

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: Fire Safety Code Board of Appeal and Review

RULE IDENTIFIER: 450-RICR-00-00-8

REGULATION TITLE: RI Life Safety Code

RULEMAKING ACTION: Full rulemaking, Amendment

COMMENT PERIOD: December 2, 2025, to January 1, 2026

A. Statement of Purpose of the Amendments

The Fire Safety Code Board of Appeal and Review (“Board”) has proposed amendments to this regulation to move from the 2018 edition of the National Fire Protection Association (NFPA) 101, Life Safety Code, to the 2021 edition, with annexes.

Summary of the proposed amendments:

- Formatting improvements have been made throughout the document. Chapter sections no longer include separate RICR numbering because the additional numbers were confusing to read and often conflicting with the model code section numbers. After each Chapter heading the regulation now clearly states whether that NFPA 101 Chapter has been adopted in full or with changes.
- Throughout the regulation, updates to NFPA 101 model code citations were made for consistency with numbering changes to the 2021 edition of NFPA 101.
- Throughout the regulation, typographical errors were corrected, and descriptive words or phrases added or modified for clarity or for consistency with statutory language, without changing the substantive requirements.
- §§ 8.1 and 8.2 – added authority and incorporation by reference sections as required by the APA.
- § 8.3, Chapter 1 and Chapter 24, § 24.6.3.1.1.7 - For clarity, the Life Safety Code includes the effective date in the body of the regulation. Given that the completion timeline for this regulation is unknown currently, we have added a placeholder for the purposes of posting the regulation for public comment as MONTH DAY, 2026. After completion of the public comment period, the Board will select an effective date in accordance with the APA, insert that date into the regulation and explain it in the CES.
- § 8.3.1 – Add explanations for the abbreviations used in this code.

- Chapter 2 – Deleted reference to NFPA 720 because that standard no longer exists as it has been incorporated into NFPA 72. Amended the reference to NFPA 855 to refer to the 2023 edition, which includes provisions for lithium batteries that are not included in the 2020 edition.
- Chapter 3 – Section 3.4.9. the definition of “Emergency Shelter Occupancy” was amended to clarify when the provisions in Chapter 27 apply. The same language was also added below in Section 27.1.1.1. There is no change to application or enforcement.
- § 3.4.10 was deleted in its entirety as it was an obsolete definition that is now in conflict with the current definition found in Chapters 16 and 17. With the deletion of this definition, this Code will be consistent with the model code and current DCYF definitions of Family Day Care Home. No change to status quo.
- Chapter 4 – § 4.6.12.2.1 – Minor amendments were made to this section for clarity and consistency with statutory terms. No change to status quo.
- Chapter 12 – § 12.3.5.1 was modified for consistency with Part 7 and the statutory provisions of RIGL 23-28.6-21. No change to status quo.
- § 12.4.8.5 was previously deleted by after renumbering by NFPA for the 2021 edition, there was no need to delete that paragraph. Therefore, by deleting the reservation the provision is added back into the RI code. No change to status quo.
- Chapter 17 – Corrected a typo in section 17.6.3.4.4, correctly citing it as 17.6.3.4.5.
- Chapter 19 – §§ 19.4.3.3 and 19.4.3.4 have been reserved as they related to previous edition requirements whose effective date has since passed making them no longer applicable.
- Chapter 21 – Corrected a typo in section 21.3.4.5 (1) where a referenced section citation had been inadvertently omitted.
- Chapter 23 – Corrected the section number for § 23.3.4.4 which had been erroneously numbered as 22.3.4.4.
- Chapter 24 – § 24.6.1.2 has been changed to correctly identify the reference document. § 24.6.3.1.1.7 references the changes in edition year of referenced document NFPA 72.
- § 24.6.3.1.1.8 was added for clarity and includes language from the current NFPA 72. These paragraphs explain what the requirements were in place when the house was constructed.
- Chapter 26 – § 26.1.1.1.8, an existing RI amendment was modified to increase the maximum size private residence that is subject to this provision from 2500 gross square feet to 3500 gross square feet for congregate family living facilities.
- § 26.1.1.1.9 incorporates a blanket variance issued by the Board on August 22, 2023, entitled “Modification to RILSC Chapter 26, Lodging or Rooming Houses to add new classification of Seasonal Camp Cabin.” Blanket Variance 23-02.
- § 26.1.1.1.10 incorporates a blanket variance issued by the Board on August 6, 2024, entitled “Modification to RILSC Chapter 26, Lodging or Rooming Houses to add new classification of Short-Term Rental Unit.” Blanket Variance 24-01.

