26 August 2014

To: Interested Parties

Subject: Standards Council Decision (Final): D#14-7
Standards Council Agenda Item: SC#14-8-57-a
Date of Decision*: 14 August 2014


Dear Interested Parties:

At the August 11-14, 2014 meeting, the Standards Council considered an appeal on the above referenced matter.

The Council’s Final decision is now available and is attached herewith.

Sincerely,

Dawn Michele Bellis
Secretary, NFPA Standards Council

c: D. Berry, S. Everett, L. Fuller, L. Richardson, B. Burke
Members, TC on Carbon Monoxide Detection (SIG-CAR)
Members, CC on Signaling Systems for the Protection of Life and Property (SIG-AAC)
Members, NFPA Standards Council (AAD-AAA)
Individuals Providing Appeal Commentary

*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 the Development of NFPA Standards 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 deny the appeal to accept Certified Amending Motion No. 720-1 which sought to accept Public Comment No. 720-14 to include a new definition “Wireless 911-Enabled Alarm Devices” in NFPA 720.

**DECISION:**
At the August 11-14, 2014 meeting, the Standards Council considered an appeal from Jon Woodard of Seward, Alaska. The appeal requests that the Standards Council issue the proposed 2015 edition of NFPA 720, Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment, with the acceptance of Certified Amending Motion 720-1 which sought to accept Public Comment No. 720-14. Specifically, through the acceptance of Public Comment No. 720-14, the appellant seeks to include new text defining Wireless 911-Enabled Alarm Devices in NFPA 720.

As background, the appellant submitted Public Input No. 720-14 seeking the inclusion of a definition of Wireless 911-Enabled Alarm Devices to Chapter 3 of NFPA 720. The Technical Committee on Carbon Monoxide Detection (TC) responded to Public Input No. 720-14 without revisions to the First Draft. Thereafter, during the Comment Stage, Mr. Woodward submitted Public Comment No. 720-14 seeking the same action. The TC rejected Public Comment No. 720-14, thereby creating no revision in the Second Draft.

Mr. Woodward filed a Notice of Intent to Make a Motion (NITMAM) in compliance with NFPA Regulations Governing the Development of NFPA Standards (Regs) which was certified by the Motions Committee for presentation at the 2014 NFPA Technical Meeting (Tech Session). Certified Amending Motion 720-1 sought acceptance of Public Comment No. 720-14 however, the Certified Amending Motion was not pursued at the Tech Session. Following the Tech Session, Mr. Woodward filed appeal in compliance with 1.6.3 of the Regs, but failed to do so within 20 days following the close of the Tech Session as required by Section 1.6.2(a) of the Regs. Despite the tardiness of the filing of the appeal, the Council considered Mr. Woodward’s appeal in full as if it had been timely filed.

The appeal requests the Standards Council overturn the action that was recommended by the standards development process. In this case, the recommendation is to not include the suggested definition. On appeal, the Council accords great respect and deference to the standards development process. In conducting its review, the Council will deviate from the result recommended through that process only where a clear and substantial basis for doing so is demonstrated. The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this

SC#14-8-57-a Page 1 of 2 D#14-7
appeal does not present any clear and substantial basis upon which to overturn the results yielded by the standards development process. Simply put, the suggested text defining Wireless 911-Enabled Alarm Devices failed at every step of the process to gain sufficient support for inclusion.

Accordingly, the Council has voted to deny the appeal. The effect of this action is that the proposed definition for Wireless 911-Enabled Alarm Devices will not be included in NFPA 720 (2015 Edition).