

ASCE Rules for Standards Committees

Approved by ASCE Codes and Standards Committee: April 21, 2016
Approved by ASCE Committee on Technical Advancement: April 29, 2016
Approved by ASCE ExCom for the Board of Direction: June 28, 2016
Approved by American National Standards Institute (ANSI): July 20, 2016

Effective Date: October 1, 2016

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1 SCOPE

1.1 General

These ASCE Rules (Rules) for Standards Committees (Committees) govern the organization and operation of the American Society of Civil Engineers (ASCE) standards committees, standards councils (Councils), the executive committees of Councils or technical divisions (ExComs), and the ASCE Codes and Standards Committee (CSC). The organization and responsibilities of the CSC are defined in ASCE's Rules of Policy and Procedure. For Councils without an executive committee, the term ExCom shall refer to the Council as its voting members. CSC shall interpret matters not covered in these Rules and shall be permitted to publish supplemental policies and procedures.

1.2 Revisions and Updates

Anyone at any time shall be permitted to propose revisions to these Rules in writing to CSC. CSC shall submit its recommended revisions to the ASCE Board of Direction for approval and, when approved, then to the American National Standards Institute (ANSI) for approval.

1.3 Applicability

These Rules shall be in force as of the effective date specified by the ASCE Board of Direction. If a Committee is in the process of conducting a ballot at the time of approval, the revised rules shall be in force on the subsequent Committee ballot. The Committee shall be permitted to request a waiver from both the ExCom and CSC to continue under the previous rules.

2 STANDARDIZATION ACTIVITIES

2.1 General

Standardization activities include, but are not limited, to the following:

- a. Creating a new consensus standard
- b. Reaffirming an existing consensus standard
- c. Revising an existing consensus standard
- d. Reaffirmation or revision interval for an existing standard
- e. Using Stabilized Maintenance for an existing standard
- f. Withdrawing an existing consensus standard
- g. Sunsetting an existing Committee
- h. Developing Memorandums of Understanding (MOU) with other Standard Developing Organizations (SDOs)
- i. Communicating standards activities

2.2 Creating a New Consensus Standard

2.2.1 Requests

Any person, organization, or existing committee shall be permitted to submit to CSC a proposal to establish a new consensus standard. ASCE will undertake activities that are a public benefit, consistent with ASCE's goals, and feasible within the resources available to ASCE.

2.2.2 Proposal Contents

A proposal to create a new consensus standard shall include the following:

- a. A concise statement of the scope of the standard and the system of measurement units to be used in the standard per Section 4.2.6 of these Rules.
- b. The objective of the standard, including whether it is intended for mandatory or non-mandatory use, and if it is intended to become an American National Standard (ANS), an International Standards Organization (ISO) standard, an International Electrotechnical Commission standard (ISO/IEC JTC-1) or any other jurisdictional standard.
- c. The need for and anticipated benefits to the public of the proposed standardization activity.
- d. A rationale for ASCE undertaking the activity.
- e. Rationale for any joint activity with another SDO or other organization.
- f. Potential Committee members (Members) and recommended leadership.
- g. The principal users of the proposed standard.
- h. Documentation of a good faith effort to identify relevant regional, national, or international standards related to the topic area. If existing standards are found, the proposal shall provide a plan to avoid conflicts with the existing standards and to consider any joint activity with the other SDO or organization.
- i. A schedule for producing the standard.
- j. An estimate of the Committee costs and funding sources.

2.2.3 Proposal Review and Acceptance

CSC shall distribute each proposal to all appropriate Institute ExComs, Council ExComs, ASCE Technical Division ExComs, and other ASCE committees for a minimum review period of 30 calendar days. The ExCom(s) shall ballot the proposal and report their findings to CSC. If the ExCom(s) approve(s) the proposal by a simple majority, CSC shall then review all comments and approve, reject or recommend changes to the proposal. If approved by majority vote of the CSC, an ExCom or a Committee shall be charged to develop the standard. If CSC rejects or recommends modifications to the proposal, CSC shall communicate its rationale to the proponent and the ExCom.

2.2.4 Assignment to a Committee and ExCom

CSC shall take one of the following actions if an approved standardization activity does not fit within the scope of an existing Committee:

- a. Change the scope of an existing Committee, with their concurrence, to include the new standardization activity.
- b. Establish a new Committee within an appropriate discipline-specific ExCom with their concurrence.
- c. Recommend other oversight actions as appropriate.

2.2.5 Duplications and Conflicts

Committees shall make every effort to avoid conflicts with other ASCE standards or those of ANSI-accredited SDOs. Any individual, group, or organization concerned that a proposed standardization activity duplicates or conflicts with an existing standard or a candidate standard being developed by an ANSI-accredited SDO shall submit a written statement asserting their concerns to CSC. It shall be CSC's responsibility to initiate and participate in deliberation of the issues within 90 calendar days to resolve assertions of duplication or conflict. The deliberations shall be permitted to take a variety of forms including an in-person meeting, conference call, written correspondence, e-mail, or a combination of forms. If the party or parties raising the issue of duplication or conflict do not enter into deliberations with CSC within 90 calendar days after receipt of notification and it can be demonstrated to CSC that a good faith effort has been made to schedule or otherwise organize the deliberations, then CSC shall render a decision without deliberation. The outcome of the deliberations shall be recorded and retained as part of the records of the standardization activity.

2.2.6 Joint Sponsorship

Committees shall be permitted to be jointly sponsored by ASCE technical divisions, other technical councils of ASCE, ASCE Institutes, and by other organizations. Joint sponsorship shall have an MOU that is approved by CSC and other appropriate ASCE entities. Where the co-sponsor has its own rules and a conflict exists between their rules and these ASCE Rules for Standards Committees, CSC shall approve any necessary deviation from these Rules.

2.2.7 Notification of New Standardization Activity

After CSC approves a new standardization activity, ASCE staff shall notify interested parties of the proposed project. Notification shall include, but not be limited to, the following as applicable:

- a. Notification to ANSI (e.g., Project Identification Notice of Standard (PINS) form).
- b. Publication by ASCE (print and/or electronic media).
- c. Notification to the public (e.g., consumer groups, public interest organizations, engineering societies, and technical organizations).

2.3 Reaffirming an Existing Standard

2.3.1 General

Reaffirmations of standards shall have no substantive change to an existing standard. Any substantive changes shall require processing as a revision in accordance with Section 2.4.

2.3.2 Timing

The ExCom or responsible entity for an ASCE standard shall establish a schedule providing for review and needed reaffirmation at intervals not to exceed five years. Extensions beyond this five-year period shall require the approval of both the appropriate ExCom and CSC.

