



Amy Beasley Cronin  
Secretary, Standards Council

21 August 2012

To: Interested Parties

Subject:

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| Standards Council Decision (Final):                                  | <b>D#12-14</b>       |
| Standards Council Agenda Item:                                       | <b>SC#12-8-6-c-1</b> |
| Date of Decision*:   | 9 August 2012        |
| <i>NFPA 72, National Fire Alarm and Signaling Code, 2013 Edition</i> |                      |

Dear Interested Parties:

At its meeting of August 7-9, 2012, the Standards Council considered an appeal on the above referenced matter.

Attached is the final decision of the Standards Council on this matter.

Sincerely,

A handwritten signature in black ink that reads "Amy Beasley Cronin".

Amy Beasley Cronin  
Secretary, NFPA Standards Council

- c: D. Berry, M. Brodoff, L. Fuller, L. Richardson, K. Shea  
Members, Technical Committee on Testing and Maintenance of Fire Alarm Signaling Systems (SIG-TMS)  
Members, Technical Correlating Committee on Signaling Systems for the Protection of Life and Property (SIG-AAC)  
Members, Technical Committee on Commissioning and Integrated Testing (CMI-AAA)  
Members, NFPA Standards Council (AAD-AAA)  
Individuals Providing Appeal Commentary

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\*NOTE: Participants in NFPA's codes and standards making process should know that limited review of this decision may be sought from the NFPA Board of Directors. For the rules describing the available review and the method for petitioning the Board for review, please consult section 1-7 of the NFPA Regulations Governing Committee Projects and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Notice of the intent to file such a petition must be submitted to the Clerk of the Board of Directors within 15 calendar days of the Date of Decision noted in the subject line of this letter.



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***SUMMARY OF ACTION (for convenience only; not part of official decision):*** *The Standards Council voted to uphold the appeal to accept the Identified Part of the Technical Correlating Committee Action on Comment 72- 169c.*

***DECISION:***

At its meeting of August 7-9, 2012, the Standards Council considered an appeal from Maurice Pilette of Mechanical Designs, Ltd. The appeal requests that the Council accept the Technical Correlating Committee Action on Comment 72-169c for the proposed 2013 Edition of NFPA 72, *National Fire Alarm and Signaling Code*.

This appeal revolves largely around jurisdictional scoping issues relating to the development of a proposed new NFPA 4, *Standard on the Integrated Testing of Fire Protection Systems*. The development of this new standard on integrated testing is now beginning in the Annual 2014 revision cycle, with completion scheduled for the Summer of 2014. Pending the completion of NFPA 4, questions were raised whether other NFPA fire protection and life safety standards, and in particular NPFA 72, could address aspects of integrated testing on a limited or temporary basis. In a decision rendered in August of 2011, the Standards Council indicated that NFPA 72 should not address integrated testing. See Standard Council Minute Item 11-8-32 (minutes of August 8-11, 2011, Standards Council meeting) (hereafter, the “Scoping Decision”). In particular, the Council directed that, rather than incorporate integrated testing into NFPA 72, the NFPA 72 Technical Committees (TCs) should instead submit their proposals concerning integrated testing for processing by the technical committee developing NFPA 4. The Council further noted that, during the Report on Proposal (ROP) stage of the development of the next edition of NFPA 72, the NFPA 72 TCs had already accepted proposals addressing integrated testing, and, in the following terms, the Council directed that these actions should be reversed during the Comment stage:

*“During the Proposals stage of the A2012 cycle, the NFPA 72 TCs accepted proposals addressing testing of interconnected systems, including testing at the interface with other systems. These revisions should be rejected by the NFPA 72 TCs during the Comment stage, as they address concepts outside of their scope. The proposed language, along with all of the supporting material, should then be submitted to the NFPA 4 TC, as appropriate, as proposals (public input) during the A2014 cycle.”*

Thereafter, in preparing the NFPA 72 Report on Comments, the Technical Committee on Testing and Maintenance of Fire Alarm Signaling Systems (TC) submitted and accepted

