

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-00-00-19

REGULATION TITLE: Rhode Island Fuel Gas 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 Fuel Gas Code. The current version of this Code adopted the International Code Council's (ICC) International Fuel Gas Code (IFGC) 2018 edition. Currently, these amendments reflect the BCSC's proposed adoption of the 2021 edition of the IFGC. The state specific amendments to the IFGC 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 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:

§§ 19.1 and 19.2 – Updated and simplified the provisions in these sections.

Chapter 1 contains the administrative provisions of IFGC 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. No change to the status quo.

Chapters 2, 5, 7, and 8 of IFGC 2021 are adopted with no changes. No change to the status quo. These chapters in IFGC 2018 were adopted without changes but not mentioned in the current draft. They are now listed for clarity and completeness.

Chapter 3 of IFGC 2021 is adopted with changes. 4 of the 5 state specific amendments to IFGC 2018 are being retained as amendments to IFGC 2021, no change to statute quo. The 2018 deletion and substitution of a state specific provision pertaining to Repair Garages (Sec. 305.10) is being eliminated, because as stated in IFGC 2021 Sec. 305.10, Repair Garage appliance installation is governed by Fire Safety Code/NFPA 30A.

Chapter 4 of IFGC 2021 is adopted with no changes. All of the prior state specific amendments have been deleted in order to harmonize building code requirements with applicable requirements of the International Fire Code and NFPA 58.

Chapter 6 of IFGC 2021 is adopted and retains the same state specific amendment that was made to IFGC 2018. No change to status quo.

IFGC 2021 Appendices A, B and C are adopted and Appendices D and E (which pertain to procedures covered by other state laws) are deleted. The current regulation did not clearly state which appendices were adopted or deleted but just said in 101.3 that “Provisions in the appendices are permitted to be used for determining compliance to this code.” Upon review of the actual appendices, it was clear that only A, B and C needed to be adopted. No change to status quo as the content of the appendices in 2021 IFGC is consistent with the 2018 IFGC appendices that we have explicitly adopted.

B. Summary of the Regulatory Analysis

This regulation applies to the design and installation of fuel gas systems and gas fired appliances 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 Fuel Gas Code from IFGC 2018 to IFGC 2021. As part of the adoption of IFGC 2021 the BCSC has:

Simplified and standardized the formatting for a more user-friendly document that is easily read alongside IFGC 2021.

There are no new RI specific amendments. We deleted RI specific amendments in Chapter 4 and Chapter 6 as described above. Adopting IFGC 2021 provision as is without a RI amendment fosters health and safety thru consistency with the international model code and compliance and enforcement efficiencies for industry professionals and state and local enforcement authorities.

D. 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-00-00-19* - 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-00-00-19* – 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.