



State of Rhode Island  
DEPARTMENT OF BUSINESS REGULATION  
Division of Building, Design, and Fire Professionals  
560 Jefferson Blvd.  
Warwick, RI 02886

March 19, 2024

The Honorable Stephen M. Casey  
Chair, House Committee on Housing and Municipal Government  
Rhode Island State House  
Providence, Rhode Island 02903

RE: H 7893 -- AN ACT RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE

Dear Chair Casey:

We write on behalf of the Department of Business Regulation's Division of Building, Design, and Fire Professionals with respect to H7893.

H 7893 you today addresses several interrelated problems involving the effect of state building and fire codes on the development of multi-family housing in our State. The first proposed change relates to quorum requirements of the State Building Code Standards Committee. The bill seeks to streamline the existing quorum requirements relative to the number of seats that are filled at any given time by introducing a majority requirement relative to "current members," instead of the existing statutory 13-member quorum requirement—improving the ability to get quorum. The Department's only recommendation on this point is to clarify the term "current" to specifically refer to the members currently appointed to the Committee (i.e., non-vacant seats).

Second, the bill aims to rework the current framework of building code standards to create three distinct tiers: single family houses; residential buildings with six dwelling units or fewer; and residential buildings with more than six dwelling units. This change would mark a dramatic departure from current practice and would have far-reaching effects. Currently, Rhode Island—like nearly every other state—adopts International Code Council (ICC) model codes with certain Rhode Island-specific amendments based on the input of the state Building Code Standards Committee. This allows our state to ensure that building codes reflect national and international best practices, improves consistency with other states, and creates predictability for builders and developers—many of whom are in business throughout our region.

Importantly, the ICC model codes are foundationally reliant upon the distinction between one- and two-family residential houses (which fall under the residential code, 510-RICR-00-00-2) and residential buildings with three or more units (which fall under the building/commercial code, 510-RICR-00-00-1). Adoption of the proposed six-unit cutoff would require a substantial re-write of the existing Rhode Island state building codes and, ultimately, position Rhode Island as a distinct outlier among states. In addition, it appears that the proposed legislative change is meant to target the existing building code requirement for sprinklers in residential buildings with three or more units; this would create a major conflict with the State Fire Safety Code which requires all new buildings with four or more unit to include sprinklers. A more specific focus on the sprinkler requirements for buildings with three units may be warranted in this case.

The legislation also contemplates the creation of standards for six-story buildings with a single exit stairway known as a "point access block." We are aware that other jurisdictions have begun to explore such standards and understand that this may be a tool available to unlock small-scale multi-family residential

development in Rhode Island. However, one of the highest-profile American jurisdictions to allow point access blocks in buildings in excess of four stories, Seattle, also requires that such buildings be sprinklered<sup>1</sup>—raising legitimate life-safety questions that likely conflict with the previously-discussed proposed changes to existing sprinkler requirements in 3+ unit buildings contained in this legislation. We would recommend a harmonized approach to sprinkler and stairway requirements—among other important life-safety considerations—as other jurisdictions have implemented.

Finally, we welcome the opportunity to more formally initiate a process to align the Rhode Island fire and building codes, which too often conflict on points both major and minor, slowing approvals and creating confusion for builders, developers, and property owners. However, these conflicts are often artifacts of the model building and fire codes being in conflict, which is not a problem unique to our state. Nonetheless, the Department stands ready to work with the relevant boards to resolve these conflicts in a timely fashion.

The Department lauds the Sponsors and Assembly leadership for a thoughtful and solutions-oriented approach to this major challenge facing our State and would welcome a substantive dialogue on these specific issues going forward.

Thank you for your consideration of our testimony.

Sincerely,



Matthew Santacroce  
Deputy Director  
Department of Business Regulation  
[Matthew.santacroce@dbr.ri.gov](mailto:Matthew.santacroce@dbr.ri.gov)



James P. Cambio, CBO  
State Building Code Commissioner  
Department of Business Regulation  
[james.cambio@dbr.ri.gov](mailto:james.cambio@dbr.ri.gov)



Timothy McLaughlin  
Rhode Island State Fire Marshal  
[Timothy.mclaughlin@dbr.ri.gov](mailto:Timothy.mclaughlin@dbr.ri.gov)

Cc: Honorable Members of the House Committee on Housing and Municipal Government  
The Honorable June Speakman  
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House  
Elizabeth K. Dwyer, Esq., Director, Department of Business Regulation  
W. Keith Burlingame, Esq., Executive Director, Fire Safety Code Board of Appeal and Review

<sup>1</sup> See, e.g., [https://www.larchlab.com/wp-content/uploads/2023/01/Larch-Lab-PAB\\_Policy-Brief.pdf](https://www.larchlab.com/wp-content/uploads/2023/01/Larch-Lab-PAB_Policy-Brief.pdf)