

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

BUILDING CODE COMMISSION

Title of Rule: RISBC-18 Use of Native Lumber

Rule Identifier: 510-RICR-00-00-18

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: June 26, 2025

End of Public Comment: July 26, 2025

Rulemaking Authority:

R.I. Gen. Laws § 23-27.3-100.1.5 and 23-27.3-109.1

Summary of Rulemaking Action:

The Building Code Standards Committee (BCSC) adopts the various components of the Rhode Island Building Code by adopting national model codes. As part of the process to update 510-RICR-00-00-1, the State Building Code, and adopt the 2021 International Building Code, the BCSC reviewed its state specific amendments to Chapter 23: Wood. The BCSC has decided to remove the native lumber state amendments in the Building Code, 510-RICR-00-00-1, and relocate them in this regulation which sets for the requirements for the Use of Native Lumber in Rhode Island.

This regulation was originally adoption to provide standards for the use of native lumber in this state. It is not utilized very often and only a few mills are registered. However, this regulation provides a means for homeowners/builders to utilize native lumber in certain situations in compliance with this regulation.

This amendment will be promulgated simultaneously with the amendments to 510-RICR-00-00-1 so there is no gap in the law. The amendments to 510-RICR-00-00-1 include deleting the native lumber language in Chapter 23 and replacing that with a new cross reference to this regulation.

This regulation has not been updated since the BCSC has been incorporated into DBR. In addition to adding content to this regulation from Part 1, the regulation is being updated to conform with the RICR structure for regulations by clarifying the authority section, adding definitions, and removing forms. All RI General Laws citations and building code citations were reviewed and updated if necessary. Additionally, administrative references to the BCSC have been replaced by the State Building Office which staffs the BCSC. The BCSC retains the decision-making authority, but the amendments clarify that all applications and inspections are handled by the SBO staff on the BCSC's behalf. However, there are no substantive changes to the requirements for the use of Native Lumber in RI or any changes to the registration requirements.

Summary of changes and reorganization.

§ 18.1 – Changed title to Authority and Purpose. Simplified and updated content.

§ 18.2 (old numbering) – deleted the “supporting statement” section. The first sentence was deleted because it was redundant. The second sentence was relocated to § 18.3(A)(1) & (2).

§ 18.2 (new numbering) – added a definitions section and included 5 terms used in the regulation.

§ 18.3 – Consolidated, organized and updated the registration requirements to reflect that the BCSC is staffed by DBR's SBO.

§ 18.4 – Added a new heading for the provisions related to Investigations and Enforcement Actions. Relocated the content from old numbering § 18.3.9.

§ 18.5 – Added the language that was deleted from 510-RICR-00-00-1. No substantive changes were made. We checked and updated all cross references to the IBC and made a few other minor changes to reflect the SBO staffing of the BCSC.

§ 18.4 (old numbering) – Deleted the application and certification forms from the regulation. The content of the forms is summarized in the regulation. The forms will be updated and made available at the SBO and on the Building Code Commission's website.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until July 26, 2025 by contacting the appropriate party at the address listed below:

James Cambio, Commissioner
Building Code Commission
State Building Office
560 Jefferson Blvd, Suite 100
Warwick, RI 02886
DBR.StateBuildingOffice@dbr.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

Regulatory Analysis Summary and Supporting Documentation:

These amendments modernize an old regulation and consolidate all provisions regarding Native Lumber in one place. The use of native lumber is not that common, and it is better for this information to be in this specific native lumber regulation, rather than adding rarely used provisions to the Building Code, 510-RICR-00-00-1. The amendments result in a more user-friendly document, with accurate citations to the general laws and building codes. There are no substantive changes to any of the registration requirements or fees. These amendments will have a positive impact on small businesses because they simplify, clarify, and update existing requirements for the use of native lumber in RI.

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.