2.3.3 Minimum Requirements

Reaffirmation of an existing standard shall include the following:

- a. A Committee letter ballot to reaffirm the standard processed in accordance with Section 5.
- b. Non-substantive changes summarized in a Foreword.
- c. CSC staff notification to ASCE Publications that the current standard shall be noted as reaffirmed.

2.4 Revising an Existing Standard

2.4.1 General

Substantive changes to existing standards shall be processed in accordance with this section. A substantive change is one that directly and materially affects the use of the standard. A change in the edition of any documents referenced within the provisions of the standard is a substantive change. See *ANSI's Essential Requirements: Annex A* for further clarification.

2.4.2 Timing

The ExCom or responsible entity for an ASCE standard shall establish a schedule for review and revision at intervals not to exceed five years. Extensions beyond this five-year period shall be approved by both the appropriate ExCom and CSC.

2.4.3 Minimum Requirements

Revision of an existing standard shall include the following:

- a. A Committee letter ballot to revise the standard processed in accordance with Section 5.
- b. Significant changes summarized in a Foreword.
- c. CSC staff notification to ASCE Publications that the current standard has been revised.

2.5 Using ANSI Stabilized Maintenance for an Existing ANSI standard

An ASCE standard designated as an American National Standard shall be permitted to be maintained under ANSI's stabilized maintenance option.

For a standard to be considered for ANSI's stabilized maintenance option all of the following eligibility criteria shall be satisfied:

- a. The standard addresses mature technology or practices, and as a result, is not likely to require revision.
- b. The standard is other than safety or health-related.
- c. The standard has been reaffirmed at least once.
- d. The standard was last approved or revised at least ten years ago.
- e. The standard is required for use in connection with existing implementations or for reference purposes.

For a complete listing of procedures refer to Section 4.7.3 of *ANSI Essential Requirements*.

2.6 Withdrawing an Existing Consensus Standard

2.6.1 Recommendation for Withdrawal

In the event an existing consensus standard becomes obsolete, is no longer in demand, or is no longer appropriate for ASCE, the responsible Committee shall be permitted to process a letter ballot for recommendation of withdrawal at any time. Alternatively, the ExCom or CSC shall be permitted to recommend withdrawal by a two-thirds approval vote. Any recommendation shall describe the reason why the standard is obsolete, no longer in demand, or no longer appropriate for ASCE.

2.6.2 Withdrawal of Standard

Once the recommendation for withdraw is approved, the following steps shall be taken:

- a. ASCE staff notifies Members, (see Section 3), of the intent to withdraw the standard.
- b. Members have 30 calendar days to submit relevant written comments to the appropriate ExCom.
- c. The ExCom reviews the comments and makes a recommendation (by two-thirds approval) to CSC.
- d. Upon concurrence of the ExCom recommendation, CSC authorizes a public announcement for posting on the ASCE and other appropriate institute websites.
- e. Public Comments are processed in accordance with Section 5.10
- f. The final decision to withdraw a standard requires a two-thirds approval by CSC.
- g. For ANS designated standards, upon final approval of withdrawal by the CSC, ANSI will be so notified immediately and the standard will be withdrawn as an ANS and announced in *Standards Action*.

2.6.3 Sunsetting an Existing Committee

The ExCom or responsible entity shall have authority to discharge by two-thirds approval the complete membership of the Committee. CSC staff will notify the Members of the Committee and CSC of this action.

2.7 Developing Memorandums of Understanding between ASCE and other SDOs for the Purpose of a Standardization Activity

When circumstances dictate that ASCE enters a Memorandum of Understanding (MOU) with another SDO for the purpose of developing and coordinating standardization activities, the MOU shall establish rules and procedures to be followed and identify the lead organization when multiple organizations are developing a consensus standard. ASCE desires, when possible, to be the lead organization and that its rules and procedures govern the joint standardization effort.

MOUs shall contain, but are not limited to, the following items:

- a. Purpose of the cooperative activity.
- b. Roles and responsibilities of each party.
- c. Schedule to review activity, performance, or satisfaction with the arrangement.
- d. The parts of the arrangement that are open to change or negotiation and the process by which that can be done.
- e. The aspects of the arrangement that should require formal notification and the process by which that is accomplished.
- f. Resolution process for any disputes.
- g. Any restrictions to either party.
- h. Treatment of any intellectual property.
- i. Effective date and duration of the agreement.
- j. Agreement for termination of the MOU.
- k. Names and contact information for the signing parties.
- l. Agreement for revenue sharing from sales of joint standards.
- m. Place for the parties to sign.

2.8 Communications Regarding Standards

Official communications about standards schedules, procedures or comments that materially affect the future content of the standard shall be approved by the Chair of the Committee or their designated representative. Formal presentations of material from ASCE standards, which are endorsed by ASCE or the appropriate Institute, shall be approved by the Chair of the Committee. See Section 7 for questions related to technical content.

3 COMMITTEE MEMBERSHIP

3.1 Approval of Members

3.1.1 General

The voting Members of a Committee shall be considered the consensus body for the purposes of any ANSI accredited process. Membership shall be open to any person

who might reasonably be expected to be, or who indicates they are, directly or indirectly affected by the activity. Membership may be denied if admitting that person or party to the committee creates dominance (See Section 3.2.3) by a single interest category (See Section 3.2.1) or organization. ASCE membership is not required for Committee membership. ASCE, or appropriate Institute, membership is required for Committee Chairs and Vice-Chairs.

3.1.2 Application for Membership

An individual seeking membership shall submit to ASCE Codes and Standards staff an application on a prescribed form upon which the applicant shall:

- a. Identify their membership interest category.
- b. Identify their desired voting status: voting or associate member, if available.
- c. Include a brief resume and a statement that shall describe the applicant's interest in and commitment to participation in the work of the Committee.

3.1.3 Chair's Actions

The Chair shall act to accept or reject the application based on qualifications and Committee balance in accordance with Section 3.2, forward notice of such action in writing to ASCE Codes and Standards staff, and report the action taken to the Committee at its next meeting or at least annually.

3.1.4 Appeal of Chair's Actions

If denied membership, the applicant shall be permitted to request a full Committee vote. A majority vote of those voting yes or no is required to overturn the Chair's action. The applicant shall be permitted to appeal the Committee's decision to the ExCom per Section 6.4.2.

3.1.5 Restrictions During Ballot Process

Voting Members shall not be admitted to the Committee during the balloting process unless approved by the ExCom, except as noted in Section 3.2.7. The balloting process shall comprise the time period from the first Committee ballot to the publication of the standard.

