Dawn Michele Bellis  
Secretary, Standards Council

11 September 2023*

To: Interested Parties

Subject:

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<td>SC#23-8-14-b</td>
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<td>CAM 505-1 on NFPA 505, <em>Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operations, 2024 Edition</em></td>
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Dear Interested Parties:

At its meeting of August 23-25, 2023, 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

cc: S. Everett, S. Gallagher, L. Moreno, H. Dehn  
Members, TC on Industrial Trucks (IND-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 (see www.nfpa.org/regs). 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.*
SUMMARY OF ACTION (for convenience only; not part of official decision): The Standards Council voted to deny the appeal seeking to uphold the results of the Association Members’ vote during the NFPA Tech Session and thereby Reject Second Revision No. 4.

DECISION:
At its meeting of August 23-25, 2023, the Standards Council considered an appeal from Bruce Swiecicki, of National Propane Gas Association. The appeal requests that the Standards Council Reject Second Revision No. 4 prior to issuance of the 2024 edition of NFPA 505, *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operations*. Specifically, the appeal requests to revise paragraph 9.1.2.10 and delete paragraph 9.1.2.11.

As background, Second Revision No. 4 achieved the necessary support of the Technical Committee on paragraphs 9.1.2.10 and new paragraph 9.1.2.11. The resulting proposed text was published in the Second Draft of NFPA 505. A Notice of Intent to Make a Motion (NITMAM) was filed by Mr. Swiecicki to Reject Public Comment No. 4 and was certified by the Motions Committee, then presented for debate during the NFPA Technical Meeting as Certified Amending Motion (“CAM”) 505-1. At the 2023 NFPA Technical Meeting, CAM 505-1 achieved the necessary simple majority support of the membership. The CAM, however, failed to achieve the necessary support when balloted by the Technical Committee in accordance with Table 1 of the *Regulations Governing the Development of NFPA Standards*. Mr. Swiecicki filed an appeal with the Council based upon the unsuccessful ballot results of CAM 505-1.

The text subject to the appeal of CAM 505-1 did not gain sufficient support within the standards development process for inclusion in the 2024 edition of NFPA 505, *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operations*. The appeal requests 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 paragraph 9.1.2.10 of the 2024 edition of NFPA 505, *Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operations* will return to previous edition text.1

Note: Proposed paragraph 9.1.2.11 which was included in Second Revision No. 4 failed to achieve the necessary support during the revision cycle. Therefore, in accordance with the results yielded, paragraph 9.1.2.11 will not be included in the 2024 edition of NFPA 505.

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1 Note: Proposed paragraph 9.1.2.11 which was included in Second Revision No. 4 failed to achieve the necessary support during the revision cycle. Therefore, in accordance with the results yielded, paragraph 9.1.2.11 will not be included in the 2024 edition of NFPA 505.