

### **Letter from Senator Bennett on Product Approval**

Chairman Rodriguez informed the Commission that he had received a letter from Senator Bennett in late October 2006, requesting some action by the Commission. The Chair explained that the issue as outlined in the letter, is that Senator Bennett has heard that certain jurisdictions are not accepting state approved products unless those products also have Miami-Dade County NOA. The Senator notes that the law states that a product bearing a Florida product approval does not require any further documentation. The Senator cites the applicable statutes and requests that the Commission “develop a memorandum that highlights the requirements specified in law and that clearly indicates that a separate NOA is not required for state-approved products”. The Senator is also recommending that the memo “be distributed to all building officials and posted on the BOAF website”.

The Chair stated that the Commission wants to be as helpful as possible in responding to the Senator’s request, while remaining within the Commission’s authority. The Chair stated that the Commission will work with the Commissioner building officials to disseminate the information. The Chair noted that the issues was discussed at the Product Approval POC on Monday, and representatives from Palm Beach, Broward, and Miami-Dade counties offered to work with the Commission to craft and distribute a memo to clarify this issue. The Chair stated that he has been assured that each of these three counties is clear on the law and rules, and has and will, continue to communicate the requirements to their local jurisdictions and provide any education needed.

The Chair explained that some of the confusion is likely terminology, interchanging the term NOA for FL product approval, and could probably be corrected with education and communication. The Chair noted that he had also been informed that some jurisdictions are requiring additional levels of review for State approved products, than is being required for products with an NOA. The Chair noted that locals have every right, and should ensure a product meets its “conditions of use”, but not an arbitrary extra level of review. The Chair informed the Commission that the three counties have assured the Commission that they are maintaining a level playing field and this is their official policy in that regard. As long as the permit applicant has submitted the correct documentation, additional documentation is not required. The Chair informed the Commission that he will write Senator Bennett and let him know that the Commission has reviewed the issue and has crafted a response that addresses his concerns.

### **Carbon Monoxide Alarms in Residential Buildings**

Chairman Rodriguez informed the Commission that it has come to his attention that there is an effort to provide an exemption to the Florida Building Code allowing local jurisdictions to adopt their own requirements regarding carbon monoxide alarms in residential buildings. The Chair stated that again, legislation is not the solution to a complex problem. Local jurisdictions are already free to adopt more stringent requirements until those requirements sunset with the adoption of new editions of the Building Code. The Commission will consider code amendments on this issue in the 2007 Update Cycle, and hopefully this time technology will have advanced so our TAC will recommend approval. The Commission will consider and hopefully resolve this issue during the current Code update cycle that is in process.