3.2 Balance

3.2.1 Membership Categories

Committee Membership shall be balanced among the following categories:

- a. Consumer: Includes representatives of owners, owners' organizations, designers and consultants retained by owners, testing laboratories retained by owners, facility operators, and insurance companies serving owners.
- b. Producer: Includes representatives of manufacturers, distributors, developers, contractors and subcontractors, construction labor organizations, and associations of these groups and professional consultants to these groups.
- c. General: Includes representatives of the general public having an interest in the process or product being standardized, such as from private, state, and federal research organizations; public interest groups; and standards and

model code organizations. Committee members in the Regulatory category are part of the General category when assessing balance.

- i Regulatory: For those standards intended to be used for regulatory purposes by local, state or federal agencies, regulators are an additional interest category for those standards. For those standards intended for regulatory adoption, a minimum of one regulatory member shall be included in the committee voting membership

3.2.2 Determination of Category

The Chair shall make the final determination of a Member's category or, if the Chair so requests, the Committee shall make the final determination by simple majority vote. Members in disagreement with their assigned category shall be permitted to appeal to the ExCom, whose decision is final.

3.2.3 Balance Criteria

The following criteria shall apply for balance of voting members:

- a. Consumers: 20 to 40 percent.
- b. Producers: 20 to 40 percent.
- c. General: 20 to 40 percent.
- i Regulatory: 0 to 15 percent. For mandatory standards of regulatory interest see Section 3.2.1c.

3.2.4 Represented Interests

Membership within each category shall be well distributed. No organization shall have more than one person as a Member on a Committee. If a Chair presents compelling evidence that multiple persons from a single organization are necessary for the progress of the standard, the ExCom shall be permitted to grant an exception to this requirement within the guidelines of dominance and balance. Appeal from an affected party regarding this issue shall be permitted to be made to the ExCom. If it is not resolved, the appeal shall proceed in accordance with Section 6 of these Rules.

3.2.5 Committee Size

The ExCom shall be permitted to establish a minimum and maximum Committee size by a majority vote. For an ANSI/ASCE standard the minimum Committee size shall be not less than twelve.

3.2.6 Committee Roster

ASCE staff shall maintain current Committee rosters. The Committee Chair is required to notify CSC staff of any roster changes and CSC staff is required to notify the Chair of any imbalance on the Committee. Prior to entering the balloting process, as defined in Section 3.1.4, staff should ascertain that the Committee is in proper balance.

3.2.7 Termination or Reclassification of Membership

Termination of membership on a Committee shall be permitted for the following cases:

- a. Membership shall be automatically terminated if a Member fails to vote or abstains without reason on a majority of items on two consecutive Committee

letter ballots. The Chair shall be permitted to reinstate a Member terminated for this reason if the Member submits a written request, including a satisfactory explanation for the inactivity, within 30 calendar days after a notification of termination is issued.

- b. Membership shall be terminated for cause in accordance with the following process:
 - i. Chair shall present, in writing, to CSC staff a “cause” for termination.
 - ii. Staff will transmit statement of cause to the Member that is being recommended for termination.
 - iii. Member shall have 30 calendar_days to submit to staff a written response to the statement of cause. The response shall be submitted in electronic format to CSC Staff. If no response is received within 30 calendar days, the member is terminated automatically.
 - iv. Staff will transmit Member’s response to the Chair.
 - v. The Chair will be provided the opportunity to submit to staff a rebuttal within 14 calendar_days of transmittal of the Member’s response. The Chair’s rebuttal should not introduce new “for cause” reasons for termination beyond the original statement of cause, but can address points introduced by the Member’s response.
 - vi. Staff will forward Chair’s rebuttal to the Member. Member shall have 14 calendar_days from transmittal to submit to staff a response to the rebuttal which will be transmitted to the Chair. In this second response, the Member cannot introduce new issues not presented in either the original statement of cause for termination, or the Chair’s rebuttal to the Member’s initial response.
 - vii. A letter ballot will be issued to the Committee by staff to vote to recommend termination of the Member.
 - viii. The letter ballot shall include the statement of cause, Member’s response, Chair’s rebuttal and the Member’s response to the rebuttal, as applicable.
 - ix. The letter ballot shall be processed in accordance with Section 5.3. However, no abstentions will be considered. In accordance with Section 5.6.3.1, comments will be included with the ballot report, but need not be addressed by the Committee.
 - x. If the ballot item fails, the Member remains a member of the Committee.
 - xi. The recommendation for approval of termination shall require a two-thirds vote by the ExCom. The Chair, Member, and Committee will be notified of the ExCom decision.
 - xii. Reclassification of Member. A Member is permitted to be reclassified with concurrence by both the Chair and the Member if the change does

not violate the balance criteria. Reclassification from Associate to Voting Member status requires notification to the ExCom or responsible entity.

Membership may also be terminated by the voluntary resignation of a Member.

3.2.8 Subordinate Groups

The Chair shall be permitted to establish or disband subordinate groups (e.g., subcommittees, work groups, task groups) to assist in meeting the Committee's objectives. The Chair shall establish the rules to be followed by the subordinate group.

3.2.9 Associate Members

Any ASCE member shall be entitled to Associate Member status on any Committee. An Associate Member shall be designated as a Committee member without voting privileges. The process for admitting an Associate Member to an existing Committee shall be the same as that for a voting Committee Member; however, the number of Associate Members shall not affect the balance of the Committee or the dominance of single interest unit.

Associate Members shall be included in the Committee Roster, which appears in the ASCE Official Register and in the front of the published standard.

Associate Members of the Committee shall be included in the balloting process for all proposals being considered by the Committee. Comments submitted by Associate Members shall be reported and treated in the same manner as Public comments. The votes by Associate Members shall not be tabulated in the formal determination of reaching consensus of the Committee.

3.3 Officers

3.3.1 Committee Officers

The ExCom shall appoint the Chair by majority vote. The Chair shall appoint a vice chair and a secretary, and the Committee shall confirm the appointments by majority vote at a duly constituted meeting. Except in the case where the Committee is operating under an MOU, as developed in Section 2.7, the Chair and Vice Chair shall be an ASCE or Institute member.

3.3.2 Subordinate Group Officers

Subordinate group chairs shall be appointed by the Chair and serve at the discretion of the Chair.

3.3.3 Removal of Officers

ExComs shall be permitted to remove Committee Officers from office by a two-thirds approval.