- Chapter 27 – Section 27.1.1.5 clarifies the code provision for a temporary occupancy. This amendment codifies existing practice for clarity. No change to status quo.
- Chapter 43 – This chapter had previously been reserved and the associated requirements were incorporated into the State Rehabilitation and Building Code for Existing Buildings and Structures [Rehab Code: 510-RICR-00-00-20]. The Rehab Code Joint Committee has found that this code first adopted in 2002 and without any modifications since has become outdated and non-user-friendly and accordingly directed that all fire components be reverted back to Chapter 43 of the Life Safety Code and that all building components be in accord with the newly adopted International Existing Building Code. The net effect is that the requirements for existing buildings are found directly in Life Safety Code Chapter 43 instead of referencing the Rehab Code and then back.
- Annex A – Clarified that Annex A is adopted but its provisions are modified by specific RI amendments in Chapters 16 and 17.

B. Summary of the Regulatory Analysis

Structural improvement to the formatting of the regulation makes it more user friendly for fire and building officials, design professionals and property owners to read in conjunction with the NFPA model code.

Overall, the Board, in consultation with the Office of the State Fire Marshal, has decreased costs by providing some flexibility with a few state-specific amendments which either clarify existing provisions; make reasonable updates to existing state-specific amendments; and codify current practices and recent blanket variances. These amendments result in simpler, more user-friendly codes, updated to reflect the actual practices in this state and provide a few exceptions. Specifically, the codification of the blanket variances provides a pathway for relief from the standard model code provisions, decrease costs and maintain safety standards. These state-specific amendments reflect a balance between providing relief for a few common matters routinely considered by the Board and maintaining high safety standards.

For a more information, refer to the Regulatory Analysis which can be found under the “Rulemaking Documents” tab on the RICR website for this regulation under the name “Additional Documentation.”

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.

C. Post-Comment Change – Inserting Effective Date

The only post-comment change was to insert the effective date, March 1, 2026, into the regulation as explained in the Notice of Proposed Rulemaking. “March 1, 2026” was inserted into the placeholder of “MONTH DAY, 2026” in the following paragraphs: § 8.3(D) and (E), Chapter 1, § 1.3.1, and Chapter 24, § 24.6.3.1.1.7.

D. Summary of Comments Not Resulting in Regulatory Language Changes

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

§ 7.10.3.2 - Commentary was received recommending that the Board amend model code within a subsection of 7.10, entitled "Marking of Means of Egress," by eliminating the requirement for approval by the authority having jurisdiction [AHJ] for the use of exit signs that contain graphics or pictograms. In this context, the AHJ would be the Board. The request is to remove the approval by the AHJ thereby allowing these alternative signs by right.

The Board considered this commentary and found that the text of this section remains the same in the 2018, 2021 and 2024 editions of NFPA 101; nor are there any proposed changes (to date) to the 2027 edition of NFPA 101 during the current revision cycle. Additionally, there are no RI amendments to this section in either the existing version of Part 8 (which adopted the 2018 edition of NFPA 101) or to the proposed amendments described herein (adopting the 2021 edition of NFPA 101).

The Board further found that retaining the requirement for AHJ approval is a reasonable requirement that is easily accomplished, does not impose any undue hardship upon any person seeking to utilize the provisions of this section, and is not in conflict with the provisions of SBC-1. Under the current code and the proposed amendments herein, an applicant could apply to the Board for approval to use this alternate egress signage.

The Board notes that numerous model code provisions within 2021 NFPA 101 require AHJ approval, and the Board has not modified any of those provisions either. Declining to make this change maintains the status quo, is consistent with the rest of the proposed amendments, and does not bar applicants from seeking approval from the Board.

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 noticed for this code did not consider or reference any amendments relating to the issue of egress markings in Chapter 7 and, thus, making a change at this time would not be a logical outgrowth of the amendments described in the notice of proposed rulemaking.

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