application request.

(m) [Dramatic writing verification](#) is required to document completion of the Georgia Film Academy (GFA) Dramatic Writing Film, Television, and Theatre I training course for the purpose of adding the Dramatic Writing Micro-Endorsement. This form is available from the GFA and may be uploaded to MyPSC by the applicant or submitted by the LUA though ExpressLane. See GaPSC Rule [505-2-.187](#) DRAMATIC WRITING MICRO-ENDORSEMENT.

(n) [Professional learning verification](#) is required to document completion of a Professional Learning Plan or Professional Learning Goals during or after the FY 2018 school year for educators no longer employed by a Georgia LUA at the time of certificate renewal. This form may be uploaded to MyPSC by the applicant or submitted by the LUA through ExpressLane.

(o) [Voluntary certificate field deletion](#) is required to request deletion of a certificate field held by an educator. This form may be uploaded to MyPSC by the applicant or submitted by the LUA through ExpressLane. See GaPSC Rule [505-2-.35](#) VOLUNTARY FIELD DELETION.

(p) [Verification of degree validation](#) is required to validate a bachelor's degree from non GaPSC-accepted institutions upon successful completion of nine (9) semester hours of graduate level coursework at a GaPSC-accepted accredited institution. This form may be uploaded to MyPSC by the applicant or submitted by the LUA or EPP through ExpressLane. An official transcript of the coursework used to validate the degree must also be submitted using procedures outlined in (6)(d) above. See GaPSC Rule [505-2-.31](#) GaPSC-ACCEPTED ACCREDITATION FOR CERTIFICATION PURPOSES.

(q) [International exchange verification](#) is required for educators seeking the International Exchange certificate to verify that all eligibility requirements have been met at the time of application. This form may be uploaded to MyPSC by the applicant or submitted by the LUA through ExpressLane. See GaPSC Rule [505-2-.11](#) INTERNATIONAL EXCHANGE CERTIFICATE.

(r) Temporary Certification ID Number is required for certification applicants without a social security number issued by Social Security Administration. A temporary number is generated by the GaPSC in order to create a certification file and for GACE testing only. Upon issuance of a social security number by the Social Security Administration, the individual must upload a copy of the social security card to their MyPSC account and request to have the information updated. Individuals requiring a Temporary Certification ID Number must contact the GaPSC by [email](#) for the form and procedures.

#### **(7) Applying Independently.**

(a) Georgia Educators: The online application is required for individuals who hold or previously held Georgia certification and are applying for certification without the support of a LUA.

1. Georgia Educators may apply independently for the transactions identified in the GaPSC Guidance [Common Documents Required for Each Transaction Type](#).

(b) Out-of-State Educators: The online application may be submitted by individuals applying for initial certification by reciprocity or based on completion of out-of-state educator preparation programs. If an out-of-state educator becomes employed prior to submission of an application for certification, the LUA may submit documentation in support of the educator. Educators should always communicate with their employer to coordinate submission of documentation. Common certificate types and required documentation are available on the GaPSC website as indicated below.

1. Individuals applying by reciprocity may apply independently for the transactions identified in the GaPSC Guidance [Common Documents Required for Each Transaction Type](#).

2. Individuals applying based on completion of out-of-state educator preparation programs may apply independently for the transactions identified in the GaPSC Guidance [Common Documents Required for Each Transaction Type](#).

#### **(8) Applying with Employer (LUA) Support.**

(a) Applying with Employer (LUA) support is required for processing certain certification transactions for licenses like the Paraprofessional license, certificates like the Provisional and One-Year Induction certificate that are issued prior to an individual meeting requirements for full certification, or certificate renewals for those employed. Common licensure and certificate types and required documentation are available on the GaPSC website.

1. The initial *licensure* transactions identified in the GaPSC Guidance [Common Documents Required for Each Transaction Type](#) require employment and request submitted by the LUA through ExpressLane.
2. The initial *certificate* transactions identified in the GaPSC Guidance [Common Documents Required for Each Transaction Type](#) require employment and request submitted by the LUA through ExpressLane.
3. The transactions identified in the GaPSC Guidance [Common Documents Required for Each Transaction Type](#) are available for Georgia Educators and only require PAQs and a request submitted by the LUA through ExpressLane.
4. The transactions identified in the GaPSC Guidance [Common Documents Required for Each Transaction Type](#) are processed automatically by the GaPSC and no action is required on the part of the individual or LUA.

**(9) Educator Preparation Program Application.**

- (a) Individuals enrolled in initial GaPSC-approved programs must be entered and completed in TPMS or NTRS by the program provider before applying for the transactions identified in the GaPSC Guidance [Common Documents Required for Each Transaction Type](#).
- (b) Individuals completing GaPSC-accepted out-of-state/online teaching programs who are completing student teaching/practicums in GA schools must be entered and completed by the EPP in TPMS before applying for the transactions identified in the GaPSC Guidance [Common Documents Required for Each Transaction Type](#).

**(10) Restrictions.**

- (a) All documents submitted become the property of the GaPSC, and the GaPSC will not retrieve or return original documents or copies to the sender or to any other destination on behalf of the sender.
  - (b) Mailed, faxed, or emailed documentation will not be processed by the GaPSC.
  - (c) Employed educators are encouraged to check with their employing LUA before submitting documents directly to the GaPSC.
  - (d) "Yes" answers to PAQs require submission of the online application and appropriate documentation to the Ethics Division.
1. Educators with Property Rights will be processed once the online application and supporting documentation are received by the Ethics Division.
- (e) Individuals may not withdraw an application with a "Yes" answer on PAQs or pending with the Ethics Division. All other withdrawals may be requested in writing at <https://www.gapsc.com/Certification/EmailPSC.aspx>.

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.27

**AUTHORITY:** O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "Contacting the Certification Section" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** Rule Reserved. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Amended:** New Rule entitled "Core Academic Certificate" adopted. F. Apr. 20, 2009; eff. May 15, 2009, as specified by the Agency.

**Repealed:** New Rule entitled "Certification Application Procedures" adopted. F. Jun. 11, 2014; eff. July 1, 2014, as specified by the Agency.

**Amended:** F. May 22, 2015; eff. June 15, 2015, as specified by the Agency.

**Amended:** F. June 8, 2017; eff. July 1, 2017, as specified by the Agency.

**Amended:** F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Repealed:** New Rule entitled "Certification Application, MyPSC and Test Eligibility Procedures" adopted. F. June 15, 2021; eff. July 1, 2021, as specified by the Agency.

**Amended:** F. June 22, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.45 Montessori Certificate**

(1) **Summary:** Montessori education has over 100 years of history and is practiced in more than 500 public schools across the United States. Both child-centered and highly structured, Montessori education has been shown to increase student achievement while reducing the impact of economic inequity. The Montessori certificate is part of a modified tiered teacher certification system that provides a statewide structure to recognize Montessori teachers, and ensure students in Montessori classrooms have access to fully-implemented Montessori education.

### **(2) Definitions.**

(a) Montessori Accreditation Counsel for Teacher Education (MACTE) is the international standard setting and accrediting body for Montessori teacher education. The Montessori teacher education program, not the college, school, department, or other administrative unit of the institution, receives MACTE accreditation. MACTE is a member of the Association of Specialized and Professional Accreditors (ASPA) and is recognized by the United States Department of Education (ED).

(b) Acceptable Montessori credentials:

1. Professional certificate issued by another state, country or jurisdiction that has signed the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement.

2. Montessori certificate or credential issued by a MACTE-accredited education program provider.

3. Verification letter from a MACTE-accredited program documenting credential level, teacher education program, and date of completion.

4. Letter of Equivalency is issued to an individual by a MACTE-accredited teacher education program and verified by MACTE, confirming after a review of the candidate's transcripts and records that the individual's Montessori teaching credential is equivalent to the credential offered by the MACTE-accredited program issuing the letter. A letter of equivalency may be submitted by a Montessori teacher whose credential was earned before the Montessori teacher education program was accredited.

### **(3) Montessori Fields.**

(a) Infant Toddler (ages birth - 3)

(b) Preschool- K (ages 2 1/2 - 6)

(c) Elementary I Grades 1<sup>st</sup> - 3<sup>rd</sup> (ages 6 - 9)

(d) Elementary I- II Grades 1<sup>st</sup> - 6<sup>th</sup> (ages 6 - 12)

(e) Secondary I Grades 7<sup>th</sup> - 9<sup>th</sup> (ages 12 - 15)

1. Secondary I Language Arts & Social Studies

2. Secondary I Science & Mathematics

(f) Secondary I - II Grades 7<sup>th</sup> - 12<sup>th</sup> (ages 12 - 18)

1. Secondary II English

2. Secondary II Social Studies

3. Secondary II Science

4. Secondary II Mathematics

(4) **Provisional Requirements** (For Individuals Transitioning to a Career in Montessori Education).

(a) Issuance.

1. Hold a bachelor's degree or higher from a GaPSC-accepted accredited institution.

2. Pass the GACE content assessment.

3. Pass the Georgia Educator Ethics Assessment.

4. Meet Standards of Conduct.

5. Have the employing Georgia local unit of administration request the certificate according to procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

6. The Provisional certificate is valid for three (3) years with the following exceptions:

(i) Provisional certificates will be issued for one (1) year pending verification of enrollment into a MACTE-accredited Montessori teacher preparation program leading to certification in the Provisional certification field held by the individual. Once enrolled in a MACTE-accredited program, the certificate may be extended for two additional years if requested by the employing local unit of administration (LUA) and following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(I) Individuals who are not enrolled in a MACTE-accredited Montessori teacher preparation program after the initial one-year validity period may be issued a certificate for an additional year upon the request of the employing local unit of administration (LUA). In order to qualify for the remaining year of eligibility, an individual must be enrolled in an approved program. Once enrolled in a MACTE-accredited program, the certificate may be extended for a third year if requested by the employing local unit of administration and following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES. Should an individual not be enrolled by the third year, a waiver certificate must be requested by the employing local unit of administration (LUA).

(b) Conversion.

1. Complete a MACTE-accredited Montessori teacher preparation program in the field of issuance;

2. Meet the following Special Georgia Requirements:

(i) Satisfy the Special Education requirement with a grade of B or better.

(ii) Have passed the Georgia Educator Ethics Assessment.

(iii) Meet Standards of Conduct.

3. Earn three years of successful experience while holding the Provisional certificate.

(i) If less than three years of experience is earned at the time all other conversion requirements are met, the individual may convert to the Five (5)-Year Induction certificate.

4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

**(5) Induction Requirements.**

(a) Five (5)-Year Induction (For Individuals Lacking Experience to Qualify for Professional).

1. Issuance.

(i) Hold a bachelor's degree or higher from a GaPSC-accepted accredited institution.

(ii) Complete a MACTE-accredited program and submit verification of the credential or letter of equivalency from the preparation program.

(iii) Pass or exempt the GACE content assessment.

(iv) Have passed the GACE Educator Ethics Assessment.

(v) Satisfy the Special Education requirement with a grade of B or better.

(I) Individuals applying by reciprocity may be issued the certificate and must complete the requirement in order to convert the certificate.

(vi) Have less than three (3) years of successful experience as outlined in GaPSC Rule [505-2-.25](#) EXPERIENCE REQUIREMENTS.

(vii) Apply following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

2. Conversion.

(i) Earn three (3) years of successful experience while holding the Induction certificate, as outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

(I) For individuals applying based on reciprocity, meet the following requirements:

A. Satisfy the Special Education requirement with a grade of B or better.

B. Meet Standards of Conduct.

(ii) Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Three (3)-Year Induction (Teaching Out-of-Field):

1. Issuance.



(i) Hold a valid Five (5)-Year traditional or Montessori Induction certificate in any teaching field at the bachelor's level or higher.

(ii) Meet Standards of Conduct.

(iii) Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES

## 2. Conversion.

(i) Complete a MACTE-accredited program and submit verification of the credential or letter of equivalency from the preparation program.

(ii) Pass the GACE content assessment.

(iii) Satisfy the Special Education requirement with a grade of B or better.

(iv) Meet Standards of Conduct.

(v) Apply following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) One (1)-Year Induction (Issued to Individuals Who Have Met All Requirements For the Five (5)-Year Induction Certificate but Have Not Passed the Content Exam).

## 1. Issuance.

(i) Issued to individuals meeting all requirements for the Five (5)-Year Induction certificate with the exception of the GACE content assessment.

(ii) Have passed the GACE Educator Ethics Assessment.

(iii) Must be requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

## 2. Conversion

(i) Pass or exempt the required GACE content assessment.

(ii) Apply following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(d) The Standard Professional certificate or Performance-Based Montessori certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

(e) The Induction Montessori certificate is not issued for service fields (See GaPSC Rules [505-2-.140](#) -.149) or leadership fields (See GaPSC Rule [505-2-.153](#) EDUCATIONAL LEADERSHIP).

**(6) Professional Requirements** (For Individuals with Three or More Years of Educator Experience).

## (a) Issuance.

1. Hold a bachelor's degree or higher from a GaPSC-accepted accredited institution.



2. Complete a MACTE-accredited program and submit verification of the credential or letter of equivalency from the preparation program.

3. Pass or exempt the required GACE content assessment.

4. Satisfy the Special Education requirement with a grade of B or better.

(i) Individuals applying by reciprocity may be issued the certificate and must complete the requirement in order to convert the certificate.

5. Have a minimum of three (3) years of successful experience as outlined in GaPSC Rule 505-2-25 EXPERIENCE REQUIREMENTS.

6. Meet Standards of Conduct.

7. Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Renewal.

1. Meet requirements outlined in GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS.

2. Meet Standards of Conduct.

3. For individuals who received certification based on reciprocity must satisfy the Special Education requirement with a grade of B or better.

4. Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) The Standard Professional certificate or Performance-Based Montessori certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

**(7) Non-Renewable Requirements.**

(a) One (1)-Year Non-Renewable Professional Montessori Certificate may be issued at the request of a Georgia local unit of administration to an individual who holds an expired Georgia Professional Montessori certificate but has not met standard renewal requirements outlined in GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS.

(b) One (1)-Year Non-Renewable Professional Montessori Certificate may be issued request of a Georgia local unit of administration to an individual who meets requirements for the Professional certificate but have not passed the content exam.

(c) Three (3)-year Non-Renewable Professional Issued to individuals who hold a valid professional (non-Montessori) certificate and are assigned to teach out-of-field.

1. Issuance.

(i) Hold a valid Five (5)-Year Professional certificate.

(ii) Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

2. Conversion.

(i) Complete a MACTE-accredited program and submit verification of the credential or letter of equivalency from the preparation program.

(ii) Attain a passing score on the GACE content assessment.

(iii) Satisfy the Special Education requirement with a grade of B or better.

(iv) Meet Standards of Conduct.

(v) Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

3. The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

**(8) To Add the Field** (See GaPSC Rule [505-2-.34](#) ADD A FIELD).

(a) To add a Montessori teaching certificate to a Professional certificate, an individual must meet the following:

1. Hold a bachelor's degree or higher from a GaPSC accepted accredited institution.

2. Complete a MACTE-accredited program and submit verification of the credential or letter of equivalency from the preparation program.

3. Pass the GACE Educator Ethics Assessment.

4. Satisfy the Special Education requirement with a grade of B or better.

5. Meet Standards of Conduct.

6. Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

**(9) Implementation.**

(a) Individuals currently employed in a public Montessori classroom must hold a valid Montessori certificate by July 1, 2021.

(b) A legacy period is provided to protect individuals currently employed in Georgia public Montessori classrooms prior to the initial effective date of the rule. In order to qualify for Montessori certification under this legacy provision, individuals must meet the following conditions prior to July 1, 2018:

1. Employed in a public Montessori classroom while holding an acceptable GaPSC certificate.

2. Earned one or more years of satisfactory Montessori teaching experience in a Georgia public school, as outlined in GaPSC Rule [505-2-.25](#) EXPERIENCE REQUIREMENTS.

3. Completed a Montessori diploma program outlined by the employing school system and submit verification from the employing school system at the time of application.

(c) Legacy Montessori teachers will not be required to complete a MACTE-accredited program but must meet all other eligibility requirements.

(d) Qualifying individuals currently employed in a private Montessori classroom are eligible for the Montessori certificate. Experience earned to convert from an Induction Montessori to the Professional Montessori certificate

must be earned from a school holding acceptable GaPSC-accreditation as outlined in GaPSC Rule [505-2-.25](#) EXPERIENCE REQUIREMENTS.

**(10) Additional Certificate Titles Issued in the Field.**

(a) International Exchange Certificate (See GaPSC Rule [505-2-.11](#) INTERNATIONAL EXCHANGE CERTIFICATE).

(b) Retired Educator (See GaPSC Rule [505-2-.44](#) RETIRED EDUCATOR).

**(11) To Upgrade the Level** (See GaPSC Rule [505-2-.33](#) CERTIFICATE UPGRADE).

**(12) In-Field Statement** (See GaPSC Rule [505-2-.40](#) IN-FIELD ASSIGNMENT). An individual holding the Montessori certificate is in-field to teach in the field and age group of issuance in a Montessori classroom. Holding the Montessori certificate is not in-field to teach in a traditional (non-Montessori) classroom.

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.45

**AUTHORITY:** Authority O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "Montessori Certificate" adopted. F. June 5, 2018; eff. July 1, 2018, as specified by the Agency.

**Amended:** F. Sep. 24, 2019; eff. Oct. 15, 2019, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

**Amended:** F. Dec. 11, 2020; eff. Jan. 1, 2021, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.46 Military Support Certificate**

(1) **Summary:** The Military Support certificate identifies and supports transitioning military veterans and their spouses, allowing completion of certification requirements on a modified timeline. Once requirements are met, the appropriate certification will be issued to the individual.

**(2) Definitions.**

(a) The term veteran(s) is used to describe active, retired, and transitioning service members.

(b) A Military spouse is an individual married to an active or transitioning service member.

**(3) Induction Requirements** (See GaPSC Rule [505-2-.04](#) INDUCTION CERTIFICATE).

(a) Military Support Induction certificates are not issued. Military members and military spouses must meet the requirements for issuance of an Induction certificate as outlined in the Induction Certificate rule.

**(4) Provisional Certificate Requirements** (See GaPSC Rule [505-2-.08](#) PROVISIONAL CERTIFICATE). Individuals submitting documentation of meeting the veteran and military family member definition or those enrolled in the Troops to Teachers program have a modified timeline for completion of requirements:

(a) Initial Issuance.

1. Hold a bachelor's degree or higher from a GaPSC-accepted accredited institution, unless Georgia does not require a bachelor's degree for the specific field. Minimum degree requirements are defined in the applicable teaching or service rule.

2. Pass the GACE Educator Ethics Assessment.

3. Individuals seeking certification in Career and Technical Specializations must meet eligibility criteria outlined in GaPSC Rule [505-2-.90](#) CAREER AND TECHNICAL SPECIALIZATIONS.

4. Individuals seeking certification in Healthcare Science must meet eligibility criteria outlined in GaPSC Rule [505-2-.87](#) HEALTHCARE SCIENCE.

(b) Year Two Issuance.

1. Attain a passing score on the GACE content assessment. If no GACE or other GaPSC-approved content assessment is available for the certification field requested, the individual is exempt from this requirement.

(i) For Special Education certificates, the pre-requisite requirement is the special education academic content concentration(s), which must be verified through an academic degree major or the appropriate GACE content assessment(s). The appropriate Special Education GACE content assessment must then be passed before conversion to a Professional certificate.

2. Verify enrollment in a GaPSC-approved or GaPSC-accepted educator preparation program leading to certification in the Provisional field held by the educator.

(c) Year Three Issuance.

1. Continued enrollment in a GaPSC-approved or GaPSC-accepted educator preparation program leading to certification in the Provisional field held by the educator.

(d) Completion Requirements.

1. Verify completion of a GaPSC-approved or GaPSC-accepted, state-approved educator preparation program in the field.

2. Have passed the GACE Educator Ethics assessment.

3. Complete any outstanding industry testing/licensure requirements for Career and Technical Specializations or Healthcare Science as outlined in the appropriate rules.

(5) **Professional Requirements** (See GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE).

(a) The Standard Professional Military Support certificate is issued to individuals meeting the requirements outlined in (13)(b) below.

(6) **Non-Renewable Requirements** (See GaPSC Rule [505-2-.09](#) NON-RENEWABLE PROFESSIONAL CERTIFICATE).

(a) The Non-Renewable Professional Military Support certificate is not issued. Military members and military spouses may be issued a Non-Renewable Professional certificate at the request of an employing LUA to individuals meeting the eligibility criteria outlined in GaPSC Rule [505-2-.09](#) NON-RENEWABLE PROFESSIONAL CERTIFICATE.

(7) **Implementation.**

(a) Teachers currently enrolled in the Troops to Teachers program and employed by a Georgia LUA must be issued a Military Support Induction certificate beginning October 15, 2018.

**(8) Certificate Upgrade.**

(a) Individuals holding Military Support certificates are eligible to upgrade their certificate with the exception of the Provisional certificate by meeting the requirements outlined in GaPSC Rule [505-2-.33](#) CERTIFICATE UPGRADE. Individuals holding a Provisional certificate are not eligible to upgrade to a higher certificate level until conversion to the Induction or professional certificate and meeting requirements outlined in GaPSC Rule [505-2-.33](#) CERTIFICATE UPGRADE. Initial issuance of the Induction certificate level will be determined as outlined in GaPSC Rule [505-2-.02](#) CLASSIFICATION.

**(9) Conversion.**

(a) Individuals holding the Military Support certificate may apply to convert the certificate to the professional certificate upon meeting all certification requirements.

**(10) Validity.**

(a) The Military Support Provisional certificate is issued with one (1)-year validity periods for completion of requirements.

(b) The Military Support Professional certificate is valid for five (5) years.

**(11) Renewal.**

(a) The Military Support certificate is non-renewable.

**(12) Assessments.**

(a) The assessments required for the Military Support certification fields are outlined in GaPSC Rule [505-2-.26](#) CERTIFICATION AND LICENSURE ASSESSMENTS.

**(13) Call to Active Duty.**

(a) Any Georgia educator who holds a Military Support, Provisional, Induction, Non-Renewable Professional, Permit, or Waiver and is called to active duty while that certificate is valid shall have that previous certificate re-issued with new, full validity dates under the following conditions:

1. The educator was employed by a local unit of administration (LUA) when called to active duty.
2. The educator is employed by a Georgia LUA within the same year or the year following active military duty.
3. The certificate is requested by a Georgia LUA.

(b) Any Georgia educator who holds a renewable professional certificate and is called to active military duty while that certificate is valid shall have that previous certificate renewed for the full five (5)-year validity, even if renewal requirements have not otherwise been met, under the following conditions:

1. The educator was employed by a Georgia LUA when called to active duty.
2. The educator or an employing Georgia LUA applies for the renewal. The application packet must include a copy of the military orders showing start and end dates of the active duty period.
3. If the certificate expired during the period of active duty, the new validity date shall be the first day of the month following the end of active duty, provided receipt of the renewal application and the end of active duty are within

the same fiscal year (July 1 - June 30). If the renewal application is received after the end of the fiscal year in which active military duty ended, the renewed certificate will have a beginning validity date of July 1 of the fiscal year in which the application was received. If the certificate did not expire during the period of active duty, the new validity date shall be July 1 following the expiration date.

(14) **In-Field Statement** (See GaPSC Rule [505-2-.40](#) IN-FIELD ASSIGNMENT).