4 OPERATIONS

4.1 Committee Administration

4.1.1 ASCE Responsibilities

ASCE shall appoint a staff contact to assist Committees with, as a minimum, the following functions:

- a. Ensuring that the Committee complies with these Rules.
- b. Ensuring compliance with the *ASCE Standards Writing Manual*.
- c. Keeping the Committee officers informed of approved changes in membership.
- d. Assisting Committee officers with scheduling meeting dates and places.
- e. Distributing meeting notices on behalf of the Committee.
- f. Distributing all letter ballots, receive and record all completed ballots, distribute the results of the ballot to the Members of the Committee for resolution.
- g. Attending meetings, when approved by the sponsoring Institute.
- h. Maintaining Committee rosters and providing the name, affiliation, and category of any Member to any interested party upon request.

4.1.2 Budgets

The Committee officers, upon request, shall be responsible for preparing and submitting to the appropriate entity within ASCE proposed budgets for Committee operations including meeting expenses, travel, and other related costs.

4.1.3 Reports

Each Chair shall submit reports as required by its ExCom.

4.1.4 Administrative Issues

Voting on administrative and process matters exclusive of direct balloting on standards documents shall be determined by simple majority of those attending a meeting satisfying the quorum requirements of Section 4.4.4.

4.1.5 Records Retention and Disposal

Records shall be retained for a period of 10 years or until approval of the subsequent revision or reaffirmation of the complete standard, whichever is longer. Records concerning withdrawn standards shall be retained for at least five years from the date of withdrawal. CSC shall approve disposing of records. Requests by ASCE staff to dispose of records shall identify the affected standard, age of the records, and the type of records.

4.1.6 Records and Auditing

The Committee's secretary shall be responsible for developing, recording, and maintaining records, in cooperation with ASCE staff. All records shall be maintained at

ASCE Headquarters and be readily accessible from ASCE staff or the Committee secretary. Records shall include, but are not limited to, the following items:

- a. Rosters, including Members' information, applications, biographical summaries, and balance of interest categories.
- b. Meeting notices, including agendas and attachments.
- c. Meeting minutes.
- d. Correspondence, including notices of standardization activities, invitations to participate, publication articles, and deliberations regarding duplications or conflicts.
- e. Appeals resolutions.
- f. Interpretations.
- g. Ballot material, tallies of the results from Committee letter ballots, and Associate Member' comments.
- h. Resolution of conflicts from Committee letter ballots.
- i. Items deferred to next revision cycle.
- j. Documents required by ANSI for ANS designated standards, such as PSA forms, copies of appeals and responses, interpretations and evidence of processing those requests.

4.2 Standards Development

4.2.1 Referencing Standards and Publications

4.2.1.1 Mandatory Standards

4.2.1.1.1 Mandatory standards referenced in ASCE Standards shall be written using mandatory language, shall be identifiable by title, date or edition, and name of the developing organization.

4.2.1.1.2 The Committee shall adopt the latest edition of the mandatory standard available at the time of balloting. Only one edition of a mandatory standard shall be adopted. If the current edition is not suitable or multiple editions of a mandatory standard need to be referenced, then an exception is permitted to be granted by the ExCom and shall be noted in the Foreword or Commentary of the standard.

4.2.1.2 Nonmandatory Standards

Standards that do not comply with Section 4.2.1.1 shall only be referenced as nonmandatory standards and shall only be included as advisory material in an ASCE Standard or commentary.

4.2.1.3 Referencing Nonmandatory Publications in ASCE Standard Guidelines

Publications referenced in ASCE Standard Guidelines establishing recommended practices shall be subject to Section 4.2.1.4.

4.2.1.4 Referencing Other Documents

When a reference is made to another document, including other publications prepared by any organization, such a reference shall contain the title, date or edition, name of the developing organization and preferably the specific parts of the document to which reference is made. Committees shall include such references only after review of such documents or publications, satisfying themselves that the references are adequate and appropriate. The Committee shall provide a copy of the reference document to ASCE Headquarters, if the reference document is not readily available from other sources.

4.2.1.5 Conflicts with Other Standards

Committees shall make every effort to avoid conflicts with other ASCE standards or those of ANSI-accredited SDOs. When exceptions are taken to requirements in other ASCE mandatory standards, the Committee shall notify the affected ASCE Committee. CSC shall adjudicate all unresolved conflicts in accordance with Section 2.2.5.

International Standards Committees shall take relevant ISO or IEC Standards into consideration and, if appropriate, shall base their standards on, or consider the adoption of an ISO or IEC Standard as an ASCE Standard. Technical Activity Groups (TAGs) exist for most standards projects for which the United States has evidenced substantial interest. These groups shall be permitted to be contacted for information and advice through their TAG Administrators or Technical Advisors (as relevant) who are on record at ANSI headquarters.

4.2.2 Supplemental Operating Procedures

A Committee shall be permitted to adopt Supplemental Operating Procedures, provided that such procedures are consistent with, and no less stringent than, the Bylaws of ASCE, Institute Operating Procedures and the ASCE Rules for Standards Committees. Such procedures and amendments thereto shall be transmitted to ASCE staff, who shall submit them to its ExCom and CSC for approval.

4.2.3 Standards Format and Style

Committees shall follow the latest editions of the *ASCE Standards Writing Manual* and *ASCE's Editor's Guide for Standards*.

4.2.4 Commentaries

For all mandatory standards Committees shall provide a Commentary, separate and apart from the consensus standard, that provides the technical and administrative rationale for the standardization. The Committee shall approve commentaries by letter ballot in accordance with Section 5.3.

4.2.5 Commercial Terms and Conditions

Provisions involving business relations between buyer and seller such as guarantees, warranties, assignment of responsibility of work, and other commercial terms and conditions shall not be included in a standard or its commentary.

- a. The appearance that a standard endorses any particular products, services or companies shall be avoided. Proper names or trademarks of specific companies or organizations, manufacturer lists, service provider lists, or

similar material shall not be included in the text of a standard or its commentary (or the equivalent).

- b. Where a sole source exists for essential equipment, materials or services necessary to determine compliance with the standard, it shall be permitted to supply the name and address of the source in a footnote or commentary as long as the words “or the equivalent” are added to the reference.
- c. In connection with standards that relate to the determination of whether products or services conform to one or more standards, the process or criteria to determine conformity shall be permitted to be standardized as long as the description of the process or criteria is limited to technical and engineering concerns and does not include what would otherwise be a commercial term or proper name.

