



## Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <https://rules.wyo.gov>

Revised August 2023

### 1. General Information

|                                                                                                                                                                                                                                                             |                                    |             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-------------|
| a. Agency/Board Name*                                                                                                                                                                                                                                       |                                    |             |
| b. Agency/Board Address                                                                                                                                                                                                                                     | c. City                            | d. Zip Code |
| e. Name of Agency Liaison                                                                                                                                                                                                                                   | f. Agency Liaison Telephone Number |             |
| g. Agency Liaison Email Address                                                                                                                                                                                                                             |                                    |             |
| h. Date of Public Notice                                                                                                                                                                                                                                    | i. Comment Period End Date         |             |
| j. Public Comment URL or Email Address:                                                                                                                                                                                                                     |                                    |             |
| k. Program                                                                                                                                                                                                                                                  |                                    |             |
| Amended Program Name (if applicable):                                                                                                                                                                                                                       |                                    |             |
| * <input type="checkbox"/> By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules. |                                    |             |

**2. Legislative Enactment** For purposes of this Section 2, "new" only applies to regular non-emergency rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

|                                                                                                                                                  |          |       |
|--------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------|
| <input type="checkbox"/> No. <input type="checkbox"/> Yes. If the rules are new, please provide the Legislative Chapter Number and Year Enacted: | Chapter: | Year: |
|--------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------|

**3. Rule Type and Information** For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

|                                       |               |                                                                                                 |
|---------------------------------------|---------------|-------------------------------------------------------------------------------------------------|
| Chapter Number:                       | Chapter Name: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed |
| Amended Chapter Name (if applicable): |               |                                                                                                 |
| Chapter Number:                       | Chapter Name: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed |
| Amended Chapter Name (if applicable): |               |                                                                                                 |
| Chapter Number:                       | Chapter Name: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed |
| Amended Chapter Name (if applicable): |               |                                                                                                 |
| Chapter Number:                       | Chapter Name: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed |
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| Chapter Number:                       | Chapter Name: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed |
| Amended Chapter Name (if applicable): |               |                                                                                                 |
| Chapter Number:                       | Chapter Name: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed |
| Amended Chapter Name (if applicable): |               |                                                                                                 |

#### **4. Public Comments and Hearing Information**

a. A public hearing on the proposed rules has been scheduled. ☐ No. ☐ Yes. Please complete the boxes below.

|              |              |              |              |
|--------------|--------------|--------------|--------------|
| Date:        | Time:        | City:        | Location:    |
| <br><br><br> | <br><br><br> | <br><br><br> | <br><br><br> |

b. What is the manner in which interested persons may present their views on the rulemaking action?

☐ By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: \_\_\_\_\_

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

☐ To the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: \_\_\_\_\_

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

#### **5. Federal Law Requirements**

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements. ☐ No. ☐ Yes. Please complete the boxes below.

|                                                                                                                                                                   |                                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Applicable Federal Law or Regulation Citation:                                                                                                                    |                                                                                                        |
| Indicate one (1):                                                                                                                                                 | <input type="checkbox"/> The proposed rules meet, but do not exceed, minimum federal requirements.     |
|                                                                                                                                                                   | <input type="checkbox"/> The proposed rules exceed minimum federal requirements.                       |
| Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to: |                                                                                                        |
|                                                                                                                                                                   | <input type="checkbox"/> To the Agency at the physical and/or email address listed in Section 1 above. |
|                                                                                                                                                                   | <input type="checkbox"/> At the following URL: _____                                                   |

#### **6. State Statutory Requirements**

a. Indicate one (1):

☐ The proposed rule change *MEETS* minimum substantive statutory requirements.

☐ The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. ☐ The Agency has completed a takings assessment as required by W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

☐ By contacting the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: \_\_\_\_\_

## **7. Additional APA Provisions**

a. Complete all that apply in regards to uniform rules:

☐ These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

☐ The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

\_\_\_\_\_  
(Provide chapter numbers)

☐ These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

\_\_\_\_\_  
(Provide chapter numbers)

b. Checklist

☐ The Statement of Principal Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

☐ If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

## **8. Authorization**

a. I certify that the foregoing information is correct.

