

FLORIDA BUILDING COMMISSION

PRODUCT APPROVAL POC

DECEMBER 2, 2019 TELECONFERENCE MEETING SUMMARY REPORT

MONDAY, DECEMBER 2, 2019

MEETING SUMMARY AND OVERVIEW

At the Monday, December 2, 2019 teleconference meeting the POC considered regular procedural issues including product approval and entities statistics reports; a status report on conditional approvals from the October 15, 2019 Commission meeting, indicating that all of the applications are now resolved and approved; review and approval of product and entity applications; a review of DBPR approved product approval applications. Specific actions included: recommending the Commission approve the proposed rule language for 61G20-3.007 authorizing the Commission to waive product approval application fees for a specified time period, and take action on product and entity applications as recommended by the POC and reflected in DBPR staff's product and entity approval reports.

Background and Supporting Documents

Relevant background and supporting documents are linked to each agenda item. The Agenda URL for the December 2, 2019 meeting is as follows:

http://www.floridabuilding.org/fbc/Commission/FBC_1219/Product_Approval/Product_Approval_Agenda.htm.

AGENDA ITEM OUTCOMES

A. 1. STATEMENT OF TELECONFERENCE PARTICIPATION PROCESS

Jeff Blair reviewed the teleconference participation process with participants reminding them that it is important for participants to keep their phones on mute to minimize background noise, not to put their phones on hold, and to wait until invited to speak to avoid confusion and chaos. Jeff emphasized that all participants will have ample time to speak on all agenda items. Participants were reminded to state their names each time they speak.

A. 2. OPENING AND MEETING PARTICIPATION

The meeting was opened at 10:00 AM, and roll call determined a quorum of the members were present. The following POC members participated (5 of 6 members):

Jeff Stone (Chair), David Compton, Nan Dean, David Gilson, and Robert Hamberger.

Members Absent:

Brian Swope.

A. 3. DBPR STAFF PARTICIPATING

Zubeyde Binici, Tom Campbell, Jim Hammers, Chris Howell, Mo Madani, and Justin Vogel.

Meeting Facilitation and Reporting

Product Approval POC meetings are facilitated and meeting summary reports drafted by Jeff Blair from Facilitated Solutions, LLC. Information at: <http://facilitatedsolutions.org>.



A. 4. AGENDA REVIEW

The POC voted unanimously, 5 - 0 in favor, to approve the agenda for the December 2, 2019 meeting as posted/presented. Following are the key agenda items approved for consideration:

- To Consider/Discuss Product Approval Program Issues.
- To Consider/Decide on Approval of Products and Product Approval Entities.

Amendments:

There were no amendments to the posted Agenda.

The complete Agenda is included as “Attachment 1”.

(See Attachment 1—Agenda)

B. REVIEW AND APPROVAL OF THE OCTOBER 4, 2019 MINUTES AND FACILITATOR’S SUMMARY REPORT

MOTION—The POC voted unanimously, 5 – 0 in favor, to approve the October 4, 2019 meeting minutes and Facilitator’s Summary Report as posted/presented.

Amendments:

*None were offered.

C. 1. PRODUCT APPROVAL AND ENTITIES STATISTICS REPORT

Zubeyde Binici reviewed the product and entities statistics reports with participants and answered members’ questions. Zubeyde reported that the total number of product approval applications approved to the 2017 Code is 6,198 (6,948 total in the System), the total number of products approved to the 2017 Code is 25,758 (29,034 total in the System), and the total number of entities approved to the 2017 Code is 124 (412 total in the System). The reports are linked to the Product Approval POC’s agenda.

C. 2. REPORT ON CONDITIONAL APPROVALS FROM THE OCTOBER 15, 2019 FBC MEETING

Jeff Stone noted that all of the relevant conditions were met for each of the conditional approvals reported at the October 15, 2019 Commission meeting, and are now approved.

D. 3. PROPOSED RULE 61G20-3.007 FOR THE PURPOSE OF WAVING PRODUCT APPROVAL APPLICATION FEES FOR A SPECIFIED TIME PERIOD

Tom Campbell explained that DBPR staff is proposing a revision to Rule 61G20-3.007 (Product Approval) to allow the Commission to waive fees for a specified amount of time. The plan for the near-term is to waive product approval fees from July 1, 2020 – December 31, 2020 to allow manufacturers of current product approvals to update their product approvals to the requirements of the 7th Edition (2020) Florida Building Code.

Following is the proposed revision to the Rule:

g) The Commission may, for a duration of time, waive the fees prescribed in this subsection upon a finding that such waiver will not have an adverse impact on the Commission's ability to process applications.

Following the opportunity provided for questions and answers, public comment, and POC discussion, the Product Approval POC took the following action:

POC Action:

MOTION—The POC voted unanimously, 5 – 0 in favor, to recommend the Commission initiate rulemaking for Rule 61G20-3.007 (Product Approval by the Commission) to authorize the Commission to waive product approval application fees for a specified time period pursuant to the proposed Rule language.

D. 1. PRODUCT AND ENTITY APPLICATIONS CONSENT AGENDA

Commissioner Stone presented the consent agenda for entities by asking if any participants wished to have any entity applications pulled from the consent agenda for individual consideration. There were no entity applications pulled for individual consideration. Jeff Stone presented the consent agenda for approval of products by asking if any participants' wished to have any applications pulled from the consent agenda for individual consideration. There were no product approval applications pulled for individual consideration.