4.2.6 Units

Dimensions and quantities shall be expressed in International System of Units (SI units) followed by conversion to U.S. Customary units in parentheses; or in U.S. Customary units followed by conversion to SI units in parentheses, whichever appears to the Committee to be in the best interests of the users of the standard. The conversion of all formulas, equations, and tables in the other units shall be permitted to be placed in an appendix to the standard instead of being included in parentheses in the body of the standard. No conversion shall be required if a standard is published in two separate versions - the SI or the metric version and the U.S. Customary units version. Conversion shall be in accordance with IEEE/ASTM-SI-10-02 American National Standard for Use of the International System of Units (SI): The Modern Metric System. Each scope statement shall include the Committee's intention relative to the use of SI.

4.3 Patented and Proprietary Items

4.3.1 General

There is no objection in principle to writing an ASCE Standard in terms that include the use of essential patent claim(s) (one whose use would be required for compliance with that standard) if it is considered that technical reasons justify this approach. Participants in the Society's standards development process are encouraged to bring patents with claims believed to be essential to the attention of the Society. If the Society receives a notice that a proposed standard or revision to an existing standard requires the use of a patented item(s), the procedures specified in Sections 4.3.2 to 4.3.7 shall be followed.

4.3.2 Statement from Patent Holder

Before balloting any text whose acceptance would include the use of an essential patent claim(s) in an ASCE Standard, the Society shall receive from any identified patent holder or a party authorized to make assurances on its behalf in written or electronic form either:

- a. Assurance in the form of a general disclaimer to the effect that such party does not hold and does not currently intend on holding any essential patent claim(s) or assurance that the following occur:

- b. Assurance that a license to such essential patent claim(s) will be made available to applicants desiring to utilize the license for the purpose of implementing the standard either:
 - i. Under reasonable terms and conditions that are demonstrably free of any unfair discrimination; or
 - ii Without compensation and under reasonable terms and conditions that are demonstrably free of any unfair discrimination.

Such assurance shall indicate that the patent holder (or third party to make assurances on its behalf) will include any documents transferring ownership of patents subject to the assurance provisions sufficient to ensure that the commitments in the assurance are binding on the transferee and the transferee will similarly include appropriate provisions in the event of future transfers with the goal of binding each successor-in-interest. The assurance shall also indicate that it is intended to be binding on successor-in-interest regardless of whether such provisions are included in the relevant transfer documents.

4.3.3 Record of Statement

A record of the patent holder's statement shall be placed and retained in ASCE's files and in ANSI's files for designated American National Standards.

4.3.4 Notification During Balloting Process

Where a Committee is considering the inclusion of a patented item, the Committee shall include a statement in the balloting process indicating a willingness to consider alternatives. The statement with the ballot shall include a request for an alternative(s) as follows:

The (name of material, product, process, procedure, apparatus) is covered by a patent. If you are aware of an alternative(s) to the patented item, please attach a description of the alternatives to the ballot return. All suggestions will be considered by the standards committee.

4.3.5 Responsibility for Identifying Patents

Neither a Committee nor ASCE nor ANSI shall be responsible for identifying all patents for which a license shall be permitted to be required in using an ASCE standard or for conducting inquiries into the legal validity or scope of those patents that are brought to the Society's attention.

4.3.6 Notice

When the Society receives from a patent holder the assurance set forth in 4.3.2, the standard shall include a note as follows:

NOTE – The user's attention is called to the possibility that compliance with this standard may require use of an item covered by patent rights.

By publication of this standard, the American Society of Civil Engineers takes no position with respect to the validity of this claim or of any patent rights in connection therewith. Users of this standard are expressly advised that determination of the validity of any such patent rights, and the risk of infringement of such rights, are entirely their own responsibility. The patent

holder has, however, filed a statement of willingness to grant a license under these rights on reasonable and nondiscriminatory terms and conditions to applicants desiring to obtain such a license. Details shall be permitted to be obtained from ASCE.

4.3.7 Footnote

In addition, a statement shall be placed in a footnote of the standard in each specific section of the standard in which the patented item is mentioned. The footnote shall be as follows:

The (name of material, product, process, procedure, apparatus) is covered by a patent. Interested parties are invited to submit information regarding the identification of an alternative(s) to this patented item to ASCE Headquarters. Your comments will receive consideration at a meeting of the responsible standards committee, which you shall be permitted to attend.

4.3.8 Antitrust

ASCE Standards shall be developed in accordance with applicable antitrust and competition laws and meetings amongst competitors to develop ASCE standards are to be conducted in accordance with these laws.

4.4 Committee Meetings

4.4.1 General

Committee meetings shall be conducted in a format that permits Members to interact directly, including face-to-face meetings, tele- or web conferences, video conferencing, and any combination of these methods.

4.4.2 Frequency and Location

The Committee shall base the frequency of its meetings on its current activities, operating needs, and budget. The Chair shall be permitted to call a meeting at a time and place deemed suitable. The Chair shall call a meeting of the Committee on written request of five Members, and not less than 10 percent of the Committee membership, whichever number is larger.

4.4.3 Notification

A minimum of 30 calendar days' notice shall be given to Members for an in person meeting requiring travel and 15 calendar days' notice for a tele- or web conference. An agenda shall accompany notification of meetings. Public notice for a Committee meeting shall be published at least 15 calendar days before the meeting; publication of the notice on ASCE's website or the ExCom's or Committee's website shall be a minimum requirement. Exceptions to these requirements shall be approved by the ExCom.

4.4.4 Quorum

For all meetings, a quorum shall be greater than 50 percent of the Members in person or via tele- or web conferencing. If a quorum is not present at a duly called meeting, those assembled shall be permitted to proceed with the specific agenda; however, all actions taken, except those actions listed below shall be submitted to letter ballot for confirmation by the entire Committee:

- a. Approve agenda, including additions/deletions of agenda items.
- b. Approve minutes if they were distributed in advance to the Committee.
- c. Approve submitting a proposal for a new standard activity or to revise an existing standard to letter ballot by the Committee in accordance with Section 5.3.
- d. Establish the date and location of future meetings.

4.4.5 Parliamentary Procedures

The rules contained in the latest edition of *Roberts Rules of Order, Newly Revised*, shall govern in all cases to which they are applicable and in which they are not inconsistent with the *ASCE Rules for Standards Committees*.

4.4.6 Open Meetings

All Committee meetings shall be open and attendance by interested parties welcomed in accordance with the following:

- a. Visitors shall have neither the right to vote nor the right to receive copies of the minutes, except by specific decision of the Chair.
- b. Visitors shall be permitted to address the Committee on a subject relevant to items under consideration, provided due notice of this intent is received by the Chair at least 10 calendar days prior to the meeting. The Chair shall be permitted to waive the 10 calendar day notice and shall be permitted to designate the time allotted for such presentation.

