



Dawn Michele Bellis
Secretary, Standards Council

31 August 2017

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#17-3
Standards Council Agenda Item:	SC#17-8-7-a-1, c-1, d-1
Date of Decision*:	17 August 2017
NFPA 101®, <i>Life Safety Code</i> ®, 2018 Edition	

Dear Interested Parties:

At its meeting of August 15 - 17, 2017, the Standards Council considered an appeal on the above referenced matter. The Council's Final decision is now available and is attached herewith.

Sincerely,

A handwritten signature in black ink that reads "Dawn Michele Bellis".

Dawn Michele Bellis
Secretary, NFPA Standards Council

cc: D. Berry, S. Everett, L. Fuller, R. Solomon, G. Harrington, K. Bigda
Members, Safety to Life (SAF-AAC)
Members, Mercantile and Business Occupancies (SAF-MER)
Members, Educational and Day-Care Occupancies (SAF-END)
Members, 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 Regulations Governing the Development of NFPA Standards (Regs.) and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Since this Council decision is not "related to the issuance of a document" as referenced in 1.7.2 of the Regs., notice of the intent to file such a petition must be submitted to the Clerk of the Board of Directors within a reasonable time period.



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SUMMARY OF ACTION (for convenience only; not part of official decision): The Standards Council voted to deny the appeals to overturn the Association action on CAMs 101-3, 101-5, and 101-6 which rejected Identifiable Part of Second Correlating Revision No. 30 including any Related Portions of First Revision No. 2002 (CAM 101-3), rejected an Identifiable Part of Second Correlating Revision No. 32 (CAM 101-5), and rejected an Identifiable Part of Second Correlating Revision No. 50 (CAM 101-6).

DECISION:

At its meeting of August 15-17, 2017, the Standards Council considered the appeals from Dave Geenens of Fire Door Solutions and Keith E. Pardoe of Pardoe Consulting, LLC. The appeals requested that the Standards Council overturn the Association action on CAMs 101-3, 101-5, and 101-6 which rejected Identifiable Part of Second Correlating Revision No. 30 including any Related Portions of First Revision No. 2002 (CAM 101-3), rejected an Identifiable Part of Second Correlating Revision No. 32 (CAM 101-5), and rejected an Identifiable Part of Second Correlating Revision No. 50 (CAM 101-6) for the 2018 Edition of NFPA 101®, *Life Safety Code*®. Specifically, the appeals request Standards Council overturn the floor action by the membership on CAMs 101-3, 101-5, and 101-6 and thereby return the 2018 Edition of NFPA 101®, *Life Safety Code*® to second draft text which would require “not more than two” releasing operations for doors equipped with locks to prevent unwanted entry in existing educational, business and day care occupancies.

As background, the Technical Committee included in the second draft language that would allow for not more than two releasing operations to open the door leaf in these occupancies. Mr. John Woestman of Kellen Company on behalf of the Builders Hardware Manufacturers Association filed Notices of Intent to Make a Motion (NITMAMs) which were certified by the Motions Committee as CAMs 101-3, 101-5, and 101-6. The CAMs proposed the removal of the language allowing not more than two releasing operations to open the door leaf. CAMs 101-3, 101-5, and 101-6 passed on the floor of the NFPA Technical Meeting, meaning that without further action, NFPA 101® paragraphs 15.2.2.2.4, 17.2.2.2.6, and 39.2.2.2.2 would not contain the language allowing for not more than two releasing operations.

The text subject to appeal did not gain sufficient support within the standards development process for inclusion in the 2018 Edition of NFPA 101®, *Life Safety Code*®. The appeals request that the Council overturn the results yielded by the standards development process. On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of 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 appeal does not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that the text allowing for not more than two releasing operations will not be included in Section 15.2.2.2.4, Section 17.2.2.2.6, nor Section 39.2.2.2.2 of NFPA 101®, *Life Safety Code*®, 2018 Edition.

Council Member Kenneth Bush recused himself from the deliberations and vote on the appeal.