AGENDA
NFPA Technical Committee on Mercantile and Business Occupancies
NFPA 101 and NFPA 5000 SECOND DRAFT MEETING
Thursday, June 27, 2013
DoubleTree by Hilton Hotel San Diego Downtown
1646 Front Street
San Diego, California

1. Call to Order. Call meeting to order by Chair, Ken Bush, at 8:00 a.m. on June 26, 2013 at the Double Tree by Hilton Hotel, San Diego, California.

2. Self-introduction of Committee Members and Guests. For a current committee roster, see pg. 2.

3. Approval of Previous Meeting Minutes. Approve the August 14-15, 2012 meeting minutes, see pg. 5.


8. Update on Business Use Occupant Load Study.

9. NFPA 101 Second Draft (formerly ROC) Preparation. Public Comments to be distributed before meeting date.

10. NFPA 5000 Second Draft (formerly ROC) Preparation. Public Comments to be distributed before meeting date.

11. Other Business.

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Address</th>
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<tbody>
<tr>
<td>Kenneth E. Bush</td>
<td>Chair</td>
<td>Maryland State Fire Marshals Office</td>
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<tr>
<td></td>
<td></td>
<td>301 Bay Street, Lower Level</td>
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<tr>
<td></td>
<td></td>
<td>Easton, MD 21601</td>
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<td></td>
<td></td>
<td>International Fire Marshals Association</td>
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<tr>
<td>Mark J. Aaby</td>
<td>Principal</td>
<td>Koffel Associates, Inc.</td>
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<td>8815 Centre Park Drive, Suite 200</td>
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<td>Columbia, MD 21045-2107</td>
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<td></td>
<td>Alternate: Tiffney A. Cates</td>
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<tr>
<td>William J. Burrus</td>
<td>Principal</td>
<td>Aon Fire Protection Engineering Corporation</td>
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<tr>
<td></td>
<td></td>
<td>700 East Sonterra Blvd., Suite 1212</td>
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<tr>
<td></td>
<td></td>
<td>San Antonio, TX 78258</td>
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<tr>
<td>Nicholas A. Dawe</td>
<td>Principal</td>
<td>Cobb County Fire Marshal’s Office</td>
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<td>1595 County Services Parkway</td>
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<tr>
<td></td>
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<td>Marietta, GA 30008</td>
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<tr>
<td>David A. Dodge</td>
<td>Principal</td>
<td>Safety and Forensic Consulting</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PO Box 600</td>
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<td></td>
<td></td>
<td>Standish, ME 04084</td>
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<td></td>
<td></td>
<td>American Society of Safety Engineers</td>
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<tr>
<td>Sam W. Francis</td>
<td>Principal</td>
<td>American Wood Council</td>
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<tr>
<td></td>
<td></td>
<td>1 Dutton Farm Lane</td>
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<td></td>
<td></td>
<td>West Grove, PA 19390</td>
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<tr>
<td>Joseph R. Garzone</td>
<td>Principal</td>
<td>Siemens Industries, Inc.</td>
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<td>Building Technologies Division, Fire Business Unit</td>
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<tr>
<td></td>
<td></td>
<td>7890 Hoffman Drive</td>
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<td></td>
<td></td>
<td>Waterford, MI 48327</td>
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<td></td>
<td></td>
<td>National Electrical Manufacturers Association</td>
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<tr>
<td>Merle A. Gauvin</td>
<td>Principal</td>
<td>Oak Ridge National Laboratory</td>
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<td></td>
<td></td>
<td>1 Bethel Valley Road, MS6424</td>
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<tr>
<td></td>
<td></td>
<td>PO Box 2008</td>
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<tr>
<td></td>
<td></td>
<td>Oak Ridge, TN 37831</td>
</tr>
<tr>
<td>Douglas R. Freels</td>
<td>Principal</td>
<td>North American Safety Council</td>
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<tr>
<td></td>
<td></td>
<td>1155 16 1/2 Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bethesda, MD 20814</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Alternate: Paul J. Vautour</td>
</tr>
</tbody>
</table>

