



Dawn Michele Bellis
Secretary, Standards Council

21 August 2019*

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#19-20
Standards Council Agenda Item:	SC#19-8-5-abcde & g
Date of Decision:	6 August 2019
NFPA 302, <i>Fire Protection Standard for Pleasure and Commercial Motor Craft</i> , 2020 Edition	

Dear Interested Parties:

At its meeting of August 5-7, 2019, 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: S. Everett, S. Gallagher, L. Fuller, L. Russell, G. Colonna
Members, TC on Motor Craft (MOR-AAA)
Members, NFPA Standards Council (AAD-AAA)
Individuals Providing Appeal Commentary

*NOTE: Participants in NFPA's standards development 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 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 publication date of this Decision.



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SUMMARY OF ACTION (for convenience only; not part of official decision): The Standards Council voted to deny the appeal to overturn the Technical Committee ballot results for CAMs 302-1, 2, 3, 4, 5 and 7 to Accept Public Comment Nos. 3 and 4, Accept Identifiable Parts of Public Comment No. 5, Accept Public Comment No. 6, and Accept an Identifiable Part of Public Comment No. 7.

DECISION:

At its meeting of August 5-7, 2019, the Standards Council considered appeals from Marcelo Hirschler of GBH International. The appeals request that the Standards Council overturn the amendment ballot results and Accept Public Comment Nos. 3 and 4, Accept Identifiable Parts of Public Comment No. 5, Accept Public Comment No. 6, and Accept an Identifiable Part of Public Comment No. 7 on the 2020 Edition of NFPA 302, *Fire Protection Standard for Pleasure and Commercial Motor Craft*. Specifically, the appeal requests acceptance of Public Comment Nos. 3, 4, 6 and Identifiable Parts of Public Comment Nos. 5 and 7.

As background, the Technical Committee Rejected Public Comment Nos. 3, 4, 5, 6, and 7 and Marcelo Hirschler filed Notices of Intent to Make a Motion (NITMAM) on each which were certified by the Motions Committee, then presented on the floor at the NFPA Technical Meeting as CAM 302-1, 302-2, 302-3, 302-4, 302-5 and 302-7. Each of the CAMs subject to this appeal passed the floor of the NFPA Technical Meeting. However, each amendment ballot failed to achieve the necessary 2/3 affirmative vote of the Technical Committee to recommend approval of the Association Action.

The text subject to appeal did not gain sufficient support within the standards development process for inclusion in the 2020 Edition NFPA 302, *Fire Protection Standard for Pleasure and Commercial Motor Craft*. 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 these appeals. In the view of the Council, these appeals do 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 2020 Edition of NFPA 302, *Fire Protection Standard for Pleasure and Commercial Motor Craft* will not include the text of Public Comment Nos. 3, 4, 5, 6, and 7 as sought through this appeal. The text of the respective sections will return to previous edition text.