(a) An individual holding the Military Support certificate is in-field to serve in positions as indicated by the certificate or license type and teach specified Georgia curriculum courses aligned to the field of certification. Each state-approved curriculum course, with specified certificate fields that are designated as in-field, may be found under Certification/Curriculum Assignment Policies (CAPs) on the GaPSC web site at [www.gapsc.com](http://www.gapsc.com).

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.46

**AUTHORITY:** O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "Military Support Certificate" adopted. F. Oct. 3, 2018; eff. Oct. 15, 2018, as specified by the Agency.

**Amended:** F. Sep. 24, 2019; eff. Oct. 15, 2019, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.87 Healthcare Science**

(1) **Summary:** This rule outlines the requirements and procedures for issuance of a teaching certificate in Healthcare Science P-12, which allows individuals certified in this field to provide students the opportunity to explore careers in healthcare.

(2) **Provisional Requirements** (For Individuals Transitioning to a Career in Education).

(a) Issuance.

1. Hold an associate's degree or higher from a GaPSC accepted accredited institution in a healthcare-related field.
2. Hold a valid healthcare professional license, registration, or certification that relates to the healthcare field and has been issued by an appropriate governing or regulatory body, which may be found [here](#).
3. Have a minimum of two (2) years of occupational work experience in the healthcare field.
4. Pass the GACE Educator Ethics Assessment.
5. Meet Standards of Conduct.
6. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) The Provisional certificate will be issued for one (1)-year pending verification of enrollment in a GaPSC-accepted educator preparation program leading to certification in the certification field held by the individual. Once enrolled in a GaPSC-approved or GaPSC-accepted program, the certificate will be extended for two additional years (See GaPSC Rule [505-2-.08](#) PROVISIONAL CERTIFICATE).

(c) Conversion.

1. Complete a GaPSC-accepted program in the field of issuance.

2. Meet the following Special Georgia Requirements:

(i) Satisfy the Special Education requirement with a grade of B or better.

(ii) Have passed the GACE Educator Ethics Assessment.

(iii) Meet Standards of Conduct.

3. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(d) The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

**(3) Induction Requirements.**

(a) Five (5)-Year Induction (For Individuals Lacking Teaching Experience to Qualify for Professional Certification).

1. Issuance.

(i) Hold an associate's degree or higher from a GaPSC accepted accredited institution in a healthcare-related field.

(ii) Verify completion of a GaPSC-accepted program in the field, hold a valid or expired professional certificate in the field from another state, or verify completion of a GaPSC-accepted program in the field from another country.

(iii) Have passed the GACE Educator Ethics Assessment.

(iv) Have less than three (3) years of successful experience while holding a professional certificate.

(v) Meet Standards of Conduct.

(vi) Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

2. Conversion.

(i) Earn three years of successful experience while holding a professional certificate;

(ii) For individuals applying based on reciprocity or completion of a GaPSC-accepted program from another state or country, meet the following requirement.

(I) Satisfy the Special Education requirement with a grade of B or better.

(iii) Meet Standards of Conduct.

(iv) Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

3. The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

(b) Three (3)-Year Induction (Teaching Out-of-Field).

1. Issuance.

(i) Hold a valid five (5) year Induction certificate in any teaching field.

(ii) Have a minimum of two (2) years of occupational work experience in the healthcare field.

(iii) Meet Standards of Conduct.

(iv) Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

2. Conversion.

(i) Hold a valid healthcare professional license, registration, or certification that relates to the healthcare field and has been issued by an appropriate governing or regulatory body, which may be found [here](#).

(ii) Meet Standards of Conduct.

(iii) Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(c) The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE).

(4) **Professional Requirements** (For individuals with Three or More Years of Educator Experience).

(a) Issuance.

1. Hold an associate's degree or higher in a healthcare-related field.

2. Verify completion of a GaPSC-accepted program in the field, hold a valid or expired professional certificate in the field from another state; or verify completion of a GaPSC-accepted program in the field from another country.

3. Have passed the GACE Educator Ethics Assessment.

4. Have a minimum of three (3) years of successful experience while holding a professional certificate.

5. Meet Standards of Conduct.

6. Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Renewal.

1. Meet requirements outlined in the GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS.

2. Meet Standards of Conduct.

3. Individuals applying based on reciprocity or completion of a program out-of-state or out-of-country must satisfy the Special Education requirement with a grade of B or better as part of renewal requirements.



(c) The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

**(5) Non-Renewable Professional Requirements.**

(a) One (1)-year Non-Renewable Professional (Issued to Individuals Who Have Not Completed Renewal Requirements).

1. Issuance.

(i) Hold an expired professional Georgia certificate in the field.

(ii) Meet Standards of Conduct.

(iii) Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

2. Conversion.

(i) Verify completion of requirements outlined in GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS.

(ii) Meet Standards of Conduct.

(iii) Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

3. The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

(b) Three (3)-year Non-Renewable Professional. (Teaching Out-of-Field)

1. Issuance.

(i) Hold a valid Five (5)-Year professional certificate.

(ii) Have a minimum of two (2) years of occupational work experience in the healthcare field.

(iii) Meet Standards of Conduct.

(iv) Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

2. Conversion.

(i) Hold a valid healthcare professional license, registration, or certification that relates to the healthcare field and has been issued by an appropriate governing or regulatory body, which may be found here.

(ii) Meet Standards of Conduct.

(iii) Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

3. The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE).

(6) **Permit** (See GaPSC Rule [505-2-.10](#) PERMIT).

(7) **To Add the Field** (See GaPSC Rule [505-2-.34](#) ADD A FIELD).

(a) To add Healthcare Science to a Professional teaching certificate, an individual must meet the following:

1. Hold a valid healthcare professional license, registration, or certification that relates to the healthcare field and has been issued by an appropriate governing or regulatory body, which may be found [here](#).
2. Have a minimum of two (2) years of occupational work experience in the healthcare field.
3. Meet Standards of Conduct.
4. Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) To add Healthcare Science to a Service or Leadership certificate when a (5)-year Induction or Professional teaching field has not been established, an individual must:

1. Hold an associate's degree or higher from a GaPSC accepted accredited institution in a healthcare-related field.
2. Complete a GaPSC-accepted program in the field of issuance.
3. Hold a valid healthcare professional license, registration, or certification that relates to the healthcare field and has been issued by an appropriate governing or regulatory body, which may be found [here](#).
4. Have a minimum of two (2) years of occupational work experience in the healthcare field.
5. Complete the Georgia Educator Ethics Assessment.
6. Satisfy the Special Education requirement with a grade of B or better.
7. Meet Standards of Conduct.
8. Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(8) **Additional Certificate Titles Issued in the Field.**

(a) International Exchange Certificate (See GaPSC Rule [505-2-.11](#) INTERNATIONAL EXCHANGE CERTIFICATE).

(b) Retired Educator. (See GaPSC Rule [505-2-.44](#) RETIRED EDUCATOR).

(9) **To Upgrade the Level** (See GaPSC Rule [505-2-.33](#) CERTIFICATE UPGRADE).

(10) **Renewal Requirements** (See GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS).

(11) **In-Field Statement** (See GaPSC Rule [505-2-.40](#) IN-FIELD ASSIGNMENT). Educators certified in Healthcare Science are in-field to teach specified Georgia curriculum courses in grades P-12. Each state-approved curriculum course, with specified certificate fields that are designated as in-field, may be found under Certification/Curriculum Assignment Policies (CAPS) on the GaPSC web site at [www.gapsc.com](http://www.gapsc.com).

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.87

**AUTHORITY: O.C.G.A. § 20-2-200.**

**HISTORY:** Original Rule entitled "Interrelated Special Education/Early Childhood" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** New Rule entitled "Physics" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Amended:** F. Jun. 21, 1996; eff. July 11, 1996.

**Repealed:** New Rule of same title adopted. F. Feb. 20, 2004; eff. Mar. 15, 2004, as specified by the Agency.

**Amended:** F. Apr. 20, 2009; eff. May 15, 2009, as specified by the Agency.

**Repealed:** New Rule entitled "Healthcare Science Technology Education" adopted. F. Jun. 11, 2014; eff. July 1, 2014, as specified by the Agency.

**Amended:** Title changed to "Healthcare Science." F. Oct. 7, 2014; eff. Oct. 15, 2014, as specified by the Agency.

**Amended:** F. Sep. 26, 2016; eff. Oct. 15, 2016, as specified by the Agency.

**Amended:** F. Apr. 10, 2018; eff. Apr. 15, 2018, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

**Amended:** F. Dec. 11, 2020; eff. Jan. 1, 2021, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.90 Career and Technical Specializations**

(1) **Summary:** Career and Technical Specializations are one part of the larger area of education curriculum known as Career, Technical and Agricultural Education (CTAE). Career and Technical Specializations certification is based on a combination of occupational experience, industry licensing and assessments, and formal study. Upon the receipt of a Provisional certificate, the individual must affiliate with and complete a GaPSC-approved program offered as New Teacher Institute (NTI) or Georgia Teacher Academy for Preparation and Pedagogy (GATAPP) program in order to convert to the Induction or Professional certificate.

(2) **Areas of Specialization.** The following Career and Technical Specializations are offered:

- a. Architectural Drawing and Design
- b. Audio/Video Technology & Film
- c. Automotive Service Technology
- d. Aviation
- e. Barbering
- f. Collision Repair
- g. Computer Animation
- h. Construction

- i. Cosmetology
- j. Culinary Arts
- k. Distribution & Logistics
- l. Electronics Technology
- m. Esthetics
- n. Government and Public Administration
- o. Granite Technology
- p. Graphic Communications & Design
- q. Health Information Technology
- r. Information Technology
- s. Law, Public Safety, Corrections and Security
- t. Manufacturing and Engineering Sciences
- u. Marine Service Technology
- v. Nails
- w. Precision Machine Technology
- x. Sheet Metal
- y. Welding Technology

**(3) Provisional Requirements** (For Individuals Transitioning to a Career in Education).

**(a) Issuance.**

1. Pass the GACE Educator Ethics Assessment.

2. Have at least two (2) years of occupational work experience in the area of specialization.

(i) The fields of Aviation-Flight Operations, Computer Animation and Electronics Technology have options that do not require occupational work experience. Please refer to the chart of licensure options [HERE](#).

3. Satisfy minimum degree requirements and industry testing and/or licensure, which may be found [HERE](#).

(i) With the exception of the specializations in (I) below, individuals meeting all other requirements except industry testing and/or licensure may be issued a Provisional certificate. For those who do not meet the licensure requirement, it must be satisfied prior to conversion of the Provisional Certificate.

(I) The following fields require industry licensure for issuance of the initial Provisional Certificate: Barbering, Esthetics, Cosmetology, and Nails.

4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) The Provisional certificate will be issued for one (1) year pending verification of enrollment in a GaPSC-accepted educator preparation program leading to certification in the area of specialization held by the educator. Once enrolled in a GaPSC-accepted program, the certificate will be extended for two additional years (See GaPSC Rule [505-2-.08](#) PROVISIONAL CERTIFICATE).

(c) Conversion.

1. Complete a GaPSC-accepted program in the area of specialization of issuance.

2. Meet the following Special Georgia Requirements:

(i) Satisfy the Special Education requirement with a grade of B or better.

(ii) Have passed the GACE Educator Ethics Assessment.

3. Hold an associate's degree or higher.

(i) If all requirements in (3)(c) above have been completed with the exception of the associate's degree, the local unit of administration may request a second Provisional certificate.

4. Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(d) The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

**(4) Induction Requirements** (See GaPSC Rule [505-2-.04](#) INDUCTION CERTIFICATE).

(a) Five (5)-year Induction (For Individuals Lacking Teaching Experience to Qualify for Professional Certification).

1. Issuance.

(i) Hold the appropriate degree level from a GaPSC accepted accredited institution in the area of specialization, which may be found [HERE](#).

(ii) Verify completion of a GaPSC-accepted program in the area of specialization, hold a valid or expired professional certificate in the field from another state; or verify completion of a GaPSC-accepted program in the field from another country.

(iii) Have passed the GACE Educator Ethics Assessment.

(iv) Have less than three (3) years of successful teaching experience while holding a professional certificate.

(v) Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

2. Conversion.

(i) Earn three years of successful experience.

(ii) For individuals applying based on reciprocity or completion of a GaPSC-accepted program from another state or country, satisfy the following requirement:

(I) Satisfy the Special Education requirement with a grade of B or better.

(iii) Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

3. The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

(b) Three (3)-Year Induction (Teaching Out-of-Field).

1. Issuance.

(i) Hold a valid Five (5)-Year Induction certificate in any teaching field.

(ii) Hold the appropriate degree level from a GaPSC-accepted accredited institution in the area of specialization, which may be found [HERE](#).

(iii) Have at least (2) years of occupational work experience in the field.

(iv) Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

2. Conversion.

(i) Satisfy an industry testing and/or hold licensure in the field, which may be found [HERE](#);

(ii) Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

3. The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

#### **(5) Professional Requirements.**

(a) Issuance.

1. Hold the appropriate degree level from a GaPSC-accepted accredited institution in the area of specialization, which may be found [HERE](#).

2. Verify completion of a GaPSC-accepted program in the area of specialization, hold a valid or expired professional certificate in the field from another state; or verify completion of a GaPSC-accepted program in the field from another country.

(i) Have a minimum of three (3) years of successful experience while holding a Professional certificate.

3. Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Renewal.

1. Verify completion of requirements outlined in the renewal rule (See GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS).

2. Individuals applying based on reciprocity or completion of a program out-of-state or out-of-country must satisfy the Special Education requirement with a grade of B or better as part of renewal requirements.

(c) The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

**(6) Non-Renewable Professional Requirements.**

(a) One-year Non-Renewable Professional (Issued to individuals who have not completed renewal requirements).

1. Issuance.

(i) Hold an expired professional Georgia certificate in the field.

(ii) Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

2. Conversion.

(i) Verify completion requirements outlined in the renewal rule. (See GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS)

(ii) Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

3. The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

(b) Three (3)-year Non-Renewable Professional.

1. Issuance.

(i) Hold a valid Five (5)-Year Professional certificate.

(ii) Meet the minimum education level required for the area of specialization, which may be found [HERE](#).

(iii) Have at least (2) years of occupational work experience in the area of specialization or the GaPSC-determined equivalent.

(iv) Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

2. Conversion.

(i) Satisfy an industry testing and/or hold licensure in the field, which may be found [HERE](#).

(ii) Apply for conversion following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

3. The Standard Professional certificate or Performance-Based certificate will be issued based on meeting experience requirements outlined in GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE.

**(7) Permit** (See GaPSC Rule [505-2-.10](#) PERMIT).

(8) **To Add the Field** (See GaPSC Rule [505-2-.34](#) ADD A FIELD).

(a) To add a Career and Technical Specialization to a renewable professional teaching certificate, the applicant must meet the minimum education level required for the area of specialization (which may be found [HERE](#)), hold the industry testing and licensure required for the area of specialization outlined in section (3)(a) above, and have at least two (2) years of occupational work experience in the area of specialization or the GaPSC-determined equivalent.

(9) **To Upgrade the Level** (See GaPSC Rule [505-2-.33](#) CERTIFICATE UPGRADE).

(10) **Renewal Requirements** (See GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS).

(11) **In-Field Statement.** Individuals certified in Career and Technical Specializations are in-field to teach specified Georgia curriculum courses in grades 6-12. Each state-approved curriculum course, with specified certificate fields that are designated as in-field, may be found under Certification/Curriculum Assignment Policies (CAPs) on the GaPSC web site at [www.gapsc.com](http://www.gapsc.com).

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.90

**AUTHORITY:** O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "Latin" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** New Rule entitled "Russian" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Amended:** F. Jun. 21, 1996; eff. July 11, 1996.

**Repealed:** New Rule of same title adopted. F. Feb. 20, 2004; eff. Mar. 15, 2004, as specified by the Agency.

**Repealed:** New Rule entitled "Trade and Industrial Education" adopted. F. June 11, 2014; eff. July 1, 2014, as specified by the Agency.

**Amended:** Title changed to "Career and Technical Specializations." F. Oct. 7, 2014; eff. Oct. 15, 2014, as specified by the Agency.

**Amended:** F. May 22, 2015; eff. June 15, 2015, as specified by the Agency.

**Amended:** F. May 25, 2016; eff. June 15, 2016, as specified by the Agency.

**Amended:** F. Sep. 26, 2016; eff. Oct. 15, 2016, as specified by the Agency.

**Amended:** F. Apr. 10, 2018; eff. Apr. 15, 2018, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

**Amended:** F. Dec. 11, 2020; eff. Jan. 1, 2021, as specified by the Agency.

**Amended:** F. Dec. 14, 2021; eff. Jan. 1, 2022, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.143 Media Specialist**



(1) **Summary:** This rule outlines the requirements and procedures for issuance of the service certificate in Media Specialist P-12, which allows individuals certified in this field to collaborate, plan, and design with school personnel in areas such as information literacy and assessment, while also providing supplemental curriculum material to bridge the digital divide.

(2) **Professional Certificate Requirements** (See GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE).

(a) Issuance.

1. An individual is eligible for a Standard Professional certificate in the field of Media Specialist based on meeting the following requirements:

(i) Completion of a state-approved certification preparation program in Media Specialist at the master's degree level - level five (5) - or higher.

(ii) Meet the Special Georgia Requirements (See GaPSC Rule [505-2-.24](#) SPECIAL GEORGIA REQUIREMENTS) applicable to the field of Media Specialist.

(I) Pass the GACE content knowledge assessment.

(II) Satisfy the Special Education requirement with a grade of B or better.

(III) Meet Standards of Conduct.

(iii) Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(3) **Provisional Certificate Requirements** (See GaPSC Rule [505-2-.08](#) PROVISIONAL CERTIFICATE).

(a) Issuance.

1. Hold a bachelor's degree or higher from a GaPSC-accepted accredited institution.

2. Pass the GACE content assessment.

3. Meet Georgia's standards of conduct.

4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) The Provisional certificate will be issued for one (1) year pending verification of enrollment in GaPSC-accepted educator preparation program leading to certification in the field of Media Specialist. Once enrolled in a GaPSC-accepted program, the certificate will be extended for two additional years (See GaPSC Rule [505-2-.08](#) PROVISIONAL CERTIFICATE).

(c) Conversion.

1. Complete a GaPSC-accepted program in the field of Media Specialist.

2. Meet the following Special Georgia Requirements:

(i) Satisfy the Special Education requirement with a grade of B or better.

(ii) Meet Standards of Conduct.

(iii) Have the certificate requested by the employing Georgia local unit of administration (LUA) following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

**(4) Non-Renewable Professional Requirements** (See GaPSC Rule [505-2-.09](#) NON-RENEWABLE PROFESSIONAL CERTIFICATE).

(a) Non-Renewable Professional certificate in the field of Media Specialist may be issued at the request of an employing Georgia local unit of administration (LUA) in the following scenarios:

1. One (1)-year Non-Renewable Professional certificate in the field of Media Specialist may be issued to an individual who holds an expired Georgia Clear Renewable or Professional Media Specialist certificate but has not met renewal requirements outlined in section (8) below.

2. Three (3)-year Non-Renewable Professional certificate in the field of Media Specialist may be issued to an individual who currently holds a renewable professional certificate in any field at a level four (4) or higher for completion of the options outlined in (2)(a).

**(5) Additional Certificate Title Issued in the Field.**

(a) Retired Educator Certificate (See GaPSC Rule [505-2-.44](#) RETIRED EDUCATOR).

**(6) To Add the Field** (See GaPSC Rule [505-2-.34](#) ADD A FIELD).

(a) To add Media Specialist to an existing Professional certificate in any field, an individual must complete the requirements outlined in (2)(a) for an initial Media Specialist certificate to include all applicable Special Georgia Requirements.

**(7) To Upgrade the Level** (See GaPSC Rule [505-2-.33](#) CERTIFICATE UPGRADE).

**(8) Renewal Requirements** (See GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS).

**(9) In-Field Statement** (See GaPSC Rule [505-2-.40](#) IN-FIELD ASSIGNMENT).

(a) Individuals certified in Media Specialist are in-field to serve as a Media Specialist in grades P-12.

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.143

**AUTHORITY:** O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "Speech and Language Pathology" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Amended:** New Rule entitled "Foreign Language, Turkish" adopted. F. Sept. 16, 2008; eff. Oct. 15, 2008, as specified by the Agency.

**Amended:** F. Apr. 20, 2009; eff. May 15, 2009, as specified by the Agency.

**Repealed:** New Rule entitled "Media Specialist" adopted. F. Jun. 11, 2014; eff. July 1, 2014, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.144 School Counseling**

(1) **Summary:** This rule outlines the requirements and procedures for issuance of the service certificate in School Counseling P-12, which allows individuals certified in this field to assist students in the areas of academic achievement, career and social/emotional development, ensuring that a comprehensive counseling program is in place to promote student achievement.

(2) **Professional Certificate Requirements** (See GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE; current Georgia Educators see section (6)(a) below to add the field).

(a) Issuance.

1. Prior to becoming a Georgia educator, an individual is eligible for a Standard Professional certificate in the field of School Counseling based on meeting the following requirements:

(i) Meet one of the following options:

(I) Completion of a state-approved certification preparation program in School Counseling at the master's degree level - level five (5) - or higher.

(II) Completion of a master's degree or higher in a counseling area and submission of a valid National Certified School Counselor (NCSC) credential issued by the National Board of Certified Counselors.

(III) Completion of a master's degree or higher in a counseling area and submission of a valid State of Georgia Professional Counselor's license issued by the Professional Licensing Boards Division of the Office of the Secretary of State, O.C.G.A. Title 43.

(ii) Meet the Special Georgia Requirements (See GaPSC Rule [505-2-.24](#) SPECIAL GEORGIA REQUIREMENTS) applicable to the field of School Counseling.

(I) Pass the GACE content knowledge assessment.

(II) Satisfy the Special Education requirement with a grade of B or better.

(III) Meet Standards of Conduct.

(iii) Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(3) **Provisional Certificate Requirements** (See GaPSC Rule [505-2-.08](#) PROVISIONAL CERTIFICATE; current Georgia Educators see section (4)(a) below for Non-Renewable Certification).

(a) Issuance.

1. Hold a master's degree or higher from a GaPSC-accepted accredited institution in any counseling area; or a Master of Social Work degree; or a valid State of Georgia Clinical Social Work license issued by the Professional Licensing Boards Division of the Office of the Secretary of State, O.C.G.A. Title 43.

2. Pass the GACE content knowledge assessment.

3. Meet Standards of Conduct.

4. Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) The Provisional certificate will be issued for one (1)-year pending verification of enrollment in a GaPSC-accepted educator preparation program leading to certification in the field held by the individual. Once enrolled in a GaPSC-accepted program, the certificate will be extended for two additional years (See GaPSC Rule [505-2-.08](#) PROVISIONAL CERTIFICATE).

(c) Conversion.

1. Meet one of the following options:

(i) Completion of a state-approved certification preparation program in School Counseling at the master's degree level - level five (5) - or higher.

(ii) Completion of a master's degree or higher in a counseling area and submission of a valid National Certified School Counselor (NCSC) credential issued by the National Board of Certified Counselors.

(iii) Completion of a master's degree or higher in a counseling area and submission of a valid State of Georgia Professional Counselor's license issued by the Professional Licensing Boards Division of the Office of the Secretary of State, O.C.G.A. Title 43.

2. Meet the following Special Georgia Requirements:

(i) Satisfy the Special Education requirement with a grade of B or better.

(ii) Meet Standards of Conduct.

3. Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

**(4) Non-Renewable Professional Requirements** (See GaPSC Rule [505-2-.09](#) NON-RENEWABLE PROFESSIONAL CERTIFICATE).

(a) Non-Renewable Professional certificates in the field of School Counseling may be issued at the request of an employing Georgia local unit of administration (LUA) in the following scenarios:

1. Three (3)-year Non-Renewable Professional certificate in the field of School Counseling may be issued to an individual who holds a renewable professional certificate in any field at the bachelor's degree level - level four (4) - or higher, and has completed a master's or higher degree in any counseling area.

2. A One (1)-year Non-Renewable Professional certificate in the field of School Counseling may be issued to an individual who holds an expired Georgia Clear Renewable or Standard Professional School Counseling Certificate but has not met renewal requirements outlined in section (8)(a) below.

**(5) Additional Certificate Title Issued in the Field.**

(a) Retired Educator (See GaPSC Rule [505-2-.44](#) RETIRED EDUCATOR CERTIFICATE).

**(6) To Add the Field** (See GaPSC Rule [505-2-.34](#) ADD A FIELD).

(a) To add School Counseling to an existing Professional certificate in any field an individual must complete the following:

1. GaPSC-approved certification program or a Council for Accreditation of Counseling and Related Educational Programs (CACREP) accredited program in School Counseling. Georgia Educators who complete out-of-state programs not accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) will not be eligible for Georgia certification in School Counseling unless enrolled in the program prior to April 15, 2017.

2. Pass the GACE content knowledge assessment.
  3. Satisfy the Special Education requirement with a grade of B or better.
  4. Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.
- (7) **To Upgrade the Level** (See GaPSC Rule [505-2-.33](#) CERTIFICATE UPGRADE).
- (8) **Renewal Requirements** (See GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS).
- (a) To renew a Professional School Counseling certificate, an individual must meet one of the following options:
1. Complete renewal requirements outlined in GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS).
  2. Submission of a valid National Certified School Counselor (NCSC) credential issued by the National Board of Certified Counselors.
  3. Submission of a valid State of Georgia Professional Counselor's license issued by the Professional Licensing Boards Division of the Office of the Secretary of State, O.C.G.A. Title 43.
- (9) **In-Field Statement** (See GaPSC Rule [505-2-.40](#) IN-FIELD ASSIGNMENT).
- (a) Individuals certified in School Counseling are in-field to serve as a School Counselor in grades P-12.

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.144

**AUTHORITY:** O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "Service Endorsements" adopted. F. Dec. 18, 1991; eff. Jan. 7, 1992.

**Repealed:** F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Adopted:** New Rule entitled "School Counseling." F. June 11, 2014; eff. July 1, 2014, as specified by the Agency

**Amended:** F. Mar. 25, 2015; eff. Apr. 15, 2015, as specified by the Agency.

**Amended:** F. May 25, 2016; eff. June 15, 2016, as specified by the Agency.

**Amended:** F. Mar. 27, 2017; eff. Apr. 15, 2017, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.145 School Nutrition Director**

### **(1) Initial Certificate Requirements.**

- (a) Professional Certificate (See GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE).
1. An individual is eligible for a Standard Professional certificate in the field of School Nutrition Director based on meeting Georgia's standards of conduct (See GaPSC Rule [505-2-.24](#) SPECIAL GEORGIA REQUIREMENTS) and completion the following:

(i) Completion of a GaPSC-accepted certification preparation program in School Nutrition Director at the master's degree level - level five (5) - or higher.

(b) Provisional Certificate (See GaPSC Rule [505-2-.08](#) PROVISIONAL CERTIFICATE):

1. A Provisional certificate in the field of School Nutrition Director may be issued at the request of the employing Georgia local unit of administration (LUA) to an individual who does not hold any educator certificate and holds a bachelor's degree or higher from a GaPSC-accepted accredited institution.

2. The Provisional certificate will be issued for one (1)-year pending verification of enrollment in a GaPSC-accepted educator preparation program leading to certification in the field held by the individual. Once enrolled in a GaPSC-accepted program, the certificate will be extended for two additional years (See RULE [505-2-.08](#) PROVISIONAL CERTIFICATE).

(c) Non-Renewable Professional Certificate (See GaPSC Rule [505-2-.09](#) NON-RENEWABLE PROFESSIONAL CERTIFICATE):

1. Non-Renewable Professional certificates in the field of School Nutrition Director are issued at the request of an employing Georgia local unit of administration (LUA) in the following situations:

(i) The individual holds an expired Georgia Standard Professional or Clear Renewable School Nutrition Director Certificate at the master's degree level or higher but has not met renewal requirements outlined in GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS.

(ii) The individual holds any level four (4) or higher renewable professional certificate and is assigned out-of-field.

**(2) Additional Certificate Title Issued in the Field.**

(a) Retired Educator Certificate (See GaPSC Rule [505-2-.44](#) RETIRED EDUCATOR).

**(3) To Add the Field** (See GaPSC Rule [505-2-.34](#) ADD A FIELD).

**(4) To Upgrade the Level** (See GaPSC Rule [505-2-.33](#) CERTIFICATE UPGRADE).

**(5) Renewal Requirements** (See GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS).

**(6) In-Field Statement** (See GaPSC Rule [505-2-.40](#) IN-FIELD ASSIGNMENT).

(a) Individuals certified in School Nutrition Director are in-field to serve as a School Nutrition Director in grades P-12.

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.145

**AUTHORITY:** O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "School Nutrition Director" adopted. F. June 11, 2014; eff. July 1, 2014, as specified by the Agency.

**Amended:** F. May 25, 2016; eff. June 15, 2016, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.147 School Social Work**

(1) **Summary:** This rule outlines the requirements and procedures for issuance of the service certificate in School Social Work P-12, which allows individuals certified in this field to assist with mental health and behavioral concerns, provide positive behavioral, academic, and classroom support in consultation with teachers, parents, and administrators to promote student achievement.

(2) **Professional Certificate Requirements** (See GaPSC Rule [505-2-.05](#) PROFESSIONAL CERTIFICATE).

(a) Issuance.

1. An individual is eligible for a Standard Professional certificate in the field of School Social Work based on meeting one of the following requirements:

(i) Completion of a Master of Social Work (M.S.W.) degree from a GaPSC-accepted accredited institution, and pass or exempt the GACE Program Admission assessment.

(ii) Completion of a state-approved certification preparation program in School Social Work at the master's degree level - level five (5) - or higher.

(iii) Submission of a valid State of Georgia Master Social Worker's or Clinical Social Worker's license issued by the Professional Licensing Boards Division of the Office of the Secretary of State, O.C.G.A. Title 43.

2. Meet Standards of Conduct.

3. Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES

(3) **Non-Renewable Professional Requirements** (See GaPSC Rule [505-2-.09](#) NON-RENEWABLE PROFESSIONAL CERTIFICATE).

(a) A Non-Renewable Professional certificate in the field of School Social Work may be issued at the request of an employing Georgia local unit of administration (LUA) in the following scenarios:

1. A Three (3)-year Non-Renewable Professional certificate in the field of School Social Work may be issued to an individual who currently holds a renewable professional certificate in any field at a level four (4) or higher for completion of the options outlined in (2)(a).

2. A One (1)-year Non-Renewable Professional certificate in the field of School Social Work may be issued to an individual who holds an expired Georgia Clear Renewable or Professional School Social Work but has not met renewal requirements outlined in section (7) below.

(4) **Additional Certificate Title Issued in the Field.**

(a) Retired Educator (See GaPSC Rule [505-2-.44](#) RETIRED EDUCATOR CERTIFICATE).

(5) **To Add the Field** (See GaPSC Rule [505-2-.34](#) ADD A FIELD).

(a) To add School Social Work to an existing certificate in any field, an applicant must complete a Master of Social Work (M.S.W.) degree from a GaPSC-accepted accredited institution.

(6) **To Upgrade the Level** (See GaPSC Rule [505-2-.33](#) CERTIFICATE UPGRADE).

(7) **Renewal Requirements** (See GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS).

(a) To renew a Professional School Social Work Certificate, an individual must meet the following options:

1. Complete renewal requirements outlined in GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS.
2. Submission of a valid State of Georgia Master Social Worker's or Clinical Social Worker's license issued by the Professional Licensing Boards Division of the Office of the Secretary of State, O.C.G.A. Title 43.

(8) **In-Field Statement** (See GaPSC Rule [505-2-.40](#) IN-FIELD ASSIGNMENT).

- (a) Individuals certified in School Social Work are in-field to serve as School Social Workers in grades P-12.

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.147

**AUTHORITY:** O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "School Social Work" adopted. F. Jun. 11, 2014; eff. July 1, 2014, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

## **505-2-.193 Computer Science Micro-Endorsement**

### **(1) Purpose.**

- (a) The Computer Science Micro-Endorsement certificate is designated for teachers who are actively enrolled in and completing a GaPSC-approved Computer Science (P-12) Program or Computer Science Endorsement program that desire to begin teaching computer science introductory courses prior to completion of the program.

### **(2) Professional and Induction Requirements.**

#### **(a) Issuance.**

- (i) Hold a level four (4) or higher renewable Professional or Five (5) -Year Induction teaching certificate.
- (ii) Verify enrollment in a GaPSC-approved Computer Science P-12 or Computer Science Endorsement program.
- (iii) Verify successful completion of coursework from a GaPSC-approved Computer Science P-12 or Computer Science Endorsement provider addressing the following from standards outlined in GaPSC Rules [505-3-.41](#) COMPUTER SCIENCE PROGRAM or [505-3-.86](#) COMPUTER SCIENCE ENDORSEMENT PROGRAM:

(I) Computer science principles, digital / information literacy, computational thinking, and cybersecurity.

#### **(iv) Meet Standards of Conduct.**

(v) Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

#### **(b) Renewal.**

- (i) Meet requirements outlined in the GaPSC Rule [505-2-.36](#) RENEWAL REQUIREMENTS.



(ii) Meet Standards of Conduct.

(iii) Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

**(3) Three-Year Non-Renewable and Three-Year Induction Requirements.**

(a) Issuance.

(i) Hold a level four (4) or higher renewable Professional or Five (5) -Year Induction teaching certificate.

(ii) Verify enrollment in a GaPSC-approved Computer Science P-12 or Computer Science Endorsement program.

(iii) Meet Standards of Conduct.

(iv) Have the certificate requested by the employing Georgia local unit of administration following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

(b) Conversion.

(i) Verify successful completion of coursework from a GaPSC-approved Computer Science P-12 or Computer Science Endorsement provider addressing the following from standards outlined in GaPSC Rules [505-3-.41](#) COMPUTER SCIENCE PROGRAM or [505-3-.86](#) COMPUTER SCIENCE ENDORSEMENT PROGRAM:

(I) Computer science principles, digital / information literacy, computational thinking, and cybersecurity.

(ii) Meet Standards of Conduct.

(iii) Apply for certification following procedures outlined in GaPSC Rule [505-2-.27](#) CERTIFICATION APPLICATION, MyPSC AND TEST ELIGIBILITY PROCEDURES.

**(5) In-Field Statement (See GaPSC Rule [505-2-.40](#) IN-FIELD ASSIGNMENT).** An individual with the Computer Science Micro-Endorsement is in-field to teach identified courses in Certification/Curriculum Assignment Policies (CAPS) on the GaPSC web site at [www.gapsc.com](http://www.gapsc.com).

**Cite as** Ga. Comp. R. & Regs. R. 505-2-.193

**AUTHORITY:** O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "Computer Science Micro-Endorsement" adopted. F. June 22, 2022; eff. July 1, 2022, as specified by the Agency.

# Department 505. PROFESSIONAL STANDARDS COMMISSION

## Chapter 505-3. EDUCATOR PREPARATION RULES

### 505-3-.01 Requirements and Standards for Approving Educator Preparation Providers and Educator Preparation Programs

(1) **Purpose.** This rule states requirements and standards for the approval of educator preparation providers (EPPs) and programs for the initial and continuing preparation of educators in Georgia.

(2) **Definitions.**

(a) Accreditation:

(1) A process for assessing and enhancing academic and educational quality through external, often voluntary, peer review. (2) A decision awarded and process certified by an accrediting organization. For the purposes of educator preparation provider (EPP) and program approval, GaPSC recognizes three (3) types of accreditation: Regional Accreditation, National Accreditation, and Specialized Accreditation. Each type of accreditation is defined in subsequent definitions.

(b) Administrative Approval: A process used in lieu of the Developmental Approval Review exclusively for endorsement programs and available only to GaPSC-approved EPPs. Administrative approval involves a staff review of an approval application and a curriculum map in which key assessments are described and mapped to program content standards. After an endorsement program is administratively approved, it will be reviewed against all applicable standards in the EPP's next Continuing Approval Review.

(c) Advanced Preparation/Degree-Only Program: An educator preparation program at the post-baccalaureate level for the continuing education of educators who have previously completed initial preparation and are certified in the program's subject area or field of certification. Advanced preparation programs commonly award graduate credit and include master's, specialist, and doctoral degree programs.

(d) Approval: A process for assessing and enhancing academic and educational quality through peer review and annual reporting, to assure the public an EPP and/or program has met and continues to meet institutional, state, and national standards of educational quality; also, a Georgia Professional Standards Commission (GaPSC) decision rendered when an EPP or program meets GaPSC standards and annual reporting requirements.

(e) Approval Review: Examination of evidence and interviews of stakeholders conducted by GaPSC site visitors and sometimes CAEP site visitors either on-site at an institution/agency, or electronically through the use of Internet and telephone conferencing systems as part of a Developmental, First Continuing, Continuing, Focused, or Probationary Review. Although not an approval review, the Substantive Change process is used when certain changes are made to the design or operations of approved program (see definition at).

(f) B/P-12: Formerly P-12, the term *B/P-12* references schools serving children aged birth to grade 12.

(g) Branch Campus: A campus that is physically detached from the parent university or college and has autonomous governance. A branch campus generally has full student and administrative services with a CEO and is regionally accredited separately from the parent campus. For approval purposes, GaPSC considers branch campuses distinct from the parent institution and therefore a separate EPP. For approval purposes, a branch campus located in the state of Georgia having an original, or main, campus located in another state or country is considered an out-of-state institution and is therefore ineligible to seek GaPSC approval as an EPP.

(h) Candidates/Teacher Candidates: Individuals enrolled in programs for the initial or advanced preparation of educators, programs for the continuing professional development of educators, or programs for the preparation of

other professional school personnel. Candidates are distinguished from students in B/P-12 schools. (The term *enrolled* is used in the GaPSC approval process to mean the candidate is admitted and taking classes.)

(i) Clinical Educators: All educator preparation provider (EPP) and P-12 school-based individuals, including classroom teachers, who assess, support, and develop a candidate's knowledge, skills, or professional dispositions at some stage in the clinical experiences. The term *Clinical Educators* is intended to be inclusive of the roles of Mentor Teacher, B/P-12 Supervisor, and Faculty Supervisor. EPPs are expected to clearly define the roles and responsibilities of all clinical educators with whom candidates interact.

(j) Clinical Practice: Culminating residency (formerly referred to as *student teaching*) or internship experiences with candidates placed in classrooms for at least one (1) full semester where they experience intensive and extensive practices in which they are fully immersed in the learning community and provided opportunities to develop and demonstrate competence in the professional roles for which they are preparing. In initial preparation programs in Service and Leadership fields, candidates will complete such culminating residency or internship experiences in placements that allow the knowledge, skills, and dispositions included in the programs to be practiced and applied. In non-traditional preparation programs, such as GaTAPP, clinical practice is job-embedded as candidates must be hired as a classroom teacher to be admitted to the program.

(k) Content Knowledge: The central concepts, tools of inquiry, and structures of a discipline (Source: CAEP Glossary).

(l) Council for the Accreditation of Educator Preparation (CAEP): The national accreditation organization formed as a result of the unification of the National Council for the Accreditation of Teacher Education (NCATE) and the Teacher Education Accreditation Council (TEAC). CAEP advances excellence in educator preparation through evidence-based accreditation that assures quality and supports continuous improvement to strengthen B/P-12 student learning. CAEP accredits educator preparation providers (EPPs).

(m) Dispositions: Moral commitments and professional attitudes, values, and beliefs that underlie educator performance and are demonstrated through both verbal and non-verbal behaviors as educators interact with students, families, colleagues, and communities.

(n) Distance Learning: A formal educational process in which instruction occurs when candidates and the instructor are not in the same place at the same time. Distance learning can occur through virtually any media including asynchronous or synchronous, electronic or printed communications.

(o) Distance Learning Program: A program delivered primarily (50% or more contact hours) through distance technology in which the instructor of record and candidates lack face-to-face contact and instruction is delivered asynchronously or synchronously (see definition n). These preparation programs include those offered by the EPP through a contract with an outside vendor or configured as a consortium with other EPPs, as well as those offered solely by the provider.

(p) Diverse: Showing a great deal of variety; very different, as in clinical placement (see definition q) (Source: CAEP Glossary).

(q) Diversity: Diversity is inclusive of individual differences and group differences. (1) Individual differences (e.g., personality, interests, learning modalities, and life experiences); and (2) group differences (e.g., race, ethnicity, ability, gender identity, gender expression, sexual orientation, nationality, language, religion, political affiliation, and socio-economic background) (Source: CAEP Glossary).

(r) Dyslexia and Other Related Disorders: Dyslexia is a specific learning disability that is neurological in origin, which is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede the growth of vocabulary and background knowledge. Other related disorders include aphasia, dyscalculia, and dysgraphia.

1. **Aphasia:** Aphasia is a condition characterized by either partial or total loss of the ability to communicate verbally or through written words. A person with aphasia may have difficulty speaking, reading, writing, recognizing the names of objects, or understanding what other people have said. The condition may be temporary or permanent and shall not include speech problems caused by loss of muscle control.

2. **Dyscalculia:** Dyscalculia is the inability to understand the meaning of numbers, the basic operations of addition and subtraction, or the complex operations of multiplication and division or to apply math principles to solve practical or abstract problems.

3. **Dysgraphia:** Dysgraphia is difficulty in automatically remembering and mastering the sequence of muscle motor movements needed to accurately write letters or numbers.

(s) **Educator Preparation Program:** A planned sequence of courses and experiences for preparing B/P-12 teachers and other professional school personnel. The three (3) types of educator preparation programs are described in definitions ac (Initial), u (Endorsement), and c (Advanced/Degree-Only).

(t) **Educator Preparation Provider (EPP):** The institution of higher education (IHE), college, school, department, agency, or other administrative body responsible for managing or coordinating all programs offered for the initial and continuing preparation of teachers and other school personnel, regardless of where these programs are administratively housed (formerly referred to as the professional education unit).

(u) **Endorsement Program:** A planned sequence of courses and experiences, typically three (3) to four (4) courses in length, designed to provide educators with an additional, specific set of knowledge and skills, or to expand and enhance existing knowledge and skills. Successful completion of an endorsement program results in the addition of the endorsement field to the Georgia educator certificate designating expertise in the field. Endorsement programs may be offered as non-credit bearing programs (or if applicable, as continuing education units), or they may lead to college credit; they must be approved by the GaPSC and administered by a GaPSC-approved EPP, and may be offered as either a stand-alone program or, unless otherwise specified in GaPSC Educator Preparation Rules [505-3-.82](#) through [505-3-.115](#), embedded in an initial preparation program. Depending on the needs of the individual educator, endorsement programs may also be included as a part of an educator's professional learning plan/goals. See GaPSC Rule [505-2-.14](#), ENDORSEMENTS.

(v) **Field Experiences:** Activities that include organized and sequenced engagement of candidates in settings providing opportunities to observe, practice, and demonstrate the knowledge, skills, and dispositions delineated in institutional, state, and national standards. The experiences must be systematically designed and sequenced to increase the complexity and levels of engagement with which candidates apply, reflect upon, and expand their knowledge and skills. Since observation is a less rigorous method of learning, emphasis should be on field experience sequences requiring active professional practice or demonstration, and including substantive work with B/P-12 students and B/P-12 personnel as appropriate. In non-traditional preparation programs, such as GaTAPP, field experiences occur outside candidates' classrooms with students with diverse learning needs and varied backgrounds in at least two (2) settings during the clinical practice.

(w) **First Continuing Review:** Formerly called the *Initial Performance Review*, the First Continuing Review is conducted three (3) to four (4) years after a Developmental Review to determine if the EPP and/or initial educator preparation program(s) have evidence of meeting all applicable standards.

(x) **Franchise Program:** An endorsement program developed by and approved for a GaPSC-approved EPP (the franchise manager) and subsequently shared with other GaPSC-approved EPPs operating as franchisees.

(y) **Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP):** Georgia's non-traditional preparation program for preparing career changers for certification as B/P-12 teachers. See GaPSC Rule [505-3-.05](#), GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY (GaTAPP).

(z) **Grade Point Average (GPA):** A quantitative indicator of candidate achievement. Letter grades are converted to numbers and averaged over a period of time.

(aa) **Induction:** (1) The formal act or process of placing an individual into a new job or position and providing appropriate support during the first three (3) years of employment. The Georgia Department of Education defines The Induction Phase Teacher as any teacher who has been hired into a new permanent position in any Georgia school. (2) A Georgia level of professional educator certification; for additional information see Rule 505-2-04, INDUCTION CERTIFICATE.

(ab) **Information Literacy:** An intellectual framework for understanding, finding, evaluating, and using information - activities which may be accomplished in part by fluency with information technology, in part by sound investigative methods, but most importantly, through critical discernment and reasoning (adopted from The Association of College and Research Libraries).

(ac) **Initial Preparation Program:** A program designed to prepare candidates for their first professional certificate in a teaching, leadership, or service field. Examples include degree programs at the baccalaureate, master's, or higher levels; or post-baccalaureate programs, non-degree certification-only programs, and non-traditional programs such as the GaTAPP program. Programs leading to an educator's first certificate in a particular field are considered initial preparation even if the educator is certified in one or more other fields.

(ad) **Local Unit of Administration (LUA):** A local education agency, including but not limited to public, waiver, Investing in Educational Excellence (IE2), charter schools and private schools (e.g., faith-based schools, early learning centers, hospitals, juvenile detention centers, etc.). As referenced in GaPSC Certification Rule [505-2-.01](#), GEORGIA EDUCATOR CERTIFICATION, paragraph (2) (d) 1, for employment purposes GaPSC Certification Division staff consider all non-IHEs as LUAs.

(ae) **Media Literacy:** The ability to encode and decode the symbols transmitted via media and the ability to access, analyze, evaluate, and communicate information in a variety of forms, including print and non-print messages. Also known as the skillful application of literacy skills to media and technology messages (adopted from the National Association for Media Literacy Education).

(af) **Mentor Teacher:** A B/P-12 employed teacher and an expert practitioner who supports the development of a pre-service or novice teacher by assessing and providing feedback on instructional practice; interactions with students, colleagues, and parents; classroom management; and professionalism. Mentor teachers are typically involved with faculty supervisors in the formal supervision and evaluation of pre-service clinical practice experiences (residency/internship). The term *Mentor Teacher* is often used synonymously with the terms *Cooperating Teacher* and *B/P-12 Supervisor*. The terms *B/P-12 Supervisor* and *Faculty Supervisor* are described in definition au.

(ag) **National Accreditation:** National accreditation is conducted by an accrediting organization which develops evaluation criteria and conducts peer evaluations to assess whether or not those criteria are met. National accrediting agencies operate throughout the country and review entire institutions, EPPs, or programs in specific content fields. The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) is an example of a national accrediting organization that reviews institutions. CAEP (see definition l) is an example of a national accrediting organization that reviews EPPs. The National Association of Schools of Music (NASM) is an example of a national accrediting organization that reviews programs in a specific field.