**Notes:**
- SAF-MER indicates a contact at the Maryland State Fire Marshals Office.
- SE indicates a member of the International Fire Marshals Association.
- M indicates a member of the National Fire Protection Association.
- U indicates a member of the American Society of Safety Engineers.
<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Code</th>
<th>Principal</th>
<th>Address</th>
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</thead>
<tbody>
<tr>
<td>Anthony C. Gumkowski</td>
<td>01/10/2008</td>
<td>I</td>
<td>Principal</td>
<td>Travelers Insurance Company, One Tower Square, 12CR, Hartford, CT 06183-4073</td>
</tr>
<tr>
<td></td>
<td></td>
<td>I</td>
<td>Alternate: Brian L. Marburger</td>
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<tr>
<td>Wayne D. Holmes</td>
<td>10/1/1996</td>
<td>I</td>
<td>Principal</td>
<td>HSB Professional Loss Control, 508 Parkview Drive, Burlington, NC 27215</td>
</tr>
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<td></td>
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<td>I</td>
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<tr>
<td>Jonathan Humble</td>
<td>7/1/1996</td>
<td>M</td>
<td>Principal</td>
<td>American Iron and Steel Institute, 45 South Main Street, Suite 312, West Hartford, CT 06107-2402</td>
</tr>
<tr>
<td></td>
<td></td>
<td>M</td>
<td>Alternate: Farid Alfawakhiri</td>
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<tr>
<td>Scott Jacobs</td>
<td>8/2/2010</td>
<td>IM</td>
<td>Principal</td>
<td>ISC Electronic Systems, Inc., Electronic Buildings Group, LLC, 18115 LaSalle Avenue, Gardena, CA 90248</td>
</tr>
<tr>
<td></td>
<td></td>
<td>IM</td>
<td></td>
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<tr>
<td>Raymond W. Lonabaugh</td>
<td>10/23/2003</td>
<td>M</td>
<td>Principal</td>
<td>National Fire Sprinkler Association, Inc., PO Box 126, Ridley Park, PA 19078</td>
</tr>
<tr>
<td></td>
<td></td>
<td>M</td>
<td>Alternate: Ronald W. Brown</td>
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</tr>
<tr>
<td>Jeff Martin</td>
<td>7/14/2004</td>
<td>IM</td>
<td>Principal</td>
<td>Elite Fire Protection, 33605 Maclure Road, Unit #1, Abbotsford, BC V2S 7W2 Canada</td>
</tr>
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<td>SE</td>
<td>Alternate: Terry Schultz</td>
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<tr>
<td>Sarah A. Rice</td>
<td>10/20/2010</td>
<td>SE</td>
<td>Principal</td>
<td>The Preview Group, Inc., 632 Race Street, #4, Cincinnati, OH 45202</td>
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<td>SE</td>
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<tr>
<td>Warren G. Stocker</td>
<td>03/05/2012</td>
<td>U</td>
<td>Principal</td>
<td>Safeway Inc., 11555 Dublin Canyon Road, Pleasanton, CA 94588</td>
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<td>U</td>
<td></td>
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<tr>
<td>J. L. (Jim) Tidwell</td>
<td>8/5/2009</td>
<td>M</td>
<td>Principal</td>
<td>Tidwell Code Consulting, 11712 Wind Creek Court, Aledo, TX 76008</td>
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<tr>
<td></td>
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<td>M</td>
<td>Fire Equipment Manufacturers’ Association</td>
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<td></td>
<td>M</td>
<td>Alternate: Jim Widmer</td>
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<tr>
<td>David C. Tabar</td>
<td>1/18/2001</td>
<td>U</td>
<td>Principal</td>
<td>The Sherwin-Williams Company, 333 Republic Building, 101 Prospect Avenue, Cleveland, OH 44115</td>
</tr>
<tr>
<td></td>
<td></td>
<td>U</td>
<td>Alternate: Patrick A. McLaughlin</td>
<td></td>
</tr>
<tr>
<td>Ernest D. Yonkers</td>
<td>8/9/2011</td>
<td>SE</td>
<td>Principal</td>
<td>Harrison French and Associates, 809 SW A Street, Suite 201, Bentonville, AR 72712</td>
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</tbody>
</table>
| Farid Alfawakhiri     | M    | 7/23/2008  | Alternate
American Iron and Steel Institute
380 Cottonwood Lane
Naperville, IL 60540 | SAF-MER | Principal: Jonathan Humble                    |
| Tiffney A. Cates      | SE   | 08/09/2012 | Alternate
Koffel Associates, Inc.
8815 Centre Park Drive, Suite 200
Columbia, MD 21045-2107 | SAF-MER | Principal: Mark J. Aaby                        |
| Patrick A. McLaughlin | U    | 10/4/2001  | Alternate
McLaughlin & Associates
2070 South Fox Glen Way
Eagle, ID 83616 | SAF-MER | Principal: David C. Tabar                      |
| Leonard J. Ramo       | U    | 10/18/2011 | Alternate
Telgian Corporation
900 Circle 75 Parkway, SE, Suite 680
Atlanta, GA 30339 | SAF-MER | Principal: Tracey D. Bellamy                   |
| Paul J. Vautour       | M    | 03/05/2012 | Alternate
Tyco/SimplexGrinnell
50 Technology Drive
Westminster, MA 01441 | SAF-MER | Principal: Daniel J. Gauvin                   |
| Kristin Bigda         |      | 6/29/2007  | Staff Liaison
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169-7471 | SAF-MER |                                                               |
| Ronald W. Brown       | M    | 03/05/2012 | Alternate
National Fire Sprinkler Association, Inc.
1615 Cypress Spring Drive
Fort Wayne, IN 46814 | SAF-MER | Principal: Raymond W. Lonabaugh                |
| Brian L. Marburger    | I    | 4/1/1996   | Alternate
Travelers Insurance Company
One Tower Square 7GS-B
Hartford, CT 06183 | SAF-MER | Principal: Anthony C. Gumkowski                |
| Dennis L. Pitts       | M    | 5/15/2000  | Alternate
American Wood Council
1721 West Plano Parkway, #224
Plano, TX 75075 | SAF-MER | Principal: Sam W. Francis                     |
| Terry Schultz         | SE   | 07/12/2001 | Alternate
Code Consultants, Inc.
2043 Woodland Parkway, Suite 300
St. Louis, MO 63146-4235 | SAF-MER | Principal: Amy J. Murdock                     |
| Jim Widmer            | M    | 01/14/2005 | Alternate
Potter Roemer FIRE PRO
PO Box 3237
Montgomery, AL 36109 | SAF-MER | Principal: J. L. (Jim) Tidwell                |
NFPA Technical Committee on Mercantile and Business Occupancies
NFPA 101 and NFPA 5000 FIRST DRAFT MEETING MINUTES
Monday-Tuesday, August 13-14, 2012
St. Louis Union Station Marriott, St. Louis, Missouri

