

Date: October 8<sup>th</sup> 2026

To: Florida Building Commission

From: Douglas Dorr

Subject: E–Ch. 35–Comment #2 TAC’s Action Regarding Glitch Errata Proposals

I implore the Florida Building Commission to adopt an amendment proposal related to the equipotential bonding of pool decks to ensure a proper level of safety for Florida consumers in line with nationally recognized minimum thresholds. The Florida Building Commission is expressly permitted to act now to provide this level of safety by either glitch amendment pursuant to Section 553.73(8)(a), F.S., or technical amendment pursuant to Section 553.78(9)(a), F.S. It is urgent that the Commission act now to fulfill its duties to the citizens of Florida and specifically to “protect the public health, safety and welfare.”

In the alternative of adopting TIA 23-9, effective date April 10, 2023, the FBC may adopt the entire edition of the 2026 NEC in order to prevent the delayed adoption of a nationally-recognized minimum level of electrical pool safety.

The FBC has numerous tools at its disposal to provide proper protection for Florida families, domestic travelers and visitors from around the globe. Erosion of the safety protections provided by a mesh system just to appease an industry trade association prioritizing profits over potential death or injury is not defensible. Further, the FBC should not be swayed by that trade associations industry-sponsored “study” - designed to yield a predetermined conclusion – and erroneously claim to use a test protocol that the author of that protocol states was not correctly applied.

The report contradicts its own conclusions where on page 84 of that study, the pool under test clearly shows a significant and measurable shock concern. But instead of drawing attention to page 84, the authors dismiss the outcome as an anomaly, and they omitted it from the analysis because it contradicted their pre-determined conclusion.

Crafting any conclusion other than “one in three” of that particular pool design was found to be unsafe for fault protection is scientifically indefensible! That is exactly the point of having a minimum safety criterion for equipotential entry and exit to a swimming pool. Some pool designs can be unsafe while others may not. Blindly relying on a private study with flawed conclusions gambles the safety of Florida citizens and runs counter to widely accepted, scientifically-supported national safety standards.

The proposed code change is a provision found in the National Electric Code (NEC) published September 1, 2022, specifically including TIA 23-9, effective date April 10, 2023. A copy is included with this comment.

The provision makes a subtle but important safety improvement. Instead of just bonding the conductive elements around a pool – the new requirement creates an additional equipotential zone of protection for entry and exit of the pool water. This new equipotential zone of protection cannot be provided without a gridded mesh system. National experts agree time and again on the mesh system representing a minimum level of safety. Floridians should not have to wait for the next pool electrocution or death to be afforded the same protection as consumers in every other state.

Rationale:

- This life safety provision is provided when users of the NEC order and download either the 2023 NEC package or the 2026 NEC package and should be included in the upcoming Florida Building Code 9<sup>th</sup> Edition (2026)
- This provision has been in earlier editions of the Florida Building Code and is needed to bring the FBC back up to the minimum NEC standards
- This provision is essential given risk of electric shock drowning – a considerable threat to health, safety, and welfare, especially in residential settings
- The life safety value of returning this provision far outweighs any purported cost to the consumer as it is estimated the increase in cost ranges between 2.5% and 3.7% and applies only to new construction
- This provision does not discriminate between materials, products, methods, or systems of construction

I urge the FBC to act now to adopt this universal safety standard or, at the absolute minimum, revert this issue to the Electrical TAC for substantive review.