(ah) **Nationally Recognized Program:** A program that has met the standards of a national specialized professional association (SPA) that is a constituent member of CAEP. The term *National Recognition* signifies the highest level of SPA recognition awarded to programs.

(ai) **Non-traditional Preparation Program (GaTAPP):** A program designed to prepare individuals who at admission hold an appropriate degree with verified content knowledge through a major or its equivalent in the content field or a passing score on the state-approved content assessment in the content field. If the state-approved content knowledge was not required at admission, it must be passed for program completion. Non-traditional preparation programs do not lead to a degree or college credit and:

1. Feature a flexible timeframe for completion;

2. Are job-embedded, allowing candidates to complete requirements while employed by a regionally accredited local unit of administration (school district or private school), a charter school approved by the Georgia State Charter School Commission, or a charter school approved by the Georgia Department of Education as a classroom teacher full-time or part-time for at least a half day;
3. Require that candidates are supported by a Candidate Support Team;
4. Require an induction component that includes coaching and supervision;
5. Provide curriculum, performance-based instruction and assessment focused on the pedagogical knowledge, skills, and dispositions necessary for the candidate to teach his/her validated academic content knowledge; and
6. Are individualized based on the needs of each candidate with respect to content knowledge, pedagogical skills, learning modalities, learning styles, interests, and readiness to teach. See Rule [505-3-.05](#), GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY (GaTAPP).

(aj) Out-of-State Institution: An institution of higher education administratively based in a state within the United States other than Georgia, or another country.

(ak) Pedagogical Content Knowledge: A core part of content knowledge for teaching that includes: core activities of teaching, such as determining what students know; choosing and managing representations of ideas; appraising, selecting and modifying textbooks; and deciding among alternative courses of action and analyzing the subject matter knowledge and insight entailed in these activities (Source: adapted from the CAEP Glossary).

(al) Pedagogical Knowledge: The broad principles and strategies of classroom instruction, management, and organization that transcend subject matter knowledge (Source: CAEP Glossary).

(am) Pedagogical Skills: An educator's abilities or expertise to impart the specialized knowledge/content and skills of their subject area(s) (Source: CAEP Glossary).

(an) Preconditions: Fundamental requirements that undergird the GaPSC standards that must be met as a first step in the approval process and before an EPP is permitted to schedule a Developmental Approval Review.

(ao) Preparation Program Effectiveness Measures (PPEMs): A set of common measures applied to all teacher and leader preparation programs leading to initial certification in a field. Teacher Preparation Program Effectiveness Measures (TPPEMs) and Leader Preparation Program Effectiveness Measures (LPPEMs) are further defined in GaPSC Rule [505-3-.02](#), EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.

(ap) Program Completer: A person who has met all the requirements of a GaPSC-approved or state-approved out-of-state educator preparation program.

(aq) Regional Accreditation: Regional accreditation is conducted by an accrediting organization that develops evaluation criteria and conducts peer evaluations to assess whether or not those criteria are met. Six (6) regional accreditors operate in the United States to conduct educational accreditation of public, private, for-profit, and not-for-profit schools, colleges, and universities in their regions. The Southern Association of Colleges and Schools (SACS) is the regional accreditor for the southern region. The SACS accrediting organization for P-12 schools is the Council on Accreditation and School Improvement (SACSCASI), also known as Cognia. The SACS accrediting organization for institutes of higher education is the Commission on Colleges (SACSCOC).

(ar) Specialized Accreditation: Specialized accrediting organizations operate throughout the country to review programs and some single-purpose institutions. Like national and regional accreditors, specialized accreditation organizations develop evaluation criteria and conduct peer evaluations to assess whether or not those criteria are met.

(as) Specialized Professional Association (SPA): A constituent member of CAEP representing a particular disciplinary area that develops standards for the approval of educator preparation programs in that area and reviews programs for compliance with those standards.

(at) Substantive Change Procedure: Process used for EPPs to submit changes that are considered significant, including additional levels of program offerings and changes to key assessments or leadership personnel.

(au) Supervisor: An individual involved in the oversight and evaluation of educator preparation candidates during field and clinical experiences. In most cases one or more individuals are involved in the formal supervision of clinical experiences—a supervisor employed by the EPP and one or more supervisors employed by the B/P-12 site hosting a pre-service educator. The term *Faculty Supervisor* refers to the employee of the EPP and the term *B/P-12 Supervisor* (sometimes referred to as Mentor Teacher or Cooperating Teacher) refers to the school-based employee who hosts a pre-service educator for the culminating residency or internship.

(av) Technology Literacy: Using technology as a tool to research, organize, evaluate, and communicate information and understanding the ethical and legal issues surrounding the access and use of information.

(aw) Traditional Preparation Program: A credit-bearing program designed for the preparation of educators typically offered by institutes of higher education.

(ax) Year-long Residency: An extended clinical practice lasting the entire length of the B/P-12 school year, in the same school, in which candidates have more time to practice teaching skills with students under the close guidance of experienced and effective B/P-12 teachers licensed in the content area the candidate is preparing to teach. Candidates fully participate in the school as a member of the faculty, including faculty meetings, parent conferences, and professional learning activities spanning, if feasible, the beginning (e.g. pre-planning) and ending (post-planning) of the academic year. (Candidates may participate in post-planning at the end of the junior year if it is not possible for them to participate at the end of the senior year). These extended residencies also include supervision and mentoring by a representative of the preparation program who, along with the B/P-12 supervisor, ensures the candidate is ready for program completion and is eligible for state certification.

### **(3) GENERAL REQUIREMENTS APPLICABLE TO ALL EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS.**

#### **(a) Authorization for the Establishment of Georgia Educator Preparation Providers (EPPs)**

1. The following types of organizations administratively based in the state of Georgia (as determined by the location of the office of the President or the single highest ranking executive officer of the institution/agency/organization) are eligible to seek GaPSC approval as an EPP for the purpose of preparing educators: Regionally accredited institutions of higher education; regionally accredited local units of administration with student enrollment over 30,000; Regional Educational Service Agencies (RESAs); and other education service organizations. Out-of-state entities of any kind (e.g., institutions, agencies, associations, non-profit or for-profit organizations, or other types of organizations) operating in the state of Georgia through a branch or satellite campus or by online delivery of programs are not eligible to seek GaPSC approval.

#### **(b) Accreditation of Institutions/Agencies with an Educator Preparation Provider (EPP)**

1. Institutions of higher education with a college, school, department or other entity that is a GaPSC-approved EPP shall be fully accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), at the level(s) of degree(s) granted by the institution. The institution shall submit program(s) for GaPSC approval corresponding to the appropriate level of accreditation and in a field recognized for certification by the GaPSC. If an institution has submitted an application for change in degree level to a GaPSC-accepted regional accreditation agency, and is seeking Developmental Approval of a program(s) at the proposed new degree level by the GaPSC, the institution must be regionally accredited at the new degree level prior to approval review by the GaPSC. See GaPSC [505-2-.31](#), GaPSC-ACCEPTED ACCREDITATION; VALIDATION OF NON-ACCREDITED DEGREES.



2. Local education agencies, RESAs, or other approved, non-IHE providers shall admit candidates who hold degrees from a GaPSC-accepted accredited institution of higher education appropriate for the certificate sought. GaPSC-approved EPPs offering Career Technical and Agricultural Education (CTAE) programs, including GaTAPP providers, may admit individuals who do not hold post-secondary degrees who are seeking CTAE certification in certain fields (see Rule [505-3-.05](#), GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY). See Rule [505-2-.31](#), GaPSC-ACCEPTED ACCREDITATION; VALIDATION OF NON-ACCREDITED DEGREES for a list of acceptable accrediting agencies.

(c) GaPSC Approval of Educator Preparation Providers (EPPs)

1. An education institution or agency's EPP (e.g., college/school/department of education) and/or program(s) shall be approved by its governing board prior to seeking GaPSC approval for the first time (Developmental Approval). Once an EPP is approved, subsequent submission of programs for approval may be made as long as governing board approval is in process and completed 45 days prior to the GaPSC program approval review.

2. GaPSC approval standards for EPPs and programs shall at a minimum be adapted from the most recent version of the standards of the Council for the Accreditation of Educator Preparation (CAEP).

3. EPPs administratively based in the state of Georgia for which GaPSC has regulatory authority may choose to seek and/or maintain CAEP accreditation. If the accreditation visit was conducted jointly by GaPSC and CAEP, the GaPSC will accept CAEP accreditation of an EPP and the EPP shall be recognized as approved by GaPSC until the end of the seven (7)-year approval cycle, or for a shorter period of time if, during the seven (7)-year cycle GaPSC action is necessitated by persistently low (Low Performing) Preparation Program Effectiveness Measures (PPEMs) ratings or non-compliance with GaPSC rules. If CAEP accreditation of the EPP is delayed, denied, or revoked, GaPSC will render an EPP approval decision. If the accreditation visit is conducted solely by CAEP, GaPSC approval of the EPP will be based upon the implementation of the state approval process and a final EPP approval decision will be rendered by the Commission. Program approval is contingent upon EPP approval.

4. LUAs, qualifying organizations (see paragraph (3) (a) 1), and IHEs seeking GaPSC approval as an EPP shall follow all applicable GaPSC policies and procedures, e.g., preconditions to determine eligibility for a review, approval review requirements, post review requirements, Commission decisions, public disclosure policy, and annual reporting procedures. In order to maintain approval status, all GaPSC-approved EPPs must maintain regional or GaPSC-accepted accreditation and must comply with all applicable GaPSC rules and policies including, but not limited to, those regarding Preparation Program Effectiveness Measures, annual reporting, and data submission requirements. Failure by an approved provider to fully comply with GaPSC Educator Preparation, Certification, and Ethics Rules, Commission approval decisions, or agency procedures and/or requirements may result in changes in approval status that could include revocation of approval. Failure to comply with federal reporting requirements may result in fines.

5. The EPP must have completed the GaPSC approval process and be approved by the GaPSC before candidates are enrolled in educator preparation programs and begin taking classes.

6. For EPPs offering initial preparation programs leading to a Teaching, Leadership, or Service certificate, GaPSC EPP approval cycles shall include Developmental Approval valid for three (3) years and Continuing Approval valid for seven (7) years. The Developmental Approval Review is used to determine if a new EPP has the capacity to meet state standards and it is followed, in three (3) to four (4) years, by a First Continuing Review to determine if the EPP has evidence of meeting state standards. Following the First Continuing Review, the GaPSC will conduct Continuing Reviews of the EPP and all preparation programs at seven (7) year intervals. For IHEs seeking to maintain CAEP accreditation, the state Continuing Review will be scheduled such that the state review will be completed and the resulting GaPSC approval decision will be rendered prior to the beginning of the CAEP site visit. GaPSC will require a Focused Approval Review or a Probationary Review of an approved or accredited EPP and/or its educator preparation programs in fewer than seven (7) years if annual performance data indicate standards are not being met, or if a previous approval review indicates pervasive problems exist that limit provider capacity to offer programs capable of meeting standards and requirements specified in GaPSC educator preparation and certification rules, or if GaPSC staff determine non-compliance with state rules.



7. For EPPs offering only endorsement programs, GaPSC EPP approval cycles shall include Developmental Approval valid for seven (7) years and Continuing Approval every seven (7) years thereafter.

8. GaPSC-approved EPPs shall comply with all GaPSC reporting requirements, to include the submission of data in all appropriate candidate-level, program-level, and EPP-level reporting systems (e.g., Traditional Program Management System [TPMS], Non-Traditional Reporting System [NTRS], Provider Reporting System [PRS], and federal annual reports on the performance of the EPP and all educator preparation programs). Out-of-state EPPs offering initial teacher preparation programs to Georgia residents and/or to residents of other states who fulfill field and clinical experiences in Georgia B/P-12 schools shall comply with all applicable GaPSC reporting requirements, to include the submission of data in TPMS and other systems that may become applicable. EPPs shall report according to the schedules and timelines below and shall accurately provide all data elements. Failure to report on time and accurately may negatively impact EPP approval status. See GaPSC Rule [505-3-.02](#), EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.

(i) Enrollments. GaPSC-approved EPPs shall, through the appropriate GaPSC reporting system (i.e., Non-Traditional Reporting System [NTRS] or Traditional Program Management System [TPMS]), enter all applicable data for candidates enrolled in Teaching (T), Leadership (L), and Service (S) field programs leading to initial Georgia certification, and in Endorsement programs according to the following schedule:

(I) October 31: The deadline for entering all candidates enrolled in current academic year summer and fall semesters.

(II) March 31: The deadline for entering all candidates enrolled in current academic year spring semester.

(ii) Completions and Withdrawals. GaPSC-approved EPPs shall, through the appropriate GaPSC reporting system (i.e., Non-Traditional Reporting System [NTRS] or Traditional Program Management System [TPMS]), enter all applicable data related to candidate completions and withdrawals within sixty (60) days of the event.

(iii) For federal, Title II, reporting purposes, October 7 is the deadline for entering all initial teaching candidates who were enrolled, withdrawn, or completed during the prior reporting year (September 1 - August 31).

9. GaPSC-approved EPPs shall notify all enrolled candidates when EPP and/or program approval is revoked or when approval status is changed to Probation. Notification must be made within sixty (60) days after such a GaPSC decision is granted in written form via letter or e-mail, and a copy must be provided to GaPSC by the EPP head. This notification must clearly describe the impact of the approval status change on candidates and the options available to them. The EPP must maintain records of candidates' acknowledgement of receipt of the notification.

(d) GaPSC Approval of Educator Preparation Programs

1. Educator preparation programs leading to Georgia educator certification shall be offered only by GaPSC-approved EPPs (reference paragraph (3) (c) 3). All initial preparation programs and endorsement programs must be approved by the GaPSC.

2. GaPSC-approved EPPs seeking approval to add new initial preparation programs may submit the programs for GaPSC approval prior to receiving governing board approval, as long as governing board approval is granted forty-five (45) days prior to the approval review.

3. GaPSC-approved EPPs seeking approval for preparation programs leading to Georgia educator certification shall follow all applicable GaPSC program approval policies and procedures in effect at the time of the requested approval and shall comply with revised policies in accordance with timelines published by the GaPSC.

4. Initial educator preparation programs and endorsement programs shall be approved by the GaPSC before candidates are enrolled and begin program coursework.

5. GaPSC-approved EPPs, in conjunction with preparations for an EPP approval review, shall submit program reports conforming to GaPSC program standards and program review requirements for approval by GaPSC.

Programs may also be submitted to GaPSC-accepted Specialized Professional Associations or program accrediting agencies for national recognition or accreditation. If the highest level of recognition or accreditation, in most cases National Recognition or Accreditation, is granted for a program, state approval procedures will be reduced to remove duplication and will include only those components necessary to ensure Georgia-specific standards and requirements are met. Programs submitted for national recognition or accreditation that are not granted National Recognition (e.g., granted Recognition with Conditions or any level of recognition lower than National Recognition) or Accreditation must comply with all applicable GaPSC program approval review requirements. See the guidance document accompanying this rule for the list of GaPSC-accepted SPAs and program accrediting agencies.

6. GaPSC approval of initial preparation programs in Teaching (T), Leadership (L), and Service (S) fields shall include a Developmental Approval Review to determine if the new educator preparation program has the capacity to meet state standards. Developmental Approval is valid for three (3) to four (4) years and is followed by a First Continuing Review to determine if the educator preparation program has evidence of meeting state standards. Following the First Continuing Review, the GaPSC will conduct Continuing Reviews of the educator preparation programs in conjunction with the EPP Continuing Review at seven (7) year intervals.

7. GaPSC approval of new endorsement programs shall include an Administrative Approval process to determine if the new program has the capacity to meet state standards followed by a Continuing Approval Review of the program in conjunction with the next scheduled EPP Continuing Review, and Continuing Reviews every seven (7) years thereafter.

8. The GaPSC will require a Focused Approval Review or a Probationary Review of an approved educator preparation program in fewer than seven (7) years if annual performance data indicate standards are not being met or if a previous approval review indicates pervasive problems exist limiting program capacity to meet standards and requirements specified in GaPSC educator preparation and certification rules.

9. GaPSC-approved EPPs shall submit program(s) for GaPSC approval corresponding to the appropriate level of preparation (initial or endorsement) and in a certification field authorized in GaPSC Certification Rules. Although advanced/degree-only preparation programs are neither reviewed nor approved by GaPSC, those accepted by GaPSC for the purposes of certificate level upgrades must be listed in the GaPSC Certificate Upgrade Advisor.

10. GaPSC-approved EPPs shall make program decisions based upon program purpose, institutional mission, supply and demand data, and B/P-12 partner needs, and shall attempt to include a variety of options for program completion (e.g., multiple delivery models, degree options, and individualized programs; additional examples are provided in the guidance document accompanying this rule).

11. Ongoing GaPSC approval of educator preparation programs is contingent upon EPP approval status and the performance of the EPP and its programs. As described in GaPSC Educator Preparation Rule [505-3-.02](#), EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION, are used as part of the approval process to determine ongoing approval of EPPs and educator preparation programs.

12. Out-of-state institutions offering initial teacher preparation programs to Georgia residents and/or to residents of other states who fulfill field and clinical experiences in Georgia B/P-12 schools shall ensure their candidates hold the Georgia Pre-Service Certificate prior to beginning any field and clinical experiences in any Georgia B/P-12 school required during program enrollment. The requirements for this certificate are outlined in GaPSC Rule [505-2-.03](#), PRE-SERVICE TEACHING CERTIFICATE. Out-of-state institutions preparing candidates for Georgia certification must also ensure their candidates meet all program completion assessment requirements outlined in this rule in paragraphs (3) (e) (6) (i) and (ii); the requirements specified in GaPSC Certification Rule [505-2-.22](#), CERTIFICATION BY STATE-APPROVED PROGRAM, paragraph (2) (d) 2; and the requirements outlined in GaPSC Certification Rule [505-2-.04](#), INDUCTION CERTIFICATE, including the required amount of time spent in the culminating clinical experience (i.e., student teaching or internship occurring after, and not including, field experiences), and passing the ethics and content assessments.

13. Out-of-state institutions offering initial teacher preparation programs to Georgia residents and/or to residents of other states who fulfill field and clinical experiences in Georgia B/P-12 schools are subject to all applicable data

collection requirements referenced in paragraph (3) (c) 8. and described in GaPSC Rule [505-3-.02](#), EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.

(e) Educator Preparation Program Requirements

1. Admission Requirements

(i) The Georgia Educator Ethics Assessment must be passed prior to enrollment in a traditional or non-traditional initial educator preparation program and to qualify for the Pre-Service Teaching Certificate (see GaPSC Rule [505-2-.03](#), PRE-SERVICE TEACHING CERTIFICATE).

(ii) GaPSC-approved EPPs shall ensure candidates admitted to initial preparation programs at the post-baccalaureate level have attained appropriate depth and breadth in both general and content studies, with a minimum of a bachelor's degree from a GaPSC-accepted accredited institution. Candidates seeking certification in Career Technical and Agricultural Education (CTAE) fields must hold a high school diploma or GED, or an associate's degree or higher in the field of certification sought, as delineated in applicable GaPSC Certification Rules. CTAE candidates admitted with a high school diploma or GED must complete both the associate's degree and the initial teacher preparation program to earn a professional certificate. The preparation program must be completed within three years; an additional year is allowable if needed to complete the associate's degree.

2. Pre-service Certificate Request

(i) EPPs must request the Pre-Service Certificate for all candidates admitted to traditional initial teacher preparation programs at the baccalaureate level or higher, except for candidates who hold a valid professional Georgia teaching certificate and are currently employed in a Georgia school. Out-of-state EPPs must request the Pre-Service Certificate for candidates enrolled in initial teacher preparation programs and completing field and clinical experiences in Georgia B/P-12 schools; such candidates must be enrolled in programs leading to a certification field offered by the GaPSC. See GaPSC Rule [505-2-.03](#), PRE-SERVICE CERTIFICATE for Pre-Service certification requirements.

(ii) Successful completion of a criminal record check is required to earn the Pre-Service Certificate.

3. Candidate Monitoring and Support. EPPs shall monitor each cohort aggregate GPA for changes, document any point at which the cohort GPA is less than 3.0, disaggregate the data by race and ethnicity and any other mission-related categories, analyze the data to identify specific needs for candidate support, and develop and implement plans to provide the needed supports.

4. Program Content and Curriculum Requirements

(i) Preparation programs for educators prepared as teachers shall incorporate the latest version of the InTASC Model Core Teaching Standards developed by the Interstate Teacher Assessment and Support Consortium. Preparation programs for educators prepared as leaders shall incorporate these standards into those courses related to instructional leadership to assure leadership candidates understand the InTASC standards as they apply to the preparation and continued growth and development of teachers.

(ii) GaPSC-approved EPPs shall require a major or equivalent in all secondary and P-12 fields, where appropriate. The equivalent of a major is defined for middle grades (4-8) as a minimum of fifteen (15) semester hours of coursework in the content field and for secondary (6-12) as a minimum of twenty-one (21) semester hours of coursework in the content field. Content field coursework must meet expected levels of depth and breadth in the content area (i.e., courses above the General Education level) and shall address the program content standards required for the field as delineated in GaPSC Educator Preparation Rules [505-3-.19](#) through [505-3-.53](#).

(iii) GaPSC-approved EPPs shall ensure candidates in all initial preparation programs complete a sequence of courses and/or experiences in professional studies that includes knowledge about and application of professional ethics and behavior appropriate for school and community, ethical decision-making skills, and specific knowledge about the Georgia Code of Ethics for Educators. Candidates are expected to demonstrate knowledge and dispositions

reflective of professional ethics and the standards and requirements delineated in the Georgia Code of Ethics for Educators. In addition to candidates meeting the state-approved ethics assessment requirement in 505-3-.01,(e) 1. (i) and (e) 6. (iii) (see GaPSC Rule [505-2-.26](#), CERTIFICATION AND LICENSURE ASSESSMENTS), GaPSC-approved EPPs shall assess candidates' knowledge of professional ethics and the Georgia Code of Ethics for Educators either separately or in conjunction with assessments of dispositions.

(iv) GaPSC-approved EPPs shall ensure candidates are prepared to implement Georgia state mandated standards (i.e., Georgia Performance Standards [GPS]; Georgia Performance Standards [CCGPS], Georgia Standards of Excellence, College and Career Ready Standards, and all other GaDOE-approved standards) in each relevant content area. Within the context of core knowledge instruction, providers shall ensure candidates are prepared to develop and deliver instructional plans that incorporate critical thinking, problem solving, communication skills, and opportunities for student collaboration. EPPs shall ensure candidates are also prepared to implement any Georgia mandated educator evaluation system. EPPs shall ensure educational leadership candidates understand all state standards and have the knowledge and skills necessary to lead successful implementation of standards in schools.

(v) GaPSC-approved EPPs shall require candidates seeking teacher certification to demonstrate knowledge of the definitions and characteristics of dyslexia and other related disorders; competence in the use of evidence-based interventions, structured multisensory approaches to teaching language and reading skills, and accommodations for students displaying characteristics of dyslexia and/or other related disorders; and competence in the use of a response-to-intervention framework addressing reading, writing, mathematics, and behavior, including:

(I) Universal screening;

(II) Scientific, research-based interventions;

(III) Progress monitoring of the effectiveness of interventions on student performance;

(IV) Data-based decision making procedures related to determining intervention effectiveness on student performance and the need to continue, alter, or discontinue interventions or conduct further evaluation of student needs; and

(V) Application and implementation of response-to-intervention and dyslexia and other related disorders instructional practices in the classroom setting.