1. **Call to Order.** The meeting was called to order by Chair Kenneth Bush at 8:00 a.m. on August 13, 2012 at the Louis Union Station Marriott, St. Louis, Missouri.

2. **Introduction of Committee Members and Guests.**

   **TECHNICAL COMMITTEE MEMBERS PRESENT**

<table>
<thead>
<tr>
<th>NAME</th>
<th>COMPANY</th>
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<tbody>
<tr>
<td>Kenneth E. Bush, Chair</td>
<td>Maryland State Fire Marshals Office</td>
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<tr>
<td>Rep: International Fire Marshals Association</td>
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<tr>
<td>Kristin Bigda, Nonvoting Secretary</td>
<td>National Fire Protection Association</td>
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<tr>
<td>Tracey D. Bellamy, Principal</td>
<td>Telgian Corporation</td>
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<td>Rep: The Home Depot</td>
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<tr>
<td>William J. Burrus, Principal</td>
<td>Aon/Schirmer Engineering Corporation</td>
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<td>Nicholas A. Dawe, Principal</td>
<td>Cobb County Fire Marshal’s Office</td>
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<tr>
<td>Kevin L. Derr, Principal</td>
<td>US Architect of the Capital</td>
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<tr>
<td>Douglas R. Freels, Principal</td>
<td>Oak Ridge National Laboratory</td>
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<td>Jeff Martin, Principal</td>
<td>Elite Fire Protection</td>
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<td>Rep: National Assoc. of Fire Equipment</td>
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<tr>
<td>Amy J. Murdock, Principal</td>
<td>Code Consultants, Inc.</td>
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<td>Sarah A. Rice, Principal</td>
<td>The Preview Group, Inc.</td>
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<td>Tidwell Code Consulting</td>
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<td>Rep: Fire Equipment Manufacturers’ Assoc.</td>
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<tr>
<td>Joshua W. Elvove</td>
<td>US General Services Administration</td>
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<tr>
<td>Alt. to David W. Frable</td>
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<tr>
<td>Dennis L. Pitts</td>
<td>American Wood Council</td>
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<td>Alt. to Sam W. Francis</td>
<td>Rep: American Forest &amp; Paper Association</td>
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<tr>
<td>Leonard J. Ramo</td>
<td>Telgian Corporation</td>
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<td>Alt. to Tracey D. Bellamy</td>
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</table>
3. **Approval of Prior Meeting Minutes.** The October 18, 2010 meeting minutes were approved as written and distributed.