POC Actions:

MOTION—The POC voted unanimously, 5 - 0 in favor, to recommend the Commission approve the consent agenda of product approval entities (26) recommended for approval as posted.

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve the consent agenda of products (160) recommended for approval to the 2017 Code as amended.

PRODUCT APPROVAL APPLICATIONS PULLED FROM THE CONSENT AGENDA FOR INDIVIDUAL CONSIDERATION

There were no products pulled from the consent agenda for individual consideration. However, there were 8 comments received after the deadline, and staff indicated that they were not technical in nature. The POC decided not to pull the 8 applications with comments, and approved the consent agenda for approval with all 160 applications included.

D. 2. PRODUCT APPROVAL APPLICATIONS WITH DISCUSSION OR COMMENTS

There were no product approval applications with comments for the December 2, 2019 Product Approval POC meeting. The complete report of POC recommendations on product and entity applications is available linked to the Florida Building Commission's December 10, 2019 agenda.

D. 3. DBPR APPLICATIONS

Commissioner Stone noted that there were a total of 102 DBPR applications submitted for approval to the 2017 Code and all are approved. However, there were comments submitted on 9 applications after the deadline. Staff indicated that all of the products have complied with the requirements of the Rule, are recommended for approval, and no action was required of the POC.

All of the recommendations for the DBPR applications are linked to October 4, 2019 Product Approval POC agenda posted on the BCIS.

E. 1. PUBLIC COMMENT

Commissioner Stone invited members of the public to address the Product Approval POC on any issues under the POC's purview.

Public Comments:

- There were no Public comments.

E. 2. POC MEMBER COMMENT

Commissioner Stone invited POC members to offer any general comments to the POC.

- There were no POC comments.

E. 3. STAFF MEMBER COMMENT

Commissioner Stone invited DBPR staff members to offer any general comments to the POC.

- There were no staff comments.

POC RECOMMENDATIONS FOR COMMISSION ACTION

The POC recommends the following actions to the Florida Building Commission:

- 1.) The POC recommends the Commission take action on product and entity applications as recommended by the POC and reflected in DBPR staff's product and entity approval reports.
- 2.) The POC recommends the Commission initiate rulemaking for Rule 61G20-3.007 (Product Approval by the Commission) to authorize the Commission to waive product approval application fees for a specified time period pursuant to the proposed Rule language.

NEXT STEPS

The POC will meet January 30, 2020 to provide recommendations to the Commission on Product Approval System relevant issues for the February 11, 2020 Commission meeting.

(See Attachment 2—POC Meeting Schedule)

F. ADJOURN

After a second roll call confirmed that the POC retained a quorum, Commissioner Stone, TAC Chair, thanked POC members, staff and the public for their attendance and participation, and adjourned the meeting 10:14 AM on Monday, December 2, 2019.

ATTACHMENT 1
MEETING AGENDA

FLORIDA BUILDING COMMISSION
PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE (POC)

FRIDAY, OCTOBER 4, 2019—9:00 AM
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
2601 BLAIR STONE ROAD—TALLAHASSEE, FLORIDA 32399

MEETING OBJECTIVES

- To Consider/Discuss Product Approval Program Issues
- To Consider/Decide on Approval of Products and Product Approval Entities

PRODUCT APPROVAL POC MEMBERS

Jeff Stone-Chair, David Compton, Nanette Dean, David Gilson, Robert Hamberger, and Brian Swope.

MEETING AGENDA— MONDAY, DECEMBER 2, 2019

All Agenda Times—including Adjournment—are Approximate and Subject to Change

<i>9:00AM</i>	A)	Call to Order 1. Statement on Teleconference Participation Process 2. Roll call of POC Members 3. Identification of Staff/Attendees 4. Review and Approval of Agenda
	B)	Review & Approve October 4, 2019 Minutes and Facilitator Summary Report
	C)	Product Approval Program Issues: 1) Product Approval & Entities Statistics Report 2) Report on conditional approvals from the June 18, 2019 meetings. (<i>All conditional approval requirements were met</i>) 3) Proposed Rule 61G20-3.007 for the purpose of waving Product Approval Application fees for specified time period.
	D)	Department of Business and Professional Regulation Reports: 1. Review of Product Approval & Entity Applications 2. Product Approval Applications with Comments 3. DBPR Applications
	E)	Public/POC/Staff Comments
	F)	<i>Adjourn</i>

ATTACHMENT 2
PRODUCT APPROVAL POC MEETING SCHEDULE

FY 2019-2020 SCHEDULE	LOCATION
February 7, 2019	Tallahassee/DBPR and via Teleconference/Webinar
April 4, 2019	Tallahassee/DBPR and via Teleconference/Webinar
June 6, 2019	Tallahassee/DBPR and via Teleconference/Webinar
August 1, 2019	Tallahassee/DBPR and via Teleconference/Webinar
October 4, 2019	Tallahassee/DBPR and via Teleconference/Webinar
December 2, 2019	Tallahassee/DBPR and via Teleconference/Webinar
January 30, 2020	Tallahassee/DBPR and via Teleconference/Webinar
March 26, 2020	Tallahassee/DBPR and via Teleconference/Webinar
May 21, 2020	Tallahassee/DBPR and via Teleconference/Webinar