(vi) GaPSC-approved EPPs shall require candidates seeking certification to demonstrate satisfactory proficiency in computer and other technology applications and skills, and satisfactory proficiency in integrating Information, Media and Technology Literacy into curricula and instruction, including incorporating B/P-12 student use of technology, and to use technology effectively to collect, manage, and analyze data for the purpose of improving teaching and learning. This requirement may be met through content embedded in courses and experiences throughout the preparation program and through demonstration of knowledge and skills during field and clinical experiences. Candidates shall demonstrate the specialized knowledge and skills necessary for effective teaching in a distance learning environment.

(vii) GaPSC-approved EPPs shall require candidates seeking certification in a Teaching (T) field, the field of Educational Leadership (L), or the Service (S) fields of Media Specialist and School Counseling to complete either five (5) or more quarter hours or three (3) or more semester hours of coursework in the identification and education of children who have special educational needs or the equivalent through a Georgia-approved professional learning program. This requirement may be met in a separate course, or content may be embedded in courses and experiences throughout the preparation program (see Rule [505-2-.24](#), SPECIAL GEORGIA REQUIREMENTS). In addition, candidates in all fields must have a working knowledge of Georgia's framework for the identification of differentiated learning needs of students and how to implement multi-tiered structures of support addressing the range of learning needs.

(viii) GaPSC-approved EPPs shall ensure candidates being prepared to teach in the fields of Elementary Education, Middle Grades Education, and the special education fields of General Curriculum, Adapted Curriculum, and General Curriculum/Elementary Education (P-5) demonstrate competence in the knowledge of methods of teaching reading.

Preparation to teach reading shall encompass the development of fundamental reading skills, including phonemic awareness, phonics, fluency, vocabulary, and reading comprehension.

(ix) GaPSC-approved EPPs offering endorsement programs shall ensure the programs are designed to result in candidates' expanded knowledge and skills in creating challenging learning experiences, supporting learner ownership and responsibility for learning, and in strengthening analysis and reflection on the impact of planning to reach rigorous curriculum goals as specified in GaPSC Rules [505-3-.82](#) - 505-3-.115. Unless specified otherwise in GaPSC Rules [505-3-.82](#) through [505-3-.115](#), endorsement programs may be offered as stand-alone programs or embedded in initial preparation or degree-only programs. Embedded endorsement programs must include field experiences specifically for meeting endorsement standards and requirements, as well as any additional grade levels addressed by the endorsement. These field experiences must be in addition to those required for the initial preparation program. Although field experiences in specific grade bands are not required for endorsement programs, candidates must have opportunities to demonstrate the knowledge and skills delineated in endorsement standards in as many settings as necessary to demonstrate competence with children at all developmental levels addressed by the endorsement. In addition to field experience requirements, the GaPSC Continuing approval process for embedded endorsement programs will require EPPs to provide evidence of meeting a minimum of one (1) of the following (2) options:

(I) Option 1: Additional Coursework. Endorsement programs are typically comprised of three (3) or four (4) courses (the equivalent of nine [9] or twelve [12] semester hours). Although some endorsement standards may be required in initial preparation programs (e.g., Reading Endorsement standards must be addressed in Elementary Education programs) and in such cases some overlap of coursework is expected, it may be necessary to add endorsement courses to a program of study to fully address the additional knowledge and skills delineated in endorsement standards.

(II) Option 2: Additional Assessments(s). Candidates' demonstration of endorsement program knowledge and skills must be assessed by either initial preparation program assessments or via additional assessment instruments specifically designed to address endorsement program content.

See the guidelines accompanying this rule for further clarification of expectations for endorsement programs.

(x) GaPSC-approved EPPs shall provide information to each candidate on Georgia's tiered certification structure, professional learning requirements, and employment options.

## 5. Requirements for Partnerships, and Field Experiences and Clinical Practice

(i) Effective partnerships with B/P-12 schools and/or school districts are central to the preparation of educators. At a minimum, GaPSC-approved EPPs shall establish and maintain collaborative relationships with B/P-12 schools, which are formalized as partnerships and focused on continuous school improvement and student growth and learning through the preparation of candidates, support of induction phase educators, and professional development of B/P-20 educators. EPPs are encouraged to establish and sustain partnerships meeting higher levels of effectiveness, as described in the guidance document accompanying this rule.

(ii) GaPSC-approved EPPs shall require in all programs leading to initial certification in teaching, leadership, or service fields, and endorsement programs, field experiences that include organized and sequenced engagement of candidates in settings providing them with opportunities to observe, practice, and demonstrate the knowledge, skills, and dispositions delineated in all applicable institutional, state, and national standards. The experiences must be systematically designed and sequenced to increase the complexity and levels of engagement with which candidates apply, reflect upon, and expand their knowledge and skills. Since observation is a less rigorous method of learning, emphasis should be on field experience sequences requiring active professional practice or demonstration and including substantive work with B/P-12 students or B/P-12 personnel as appropriate depending upon the preparation program. Field experience placements and sequencing will vary depending upon the program. In non-traditional preparation programs, such as GaTAPP, field experiences occur outside candidates' classrooms with students with diverse learning needs and varied backgrounds in at least two settings during the clinical practice. Refer to the guidance document accompanying this rule for additional information related to field experiences and clinical practice.



(iii) GaPSC-approved EPPs shall ensure candidates complete supervised field experiences consistent with the grade levels of certification sought. For Birth Through Kindergarten programs, field experiences are required at three (3) age levels: ages 0 to 2, ages 3 to 4, and kindergarten. For Elementary Education programs (P-5), field experiences are required in three (3) grade levels: PK-K, 1-3, and 4-5. For middle grades education programs, field experiences are required in two (2) grade levels: 4-5 and 6-8. Programs leading to P-12 certification shall require field experiences in four (4) grade levels: PK-2, 3-5, 6-8, and 9-12; and secondary education programs (6-12) shall require field experiences in two (2) grade levels: 6-8 and 9-12.

(iv) GaPSC-approved EPPs shall ensure candidates complete supervised clinical practice (residency/internships) in the field of certification sought and only in fields for which the EPP has been approved by the GaPSC. Clinical practice for all fields must occur in regionally accredited schools, charter schools approved by the Georgia State Charter School Commission, charter schools approved by the Georgia Department of Education, private schools accredited by a GaPSC-accepted accreditor, Department of Defense schools, or in international settings meeting accreditation criteria specified in GaPSC Rule [505-2-.31](#), GAPSC-ACCEPTED ACCREDITATION; VALIDATION OF NON-ACCREDITED DEGREES. Candidates in Birth Through Kindergarten programs may participate in residencies or internships in regionally accredited schools, in pre-schools or child care centers licensed by the Georgia Department of Early Care and Learning (DECAL, also known as Bright from the Start), or in pre-schools accredited by USDOE- or CHEA-accepted accrediting agencies. Candidates of GaPSC-approved EPPs must meet all applicable Pre-Service Certificate requirements, regardless of clinical practice placement location. Clinical practice must be designed and implemented cooperatively with B/P-12 partners and candidates' experiences must allow them to demonstrate their developing effectiveness and positive impact on all students' learning and development. Although year-long residencies/internships as defined herein (see paragraph (2) (ax)) are recognized as most effective, teacher candidates must spend a minimum of one (1) full semester or the equivalent in residencies or internships. GaPSC preparation program rules for service and leadership fields may require more than one (1) full semester of clinical practice; see GaPSC Rules [505-3-.63](#) through [505-3-.81](#).

(v) B/P-12 educators who supervise candidates (mentors, cooperating teachers, educational leadership coaches/mentors, Service (S) field supervisors) in residencies or internships at Georgia schools shall meet the following requirements:

(I) B/P-12 supervisors shall have a minimum of three (3) years of experience in a teaching, service, or leadership role; and

(II) If the residency or internship is completed at a Georgia school requiring GaPSC certification, the B/P-12 supervisor shall hold renewable Professional Level Certification in the content area of the certification sought by the candidate. In cases where a B/P-12 supervisor holding certification in the content area is not available, the candidate may be placed with a Professionally Certified educator in a related field of certification (related fields are defined in the guidance document accompanying this rule). For teaching field candidates who are employed as the full-time teacher of record while completing residency or internship in a school requiring GaPSC certification, the B/P-12 supervisor must hold Professional Certification.

(III) If the residency or internship is completed at a Georgia school that has the legal authority to waive certification, the B/P-12 supervisor must hold a Clearance Certificate.

(IV) The Partnership Agreement shall describe training, evaluation, and ongoing support for B/P-12 supervisors and shall clearly delineate qualifications and selection criteria mutually agreed upon by the EPP and B/P-12 partner. The Partnership Agreement shall also include a principal or employer attestation assuring educators selected for supervision of residencies/internships are the best qualified and have received an annual summative performance evaluation rating of proficient/satisfactory or higher for the most recent year of experience.

(V) Certificate IDs (to include Clearance Certificate IDs as applicable) of B/P-12 supervisors must be entered in TPMS or NTRS prior to the completion of the residency or internship.

It is the responsibility of GaPSC-approved EPPs and out-of-state EPPs who place candidates seeking Georgia certification in Georgia schools for field and clinical experiences to ensure these requirements are met.

## 6. Assessment Requirements

### (i) State-approved Content Assessment.

(I) Eligibility: EPPs shall determine traditional program candidates' readiness for the state-approved content assessment and shall authorize candidates for testing only in their field(s) of initial preparation and only at the appropriate point in the preparation program.

(II) Attempts: GaPSC-approved EPPs shall require all enrolled candidates to attempt the state-approved content assessment (resulting in an official score on all parts of the assessment) within the content assessment window of time beginning on a date determined by the EPP after program admission and ending on August 31 in the year of program completion, and at least once prior to program completion. Candidates enrolled in a traditional (IHE-based), initial preparation program leading to Middle Grades certification must attempt the state-approved content assessment in each of the two (2) areas of concentration, as required for program completion and receive an official score on each assessment prior to program completion. For more information on Middle Grades areas of concentration, see GaPSC Rule [505-3-19](#), MIDDLE GRADES EDUCATION PROGRAM.

(III) Passing Score: A passing score on all applicable state-approved content assessments is not required for program completion, except in the GaTAPP program, which is a non-traditional, certification-only program (See GaPSC Rule [505-3-05](#), GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY [GaTAPP]); however, a passing score is required for state certification. See GaPSC Rule [505-2-26](#), CERTIFICATION AND LICENSURE ASSESSMENTS, and GaPSC Rule [505-2-08](#), PROVISIONAL CERTIFICATE.

### (ii) State-approved Performance-based Assessments.

(I) Eligibility: EPPs shall determine initial preparation program candidates' readiness for the state-approved performance-based assessments in state-approved Teacher Leadership programs and Educational Leadership Tier II programs and shall authorize candidates for testing only in their field(s) of preparation and only at the appropriate point in the preparation program.

(II) Attempts: GaPSC-approved EPPs shall require candidates enrolled in state-approved Educational Leadership Tier II preparation programs to attempt the state-approved performance-based assessment (resulting in an official score on all tasks within the assessment) prior to program completion.

(III) Passing Score: A passing score on all applicable state-approved performance-based assessments is not required for program completion; however, a passing score is required for state certification. See GaPSC Rule [505-2-26](#), CERTIFICATION AND LICENSURE ASSESSMENTS, Rule [505-2-153](#), EDUCATIONAL LEADERSHIP, and [505-2-149](#), TEACHER LEADERSHIP.

### (iii) State-approved Educator Ethics Assessment.

#### (I) Program Admission:

A. Candidates who enroll in initial teacher preparation programs must pass the Georgia Educator Ethics Assessment prior to beginning program coursework. Educators who hold a valid Induction, Professional, Lead Professional, or Advanced Professional Certificate are not required to pass the assessment if they enroll in an initial preparation program for the purpose of adding a new teaching field.

B. Candidates who enroll in any GaPSC-approved Educational Leadership program must pass the Georgia Ethics for Educational Leadership Assessment prior to beginning program coursework.

## 7. Program Completion Requirements

(i) GaPSC-approved EPPs shall require candidates completing initial preparation programs to have a 2.5 or higher overall GPA on a 4.0 scale. Non-traditional program providers do not issue grades and therefore are not subject to

this requirement; however, non-traditional EPPs must verify all program requirements are met as specified in GaPSC Rule [505-3-.05](#), GEORGIA TEACHER ACADEMY FOR PREPARATION AND PEDAGOGY.

(ii) GaPSC-approved EPPs may accept professional learning, prior coursework, or documented experience the EPP deems relevant to the program of study in lieu of requiring candidates to repeat the same or similar coursework for credit.

(iii) GaPSC-approved EPPs shall provide, at appropriate intervals, information to candidates about instructional policies and requirements needed for completing educator preparation programs, including all requirements necessary to meet each candidate's certification objective(s), the availability of EPP services such as tutoring services, social and psychological counseling, and job placement and market needs based on available supply and demand data.

(iv) GaPSC-approved EPPs shall provide performance data to candidates that they may use to inform their individual professional learning needs during induction.

(f) Verification of Program Completion and Reporting of Ethics Violations

1. GaPSC-approved EPPs shall designate an official who will provide evidence to the GaPSC that program completers have met the requirements of approved programs, including all applicable Special Georgia Requirements, and thereby qualify for state certification.

2. GaPSC-approved EPPs shall submit, in a timely manner, any documentation required of them by the GaPSC Certification Division for program completers seeking GaPSC certification.

3. GaPSC-approved EPPs shall ensure program completers meet all requirements of the approved program in effect at the time the candidate was officially admitted to the program and any additional program requirements with effective dates after program admission, as described elsewhere in this rule.

4. Should program completers return to their GaPSC-approved EPP more than five (5) years after completion to request verification of program completion, providers shall require those individuals to meet current preparation requirements to assure up-to-date knowledge in the field of certification sought.

5. GaPSC-approved EPPs shall immediately report to GaPSC any violations of the Georgia Code of Ethics for Educators by enrolled candidates. Failure to report ethical violations may result in changes in approval status that could include revocation of approval. Out-of-state EPPs placing candidates in Georgia schools for field and clinical experiences are expected to collaborate with Georgia B/P-12 partners to immediately report ethics violations. Procedures for reporting ethical violations are addressed in the guidance document accompanying this rule.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.01

**AUTHORITY:** O.C.G.A. § 20-2-200.

**HISTORY:** Original Rule entitled "Procedures and Standards for Approving Professional Education Units and Programs Preparing Education Personnel" adopted. F. Dec. 16, 1992; eff. July 1, 1993, as specified by the Agency.

**Amended:** F. June 29, 1994; eff. July 19, 1994.

**Repealed:** New Rule entitled "Requirements and Standards for Approving Professional Education Units Preparing Education Personnel" adopted. F. June 19, 1995; eff. July 9, 1995.

**Amended:** F. Aug. 13, 1997; eff. Sept. 2, 1997.

**Repealed:** New Rule entitled "Requirements and Standards for Approving Professional Education Units and Programs Preparing Education Personnel" adopted. F. Nov. 9, 2001; eff. Dec. 1, 2001, as specified by the Agency.



**Amended:** F. Aug. 20, 2004; eff. Sept. 15, 2004, as specified by the Agency.

**Repealed:** New Rule entitled "Requirements and Standards for Approving Professional Education Units and Educator Preparation Programs" adopted. F. Oct. 24, 2005; eff. Nov. 15, 2005, as specified by the Agency.

**Amended:** F. Apr. 20, 2009; eff. May 15, 2009, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. June 7, 2010; eff. July 15, 2010, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Dec. 26, 2012; eff. Jan. 15, 2013

**Repealed:** New Rule entitled "Requirements and Standards for Approving Educator Preparation Providers and Educator Preparation Programs" adopted. F. Apr. 24, 2014; eff. May 15, 2014, As Specified by the Agency.

**Amended:** F. Jun. 13, 2014; eff. July 3, 2014.

**Amended:** F. Oct. 7, 2014; eff. Oct. 15, 2014, as specified by the Agency.

**Repealed:** New Rule of same title adopted. F. Sep. 26, 2016; eff. Oct. 15, 2016, as specified by the Agency.

**Amended:** F. Dec. 20, 2017; eff. Jan. 15, 2018, as specified by the Agency.

**Amended:** F. Oct. 11, 2018; eff. Oct. 15, 2018, as specified by the Agency.

**Amended:** F. June 26, 2019; eff. July 1, 2019, as specified by the Agency.

**Amended:** F. Dec. 13, 2019; eff. Jan. 1, 2020, as specified by the Agency.

**Amended:** F. Apr. 7, 2020; eff. Apr. 15, 2020, as specified by the Agency.

**Note:** Correction of non-substantive typographical error in subparagraph (3)(e)4.(iv), "... see *GaPSC Rules 505-3-.63 through 505-3-.8*," corrected to "... see *GaPSC Rules 505-3-.63 through 505-3-.81*," as requested by the Agency. Effective April 15, 2020.

**Amended:** F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

**Amended:** F. Sep. 24, 2020; eff. Oct. 15, 2020, as specified by the Agency.

**Amended:** F. Dec. 11, 2020; eff. Jan. 1, 2021, as specified by the Agency.

**Amended:** F. Dec. 14, 2021; eff. Jan. 1, 2022, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

### **505-3-.05 Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP)**

(1) **Purpose.** This rule states specific content standards and requirements for approving non-traditional preparation programs designed for the initial preparation of transition teachers and supplements requirements in GaPSC Rules [505-3-.01](#), REQUIREMENTS AND STANDARDS FOR APPROVING EDUCATOR PREPARATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS, GaPSC Rule [505-3-.02](#), EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION, and Certification Rules [505-2-.01](#), GEORGIA EDUCATOR CERTIFICATION, [505-2-.08](#), PROVISIONAL CERTIFICATE and [505-2-.05](#), PROFESSIONAL CERTIFICATE. This rule also states specific content standards and requirements for approving non-traditional preparation programs that prepare professionally certified teachers to teach any subject in grades P-5. Field Specific requirements for the Elementary Education Certification-Only Program through GaTAPP (grades P-

5) are described at [www.gapsc.com](http://www.gapsc.com) FIELD SPECIFIC REQUIREMENTS. This extension to the GaTAPP rule supplements the requirements in GaPSC Rule [505-3-.14](#), ELEMENTARY EDUCATION (P-5) PROGRAM.

**(2) Definitions.**

(a) Academic Year (AY): Consists of two (2) full semesters, one (1) of which must include the beginning of a school year.

(b) Candidate Support Team (CST): A team of school-based leaders, mentors, Educator Preparation Provider (EPP) supervisors, and content specialists who monitor, assess, and coach candidates using performance assessment data to improve teaching performance in order to improve student learning.

(c) Coaching: Assisting candidates in transferring knowledge, skills, and understandings in the GaTAPP program into professional practice.

(d) Clinical Practice/Field Experiences:

1. Clinical Practice: Candidates are immersed in the learning community and provided opportunities to develop and demonstrate competence in the professional roles for which they are preparing while supported by the Candidate Support Team. The job-embedded, hands-on experiences provide candidates with an intensive and extensive opportunity to be monitored, assessed, and coached. Performance assessment data from these experiences inform the Individualized Induction Plan/ Professional Learning Plan.

2. Field Experiences: Various early and ongoing field-based opportunities, in which candidates may observe, assist, tutor, instruct, and/or conduct research. Field experiences occur outside the candidate's classroom in settings such as schools, community centers, or homeless shelters.

(e) Dispositions: Moral commitments and professional attitudes, values, and beliefs that underlie educator performance and are demonstrated through both verbal and non-verbal behaviors as educators interact with students, families, colleagues, and communities.

(f) Elementary Education Certification-Only Program: A one (1) year supervised program administered through GaTAPP to prepare teachers with Professional teaching certification in any field issued by the GaPSC with the knowledge, skills, and dispositions to teach all subjects in grades P-5. This program requires an induction component that includes coaching and elementary pedagogical and content instruction for one (1) full academic year. This program does not lead to a degree or college credit.

(g) Highly Qualified Status: Although no longer a federal mandate, candidates admitted into GaTAPP programs have a minimum of a bachelor's degree, Georgia Provisional teacher certification, and verified content knowledge in the subjects they teach. Candidates seeking certification in non-core academic teaching fields are not required to meet "highly qualified requirements" and must complete the program to receive an Induction or Professional certificate by the end of the Provisional certificate validity period.

(h) Individual Induction Plan (IIP): A dynamic plan of action to improve candidate performance collaboratively developed by the CST and the candidate based on performance assessment data. The IIP will be used by the mentor/supervisor to coach the candidate in the twenty-four (24) competencies and dispositions delineated in this rule (also known as a Professional Learning Plan).

(i) Induction: A period of time (frequently up to three (3) years) when educators are new to a teaching or leader position or new to the state, a school, or a school district. The State Induction Guidance Documents provide a framework for how school districts and their partners will structure a system of support for the novice teacher and new leader in their first years of service. In GaTAPP, Induction is the first three (3) years as a newly employed classroom teacher who must receive mentoring/ coaching from the Candidate Support Team throughout the induction period.

(j) Non-traditional Preparation: Post-baccalaureate programs designed for individuals who did not prepare as educators during their undergraduate studies. These preparation programs, designed to lead to an Educator Preparation Provider's recommendation for certification but not a degree, often accommodate the schedules of adults and recognize their earlier academic preparation and life experiences. In most instances, candidates are employed as educators while enrolled. An example is the Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP) where employment is required for enrollment.

(k) Regionally Accredited: A process for assessing and enhancing academic and educational quality through voluntary peer review by a regionally accepted accrediting body to ensure the school district is meeting its standards of educational quality.

(l) Special Education Consultative Teacher: A Special Education teacher who works collaboratively with a content area teacher of record in all content and is not responsible for final scores for students. Candidates in the GaTAPP program are required to develop unit and/or lesson plans based on the Georgia state-approved P-12 performance standards in an academic content area(s) of concentration and to implement those plans in the classroom.

(m) Special Education Teacher of Record: A Special Education teacher who is responsible for the curriculum, instruction, assessment, and record maintenance for the P-12 learner in any of the five (5) academic content concentrations, regular or remedial.

(n) Transition teachers: Individuals who wish to transition into teaching from another career path, did not complete a teacher education program, and who have never held a professional teaching certificate in any state or country.

### **(3) General Requirements.**

#### **(a) Educator Preparation Provider Requirements.**

1. Eligible Program Providers: GaTAPP programs may be proposed by any GaPSC-approved EPP that can verify, through the program approval process, the ability to provide non-traditional preparation that complies with the definition of GaTAPP and to provide programs that meet all requirements and standards delineated in this rule. GaPSC-approved EPPs at local education agencies shall offer GaTAPP only to those candidates employed by that school system.

2. GaTAPP programs shall prepare individuals with the appropriate degree for the certificate sought in a Professional Teaching field issued by the GaPSC. GaTAPP programs have the following characteristics:

(i) Feature a flexible timeframe of one (1) to three (3) years for completion based on individualized performance assessment data;

(ii) Do not lead to a degree or college credit;

(iii) Are job-embedded allowing candidates to complete non-traditional preparation path requirements while employed by a regionally accredited local unit of administration (school district or private school), a charter school approved by the Georgia State Charter School Commission, or a charter school approved by the Georgia Department of Education as a classroom teacher full-time or part-time for at least a half day;

(iv) Require that candidates are supported by a Candidate Support Team (CST);

(v) Require an induction component that includes coaching and induction for a minimum of one (1) academic year and continuing until completion of the program;

(vi) Provide curriculum, performance-based instruction, and assessment focused on the pedagogical knowledge and skills necessary for the candidate to teach his/her validated academic content knowledge;

(vii) Are individualized based on the needs of each candidate with respect to content knowledge, pedagogical skills, and readiness to teach; and

(viii) Use candidate and non-traditional preparation performance data to inform decision-making regarding continuous improvement of candidate performance, program effectiveness, and provider effectiveness in the non-traditional preparation path.