4. **The New Process Review.** Ms. Bigda made a presentation to the committee regarding NFPA’s new standard development process.

5. **Status of Proposal to the Fire Protection Research Foundation Regarding Occupant Loads.** A brief description of the FPRF project regarding occupant loads for business use areas was discussed. The committee will continue to search for data and research to assist with the development of revised occupant load factors for business use areas. The full report can be found on the NFPA website.

6. **NFPA 101 First Draft (formerly ROP) Preparation.** All public inputs were addressed. Additional First Revisions and Committee Inputs were developed as needed. See First Draft ballot package and draft.
7. **NFPA 5000 First Draft (formerly ROP) Preparation.** All public inputs were addressed. Additional First Revisions and Committee Inputs were developed as needed. See First Draft ballot package and draft.

8. **Other Business.**

   a. The Committee met with the Assembly Occupancies Technical Committee for a joint presentation on the Fire Protection Research Foundation project about Emergency and Non-Emergency Use of Buildings. No further action was taken by this committee at this time. The full report can be found on the NFPA website.

   b. A task group on mall provisions will be formed before the Second Draft meeting to review the current requirements for malls in NFPA 101 and NFPA 5000 and review them for consistency and accuracy.

9. **Future Meetings.** The next meeting of the Building Code and Safety to Life Technical Committee on Mercantile and Business Occupancies will be the Second Draft (formerly ROC) meeting to be held in June 2013 at a location to be determined.

10. **Adjournment.** The meeting was adjourned by Chair Bush at 11:00 am on Tuesday, August 14, 2012.

Meeting Minutes Prepared By:

[Signature]

Kristin Bigda, NFPA Staff Liaison
At this and all NFPA committee meetings we are concerned with your safety.

If the fire alarm sounds, please proceed to an exit.

Members, please verify/update your contact information.

Use of tape recorders or other means capable of reproducing verbatim transcriptions of this meeting is not permitted.

Guests

- All guests are asked to sign in and identify their affiliations.
- Participation is limited to TC members or those individuals who have previously requested time to address the committee.
- Other participation is granted at the discretion of the Chair.
- Guest seating is located around the room.

Members categorized in ANY interest category who have been retained to represent the interests of ANOTHER interest category must declare those interests to the committee and refrain from voting, both in the meeting and on the ballot item.

General Procedures

- Follow Robert's Rules of Order.
- Discussion requires a motion.
NFPA Second Draft Meeting

**Motions for Ending Debate - Move Previous Question or “Call the Question”**
- Not in order when another has the floor
- Requires a second
- This motion is not debatable and does not automatically stop debate
- A 2/3 affirmative vote immediately closes debate and returns to the original motion on the floor
- Less than 2/3 allows debate to continue

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**Committee member actions:**
- Member addresses the chair
- Receives recognition from the chair
- Introduces the motion
- Another member seconds the motion

---

**Committee chair actions:**
- States the motion
- Calls for discussion
- Ensures all issues have been heard
- Takes the vote
- Announces the result of the vote

---

**Committee member actions:**
- Member addresses the chair
- Receives recognition from the chair
- Introduces the motion
- Another member seconds the motion

---

**Committee chair actions:**
- States the motion
- Calls for discussion
- Ensures all issues have been heard
- Takes the vote
- Announces the result of the vote