4.4.7 Recording of Meetings

Any recording of meetings shall be approved by the Chair and shall remain the property of ASCE.

5 RULES FOR PROCESSING ASCE STANDARDS

5.1 Applicability of Rules

Proposed provisions for a new standard or changes to an existing standard, including the title of the standard, the foreword and abstract, applicable commentaries and appendices, shall be processed in accordance with these Rules. These Rules shall not be applied to material not directly related to the provisions of the standard, including items such as the, Table of Contents, Committee Roster, Copyright Page, and Index.

5.2 Proposed Standard Provisions

All proposed provisions for a new standard or changes to an existing standard shall be approved through a letter ballot of the Committee. Any person shall be permitted to submit proposed standard provisions at any time to the Chair with a request that the proposed provision be considered by a letter ballot of the Committee. The Chair shall take one of the following actions in response to the request:

- a. Make a determination to approve or deny the request and notify the Committee of the proposed provisions and the determination.
- b. Defer the request for consideration at the next Committee meeting.

5.3 Committee Letter Balloting

5.3.1 General

The Chair shall prepare a letter ballot using the ASCE balloting system. A ballot or ballot item shall not be constructed in such a manner so as to assume the vote of an individual if they fail to return a ballot.

5.3.2 Voting

Members shall respond to items by casting votes as follows:

- a. Affirmative: To indicate concurrence with the ballot item.
- b. Affirmative with comment: To indicate concurrence with a ballot item with a comment.
- c. Negative: To indicate opposition to the ballot item.
- d. Negative with comment.
- e. Abstain: To indicate that the Member is not in a position to cast an alternative vote because of a lack of familiarity with the issues addressed by the ballot item.

5.3.3 Voting Period

The voting period for letter ballots shall be established by each Committee for each letter ballot, but in no case shall it be less than 30 calendar days. All letter ballots shall be counted by ASCE staff and reported to the Committee within 30 calendar days following the voting period.

5.3.4 Confidentiality

Member's votes on all letter ballots shall remain confidential until the voting period is closed.

5.3.5 Unpublished Draft Standards

The content of unpublished drafts of standards, commentaries on standards, and related material shall not be cited or referenced.

5.3.6 Reporting Votes

The results of each vote on a standard shall be reported by the ASCE Codes and Standards staff as follows:

- a. Number of Members.
- b. Number of Members voting affirmatively, with and without comment.
- c. Number of Members voting negatively, with and without stated reasons.
- d. Number of Members voting abstention.
- e. Identification of Members not returning the ballot.

5.3.7 Proxy Voting

Proxy voting shall not be permitted.

5.3.8 Notification

The Chair and/or designated CSC staff is permitted, but is not required to, notify Members of a ballot approximately one week before the ballot opens. The Chair and/or designated CSC staff is permitted to remind Members of the ballot at least 10 calendar days prior to ballot closing. A reminder of the ballot closing is not required.

5.4 Committee Approval of Proposed Standards Provisions

A proposed standards provision is approved by the Committee when the following conditions have been met:

- a. The letter ballots returned, including abstentions, shall represent not less than 65 percent of the Members.
- b. Votes cast affirmatively, with and without comment, for each ballot item shall be not less than 75 percent of the total affirmative and negative votes cast and shall be more than 50 percent of the total Members.
- c. Affirm with comment votes have been addressed in accordance with Section 5.5.
- d. Negative votes have been addressed in accordance with Section 5.6.

5.5 Resolving Affirm with Comment Votes

5.5.1 General

Comments provided with Affirm with Comment votes shall be classified as persuasive editorial, persuasive-substantive, or non-persuasive/unrelated and resolved as defined in Sections 5.5.2 to 5.5.4.

5.5.2 Persuasive Editorial

If the Chair determines the comment to be editorial as defined in Section 5.7 and persuasive, the Chair shall prepare and process the editorial changes in accordance with Section 5.7.

5.5.3 Persuasive Substantive

If the Chair determines the comment to be persuasive and a substantive change is required, the Chair shall submit the proposed revision to the Committee for approval by letter ballot in accordance with Section 5.4.

5.5.4 Non-Persuasive or Unrelated

If the Chair determines the comment is non-persuasive or unrelated to the proposal under consideration, all Members will be notified of this determination and the vote shall be recorded as an “affirm with comment vote with a non-persuasive (or an unrelated) comment”. No further action is necessary to resolve affirm with comment votes with non-persuasive or unrelated comments.

5.6 Resolving Negative Votes

5.6.1 General

Negative votes shall be classified into one of three general categories in accordance with Section 5.6.2 and resolved in accordance with Section 5.6.3.

5.6.2 Category of Negative Votes

5.6.2.1 Negative Votes with a Related Comment

Negative votes that have an explanation, and/or a suggestion for revision pertinent to the issue being balloted shall be resolved by one of the following methods:

- a. If the Chair determines the negative comment to be persuasive editorial, the comment shall be incorporated and:
 - i. The Chair's determination shall be circulated to all Members to provide the opportunity to respond, reaffirm, or change their vote on the ballot item associated with the negative vote in question.
 - ii. The negative voter shall be permitted to request a Committee vote on the Chair's determination by submitting a written request to the Chair within 15 calendar days of notification of the Chair's action. The Chair shall be permitted to conduct the vote at a meeting or by letter ballot. If the Committee fails to uphold the Chair's determination by a consensus vote, the negative vote shall be processed in accordance with the other provisions of this section.
- b. If the Committee previously found the comment accompanying a negative vote to be non-persuasive in a letter ballot, the Committee is not required to reconsider the comment unless new technical information not previously known to the Committee was introduced with the vote.
- c. Consideration of standards provisions based upon negative votes that include comments and recommendations related to new technical data, evidence or issues, shall be permitted to be postponed until the next standard revision cycle, if approved by a majority vote of the Committee at a duly constituted meeting or by a letter ballot. The new technical data must be provided to the Committee either with the letter ballot or no less than 15 calendar days before the meeting at which the vote on postponement is held. If the Committee votes to approve postponement at a meeting, the approval shall be circulated to all Members to provide the opportunity to respond, reaffirm, or change their vote on the postponement.
- d. If the Chair determines the suggested explanation for the negative vote and suggested change is persuasive, the Chair shall submit the persuasive negative vote, with the voter's explanation and the suggested change, to the Committee for approval by letter ballot in accordance with Section 5.4.
- e. If the Chair determines the suggested explanation for the negative vote and suggested change is non-persuasive, the Chair shall submit the non-persuasive negative vote, including the voter's explanation and suggested change, and the Chair's reason for proposing to find the vote non-persuasive to the Committee for consideration by a letter ballot. Committee votes to find negative comments non-persuasive shall be straight "yes" or "no" votes unless otherwise indicated in the ballot instructions.
 - i. If the Committee approves finding a negative vote to be non-persuasive by letter ballot, no further action is required.