### 3. Eligible Certification Fields.

(i) Non-traditional preparation paths are available for all teaching fields. FIELD-SPECIFIC REQUIREMENTS for GaTAPP fields are found at [www.gapsc.com](http://www.gapsc.com); and

(ii) As the purpose of GaTAPP is to prepare classroom teachers, service, leadership, and endorsement certifications are not available through GaTAPP. See GaPSC Rule [505-3-.76](#), ALTERNATIVE PREPARATION FOR EDUCATIONAL LEADERSHIP PROGRAM for information on alternative certification in the field of Educational Leadership.

### (4) **Program Approval Requirements.**

(a) Annual Reporting and Evaluation Requirements are described in GaPSC Rule [505-3-.02](#), EDUCATOR PREPARATION PROVIDER ANNUAL REPORTING AND EVALUATION.

(b) Program Admission Requirements.

1. Field-specific admission requirements are described at [www.gapsc.com](http://www.gapsc.com) FIELD-SPECIFIC REQUIREMENTS.

2. All admitted candidates shall meet the following requirements:

(i) Hold a minimum of a bachelor's degree from a GaPSC accepted, accredited institution of higher education; See FIELD SPECIFIC REQUIREMENTS at [www.gapsc.com](http://www.gapsc.com) for the CTAE exception;

(ii) Have verification of passing the Georgia Educator Ethics Assessment;

(iii) Never held a professional teaching certificate in Georgia or any other state or any country; See FIELD SPECIFIC REQUIREMENTS at [www.gapsc.com](http://www.gapsc.com) for the Elementary Education Certification-Only Program exception;

(iv) Hold a valid Georgia Provisional teaching certificate or Permit. Candidates accepted into the Elementary Education Certification-Only program must hold a valid Non-Renewable Professional Certificate in Elementary Education as requested by the employing LUA;

(v) Employed by a regionally accredited local unit of administration (school district or private school), a charter school approved by the Georgia State Charter School Commission, or a charter school approved by the Georgia Department of Education as full-time teachers or as part-time teachers who teach at least a half day;

(vi) Provide evidence of subject matter competence in the subjects they teach;

(vii) Have a teaching assignment that is appropriate for the field listed on the Georgia teaching certificate; and

(viii) Upon admission, have an Individualized Induction Plan (IIP)/ Professional Learning Plan.

(c) Supervision of Candidate Performance: GaPSC approved EPPs shall provide supervision and assessment of the candidate's performance and coordinate results with observations and assessments by the other CST members.

(d) Assessment of Candidate Performance: GaPSC approved GaTAPP EPPs shall utilize common state-approved assessments and multiple program EPP specific assessments to make decisions regarding candidate program status.

(e) Candidate Support Team (CST): For a minimum of one (1) academic year and continuing throughout the program, all candidates must receive intensive support through a CST meeting the following requirements:

1. Team Composition: all CSTs must be comprised of:

(i) A school-based administrator;

(ii) A GaPSC certified school-based mentor or teaching coach;

(iii) A supervisor employed by the EPP; and

(iv) If not represented by one of the previously described team members, a content specialist who holds certification and expertise in the candidate's teaching field.

2. Team Member Criteria: CST members must hold valid teaching certificates at either the Professional, Lead Professional, or Advanced Professional level and must demonstrate effective teaching performance on the appropriate state or local evaluation system. Educators holding valid Life, Service, or Leadership certificates may serve on CSTs as long as a teaching field certificate is also held or was previously held.

3. Training: Coaches/Mentors and Supervisors of the CST shall be trained in the knowledge, skills, and dispositions that meet the standards and requirements delineated in GaPSC Educator Preparation Rule [505-3-.105](#), TEACHER SUPPORT AND COACHING ENDORSEMENT or [505-3-.85](#), Coaching Endorsement Program. School-based administrators receive an orientation regarding program expectations linking the leadership practices to the program.

(f) Serving Professionally Certified Educators: To receive approval to offer a non-traditional path for Professionally certified educators to earn certification in Elementary Education, a GaPSC-approved educator preparation provider must ensure candidates meet the field-specific content requirements in Rule [505-3-.14](#), ELEMENTARY EDUCATION (P-5) PROGRAM. This extension of the initial teacher preparation program features a one-year (minimum) supervised program for completion based on individualized performance assessment data and does not lead to a degree or college credit.

#### **(5) Candidate Performance Requirements.**

(a) Prior to program completion and through the use of performance-based assessments, candidates must demonstrate proficiency in the following professional dispositions:

1. Dispositions:

(i) The candidate demonstrates an appreciation of the diversity of the students, the staff, and the community and capitalizes on the richness of that diversity;

(ii) Candidate/student interactions and student/student interactions are friendly, warm, caring, polite, respectful, and developmentally and culturally appropriate;

(iii) The candidate establishes a culture of learning where students are committed to the value of the subject, accept the candidate's high expectations, and take pride in quality work and conduct;

(iv) The candidate responds appropriately, respectfully, and successfully to student behavior;

(v) The candidate's directions, procedures, and oral and written language are communicated clearly and accurately;

(vi) The candidate demonstrates flexibility and responsiveness by adjusting lessons, responding to students, and being persistent;

(vii) The candidate maintains accurate, complete records of student assignments and learning and of non-instructional activities;

(viii) The candidate frequently and successfully provides instructional information and student progress information to parents and engages families in the school program;

(ix) The candidate is supportive of and cooperative with colleagues and volunteers and makes substantial contributions to school and district projects;

(x) The candidate actively seeks professional development to enhance content and pedagogical skills and actively assists other educators;

(xi) The candidate proactively serves all students, challenges negative attitudes, and takes a leadership role in high quality decision-making; and

(xii) The candidate understands and actively participates in the school's School Improvement process.

(b) Prior to program completion and through the use of performance-based assessments, candidates must demonstrate proficiency in the following professional competencies:

1. Competencies:

(i) Planning and Preparation

(I) The teacher demonstrates solid knowledge of content structure of the discipline, of connections and prerequisite relationships, of content-related pedagogy and of connections with technology;

(II) The teacher demonstrates a working knowledge of age-group characteristics, of different students' approaches to learning, of students' skills and knowledge levels and language proficiency, and of students' interests and cultural heritage, and knowledge of students' special needs;

(III) The teacher demonstrates an appreciation of the diversity of the students, the staff, and the community and capitalizes on the richness of that diversity;

(IV) The teacher selects instructional goals that are valuable, sequential, clear, aligned with state and national standards, suitable for diverse students, and balanced among types of learning;

(V) The teacher actively seeks and utilizes varied instructional materials and community resources, including technology, to extend content knowledge, pedagogy, and student learning;

(VI) The teacher's instructional plans are coherent and structured in that learning activities (learning units and lessons), resources, groupings, and time allocations are varied and suitable to the developmental level of the students, to individual students, and to the instructional goals; and

(VII) The teacher utilizes varied assessment methods, including those through technology, that are congruent with the instructional goals for student learning; students' understanding of the criteria and standards; and the teacher designs and utilizes formative results to plan for and differentiate instruction.

(ii) The Classroom Environment

(I) Teacher/student interactions and student/student interactions are friendly, warm, caring, polite, respectful, and developmentally and culturally appropriate;

(II) The teacher establishes a culture of learning where students are committed to the value of the subject, accept the teacher's high expectations, and take pride in quality work and conduct;

(III) The teacher effectively manages instructional groups, transitions, materials, supplies, non-instructional duties, and supervision of volunteers and paraprofessionals;

(IV) The teacher makes standards of conduct clear, is consistently alert to student behavior, and responds appropriately, respectfully, and successfully to student behavior; and

(V) The teacher arranges the classroom and organizes physical space and materials skillfully, resourcefully, and with safety and accessibility components in place.

(iii) Instruction

(I) The teacher's expectations for student learning and classroom procedures are clearly articulated in directions, and both oral language and written language are communicated clearly and accurately modeling standard grammar;

(II) The teacher's questions and discussion techniques are of high quality and engage all students;

(III) The teacher utilizes engaging and varied representations of content, instructional strategies, assessment techniques, activities, assignments, technology, grouping configurations, materials and resources, structure and pacing;

(IV) The teacher develops relevant assessment criteria, monitors student learning, and gives meaningful and timely feedback to students and teaches students to self-assess and monitor their own progress;

(V) The teacher demonstrates flexibility and responsiveness by adjusting lessons, responding to students' needs, and being persistent in searches for varied approaches for students who have difficulty learning; and

(VI) The teacher accurately assesses lessons' effectiveness and demonstrates an understanding of how to modify subsequent lessons.

(iv) Professional Responsibilities

(I) The teacher maintains accurate, complete records of student assignments and learning and of non-instructional activities;

(II) The teacher frequently and successfully provides instructional information and student progress information to parents and engages families in the instructional non-traditional preparation path;

(III) The teacher is supportive of and cooperative with colleagues, is involved in a culture of professional inquiry, and makes substantial contributions to school and district projects;

(IV) The teacher actively seeks professional development to enhance content, pedagogical skills and dispositions, accepts feedback from colleagues, and actively assists other educators;

(V) The teacher demonstrates integrity and ethical conduct; and

(VI) The teacher proactively serves all students, challenges negative attitudes, takes a leadership role in high quality decision-making, and understands and actively participates in the school's School Improvement process.

(c) The GaPSC-approved provider shall assure that all non-traditional preparation path participants meet the twenty-four (24) competencies at the proficient level by path completion, by providing preparation (curriculum, instruction, and assessment) in the following pedagogical content standards:

1. Essential Preparation

(i) The non-traditional preparation path shall prepare candidates who demonstrate knowledge, skills, and dispositions in unpacking state and/or national standards for the purpose of teaching all students in the content field in which the candidate is seeking Professional Certification;

(ii) The non-traditional preparation path shall prepare candidates who demonstrate the knowledge, skills, and dispositions necessary in developing pre- and post- assessments that are aligned with state and/or national content standards that clearly demonstrate the students' knowledge and skills as delineated in the state and/or national standards requirements; and

(iii) The non-traditional preparation path shall prepare candidates who demonstrate the knowledge, skills, and dispositions necessary to establish benchmarks for monitoring student progress toward meeting state/national content standards.

## 2. Evidence

(i) The non-traditional preparation path shall prepare candidates who demonstrate knowledge, skills, and dispositions in planning, implementing, and using multiple assessments to determine the level of student learning based on the academic content standards of the teaching field to include the:

(I) Development of various types of assessments;

(II) Development of scoring guides for the assessments;

(III) Analysis of student work to assess achievement and gains; and

(IV) Analysis of assessment data to determine instruction to meet individual student needs.

## 3. Engagement

(i) The non-traditional preparation path shall prepare candidates who demonstrate knowledge, skills, and dispositions of planning, implementing, and assessing classroom instruction engaging all students in active learning to include the:

(I) Establishment of a standards-based classroom;

(II) Use of research based exemplary practices;

(III) Use of activating strategies;

(IV) Use of cognitive strategies;

(V) Use of summarizing strategies;

(VI) Use of questioning strategies;

(VII) Use of Bloom's Taxonomy;

(VIII) Use of cooperative learning strategies;

(IX) Demonstration of the understanding of relationship between engagement and achievement;

(X) Demonstration of the understanding of how to align research-based strategies with Georgia Standards of Excellence;

(XI) Demonstration of the understanding of the role of effective questioning and critical thinking;

(XII) Demonstration of the skills to create acquisition and extending/refining lessons based on research-based strategies;

(XIII) Demonstration of the understanding of how to use strategies and graphic organizers to increase engagement;



(XIV) Demonstration of the understanding of how to write content questions according to Bloom's Taxonomy; and

(XV) Demonstration of the understanding of how to differentiate instruction by content and by learner.

#### 4. Environment

(i) The non-traditional preparation path shall prepare candidates who demonstrate knowledge, skills, and dispositions to develop and implement effective classroom management plans that include the:

(I) Appropriate arrangement of classroom that supports student learning; and

(II) Planning and implementation of strategies that produce a learning environment that provides the best opportunity for student learning.

#### 5. Ethics

(i) The non-traditional preparation path shall prepare candidates who demonstrate the knowledge, skills, and dispositions necessary to model ethical practices of the education profession. (GaPSC Rule [505-6-.01](#), THE CODE OF ETHICS FOR EDUCATORS)

(d) Program Completion Requirements. Non-traditional EPPs shall require candidates to:

1. Obtain a passing score on the state-approved content assessment in the field of certification sought, unless a passing score is required for program admission in that field (see [www.gapsc.com](http://www.gapsc.com) FIELD-SPECIFIC REQUIREMENTS);

2. Meet the twelve (12) dispositions, twenty-four (24) competencies, and pedagogical content standards delineated in this rule;

3. Complete an Individual Induction Plan (IIP)/Professional Learning Plan that includes the requirements described in paragraph (2) (h);

4. Meet all of the elements in Standard 6: Requirements and Standards of the *Georgia Standards for the Approval of Educator Preparation Providers and Educator Preparation Programs* (Georgia Standards); and

5. Meet individual requirements resulting from the analysis of candidate assessment data.

(6) **Field-Specific Requirements.** To receive approval to offer non-traditional paths to Professional teacher certification in eligible fields, a GaPSC-approved educator preparation provider must ensure candidates meet all FIELD-SPECIFIC REQUIREMENTS found at [www.gapsc.com](http://www.gapsc.com).

(7) **Field-Specific Exemptions for the Elementary Education Certification-Only Program Through GaTAPP.** Since candidates in this program have completed an initial teacher preparation program, they are exempt from the Georgia Educator Ethics Assessment.

(8) **Military Exemption for Assessment Requirements.** Military retirees or spouses of active-duty military personnel who enter a GaTAPP program without a related degree in the field of certification sought must attempt the content assessment by the end of the first semester in the program and must pass the assessment by the end of the first year.

**Cite as** Ga. Comp. R. & Regs. R. 505-3-.05

**AUTHORITY: O.C.G.A. § 20-2-200.**

**HISTORY:** Original Rule entitled "Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP)" adopted. F. Apr. 24, 2014; eff. May 15, 2014, as specified by the Agency.

**Amended:** F. Jun. 13, 2014; eff. July 3, 2014.

**Note:** Correction of non-substantive typographical error in, original Rule title "Educator Preparation Provider Annual Reporting and Evaluation" corrected to "Georgia Teacher Academy for Preparation and Pedagogy (GaTAPP)." Effective Oct. 15, 2016.

**Repealed:** New Rule of same title adopted. F. Sep. 26, 2016; eff. Oct. 15, 2016, as specified by the Agency.

**Amended:** F. Dec. 20, 2017; eff. Jan. 15, 2018, as specified by the Agency.

**Amended:** F. Oct. 11, 2018; eff. Oct. 15, 2018, as specified by the Agency.

**Amended:** F. June 26, 2019; eff. July 1, 2019, as specified by the Agency.

**Amended:** F. Apr. 7, 2020; eff. Apr. 15, 2020, as specified by the Agency.

**Amended:** F. June 11, 2020; eff. July 1, 2020, as specified by the Agency.

**Amended:** F. Dec. 11, 2020; eff. Jan. 1, 2021, as specified by the Agency.

**Amended:** F. June 10, 2022; eff. July 1, 2022, as specified by the Agency.

# **Department 511. RULES OF GEORGIA DEPARTMENT OF PUBLIC HEALTH**

## **Chapter 511-5. HEALTH PROMOTION**

### **Subject 511-5-13. DESIGNATION OF PERINATAL CENTERS**

#### **511-5-13-.02 [Effective 7/16/2022] Definitions**

(1) "Designated facility" means a perinatal facility that has been inspected and approved by the Department pursuant to these regulations as meeting its established criteria for a particular maternal or neonatal level of care.

(2) "Perinatal facility" means a hospital, clinic, or birthing center that provides maternal or neonatal health care services.

**Cite as** Ga. Comp. R. & Regs. R. 511-5-13-.02

**AUTHORITY:** O.C.G.A. § [31-2A-50](#) through -57.

**HISTORY:** Original Rule entitled "Definitions" adopted. F. Oct. 22, 2019; eff. Nov. 14, 2019, as specified by the Agency.

**Amended:** F. June 16, 2022; eff. July 16, 2022, as specified by the Agency.

#### **511-5-13-.04 [Effective 7/16/2022] Designation Criteria for Maternal Centers**

A maternal center must meet all standards applicable to the relevant level of care established by The Joint Commission Maternal Levels of Care Verification Program as amended, restated, supplemented, or otherwise modified from time to time.

**Cite as** Ga. Comp. R. & Regs. R. 511-5-13-.04

**AUTHORITY:** O.C.G.A. § [31-2A-50](#) through -57.

**HISTORY:** Original Rule entitled "Designation Criteria for Maternal Centers" adopted. F. Oct. 22, 2019; eff. Nov. 14, 2019, as specified by the Agency.

**Amended:** F. June 16, 2022; eff. July 16, 2022, as specified by the Agency.

#### **511-5-13-.05 [Effective 7/16/2022] Designation Criteria for Neonatal Centers**

A neonatal center must meet all standards applicable to the relevant level of care established by the American Academy of Pediatrics Standards for Neonatal Levels of Care as amended, restated, supplemented, or otherwise modified from time to time.

**Cite as** Ga. Comp. R. & Regs. R. 511-5-13-.05

**AUTHORITY:** O.C.G.A. § [31-2A-50](#) through -57.

**HISTORY:** Original Rule entitled "Designation Criteria for Neonatal Centers" adopted. F. Oct. 22, 2019; eff. Nov. 14, 2019, as specified by the Agency.

**Amended:** F. June 16, 2022; eff. July 16, 2022, as specified by the Agency.

# **Department 513. RULES OF PUBLIC RETIREMENT SYSTEMS**

## **Chapter 513-1. EMPLOYEES' RETIREMENT SYSTEM OF GEORGIA**

### **Subject 513-1-1. ADMINISTRATIVE RULES**

#### **513-1-1-.05 Post-Retirement Cost-of-Living Benefit Adjustment**

(1) "Post-retirement benefit adjustment" shall not include any increases in member's retirement benefit associated with the type of optional form of payment selected at retirement. Such adjustments shall not include changes to a beneficiary's Supplemental Guaranteed Lifetime Income annuity.

(2) Annually, cost-of-living post-retirement benefit adjustment(s) may be granted to each beneficiary who has surpassed the later of their Retirement Date or Normal Retirement Date (as defined in the Funding Policy) by at least twelve (12) months. The cost-of-living post-retirement benefit adjustment may be granted to beneficiaries who are receiving a disability allowance and have surpassed the later of their Retirement Date or age forty-four (44) by at least twelve (12) months. Any increase shall apply only to the current retirement allowance not in excess of the Social Security wage base as established for that calendar year.

(3) An ad hoc post-retirement benefit adjustment may be granted based upon provisions adopted by the Board of Trustees and shall apply to the retirement allowance not in excess of the Social Security wage base as established for that calendar year.

(4) Any increase in benefit shall become effective only if the necessary appropriations/funds are available to maintain the actuarial soundness of the System.

(5) A member who becomes or became a member of this retirement system on or after July 1, 2009 shall not be entitled to receive any post-retirement benefit adjustment.

**Cite as** Ga. Comp. R. & Regs. R. 513-1-1-.05

**AUTHORITY:** O.C.G.A. § [47-2-29](#).

**HISTORY:** Original Rule entitled "Post-Retirement Cost-of-Living Adjustments" was filed on July 17, 1987; effective August 6, 1987.

**Repealed:** New Rule, same title, adopted. F. Mar. 24, 1992; eff. Apr. 13, 1992.

**Amended:** F. Dec. 22, 1993; eff. Jan. 11, 1994.

**Amended:** F. Mar. 19, 1999; eff. Apr. 8, 1999.

**Amended:** New title "Post-Retirement Benefit Adjustment." F. Apr. 15, 2021; eff. May 5, 2021.

**Amended:** New title "Post-Retirement Cost-of-Living Benefit Adjustment." F. June 16, 2022; eff. July 6, 2022.

**Department 513. RULES OF PUBLIC RETIREMENT SYSTEMS**  
**Chapter 513-3. GEORGIA LEGISLATIVE RETIREMENT SYSTEM**  
**Subject 513-3-1. RULES OF GENERAL APPLICABILITY**

**513-3-1-.02 Post-Retirement Benefit Adjustment**

- (1) "Post-retirement benefit adjustment" shall not include any increases in member's retirement benefit associated with the type of optional form of payment selected at retirement.
- (2) Annually, post-retirement benefit adjustment(s) may be granted to each beneficiary who has attained age forty-five (45) and has been retired at least seven (7) months. The post-retirement benefit adjustment shall apply uniformly and equally to all members. An increase shall apply only to the current retirement allowance not in excess of the Social Security wage base as established for that calendar year.
- (3) An ad hoc benefit adjustment may be granted based upon provisions adopted by the Board of Trustees and shall apply to the retirement allowance not in excess of the Social Security wage base as established for that calendar year.
- (4) Any increase in benefit shall become effective only if the necessary appropriations/funds are available to maintain the actuarial soundness of the System.
- (5) A member who becomes or became a member of this retirement system on or after July 1, 2009 shall not be entitled to receive any post-retirement benefit adjustment.

**Cite as** Ga. Comp. R. & Regs. R. 513-3-1-.02

**AUTHORITY:** O.C.G.A. § [47-6-80\(f\)](#).

**HISTORY:** Original Rule entitled "Post-Retirement Benefit Adjustment" adopted. F. Apr. 15, 2021; eff. May 5, 2021.

**Amended:** F. June 16, 2022; eff. July 6, 2022.

# Department 515. RULES OF GEORGIA PUBLIC SERVICE COMMISSION

## Chapter 515-3. GENERAL RULES

### Subject 515-3-1. GENERAL RULES

#### 515-3-1-.10 Accounting Requirements

The books and records of each utility company shall be maintained in conformity with a Uniform System of Accounts prescribed by the Georgia Public Service Commission as follows:

(1) Each electric and gas utility company shall adopt the system of accounts devised by the Federal Energy Regulatory Commission for Class "A" and "B" or Class "C" and "D" companies, as appropriate.

(2) Uniform System of accounts.