*Printed Name of Authorized Individual*

*Title of Authorized Individual*

*Date of Authorization*

**Mark Gordon**  
GOVERNOR



**Byron Mathews**  
STATE FIRE MARSHAL

THE STATE OF WYOMING

## **Department of Fire Prevention and Electrical Safety**

### Statement of Reasons

In accordance with the mandatory requirements of Wyo. Stat. Ann. § 35-8-106(a), The Council on Fire Prevention and electrical Safety is obligated to establish minimum fire standards. The Council had previously adopted the standards set forth by the 2021 editions of the International Building Code, International Fire Code, International Mechanical Code, International Existing Building Code, and the International Fuel Gas Code as published by the International Code Council (ICC). During a meeting of the Fire Council held on February 6, 2024, the Fire Councils voted to adopt and incorporate by reference the latest 2024 editions of these safety codes and therefore make changes to Chapter 1.

This adoption ensures the construction and safety standards are current and relevant in an ever-changing technological and industrial environment. This adoption also ensures that Wyoming has safe buildings that protect and improve the public health, safety and welfare of Wyoming citizens and visitors. These new codes will also provide stability of the economics of our State by reducing the disastrous effects of a large life and fire loss in our communities.

Our agency looks forward to supporting the Fire Council in its efforts to change the existing rules and adopting the most modern building and fire codes while reducing the loss of life and property in Wyoming.

The Council has determined that incorporation of the full text of these rules would be cumbersome and inefficient given their length and nature. This incorporation by reference does not include any later amendments or editions of the incorporated codes. The Wyoming Administrative Procedure Act requires these rules to state where the incorporated matter is available on the internet. Wyo. Stat. Ann. § 16-3-103(h)(iv). However, the codes are not publically available online. The codes are maintained and available for public inspection and copying at the offices of the Wyoming Department of Fire Prevention and Electrical Safety at the Capitol Hill Building 320 W. 25<sup>th</sup> Street, 3<sup>rd</sup> Floor, Cheyenne, Wyoming 82002.

Sincerely,

A blue ink signature of Byron Mathews, written in a cursive style.

Byron Mathews  
Director  
Wyoming Department of Fire Prevention and Electrical Safety

## **Chapter 1**

### **General Provisions**

#### **Section 1. Authority.**

These rules are adopted pursuant to Wyoming Statutes 35-9-106(a) and 16-3-101 through -104.

#### **Section 2. Codes and Standards.**

(a) The Council on Fire Prevention and Electrical Safety in Buildings has determined that incorporation of the full text of these rules would be cumbersome and inefficient given their length and nature. These incorporations by reference do not include any later amendments or editions of the incorporated codes. The council hereby incorporates by reference the following:

(i) The International Building Code, ~~2021~~ 2024 Edition, published by the International Code Council.

(ii) The International Existing Building Code, ~~2021~~ 2024 Edition, published by the International Code Council.

(iii) The International Fire Code, ~~2021~~ 2024 Edition, published by the International Code Council, including, Appendix D, Appendix E, Appendix F and Appendix G.

(iv) The International Mechanical Code, ~~2021~~ 2024 Edition, published by the International Code Council.

(v) The International Fuel Gas Code, ~~2021~~ 2024 Edition, published by the International Code Council.

(vi) Provisions of the International Residential Code, the International Property Management Code, the International Plumbing Code, and the International Energy Conservations Code, as they are referenced in chapters 1 – 10 of the International Building Code, the International Fire Code, the International Mechanical Code, and the International Fuel Gas Code.

(b) For the rules incorporated by reference in subsection (a) of this section:

(i) The Council has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (a) of this section; and

(iii) These codes are maintained and available for public inspection and copying at the offices of the Wyoming Department of Fire Prevention and Electrical Safety at the Capitol Hill Building, 320 W. 25th Street, 3rd Floor, Cheyenne, Wyoming.

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