

Concise Explanatory Statement

Rhode Island Government Register

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, following is a concise explanatory statement:

AGENCY: Rhode Island Department of Business Regulation

DIVISION: Building Code Commission

RULE IDENTIFIER: 510-RICR-00-00-4

REGULATION TITLE: Rhode Island Mechanical Code

RULEMAKING ACTION: Full Rulemaking
Amendment

COMMENT PERIOD: June 27, 2025-July 27-2025

A. Statement of Purpose of the Amendments

The Building Code Standards Committee (BCSC) has proposed amendments to the Rhode Island Mechanical Code. The current version of the Mechanical Code adopted the International Code Council's (ICC) International Mechanical Code (IMC) 2018 edition. Currently, these amendments reflect the BCSC's proposed adoption of the 2021 edition of the IMC. The state specific amendments to the IMC 2021 model code are for consistency with the other building code regulations in RICR Title 510 and the Fire Safety Codes in RICR Title 450, compliance with RI statutes, and ensure that the model codes align with the needs of this state.

Additionally, all building code regulations being amended in this cycle have been edited for clarity and internal consistency of formatting and style, and to be easily read with the other building code regulations and the model codes that these regulations adopt. Formatting changes include: listing every model code chapter and stating whether each chapter is adopted, adopted with changes or deleted; leading the all changes with the model code section number for quick reference; and focusing on model code numbering to simplify citation and avoid confusion.

Summary of substantive changes:

§§ 4.1 and 4.2 – Updated and simplified the provisions in these sections.

Chapter 1 contains the administrative provisions of IMC 2021, which are amended for consistency with R.I. Gen. Laws Chapter 23-27.3 and other RI building codes within Title 510 and the Rhode Island Fire Safety Codes in RICR Title 450.

Chapters 2, 4, 7, 8, 9, and 14 of IMC 2021 are adopted with no substantive changes. Edits to these chapters are for formatting, consistency, and accuracy. No changes to status quo.

Chapters 3, 5, 13 and 15 of IMC 202 are adopted with amendments. In these chapters all amendments to IMC 2018 are being retained as amendments to IMC 2021. No changes to status quo.

Chapter 6 of IMC 2021 is adopted with no changes. All prior state specific amendments have been deleted. This deletion reflects the alignment of the Model Code with a previous Rhode Island amendment, which is therefore no longer necessary.

Chapter 10 of IMC 2021 is adopted with amendments. 1 of the 2 state specific amendments to IMC 2018 are being retained as an amendment to IMC 2021. The amendment to section 1003.1 has been deleted. This deletion reflects the alignment of the Model Code with a previous Rhode Island amendment, which is therefore no longer necessary.

Chapter 11 of IMC 2021 is adopted with amendments. 2 of the 3 state specific amendments to IMC 2018 are being retained as amendments to IMC 2021. The amendment to section 1105.3 has been deleted. This deletion reflects the alignment of the Model Code with a previous Rhode Island amendment, which is therefore no longer necessary.

Chapter 12 of IMC 2021 is adopted with no changes. The 2 state specific amendments to IMC 2018 have been deleted. This deletion reflects the alignment of the Model Code with a previous Rhode Island amendment, which is therefore no longer necessary.

Appendices – Upon review by the BCSC, only Appendix A to IMC 2021 is adopted. No change to status quo.

B. Summary of the Regulatory Analysis

This regulation applies to all mechanical work in the state. All 39 municipalities, DLT licensed professionals, builders and construction industry, design professionals, homeowners, property owners, and business owners.

These amendments move the Mechanical Code from IMC 2018 to IMC 2021. As part of the adoption of IMC 2021 the BCSC has deleted some of the prior RI specific amendments that are no longer necessary; and simplified and standardized the formatting for a more user-friendly document that is easily read alongside IMC 2021.

C. Summary of Comments Not Resulting in Regulatory Language Changes

Below is a summary of other public comments received that did not result in changes to the text of the Regulation and a brief description of the Department's reasons for not making any such changes after due consideration.

1. *510-RICR-00-00-4* – Commentary was received suggesting the adoption without amendment of the most up-to-date version of the model codes.

The proposed amendments to the State Building Codes reflect a conscientious effort to ensure that the Rhode Island State Building Code is updated in accordance with national standards while taking into consideration that the model code may not capture the circumstances that exist for building in Rhode Island. Therefore, certain amendments to the model codes have been made.

Accordingly, the Department declines to make a change in response to this comment.

2. *510-RICR-00-00-4* – Commentary was received recommending that the Department adopt the 2024 Codes instead of the 2021 Codes.

In general, it is not advisable to skip code cycles (notwithstanding the unique circumstances of Part 8 adopting the 2024 IECC). The complexity of comparing the model codes from year to year is already a challenge that would be substantially more difficult if the state were to skip the 2021 codes all together. Incremental change is easier to implement and better for industry overall.

The Committee voted on amendments necessary to adopt the 2021 codes and that was what was proposed. It will move forward to finalize these codes. It will start the process to review the 2024 ICC codes and consider if any state-specific amendments may be necessary. However, at this time, the Committee declines to make a change in response to this comment. Furthermore, pursuant to R.I.G.L. § 24-35-6.1, “[a]n agency may not file a rule that differs from the rule proposed in the notice of proposed rulemaking unless the final rule is consistent with, and a logical outgrowth of, the rule proposed in the notice.” The amendments and adoption noticed for the State Building Code reflect the 2021 Codes and, therefore, the 2024 Codes cannot be substituted for the rules as originally proposed.

Accordingly, the Department declines to make a change in response to this comment.