(a) Each telephone and telegraph company shall adopt the revised system of account devised by the Federal Communications Commission for Class "A" and "B" companies, as appropriate, except as follows:

1. Depreciation. To the extent that the Uniform System of Accounts for Class "A" and "B" Telephone Companies of the Federal Communications Commission (47 CFR 32.2000(g)) , adopted above may require that depreciation rates be based on estimated service lives developed by individual company histories and experience, the same are hereby superseded. The prescribed rates are as follows:

(i) **Composite rate.** Unless otherwise provided by the Commission, either through prior approval in individual cases or upon prescription by the Commission, depreciation rates for all classes of depreciable telephone plant shall be fixed at an overall composite rate not to exceed eight (8%) percent, effective January 1, 1995;

(ii) **Individual Account Rate Limits.** Subject to the composite rate just stated, the following maximum depreciation rates shall apply to the various classes of plant accounts as stated:

ACCOUNT	DEPRECIATION RATE (%)
Motor Vehicles	
Cars	20.0
Light Trucks	20.0
Heavy Trucks	
Garage Work Equipment	11.0
Other Work Equipment	11.0
Buildings	4.5
Furniture	10.0
Office Equipment	12.5
Office Equipment - Communications	12.5
Computer Equipment	18.0
Computer Equipment - PC	20.0

ACCOUNT	DEPRECIATION RATE (%)
Central Office Equipment - Analog	17.0
Central Office Equipment - Digital	9.0
Central Office Equipment - Electromechanical Operator Systems	20.0
	8.0
Radio Systems - Analog	10.0
Radio Systems - Digital	8.0
Circuit - Analog	14.0
Circuit - Digital	14.0
Public Telephone Equipment	12.5
Other Terminal Equipment	12.5
Pole Line	15.0
Aerial Cable - Metallic	16.0
Aerial Cable - Fiber	14.0
Underground Cable - Metallic	4.5
Underground Cable - Fiber	3.5
Buried Cable - Metallic	9.0
Buried Cable - Fiber	5.2
Submarine Cable	10.0
Intrabuilding Cable	6.0
Aerial Wire	20.0
Conduit Systems	2.5

(iii) **Company Specific Treatment.** Other overall composite or specific account depreciation rates, or extraordinary retirements, may be authorized by the Commission for ratemaking purposes on an individual company basis where adequate evidence presented in a ratemaking proceeding justifies such treatment. Notwithstanding any other provision of this rule the Commission reserves the right, at its discretion, to require companies to present depreciation studies in ratemaking proceedings and to determine, based on the evidence in that proceeding the depreciation rate to be used for ratemaking purposes. Telephone companies may select the application of remaining life depreciation rate calculations for conducting such studies or any other approved methodology;

(iv) **Composite Rate Modifications.** The burden of proof for just and reasonable depreciation rates shall be upon the Company as provided in O.C.G.A. Section [46-2-25](#) and the Commission reserves the right to review and revise the composite rate of depreciation prescribed in paragraph (i)(I) hereof from time to time, based upon investigations and evidence presented in individual cases or in connection with depreciation studies on similar classes of plant performed by any telephone company;

(v) **Savings Clause.** Nothing herein shall be construed as abrogating or otherwise repealing any higher depreciation rate heretofore authorized by the Commission;

(vi) The provisions of this rule shall not apply to any telephone utility participating in the three-way process under the Communications Act of 1934, as amended, or any telephone utility serving over 100,000 access lines.

2. Extraordinary Retirements. Telephone Companies shall also be permitted to book extraordinary retirements without prior Commission approval due to obsolescence, technological change, abandonment or catastrophe, not to exceed in a single fiscal year one (1%) percent of telephone plant in service, less depreciation and not to exceed an amortization period of one year, such retirements to be in addition to the requested 8.0% overall composite rate; provided further, no more than a cumulative total of two (2%) percent of telephone plant in service, less depreciation, shall be extraordinary retired over a ten-year period without Commission approval. While this Rule is designed to relieve the administrative burden of the requirements of the Uniform System of Accounts for Class "A" and "B" telephone companies of the Federal Communications Commission (47 CFR 32.2000(g)(4)) adopted above for minor extraordinary retirements, the Company shall have the burden of proof as provided by O.C.G.A. Section [46-2-25](#) to show that these retirements were reasonable before recovery is allowed in rates.

(b) Each radio utility company shall adopt the system of accounts for radio common carriers 1976, devised by the National Association of Regulatory Utility Commissioners, as hereafter may be amended, except as revised by this Commission as follows:

1. Instruction I.D., page 5, shall read: Each RCC shall keep the primary accounts applicable to its operations. In addition, each RCC may keep any subaccount its management deems appropriate for better representing the RCC'S operations. Each RCC'S management shall be responsible for determining which primary and subaccounts are applicable to their company. On the other hand, each RCC shall be subject to periodic audits and reviews by this Commission's staff at which time this Commission shall exercise its authority to order affected RCC'S to install additional accounts the Commission deems needed to more adequately reflect the RCC'S operations.

2. Instruction I.E., page 5, shall be expanded to read: In this regard, all records required by these rules shall be preserved for the period of time specified in the current edition of the Federal Communications Commission's record retention schedule, FCC Rules and Regulations, Volume X, Part 42, unless otherwise specified by this Commission.

3. Instruction 5.C., last Sentence, page 9, shall read: The depreciation for each subaccount of 102 will be calculated by multiplying the beginning of the current month balance of each plant account 211 through 250 by the depreciation rate for that account. Such depreciation rates are to be approved in advance by this Commission.

4. Operating Tax Accounts 304 and 305: The titles to these accounts shall omit the word "Federal."

5. Operating Tax Account 306: The title of this account, both in the Index and the Text, shall read Investment Tax Credits-Net.

6. Operating Revenue Account 505 shall be expanded and subdivided as necessary to incorporate Dispatch Station Revenue.

7. Operating Expense Account 658, Vehicle Expense, paragraph B, shall read: In allocating vehicle expenses to plant accounts, credit this account and debit the affected plant accounts with the vehicle expenses charged to work orders. This Commission's preferred method by which vehicle expenses are to be allocated is to charge each work order on the basis of labor hours charged to that work order. Alternate allocation procedures that are of a rational and systematic manner may be installed at the option of the RCC'S management, and maintained as deemed appropriate by this Commission from its periodic audits and reviews of the radio utility's operations.

8. Clearing Accounts 804-817: This Commission prefers that all costs possible be charged direct to the ultimate accounts without processing through clearing accounts. On the other hand, this Commission shall permit radio utility management to use clearing accounts they deem necessary for more adequate recording of their radio utility operations.

(3) Each utility company shall adopt the following system to account for investment tax credits: For all investment tax credits used prior to the 1971 Federal Income Tax revision, the unamortized portion shall be shown on the balance sheet as unamortized investment tax credits and shall be amortized to the income statement, as other utility income, not less rapidly than ratably over the life of the property that gave rise to the investment tax credit. The rate making treatment for those investment tax credits shall be to deduct the unamortized portion from the rate base and



add the annual amortization to income in determining the net operating income available for return on investment. The unamortized portion of all investment tax credits used subsequent to, or as a result of, the 1971 act shall be accounted for in a separate subaccount(s) from the above mentioned credits as will their annual amortizations. The rate making treatment to be accorded these investment tax credits will be to deduct the unamortized portion from the rate base unless the company has formerly notified the Internal Revenue Service, in writing, that it exercises the option provided by law to have the annual amortization added to the net operating income available for return and substantiates the election of said option by including a certified copy of said letter with its application. Account numbers pertinent to these transactions shall be in accordance with the Uniform System of Accounts prescribed in (a) and (b) above.

(4) Each utility company utilizing accelerated depreciation for income tax purposes under Sections 167 and 168 of the Internal Revenue Code of 1986 shall set up in the appropriate account, provided for in the Uniform System of Accounts prescribed in (a) or (b) above, as deferred income tax liability the difference between the company's actual tax liability computed using accelerated depreciation and the tax liability the company would have incurred had it taken the depreciation expense computed for book purposes on a straight line basis. These accumulated deferred income tax liabilities shall be deducted from the rate base for rate making purposes. The company shall charge this account for any future income tax expense which is greater than its tax expense would be if the book depreciation expense were used in computing its income tax liability rather than the depreciation expense actually shown on the income tax return and said amount shall not be included as an operating expense of the company in determining its revenue requirements in future rate proceedings.

(5) No utility shall require a cash deposit to establish or reestablish credit in an amount in excess of two-and-one-half twelfths of the estimated charge for the service for the ensuing twelve months; and, in the case of seasonal service, in an amount in excess of one-half of the estimated charge for the service for the season involved. Each electric and gas utility company shall account for any deposits collected from customers in the following manner: Each electric and gas utility shall pay interest on applicants' or customers' deposits for utility service held six months or longer at a simple rate of 7% per annum unless a different rate for such utility is set by the Commission. Upon receipt of a customer or applicant deposit, the utility shall furnish the customer/applicant a receipt showing the following information:

1. Name of customer/applicant;
2. Amount of deposit;
3. Date of receipt;
4. Name of utility;
5. Interest rate;
6. Address where service is to be rendered;
7. Statement of the terms under which the deposit may be refunded.

Upon discontinuance of service, each utility shall promptly and automatically refund the customers' deposits plus accrued interest on the balance, if any, in excess of the unpaid bills for service furnished by the utility. In the case of any residential customer who has received utility service at the same location for twenty-four consecutive months, and who has paid his monthly utility bills promptly and regularly, and is not, at the end of such twenty-four-month period, delinquent in the payment of his bills, the utility shall, within thirty days of the end of the twenty-four-month period, automatically refund the deposit plus accrued interest, provided however, that the term promptly and regularly shall not be construed to disallow the refund to a customer who has had only two delinquent payments during the twenty-four month period. If a customer has had service discontinued for nonpayment of his bill, or has not paid his bills promptly and regularly, the utility shall withhold the refund, but thereafter, review the customer's account every twelve billings, and at the completion of twenty-four month during which a record of prompt and regular payments has been established, the utility shall automatically refund the deposit, plus accrued interest. At the option of the utility, a deposit plus accrued interest may be refunded in whole or in part, at any time earlier than the

times here in above prescribed, and based on any credit review period less than twenty-four months in the discretion of the utility.

(6) Reserved.

(7) Rural Telephone Bank borrowers shall follow the accounting treatment described by the National Association of Regulatory Utility Commissioners in their accounting interpretation of the Uniform System of Accounts applicable to Rural Telephone Bank stock. The account numbers pertinent to these transactions shall be in accordance with the Uniform System of Accounts prescribed in (b) above.

(8) A Tier 2 Local Exchange Company (defined in O.C.G.A. § [46-5-162\(10\)\(b\)](#)) that has elected alternative regulation (defined in O.C.G.A. § [46-5-162\(1\)](#)) pursuant to O.C.G.A. § [46-5-165](#) may use Generally Accepted Accounting Principles (GAAP) in lieu of the Uniform System of Accounts (USOA) required in Rule 515-3-1-.10(b)(1)(i) to calculate depreciation.

**Cite as** Ga. Comp. R. & Regs. R. 515-3-1-.10

**AUTHORITY:** O.C.G.A. § [46-2-20](#). Ga. L. 1878-79, p. 125; 1907, pp. 72-81; 1922, pp. 142-147; 1975, pp. 404-412

**HISTORY:** Original Rule entitled "Accounting Requirements" adopted. F. Dec. 29, 1975; eff. Jan. 1, 1976, as specified by Ga. L. 1975, p. 411.

**Amended:** F. Aug. 2, 1976; eff. Sept. 1, 1976, as specified by the Agency.

**Amended:** F. Apr. 8, 1980; eff. Apr. 28, 1980.

**Amended:** F. Dec. 29, 1981, eff. Jan. 18, 1982.

**Amended:** F. Apr. 29, 1982; eff. May 19, 1982.

**Amended:** F. Mar. 23, 1988; eff. Apr. 12, 1988.

**Amended:** F. Dec. 4, 1991; eff. Dec. 24, 1991.

**Amended:** F. Dec. 9, 1994; eff. Dec. 29, 1994.

**Amended:** F. May 4, 2010; eff. May 24, 2010.

**Amended:** F. June 1, 2022; eff. June 21, 2022.

# Department 560. RULES OF DEPARTMENT OF REVENUE

## Chapter 560-7. INCOME TAX DIVISION

### Subject 560-7-8. RETURNS AND COLLECTIONS

#### 560-7-8-.20 [Effective 7/17/2022] Rural Physician Credit

(1) **Purpose.** This regulation provides guidance concerning the implementation and administration of the rural physician credit under O.C.G.A. § 48-7-29.

(2) **Definitions.** As used in this regulation:

(a) **Rural county.** The term "rural county" means a county in this state that has 65 persons per square mile or fewer according to the United States decennial census of 1990 or any future such census. For taxable years beginning before January 1, 2002, the United States decennial census of 1990 shall be used. For taxable years beginning on or after January 1, 2002, and before January 1, 2012, the United States decennial census of 2000 shall be used. For taxable years beginning on or after January 1, 2012, and before January 1, 2022, the United States decennial census of 2010 shall be used. For taxable years beginning on or after January 1, 2022, the United States decennial census of 2020 shall be used; provided, however, a taxpayer that began practicing in a rural county in the taxable year beginning on or after January 1, 2022, and before January 1, 2023, shall also be eligible for the credit using the United States decennial census of 2010 provided they would have qualified for the credit using such census.

(b) **Rural Physician.** The term "rural physician" means a physician licensed to practice medicine in this state, who practices in a rural county and resides in a rural county or a county contiguous to the rural county in which such physician practices and primarily admits patients to a rural hospital and practices in the fields of family practice, obstetrics and gynecology, pediatrics, internal medicine, or general surgery. A physician may practice and reside in different rural counties.

(c) **Rural Hospital.** The term "rural hospital" means an acute-care hospital located in a rural county that contains fewer than 100 beds.

(d) **Resides.** The term "resides" means the taxpayer's principal domicile and not a secondary residence of the taxpayer.

(e) **Practices.** The term "practices" means work performed in a field listed in subparagraph (2)(b) of this regulation in a rural county for an average of at least 40 hours per week for the period the physician resides in a rural county or a county contiguous to the rural county in which such physician practices.

#### (3) Amount of the Credit.

(a) A person qualifying as a rural physician shall be allowed a credit against the tax imposed by Code Section 48-7-20 in an amount not to exceed \$5,000.00. The tax credit may be claimed for not more than five years, provided that the physician continues to qualify as a rural physician. The five-year period is a continuous period, which starts in the first year the rural physician qualifies for the credit.

(b) For taxable years beginning on or after January 1, 2022, a physician who was practicing in a rural county and residing in a rural county or a county contiguous to the rural county in which such physician practices, as determined under the decennial census of 2010, in a taxable year beginning before January 1, 2022, will be considered to continue to qualify even if the rural county, or either rural county if they were practicing and residing in different rural counties, is not included in the decennial census of 2020, provided they otherwise qualify.

(c) For taxable years beginning on or after January 1, 2012 and before January 1, 2022, a physician who was practicing in a rural county and residing in a rural county or a county contiguous to the rural county in which such

physician practices, as determined under the decennial census of 2000, in a taxable year beginning before January 1, 2012, will be considered to continue to qualify even if the rural county, or either rural county if they were practicing and residing in different rural counties, is not included in the decennial census of 2010, provided they otherwise qualify.

(d) A physician who, on December 31, 2021, is currently practicing and/or residing in a county which was not considered a rural county according to the decennial census of 2010 but is now considered a rural county according to the decennial census of 2020, shall not be considered to be practicing and/or residing in a rural county.

(e) A physician who, on December 31, 2011, is currently practicing and/or residing in a county which was not considered a rural county according to the decennial census of 2000 but is now considered a rural county according to the decennial census of 2010, shall not be considered to be practicing and/or residing in a rural county.

(f) A physician who would have first qualified, based on the decennial census of 2000, from January 1, 2012, until the effective date of this regulation will be considered to continue to qualify provided such physician meets the requirements based on the decennial census of 2000.

(g) In the case where a physician qualifies for the rural physician credit but later the rural hospital increases its number of beds so that the hospital is not considered a rural hospital as provided by subparagraph (2)(c) of this regulation, the physician will be considered to continue to qualify provided they otherwise qualify.

(h) No physician who, on July 1, 1995, is currently practicing in a rural county shall be eligible to receive the credit provided for in paragraph (3) of this regulation. No credit shall be allowed for a physician who has previously practiced in a rural county unless, after July 1, 1995, that physician returns to practice in a rural county after having practiced in a nonrural county for at least three years.

(i) A physician who qualifies for the credit for part of the year is not required to prorate the credit computed under paragraph (3) of this regulation.

(j) In no event shall the amount of the tax credit exceed the taxpayer's income tax liability, and any unused tax credit shall not be allowed to be carried forward to apply to the taxpayer's succeeding years' tax liability. No such tax credit shall be allowed the taxpayer against prior years' tax liability.

**Cite as** Ga. Comp. R. & Regs. R. 560-7-8-.20

**AUTHORITY:** O.C.G.A. §§ 48-2-12, 48-7-29.

**HISTORY:** Original Rule entitled "Interest on Unpaid Interest or Additional Amounts" adopted. F. and eff. June 30, 1965.

**Repealed:** F. May 4, 1976; eff. May 24, 1976.

**Amended:** New Rule entitled "Rural Physician Credit" adopted. F. Dec. 26, 2001; eff. Jan. 15, 2002.

**Repealed:** New Rule of same title adopted. F. Jan. 16, 2003; eff. Feb. 5, 2003.

**Amended:** F. Jun. 11, 2012; eff. July 1, 2012.

**Amended:** F. June 27, 2022; eff. July 17, 2022.

## **560-7-8-.64 [Effective 7/17/2022] Railroad Track Maintenance Tax Credit**

(1) **Purpose.** This regulation provides guidance concerning the implementation and administration of the income tax credit under O.C.G.A. § 48-7-40.34.

(2) **Definitions.**

(a) The term "Class III railroad" means a rail carrier classified as a Class III railroad by the United States Surface Transportation Board in accordance with Section 1-1 of 49 C.F.R. 1201, as it existed on January 1, 2018.

(b) The term "qualified railroad track maintenance expenditures" means gross expenditures for maintaining railroad track located in Georgia, including roadbed, bridges, and related track structures located in Georgia, owned or leased as of January 1, 2018, by a Class III railroad. Such term shall also include improvement of such railroad track, roadbed, bridges, and related track structures.

(3) **Credit Amount.** For tax years beginning on or after January 1, 2019, and ending on or before December 31, 2026, a Class III railroad shall be allowed a tax credit in the amount of 50 percent of the qualified railroad track maintenance expenditures paid or incurred by such Class III railroad during the taxable year.

(4) **Credit Amount Limitation.** The credit amount allowed under paragraph (3) of this regulation shall be further limited for each Class III railroad and shall not exceed \$3,500 multiplied by each mile of railroad track owned or leased in Georgia as of the close of the taxable year by such Class III railroad. Double track is treated as multiple lines of railroad track, rather than as a single line of railroad track. Thus, one mile of single track is one mile, but one mile of double track is two miles.

(5) **Per Mile Limitation.** The credit allowed under O.C.G.A. § 48-7-40.34 and this regulation shall only be allowed once for each mile of railroad track in each taxable year.

(6) **Reduction of basis.** If a credit is allowed under O.C.G.A. § 48-7-40.34 and this regulation with respect to any railroad track, the basis of such railroad track shall be reduced by the amount of the credit allowed. Such reduction shall be treated in the same manner as provided by Section 45G of the Internal Revenue Code of 1986.

(7) **Preapproval.** A taxpayer seeking preapproval to claim the tax credit under O.C.G.A. § 48-7-40.34 must electronically submit Form IT-RTM-AP through the Georgia Tax Center along with documentation that substantiates the miles of railroad track owned or leased by the taxpayer in Georgia, and any other information that the Commissioner may request. The Department will not preapprove any taxpayer where Form IT-RTM-AP is submitted or filed in any other manner. If the taxpayer is a disregarded entity then Form IT-RTM-AP should be electronically submitted in the name of the owner of the disregarded entity. If Form IT-RTM-AP is submitted before the credit is earned or before the end of the taxpayer's tax year, the taxpayer must estimate their credit amounts on Form IT-RTM-AP. The amount of tax credit claimed on the taxpayer's applicable Georgia income tax return must be based on the actual amount of qualified railroad track maintenance expenditures. If the taxpayer is preapproved for an amount that exceeds the amount that is calculated using the actual amount of the qualified railroad track maintenance expenditures when the return is filed, the excess preapproved amount cannot be claimed by the taxpayer, nor shall the excess preapproved amount be claimed by, reallocated to, assigned to, or transferred or sold to any other taxpayer.

(a) Notification. The Department will notify each taxpayer of the tax credits preapproved to such taxpayer, within thirty (30) days from the date the completed Form IT-RTM-AP was submitted through the Georgia Tax Center.

(8) **Claiming the Credit.** To claim the railroad track maintenance tax credit, the taxpayer must submit Form IT-RTM, and any other information that the Commissioner may request, with the taxpayer's Georgia income tax return each year the tax credit is claimed. A software program's Form IT-RTM that is electronically filed with the Georgia income tax return in the manner specified by the Department satisfies this requirement.

(9) **No Carry forward.** No unused railroad track maintenance tax credit shall be allowed the taxpayer or the transferee against succeeding years' tax liability.

(10) **Pass-Through Entities.** When the taxpayer is a pass-through entity, and has no income tax liability of its own, the tax credits will pass to its members, shareholders, or partners based on the year ending profit/loss percentage and the limitations of this regulation. The credit forms will initially be filed with the tax return of the taxpayer to establish the amount of the credit available for pass through. The credit will then pass through to its shareholders, members, or partners to be applied against the tax liability on their income tax returns. The credits are available for

use as a credit by the shareholders, members, or partners for their tax year in which the income tax year of the pass-through entity ends. For example: A partnership earns the credit for its tax year ending January 31, 2020. The partnership passes the credit to a calendar year partner. The credit is available for use by the individual partner beginning with the calendar 2020 tax year.

**(11) Selling or Transferring the Railroad Track Maintenance Tax Credit.** The taxpayer may sell or transfer in whole or in part any railroad track maintenance tax credit previously claimed but not used by such taxpayer against its income tax, to another Georgia taxpayer subject to the following conditions:

(a) The taxpayer may only make a one-time sale or transfer of railroad track maintenance tax credits earned in each taxable year. However, the sale or transfer may involve more than one transferee. For example, taxpayer 1 earns and claims \$100,000 credit in year 1. In year 2 they sell \$75,000 of the credit to taxpayer 2. In year 3, they are allowed to sell the remaining \$25,000 of the credit to taxpayer 3. However, both taxpayer 2 and taxpayer 3 are not allowed to resell the credit since the credit can only be sold one-time.

(b) The railroad track maintenance tax credit may be transferred before the tax return is filed by the taxpayer provided the taxpayer has received preapproval from the Department as provided in paragraph (7) of this regulation.

(c) The taxpayer must file Form IT-TRANS "Notice of Tax Credit Transfer" with the Department of Revenue within 30 days of the transfer or sale of the railroad track maintenance tax credit. Form IT-TRANS must be submitted electronically to the Department of Revenue through the Georgia Tax Center or alternatively as provided in subparagraph (11)(c)1. of this regulation. With respect to such taxpayer, the Department of Revenue will not process any Form IT-TRANS submitted or filed in any other manner. If the taxpayer is a disregarded entity then Form IT-TRANS should be filed in the name of the owner of the disregarded entity.

1. The web-based portal on the Georgia Tax Center. The taxpayer may provide selective information to a representative for the purpose of allowing the representative to submit Form IT-TRANS on their behalf on the Georgia Tax Center outside of a login. The provision of such information shall authorize the representative to submit such Form IT-TRANS. The representative must provide all information required by the web-based portal on the Georgia Tax Center to submit Form IT-TRANS.

(d) The taxpayer must provide all required railroad track maintenance tax credit detail and transfer information to the Department of Revenue. Failure to do so will result in the railroad track maintenance tax credit being disallowed until the taxpayer complies with such requirements.

(e) The carry forward period of the railroad track maintenance tax credit for the transferee will be the same as it was for the taxpayer. No unused railroad track maintenance tax credit shall be allowed to be carried forward.

1. Example. Taxpayer sells the railroad track maintenance tax credit on June 15, 2020. This credit is for qualified railroad track maintenance expenditures preapproved by the Department for 2019, paid or incurred in 2019 and claimed by the taxpayer on their 2019 income tax return. The transferee is a calendar year taxpayer. The credit may be claimed by the transferee on the calendar 2019 tax year return. The credit cannot be carried forward by the taxpayer or the transferee. The credit can only be utilized in tax year 2019.