Committee Comment 72-169c. This Comment revised actions on Proposal 72-187b relating to Tables 14.4.2.2 and 14.4.5, and it did so, in part, to comply with the Council’s Scoping Decision. The NFPA 72 Technical Correlating Committee on Signaling Systems for the Protection of Life and Property (TCC), however, while acknowledging the efforts of the TC, pointed out that, in several important respects, the TC had not achieved full compliance with the Scoping Decision:

*“The Technical Correlating Committee acknowledges the action on Comment 72-169c to revise Item 19 (renumbered to Item 20) for emergency control functions for compliance with the Standards Council . . . [Scoping Decision]. However, the Technical Correlating Committee advises that this revision does not comply with the Council’s action and does not address other revisions made during the proposal phase that address testing of systems outside the scope of NFPA 72.”*

See TCC Action on Comment 72-169c. The TCC, therefore, in accordance with its correlating function, revised the actions of the TC in several respects detailed in its TCC Action on Comment 72-169c. These changes are set forth in full in the part of the TCC Action headed “Council Action,” (hereafter, the “Identified Part” of the TCC Action) but may be summarized as follows:

- 1) Revise the “Method” for Item 20 (Emergency Control Functions) of Table 14.4.2.2 in the committee action on Comment 72-169c.
- 2) Revise the Annex material identified as “A.14.4.3.2, Table 14.4.3.2, Item 19” at the end of the committee action on Comment 72-169c.
- 3) Reject portions of the material added by Proposal 72-175.
- 4) Revise the committee action on Proposal 72-179.
- 5) Modify a portion of the material added by Proposal 72-229a and Comment 72-200b, as follows:
  - a) Delete the “Interconnected Systems Supplementary Inspection and Testing” form.
  - b) Delete 6.6 of the “System Inspection and Testing” form.”

At the 2012 Association Technical Meeting, the TCC Action described above was challenged through Certified Amending Motion (CAM) 72-5, which proposed an amendment to reject the Identified Part of the TCC Action. This amending motion passed. As required by NFPA rules, however, the amendment was then submitted to the ballot of the responsible TC and TCC. The amendment passed the ballot of the TC but failed the ballot of the TCC. Under NFPA rules, where an amendment fails to pass both TC and TCC ballots, the result is that the affected text goes back to previous edition text and no revision is recommended for the new edition. In this case, that means that the default recommendation that comes to Council is that neither the TC action nor the Identified Part of the TCC action on Comment 169c is accepted for the new edition of NFPA 72, and that the relevant sections of NFPA 72 remain unchanged from the previous edition.

The appeal now before the Council requests that the Council reject the default recommendation and instead accept the Identified Part of the TCC Action. While the Council accords great respect and deference to the result yielded by the NFPA codes and standards development process, it may reject that result on appeal where a clear and substantial basis for doing so is demonstrated. Such a basis is demonstrated here.

The Council has concluded that a return to previous edition text by default is inadequate in these circumstances. The Council agrees with the appellant that the previous edition text in question includes provisions that are within the scope of NFPA 4 and are outside the scope of NFPA 72. Returning to previous edition text, therefore, impedes the jurisdictional goals set by the Council's Scoping Decision. The assignment of jurisdictional scopes among technical committee projects is the direct responsibility of the Standards Council. See, generally, *NFPA Regulations Governing Committee Projects (Regs)* at Section 3.1. In assigning jurisdictional responsibilities among NFPA committees, the Council seeks to maximize coordination and avoid overlap and conflict among NFPA codes and standards. The Council's Scoping Decision clearly assigned jurisdictional scopes between NFPA 4 and NFPA 72, and gave directions on how to implement that assignment going forward. Under NFPA rules, the TCC's role is one of coordination and correlation, and includes both the oversight of assigned committee scopes as well as the resolution of conflicts within or between documents. See *Regs* at 3.4.2 and 3.4.3, and especially 3.4.3(a) and (b). The Identified Part of the TCC Action was taken in order to implement the Council's Scoping Decision, and the Council agrees with the appellant and the TCC, whose ballot rejected CAM 72-5, that this TCC Action best implements the Scoping Decision. Accordingly, after reviewing and considering all the information available to it, the Council has voted to uphold the appeal and accept the Identified Part of the TCC Action on Comment 72-169c for the proposed 2013 edition of NFPA 72.