---

**Timeline**

- Comment Stage (Second Draft):
  - Public Comment Closing Date: 05/03/2013
  - Second Draft Meeting: Today
  - Posting of Second Draft for NITMAM: 08/23/2013
  - Posting of Second Draft for NITMAM: 01/03/2014
- Tech Session Preparation:
  - NITMAM Closing Date: 02/07/2014
  - NITMAM CAM Posting Date: 04/04/2014
  - NFPA Annual Meeting: 06/09-12/2014
- Standards Council Issuance:
  - Issuance of Documents with CAM: 08/14/2014 edition date

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**Technical Committee on Fundamentals**
- Consumer, 0 Member: 0%
- Enforcer, 3 Members: 12%
- Insurance, 3 Member: 12%
- Manufacturer, 6 Members: 24%
- Research & Testing, 0 Member: 0%
- Special Expert, 5 Members: 20%
- User, 6 Members: 24%
- Installer/Maintainer, 2 Members: 8%
- Labor, 0 Members: 0%

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**New Process – What's New?**

<table>
<thead>
<tr>
<th>Changes in Terms:</th>
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<tr>
<td><strong>New Term</strong></td>
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<td>Public Comment</td>
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<td>Second Draft Meeting</td>
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<tr>
<td>Tech Session Preparation</td>
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<td>Committee Comment (a Second Revision that failed ballot)</td>
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<tr>
<td>Second Draft Report</td>
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<tr>
<td>Second Draft</td>
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</table>
NFPA Second Draft Meeting

• Technical Committee Actions:
  ➢ Resolving Public Comments
    • Committee Action and Committee Statement
  ➢ Creating Second Revisions

NFPA Second Draft Meeting

• Resolving Public Comments
  (See Regs §4.4.8.1)
  ➢ Committee develops a Committee Action
    • Accept
    • Reject but see…
    • Reject
    • Reject but Hold

NFPA Second Draft Meeting

• Committee Statements
  ➢ Committee must clearly indicate reasons for not accepting the recommendation and/or point to a relevant Second Revision
  ➢ All Public Comments Actions must have a Committee Statement
  ➢ Must include a valid technical reason
  ➢ No vague references to “intent”
  ➢ Explain how the submitter’s substantiation is inadequate
  ➢ Neither Public Comment Actions nor Committee Statements get balloted

NFPA Second Draft Meeting

• Create a Second Revision (SR)
  ➢ Committee wants to make a change (to add, delete or modify) the First Draft
  ➢ Committee develops a Committee Statement (CS) substantiating the change
  ➢ Each SR gets balloted

NFPA Second Draft Meeting

• No “new material” after the Public Input Stage since it hasn’t had the benefit of public review
• What constitutes new material is decided by the Technical Committee or Correlating Committee
• Adding “new material” at the Comment Stage could successfully be challenged through appeal to the Standards Council
**NFPA Second Draft Meeting**

- **Formal voting**
  - Voting during meeting is used to establish a sense of agreement (simple majority)
  - Secured by letter ballot (2/3 agreement)
  - Only the results of the formal ballot determine the official position of the committee on the Second Draft.

- **Ballots are on the Second Revisions (SR) ONLY**
  - Public Comment Actions and Committee Statements not balloted
  - Reference materials are available -
    - Second Draft, Public Comments, First Draft Report
  - Ballot form allows you to vote:
    - Affirmative on all SR
    - Affirmative on all SR with exceptions specifically noted
  - Ballot form provides a column for affirmative with comment
    - Note: This box needs to be checked only if there is an accompanying comment
  - Reject or abstain requires a reason

- **Initial ballot**
- Circulation of negatives and comments
- Members may change votes during circulation
- Second Revision that fails letter ballot is designated as a Committee Comment (in the 2nd Draft Report), marked as “Reject” and deleted from the Second Draft.

- **If a Second Revision fails ballot and the subject text was a result of a First Draft change, a Supplementary Ballot is conducted**
  - Ballot asks TC if it still favors the First Revision change reported in the First Draft
  - If Yes, same change appears as Second Revision and is shown in the Second Draft
  - If No, the change appears as a Committee Comment (rejected) and the text reverts to previous edition
  - See Regs §4.4.10.2.1

**Electronic Balloting**

- Ballots will be an online format
- Alternates are strongly encouraged to return ballots
- Ballot session will time out after 90 minutes
- Use “submit” to save your work

**Electronic Balloting**

- Click link on the ballot email received
- Sign in with NFPA.org Committee Login and Password
Electronic Balloting