- ii. If the Committee fails to find a negative vote to be non-persuasive, the Chair shall either drop the relevant provision to which the voter objects from the standard, or declare the negative vote persuasive and further processed as a new proposed standards provision in accordance with Section 5.2. If the Committee approves finding a negative vote to be non-persuasive by letter ballot, no further action is required.

5.6.2.2 Negative Votes with an Unrelated Comment

If the negative vote is accompanied by a comment that is not related to the proposal under consideration, the negative vote shall be recorded as a “negative vote with an unrelated comment.” No action is necessary to resolve negative votes with an unrelated comment.

5.6.2.3 Negative Votes with No Comment

Negative votes submitted without an accompanying comment shall be recorded as a “negative vote without comment.” No action is necessary to resolve negative votes with no comment.

5.6.3 Resolutions Associated with Negative Votes

5.6.3.1 Negative Votes on Straight “Yes” or “No” Ballot Items

Comments received with negative votes on ballot items that are clearly identified as straight “yes” or “no” votes shall be distributed to the Committee, but need not be addressed.

5.6.3.2 Balloting for Resolution of Negative Votes

Approval by a letter ballot for resolving negative comments shall meet the conditions of Section 5.4.

5.6.3.3 Notification of Resolution of Negative Votes

The negative voter shall be informed in writing of the action taken on the negative ballot and of their right to appeal in accordance with Section 6.

5.6.3.4 Withdrawal of Negative Comment

At any point, a voter shall be permitted to withdraw their negative comment. Such action must be recorded in writing and the entire Committee notified of this action. The vote stands as negative, but no further action is required to resolve withdrawn comments.

5.7 Editorial Changes

An editorial change in a standard shall be considered one that does not directly and materially affect the use of the standard. Anyone shall be permitted to submit in writing to the Chair a request to make an editorial change to the standard. If the Chair determines the change is editorial, all Members will be notified of this ruling and provided with a 15 calendar day opportunity to challenge the ruling. If challenged, the proposed change shall be processed as a proposed revision in accordance with these Rules.

5.8 Errata

Errata shall be limited to discrepancies between the balloted and published version of the standard and typographical errors in the published version of the standard. Errata

shall be approved by the Chair and need not be processed as a proposed revision in accordance with these Rules.

5.9 CSC Approval of Final Committee Draft Standards and Commentaries

After a Committee approves a proposed standard and commentary, the Chair shall send the draft standard, commentary, and final report regarding procedural matters (such as Committee letter ballots and disposition of negative votes) to the ExCom and CSC for review and approval. The scope of the ExCom and CSC review shall be limited to issues related to assuring compliance with the Rules.

5.10 ASCE Public Comment Period

5.10.1 Notification of ASCE Public Comment Period

After its review and approval, CSC shall publish on the ASCE website a notice of the availability for review of the complete proposed standard and the dates for opening and closing an ASCE Public Comment Period. The proposed commentary shall be provided with the public comment draft for information only.

5.10.2 ASCE Public Comment Period

Any individual who is not a Member of the Committee shall be permitted to participate in the ASCE Public Comment Period on the standard. The minimum public review period shall be 45 calendar days if the publication is available electronically, otherwise it shall be 60 calendar days. Submissions received during the ASCE Public Comment Period (period) shall be compiled within 30 calendar days of the close of the period. Comments submitted after the close of the period shall be permitted to be, at the discretion of the Chair, resolved during the current period or shall be considered during the next revision cycle of the standard in accordance with the following:

- a. Resolving ASCE Public Comments. All substantive changes resulting from the resolution of comments submitted by reviewers during the period shall be re-circulated to the Committee. The Committee shall process negative and substantive affirmative public comments in accordance with Sections 5.4 and 5.6.
- b. Approving Standards and Commentaries. CSC shall issue a final report on the period certifying compliance with these rules and procedural matters. CSC shall approve the standard and any commentaries only after determining that they were developed in compliance with the Rules.

5.11 Revision or Reaffirmation

A Committee responsible for an ASCE standard shall establish a schedule providing for review and needed revision or reaffirmation at intervals not to exceed five (5) years. A schedule update shall be provided to CSC annually. After ten (10) years, if there has been no reaffirmation or revision, the standard shall be considered for withdrawal by the appropriate ExCom and CSC. Revisions shall consider all formal interpretations by the Committee. Requests for revisions to a standard shall be permitted to be made by any person or organization in accordance with Section 5.2, and shall be addressed in writing to CSC. If no request for revision is received, the standard shall be reaffirmed by

Committee letter ballot followed by the ASCE Public Comment period(s), which shall be conducted in accordance with these Rules.

5.12 Designation as an American National Standard

A standard intended for designation as an American National Standard (ANS) shall be processed in accordance with ANSI's procedures, including the current edition of *ANSI Essential Requirements*. A standard that is approved as an ANS shall have its cover or title page marked with an approved ANSI logo furnished by ANSI or the words "an American National Standard."

In addition to ASCE voting procedures, a standard intended for ANS shall be processed using the following voting procedures in accordance with *ANSI Essential Requirements*:

- a. After conclusion of regular balloting of proposals and approval by the appropriate ExCom and CSC to move to a public ballot, a single Committee consensus ballot, clearly indicated as such, shall be held for the entire proposed standard. This ballot shall be permitted to occur concurrently with the ASCE and ANSI public comment period. This consensus ballot shall be the ballot reported to ANSI via their official ANS reporting process.
- b. At the conclusion of the consensus ballot, negative comments shall be processed in accordance with Section 5.3. Objectors from the public comment period and the consensus vote shall be provided a written disposition of the objection and the reasons for the disposition.
- c. Any substantive change made to a proposed standard following public review shall require another public comment period, in accordance with Section 5.10.2, concurrent with a committee recirculation ballot in accordance with *ANSI Essential Requirements*. Committee voters shall be provided the opportunity to comment, reaffirm, or change their vote due to recommended substantive changes, attempts at resolution and unresolved objections. The purpose of the recirculation ballot shall be clearly indicated. Following the consensus ballot and the recirculation ballot of Section 5.12b, the Standard shall be forwarded to CSC for final approval. Results of the consensus ballot and recirculation ballot will be reported to ANSI, including unresolved objections and evidence of attempts at resolution.