(f) A transferee shall only have such rights to claim and use the railroad track maintenance tax credit that were available to the taxpayer at the time of the transfer. Thus, a transferee shall not have the right to subsequently transfer such credit since that right has been utilized by the transferor.

(g) In the event of recapture, reduction, disallowance, or other failure related to the railroad track maintenance tax credit, the Department may pursue the taxpayer or the transferee.

**(12) How to Sell or Transfer the Railroad Track Maintenance Tax Credit.** The taxpayer may sell or transfer the railroad track maintenance tax credit directly to a Georgia taxpayer (or multiple Georgia taxpayers as provided in subparagraph (11)(a) of this regulation). A pass-through entity may make an election to sell the railroad track maintenance tax credit preapproved in a taxable year at the entity level. If the pass-through entity makes the election to sell the railroad track maintenance tax credit at the entity level, the credit does not pass through to the

shareholders, members, or partners. In all cases, the effect of the sale of the credit on the income of the seller and buyer of the credit will be the same as provided in the Internal Revenue Code.

(a) **Pass-Through Entity.** The taxpayer may be structured as a pass-through entity. If a pass-through entity does not make the election to sell or transfer the tax credit at the entity level as provided in paragraph (12) of this regulation, the tax credit will pass through to the shareholders, partners, or members of the entity based on their year ending profit/loss percentage. The shareholders, members, or partners may then sell their respective railroad track maintenance tax credit to a Georgia taxpayer.

(b) **Transferee Pass-Through Entity.** The taxpayer or its shareholders, members, or partners, may sell or transfer the tax credit to a pass-through entity. If the pass-through entity has no income tax liability of its own, the pass-through entity may then pass the credit through to its shareholders, members, or partners based on the pass-through entity's year ending profit/loss percentage for the year. For example, if a calendar year partnership is buying the credit preapproved by the Department for 2019, then all of the partners receiving the credit must have been a partner in the partnership no later than the end of the 2019 tax year of the partnership. Only partners who have a profit/loss percentage as of the end of the applicable tax year may receive their respective amount of the railroad track maintenance tax credit. The credits are available for use as a credit by the shareholders, members, or partners for their tax year in which the income tax year of the pass-through entity ends. For example, a taxpayer received preapproval from the Department for 2019, incurred qualified railroad track maintenance expenditures in 2019, and sells the credit to a pass-through entity. The pass-through entity is entitled to use the credits on its calendar year 2019 tax return. The pass-through entity has two partners. The first partner is a calendar year partner. This credit can only be utilized on the calendar tax year 2019 return and cannot be carried forward by the partner. The second partner is a corporation with fiscal year ending June 30, 2020. This credit can only be utilized on the fiscal year ending June 30, 2020, return and cannot be carried forward by the partner.

(c) The credits are available for use by the transferee, provided the time has not expired for filing a claim for refund of a tax or fee erroneously or illegally assessed and collected under O.C.G.A. § 48-2-35 in the transferee's tax year in which the income tax year of the taxpayer which claims the railroad track maintenance tax credit associated with the credit being sold, ends.

1. **Example.** Taxpayer sells the railroad track maintenance tax credit on October 15, 2019. This credit is for qualified railroad track maintenance expenditures preapproved by the Department for 2019, incurred in 2019 and claimed by the taxpayer on their 2019 income tax return. The transferee is a calendar year taxpayer. The credit may be claimed by the transferee on the calendar 2019 tax year return. This credit cannot be carried forward by the taxpayer or the transferee. The credit can only be utilized in tax year 2019 but can be claimed on an amended tax year 2019 return within the time period provided in subparagraph (c) of this paragraph.

(13) **Report.** On or before September 1, 2020, 2021, 2022, 2023, 2024, 2025, 2026, and 2027 the Department shall issue a report to the chairpersons of the Senate Finance Committee and the House Committee on Ways and Means, which shall include the following statistics for the preceding taxable year:

(a) The total number of taxpayers that claimed a credit; and

(b) The number and total value of all credits earned and all credits applied during such tax year.

(14) **Sunset Date.** O.C.G.A. § 48-7-40.34, the railroad track maintenance tax credit, shall be repealed on January 1, 2027.

(15) **Effective Date.** This regulation shall be applicable to taxable years beginning on or after January 1, 2019.

**Cite as** Ga. Comp. R. & Regs. R. 560-7-8-.64

**AUTHORITY:** O.C.G.A. §§ 48-2-12, 48-7-40.34.

**HISTORY:** Original Rule entitled "Railroad Track Maintenance Tax Credit" adopted. F. May 3, 2019; eff. May 23, 2019.

**Amended:** F. Nov. 12, 2019; eff. Dec. 2, 2019.

**Amended:** F. June 27, 2022; eff. July 17, 2022.



# **Department 560. RULES OF DEPARTMENT OF REVENUE**

## **Chapter 560-10. MOTOR VEHICLE DIVISION**

### **Subject 560-10-15. DIGITAL LICENSE PLATES**

#### **560-10-15-.01 Definitions**

(1) As used in this Subject, the term:

(a) "Black-and-white digital license plate" means a digital license plate designed by the digital license plate provider to only display images in black, white, and shades of gray.

(b) "Full-color digital license plate" means a digital license plate designed by the digital license plate provider to display images in all the colors appearing on metal license plates issued by the Department.

(c) "Department" means the Department of Revenue.

(d) "Digital license plate" means a license plate which receives wireless data communication to display information electronically.

(e) "Digital license plate provider" means a person or entity approved by the Department as a supplier of digital license plate hardware and services to motor vehicle owners.

(f) "Georgia customer" means a customer of a digital license plate provider to whom a digital license plate has or will be issued for a vehicle that is or will be registered in Georgia.

(g) "Metal license plate" means the metal license plate issued for a motor vehicle by the Department or its county tag agent.

(h) "Plate image" means the image displayed on the face of the metal license plate, including all letters, numbers, and images, and including all letters, numbers and images displayed on a current revalidation decal issued for such metal license plate. If an unexpired temporary operating permit has been issued for a vehicle, then the plate image shall be the image displayed on the face of the temporary operating permit, including all letters, numbers, images, and expiration information, until a metal license plate has been issued for the vehicle.

(i) "Prestige plate" means a license plate design that displays a personalized sequence of characters chosen by the Georgia registrant and approved by the Department.

(j) "Sponsored specialty plate" means a specialty plate design sponsored by an agency, fund, nonprofit corporation, association, group, institution, or organization under Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia and approved by the Department.

(k) "Vehicle owner" means a person, other than a lienholder or security interest holder, having interest in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in or lien by another person and includes a lessee under a lease.

**Cite as** Ga. Comp. R. & Regs. R. 560-10-15-.01

**AUTHORITY:** O.C.G.A. §§ [40-2-1](#), [40-2-58](#), [40-2-59.1](#), [40-2-59.3](#).

**HISTORY:** Original Rule entitled "Where a Motor Vehicle Owner Sells the Vehicle to a New Owner and Desires to Transfer the Tag Assigned to That Vehicle to the New Owner" adopted. F. and eff. June 30, 1965.

**Repealed:** New Rule entitled "Transfer of License Plate to a New Vehicle Owner" adopted. F. Dec. 9, 1966; eff. Jan. 1, 1967, as specified by the Agency.

**Amended:** F. Oct. 29, 1968; eff. Nov. 17, 1968.

**Amended:** F. Aug. 27, 1969; eff. Sept. 15, 1969.

**Amended:** F. July 24, 1970; eff. August 13, 1970.

**Repealed:** F. Jan. 24, 2005; eff. Feb. 13, 2005.

**Adopted:** New Rule entitled "Definitions." F. June 1, 2022; eff. June 21, 2022.

### **560-10-15-.02 Application for and Issuance of Digital License Plates**

(1) At the time of initial application for registration or at any time during the registration period, a vehicle owner may file an application on the forms prescribed by the Department to use a digital license plate provided by a digital license plate provider.

(a) Until such time as the digital license plate is installed on the vehicle and is correctly displaying the Department-assigned plate image, the vehicle owner must use the metal plate issued by the Department or its tag agent as the license plate on the vehicle. If a motor vehicle dealer or county tag office has issued a temporary operating permit for the vehicle and the temporary operating permit is still valid, the vehicle owner may use the temporary operating permit until a metal license plate has been issued.

(b) The Department will provide additional guidance regarding an online application process for vehicle owners to use to apply for use of a digital license plate when such online process becomes available.

(2) If the application for a digital license plate is approved,

(a) the Department shall transmit to the digital license plate provider the license plate information necessary to duplicate the plate image on the digital license plate; and

(b) the Department or the county tag agent shall issue to the vehicle owner a metal license plate.

(3) A digital license plate provider shall not cause or allow to be shown on any digital license plate installed on a motor vehicle anywhere in the world a Georgia plate image unless such digital license plate has been issued in accordance with this Rule.

(4) The vehicle owner shall keep the metal license plate in the vehicle at all times that the vehicle owner is using a digital license plate to serve as the operational license plate on the rear of the vehicle.

(5) If a licensed motor vehicle dealer or its agent installs a digital license plate on a motor vehicle sold by the dealer to a Georgia customer and the dealer issues a temporary operating permit to the Georgia customer, then the digital license plate provider may apply to the Department through an electronic process approved by the Department for such transactions for permission to display the temporary operating permit image on the digital license plate. If the Department approves the digital license plate provider's application, then the digital license plate provider shall cause to be displayed on the installed digital license plate the temporary operating permit plate image.

(6) If a county tag agent approves a vehicle owner's application for a temporary operating permit for a motor vehicle which is recorded in the Department's records as having a digital license plate installed, the Department shall electronically transmit to the digital license plate provider the temporary operating permit information necessary to duplicate the temporary operating permit plate image on the digital license plate. The digital license plate provider shall immediately update the digital license plate in real time and cause to be displayed on the installed digital license plate the temporary operating permit plate image.

(7) In no case shall a digital license plate provider cause or allow to be displayed on any digital license plate the image of a temporary operating permit other than a temporary operating permit assigned by the Department, a county tag office, or a licensed motor vehicle dealer to that vehicle. Once the Department has notified the digital license plate provider that a temporary operating permit has expired, the digital license plate provider shall not cause or allow the expired temporary operating permit to be displayed on any digital license plate.

**Cite as** Ga. Comp. R. & Regs. R. 560-10-15-.02

**AUTHORITY:** O.C.G.A. §§ [40-2-26](#), [40-2-31](#), [40-2-33](#), [40-2-57](#), [40-2-59.1](#), [40-2-59.3](#).

**HISTORY:** Original Rule entitled "Where an Owner Destroys or Retires a Vehicle and Desires to Transfer the Tag Assigned to That Vehicle to a Replacement Vehicle" adopted. F. and eff. June 30, 1965.

**Repealed:** F. Jan. 24, 2005; eff. Feb. 13, 2005.

**Adopted:** New Rule entitled "Application for and Issuance of Digital License Plates." F. June 1, 2022; eff. June 21, 2022.

### **560-10-15-.03 Digital License Plate Design**

(1) A digital license plate provider must ensure that the digital license plate of a registered Georgia customer at all times displays an image identical to the plate image of the metal license plate issued to the vehicle owner, except as otherwise provided in this section.

(a) For a black-and-white digital license plate, the requirement to display an image identical to the plate image does not include a requirement that the digital license plate duplicate the exact colors of the plate image.

(2) In the portion of the plate image where a revalidation decal would be placed on a metal license plate for a currently registered vehicle, the digital license plate must display an image identical to the revalidation decal issued to the vehicle owner by the Department or its county tag agent.

(3) Each digital license plate design must be designed to be readable by license plate readers and must be certified by the State Road and Tollway Authority as complying with its readability standards before the digital license plate provider may use the design on a digital license plate of a registered vehicle.

(4) No part of a digital license plate, its case, its installation hardware, or any accessories sold or distributed by the digital license plate provider shall obscure any part of the plate image displayed on the digital license plate.

(5) When the vehicle owner has been issued a metal license plate that must display on the bottom center of the plate a decal with either the county name or "In God We Trust," the digital license plate provider must duplicate either the county name or "In God We Trust" in the corresponding space on the digital license plate. The digital license plate provider must give the vehicle owner the option to display the county name or "In God We Trust."

(6) If a vehicle owner terminates a digital license plate service with the digital license plate provider, the digital license plate provider shall remove the plate image from the digital license plate and shall cause the digital license plate to display the message "NOT A VALID LICENSE PLATE" in easily legible letters at least 0.9 inches high. After confirming that the plate meets the requirements of this paragraph, the digital license plate provider shall terminate the electronic data transmitted to the digital license plate.

(7) Unless a vehicle owner cancels a digital license plate with the digital license plate provider as provided in paragraph (6), the digital license plate provider shall cause a cancelled, expired, revoked, suspended, or replaced digital license plate to display the plate image, but notwithstanding the requirements of this section, such image on the digital license plate shall be modified so that, in the space for the county name decal or the "In God We Trust" decal, the digital license plate displays the assigned word or phrase transmitted from the Department, which shall be one of the following to reflect the action taken by the Department: "cancelled," "expired," "revoked," "suspended," "replaced," or such other assigned word or phrase as directed by the Department, in capital letters of the same size

and typeface as on the county name decal. The digital license plate provider may remove the assigned word or phrase from the digital license plate when directed to do so by the Department.

(a) A digital license plate provider must offer Georgia customers the option of receiving notifications of a cancelled, expired, suspended, or revoked digital license plate via text message, e-mail, or notification through a computer account or computer application ("Electronic Notification"). The digital license plate provider may provide its Georgia customers with notifications through more than one of these methods of Electronic Notification, but, in any case, the immediate notification must be made through the Electronic Notification method chosen by the Georgia customer. The digital license plate provider must provide an immediate, real-time Electronic Notification to any Georgia customer whose digital license plate has been cancelled, expired, suspended, or revoked as soon as the Department notifies the digital license plate provider of such plate's status.

(8) If the Department's records show that a motor vehicle is stolen and the Department directs the digital license plate provider to indicate the motor vehicle is stolen, the digital license plate provider shall cause to be displayed on the digital license plate for that motor vehicle in the space for the county name decal or the "In God We Trust" decal the word "stolen," or such other assigned word or phrase as directed by the Department, in capital letters of the same size and typeface as on the county name decal or in such other typeface as directed by the Department. The digital license plate provider may remove the assigned word or phrase from the digital license plate when directed to do so by the Department.

**Cite as** Ga. Comp. R. & Regs. R. 560-10-15-.03

**AUTHORITY:** O.C.G.A. §§ [40-2-31](#), [40-2-57](#), [40-2-58](#), [40-2-59.1](#), [40-2-59.3](#), [40-2-136](#).

**HISTORY:** Original Rule entitled "Where the Owner of a Motor Vehicle Desires to Upgrade for Weight the Tag Assigned to His Motor Vehicle or Desires to Change the Tag Classification Assigned to His Motor Vehicle" adopted. F. and eff. June 30, 1965.

**Repealed:** F. Jan. 24, 2005; eff. Feb. 13, 2005.

**Adopted:** New Rule entitled "Digital License Plate Design." F. June 1, 2022; eff. June 21, 2022.

### **560-10-15-.04 Valid Registration**

(1) For the digital license plate to be considered a valid operating permit, the metal license plate must be kept in the vehicle at all times in a readily accessible location and presented to law enforcement on request.

(2) If at any time the digital license plate stops displaying the license plate number or the revalidation decal information in a clear and legible manner, the vehicle owner or anyone operating the vehicle must replace the digital license plate with the metal license plate until such time as the digital license plate properly displays the information required in this Subject, 560-10-15.

(3) The vehicle owner must renew the vehicle's registration annually by applying for a revalidation decal. The metal license plate must bear a current revalidation decal at all times, even when a digital license plate is being used as the valid operating permit. The digital license plate provider must also ensure that the digital license plate displays the most current revalidation decal information issued for the vehicle pursuant to the instructions from the Department and pursuant to the rules in this Subject.

(4) A digital license plate provider shall not permit within the state of Georgia the installation or operation of a digital license plate that has not been issued pursuant to Rule [560-10-15-.02](#) unless the use complies with the exception procedures that shall be established by the Motor Vehicle Division. Those procedures may include, but not be limited to, exceptions for use of digital license plates in product demonstrations, film and television productions, videos, and other marketing purposes.

**Cite as** Ga. Comp. R. & Regs. R. 560-10-15-.04

**AUTHORITY:** O.C.G.A. §§ [40-2-31](#), [40-2-57](#), [40-2-59.1](#), [40-2-59.3](#).

**HISTORY:** Original Rule entitled "Where a Motor Vehicle Owner Sells the Vehicle to a New Owner and Desires to Transfer an Amateur Radio Operator Tag, National Guard Tag, Disabled Veteran Tag, Citizens' Band Radio Tag, Foreign Consul Tag, Commanders of Patriotic Organization Tag, Legislative Tag or Special Prestige Tag Assigned to That Vehicle to Another Motor Vehicle" adopted. F. Oct. 29, 1968; eff. Nov. 17, 1968.

**Amended:** F. July 24, 1970; eff. August 13, 1970.

**Repealed:** New Rule entitled "Where a Motor Vehicle Owner Sells the Vehicle to a New Owner and Desires to Transfer an Amateur Radio Operator Tag, National Guard Tag, Disabled Veteran Tag, Citizens' Band Radio Tag, Foreign Consul Tag, Commanders of Patriotic Organization Tag, Legislative Tag, Disabled Persons Tag, Special Prestige Tag or Other Special Tag Assigned to That Vehicle to Another Motor Vehicle" adopted. F. July 2, 1975; eff. July 22, 1975.

**Amended:** F. Apr. 6, 1976; eff. Apr. 26, 1976.

**Repealed:** F. Jan. 24, 2005; eff. Feb. 13, 2005.

**Adopted:** New Rule entitled "Valid Registration." F. June 1, 2022; eff. June 21, 2022.

### **560-10-15-.05 Messaging and Personalization**

(1) Before an approved digital license plate provider may cause a plate image for a sponsored specialty plate to be shown on a digital license plate, the digital license plate provider and the Department shall complete the following steps:

(a) The digital license plate provider shall obtain the written approval of the proposed template image from the specialty plate's sponsor and from the owners of any intellectual property included in the design.

(b) The digital license plate provider shall submit to the Department the proposed plate image for certification, the written approval from the sponsor plate's sponsor and from the owners of any intellectual property included in the design, and any other data or documentation required by the Department.

(c) The Department must obtain certification from the State Road and Tollway Authority that the proposed plate image displayed on the digital license plate provider's digital license plate meets the State Road and Tollway Authority's standards for readability.

(d) The Department will notify the digital license plate provider when the proposed template image for a specific sponsored specialty plate design has been fully approved.

(2) A digital license plate provider shall not allow or cause to be shown on any digital license plate installed on a motor vehicle titled or registered in Georgia any banner, any personalized message, or any images other than those required or expressly permitted in this Subject.

**Cite as** Ga. Comp. R. & Regs. R. 560-10-15-.05

**AUTHORITY:** O.C.G.A. §§ [40-2-59.1](#), [40-2-59.3](#).

**HISTORY:** Original Rule entitled "When a Motor Vehicle Owner Desires to Transfer a License Plate or Decal (Excluding Motorcycles) the Owner Must First Meet the Requirements of the Georgia Motor Vehicle Accident Reparations Act" adopted. F. Nov. 20, 1974; eff. Dec. 10, 1974.

**Repealed:** F. Jan. 24, 2005; eff. Feb. 13, 2005.

**Adopted:** New Rule entitled "Messaging and Personalization." F. June 1, 2022; eff. June 21, 2022.

## **560-10-15-.06 RESERVED**

**Cite as** Ga. Comp. R. & Regs. R. 560-10-15-.06

**HISTORY:** Rule number 560-10-15-.06 Reserved, as specified by the Agency. F. June 1, 2022; eff. June 21, 2022.

## **560-10-15-.07 Digital License Plate Provider Requirements**

(1) A digital license plate provider must execute a written contract with the Department before it may begin issuing digital license plates for motor vehicles titled or registered in Georgia.

(2) The Department may only grant the intellectual property rights, including any copyrights, that it has obtained from specialty plate sponsors. The Department does not guarantee or warrant that the digital license plate provider will be approved to display all Georgia license plate designs. With respect to sponsored specialty plates, it is the responsibility of the digital license plate provider to obtain from the plate's sponsor and from the owners of any intellectual property contained in the license plate design the written approval to display and permission to use the digital license plate provider's design, including the use of the colors or shades to be displayed on the digital license plate. Evidence of such approvals satisfactory to the Department must be provided before the Department will send the design to the State Road and Tollway Authority for certification.

(3) A digital license plate provider must ensure that its system of sending instructions or data to its digital license plates updates the plates in real time and causes the plates to meet the display requirements of this Subject in real time.

(4) A digital license plate provider shall establish a password-protected portal to its license plate management system for the Department so that the Department may at any time confirm in real time the digital license plates that have been issued for vehicles titled or registered in Georgia, the identity of the vehicles, the customers to which such digital license plates have been issued, and the current image displayed on the digital license plate.

(a) The digital license plate provider shall maintain the portal in good working order at all times and provide the Department with training and written guidance explaining the features of the portal.

(b) The digital license plate provider shall provide the Department with reasonable notice at least 72 hours in advance of any scheduled service outage of the portal and include in the notice the period and purpose of such outage.

(5) Every digital license plate provider shall maintain a record, in the form the Department prescribes, of every digital license plate issued, received, bought, sold, or exchanged by the provider for a vehicle titled or registered in Georgia. As part of its electronic records, a digital license plate provider shall maintain a record for each digital license plate of all instructions sent to a digital license plate and the time and date such instructions were sent. In addition, if the digital license plate sends any signal, data, or communication back to the digital license plate provider, the digital license plate provider shall maintain a record of all such communications, including the time and date of each such received communication. All such records shall be kept for three years and shall be open to inspection by a representative of the Department during reasonable business hours.

**Cite as** Ga. Comp. R. & Regs. R. 560-10-15-.07

**AUTHORITY:** O.C.G.A. §§ 40-2-58, 40-2-59.1, 40-2-59.3.

**HISTORY:** Original Rule entitled "Digital License Plate Provider Requirements" adopted. F. June 1, 2022; eff. June 21, 2022.

## **560-10-15-.08 Digital License Plate Provider Fees**

(1) A digital license plate provider shall be authorized to collect fees for the provision of digital license plate hardware and for services to such license plate. Such fees may include the cost for the manufacture of the digital license plate, the installation of the digital license plate, and any service or repair plan a Georgia customer may elect to purchase. All such fees must comply with the contract between the digital license plate provider and the Department.

**Cite as** Ga. Comp. R. & Regs. R. 560-10-15-.08

**AUTHORITY:** O.C.G.A. §§ 40-2-57, 40-2-59.3.

**HISTORY:** Original Rule entitled "Digital License Plate Provider Fees" adopted. F. June 1, 2022; eff. June 21, 2022.

### **560-10-15-.09 Effective Date**

The effective date for Rules [560-10-15-.01](#) through 560-10-15-.08 is October 1, 2022.

**Cite as** Ga. Comp. R. & Regs. R. 560-10-15-.09

**AUTHORITY:** O.C.G.A. § 40-2-59.3.

**HISTORY:** Original Rule entitled "Effective Date" adopted. F. June 1, 2022; eff. June 21, 2022.