- Select either Affirmative on All or Affirmative with Exception(s)

Use "See FR/SR - #" link to review all First/Second Revisions
Use "Edit election" to change individual votes or to modify vote after submitting ballot

Electronic Balloting

Choosing AFFIRMATIVE ON ALL

- Make selection: Affirmative with Comment, Negative, or Abstain
- No selection made—defaults to affirmative
- Must include comment on each vote

Electronic Balloting

Choosing AFFIRMATIVE WITH EXCEPTION(S)

- To complete ballot click Participant Consent and Submit
- Return and edit any votes before ballot due date

Legal

Antitrust: the single most important provision—Federal law prohibits contracts, combinations, or conspiracies which unreasonably restrain trade or commerce (Section 1 of the Sherman Act)

Patent: Disclosures of essential patent claims should be made by the patent holder, but others may also notify NFPA if they believe that a proposed or existing NFPA standard includes an essential patent claim

www.nfpa.org/codefund
Legal

- Activities Disapproved by the Courts
  - Packing meetings
  - Hiding commercial interest throwing the committees out of balance
  - No final decision-making authority to unbalanced Task Groups; include all interested parties
  - Hiding scientific or technical information from committees

Doc Info Pages

- Document Information
  - Document scope
  - Current/Previous Edition information
  - Issued Titles, Figs and Errata
  - Archived revision information
  - Standard Council Decisions
  - Articles and Reports
  - Read-only document

- Next Edition
  - Submit Public Input/Comments via Electronic Submission System.
  - Meetings and Ballots
  - ROP/ROC or First Draft Report and Second Draft Report
  - NITMAM and Standard Council Decisions
  - Private TC info
  - Ballot circulations, informational ballots and other committee info.

- Technical Committee
  - Committee name, responsibility and scope
  - Staff liaison
  - Committee list
  - Private committee contact information
  - Current committee documents in PDF format
  - Committees seeking members and committee online application

NFPA Second Draft Meeting

Any questions?

FAQ?
Please add the subject of Definitions to each SAF/BLD technical committee Second Draft meeting agenda for which you serve as staff liaison. Each Technical Committee chair is asked to identify a member to serve on the definitions task group.

The Minutes item from the SAF-AAC Correlating Committee's November 6, 2012 meeting follows:

- **Definitions.** The committee agreed to have each defined term assigned to a specific technical committee so that committee would have responsibility for the maintenance and revision of such term. A task group is to be formed after the Second Draft meetings of the current revision cycle. The task group will report to the Correlating Committee (CC) its recommendations for the definitions assignments in time for the CC to review the recommendations at its first meeting of the 2018 revision cycle. Each Technical Committee chair is asked to identify a member to serve on the task group.

Allan and Tracy, the BLD-AAC Correlating Committee asked that same be done by the NFPA 5000 TCs.

Ron Coté, P.E.
Principal Life Safety Engineer
NFPA - Quincy, MA USA
Please add the subject of Hazardous Areas to each SAF/BLD technical committee Second Draft meeting agenda for which you serve as staff liaison. Each Technical Committee is asked to decide whether it wants to participate in a task group on the subject of hazardous materials.

The Minutes item from the SAF-AAC Correlating Committee’s November 6, 2012 meeting follows:

- **Hazardous Materials.** Jeff Tubbs raised the issue of whether NFPA 101 should address hazardous materials (as done in NFPA 5000 Chapter 34). The committee noted that health hazards are not within the scope of NFPA 101. Conflicts exist among the NFPA codes. It was agreed to:
  - Add the subject of hazardous materials to the agenda for all NFPA 101 technical committee Second Draft meetings
  - Gather comments from each technical committee including whether it wants to participate in a task group on the subject of hazardous materials
  - Report results to the Correlating Committee at its Second Draft review meeting
  - Ask the Standards Council, after the Correlating Committee’s Second Draft meeting, to establish a task group from the membership of the NFPA 1, 30, 101, 400 and 5000 committees to address conflicts and overlapping requirements related to hazardous materials

Allan and Tracy, the BLD-AAC Correlating Committee asked that same be done by the NFPA 5000 TCs.

Ron Coté, P.E.
Principal Life Safety Engineer
NFPA - Quincy, MA USA