6 APPEALS

6.1 Scope

Appeals regarding a standardization activity shall be permitted to be made regarding procedural issues. Appeals pertaining to restraint of trade are automatically considered procedural in nature and shall be processed in accordance with this section only.

6.2 Eligible Parties

Persons who have directly and materially affected interests and who have been or may be adversely affected by a procedural action or inaction shall have the right to appeal.

6.3 Filing

The appellant shall file a written complaint with CSC within 30 calendar days after the postmark date of the letter notifying the objector of action taken or at any time with respect to inaction. The complaint shall state the nature of the objection(s) including any adverse effects, the specific clause(s) of these Rules or the standard that is at issue, actions or inactions that are at issue, and shall provide the specific remedial action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted in the written complaint.

6.4 Resolution

6.4.1 Resolution of Actions Taken by the Chair

Within 30 calendar days after the receipt of the complaint, the ExCom or its designee shall respond in writing to the appellant specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

6.4.2 Resolution of Actions Taken by the Committee

Within 30 calendar days after the receipt of the complaint, the Chair or designee of the Chair shall respond in writing to the appellant specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

6.4.3 Resolution by CSC

Appellant concerns that are not resolved by the action required by Section 6.4.1 or 6.4.2 shall be permitted to appeal to the CSC within 15 calendar days of being notified in accordance with Section 6.4.1 or 6.4.2.

- a. CSC shall be permitted to handle appeals by letter ballot, e-mail ballot, conference call, or an in-person meeting. The appellant shall be entitled to attend all in-person meetings or conference calls related to their appeal.
- b. The appellant, CSC, and others concerned shall be notified of the meeting at least 21 calendar days in advance of the date set. Voting rules of CSC as specified by the ASCE By-laws shall apply.
- c. CSC shall render its decision to all concerned in writing within 30 calendar days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence presented to the hearing group. CSC shall consider the following:
 - i. Finding for the appellant — remanding the action to the Committee with a specific statement of the issues and facts in regard to which fair and equitable action was not taken.
 - ii. Finding for the respondent — providing a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections.
 - iii. Finding that new substantive evidence has been introduced — remanding the entire action to the Committee for appropriate reconsideration.

7 FORMAL INTERPRETATIONS

7.1 General

Requests for formal interpretations shall be submitted in writing to ASCE Codes and Standards staff and staff shall forward the request to the appropriate Chair.

7.1.1 Limitations of Formal Interpretations

Any written or oral statement that is not processed in accordance with this section shall not be considered the official position of ASCE or any of its Committees and shall not be considered to be, nor be relied upon as, a formal interpretation.

7.1.2 Nature of Formal Interpretations

Requests for formal interpretations shall be clearly worded so that they can be answered by “yes” or “no.” The Committee is not restricted to providing an answer of either “yes” or “no.”

7.1.3 Editions to be Interpreted

Formal interpretations shall be rendered only on the text of the current or immediate prior edition of the document.

7.1.4 Reasons for not Processing Formal Interpretations

A request for a formal interpretation shall not be processed if the Chair determines it involves any of the following:

- a. A determination of the compliance of a design, installation, or product or equivalency of protection.
- b. A review of plans or specifications, or requires judgment or knowledge that can only be acquired as a result of on-site inspection.
- c. Existing text in the standard or commentary clearly and decisively provides the requested information.
- d. Subjects that were not previously considered by the Committee or that are not addressed in the document.
- e. Providing advice, guidance, or an explanation of a provision or the intent of the Committee.
- f. Substantive changes that can be addressed only through a proposed change to the standard in accordance with Section 5.2.

7.1.5 Personal Opinions

Personal opinions shall be permitted to be offered by ASCE Codes and Standards staff and Committee members. Personal opinions are not formal interpretations, do not represent the position of the standards Committee or the Society, and should not be relied upon as such. Copies of written personal opinions should be provided to the Chair of the appropriate Committee.

7.2 Requests

A request for a formal interpretation shall:

- a. Be made in writing.

- b. Identify the portion (e.g., article, section, and paragraph) and edition of the Standard which is the topic of the formal interpretation;
- c. State the question related to implementation or compliance with the portion of the Standard referenced above; and
- d. Indicate the business interest of the requester. A request involving an actual field situation shall so state.

7.3 Editing

A request for a formal interpretation shall be permitted to be rephrased by the Chair for brevity and clarity. The rephrased version shall be sent to the requester and all parties named in the request for agreement.

7.4 Preparation of Response

If accepted for consideration, a tentative interpretation shall be drafted by the Chair and submitted to a ballot of the Committee.

7.5 Voting

7.5.1 Interpretation Approval

Committee approval of a tentative interpretation shall be by letter ballot or e-mail ballot in accordance with Section 5.4.

7.5.2 Ballot Comments

Ballot comments shall be transmitted to each member, who shall be permitted to change his or her ballot within 15 calendar days following the distribution of ballot results.

7.5.3 Failure to Obtain Committee Approval

If the Committee does not approve the tentative interpretation, the chair shall decide if further action is warranted. If no further action is taken, the requester shall be notified and shall be informed that they are permitted to submit a proposed change to the standard under Section 5.2.

7.5.4 Ballot Results

The requestor for an interpretation shall receive written notification of the results of the balloting.

7.6 Issuance

A formal interpretation shall become effective after approval by the Committee in accordance with Section 7.5 and notification in accordance with Section 2.8. The formal interpretation is permitted to be appealed on procedural issues in accordance with Section 6. No interpretation shall be considered binding on the Society unless it is established in accordance with these procedures.

7.7 Notification

Notification in accordance with Section 2.8 shall be made after formal interpretations are processed in accordance with Section 7.5 and issued.

8 REFERENCES

ANSI Essential Requirements; January 2015 www.ansi.org/essentialrequirements. Accessed 4/27/2015

ASCE Standards Writing Manual.

www.asce.org/uploadedFiles/Technical_Areas/Codes_and_Standards/Content_Pieces/standards-writing-manual.pdf. Accessed 4/27/2015.

ASCE Editor's Guide for Standards. www.asce.org/codes-standards/process/. Accessed 4/27/2015.

IEEE/ASTM-SI-10-2010 IEEE/ASTM American National Standard for Use of the International System of Units. www.ansi.org. Accessed 10/13/2013

Roberts Rules of Order Newly Revised, 11th Edition, 2011. <http://robertsrules.com>. Accessed 10/13/2013.