

**MEMORANDUM**

To: All Members of AIA MA  
From: John Nunnari  
Date: 11/10/25  
Re: Legislative and Regulatory Update

**Legislative Update:****Since the last Update**

Over the past month, momentum on Beacon Hill has been marked by rising tension and renewed urgency as the Governor, House Speaker, and Senate President continue negotiating late-session priorities. The Governor has pressed for progress on housing and affordability measures, including zoning reform and funding for emergency shelter programs, while the Legislature has struggled to reconcile competing proposals amid growing political fatigue. Frustrations have surfaced over missed deadlines and stalled conference committees, particularly around the supplemental budget and shelter funding, prompting calls from both chambers for a more coordinated approach before the holiday recess.

Despite the friction, leaders have expressed optimism that key issues—including housing production, climate investments, and public safety funding—can still advance before the end of the year. The Governor has continued to emphasize problem-solving over partisanship, while the House Speaker and Senate President have publicly affirmed their shared commitment to finding “practical solutions” for the Commonwealth’s pressing challenges. As these discussions unfold, architects and design professionals should take note that state leaders remain focused on the intersection of housing, infrastructure, and climate resilience—areas where thoughtful design will play a critical role in shaping Massachusetts’ policy outcomes heading into 2026.

**Looking Forward**

As Beacon Hill heads toward its mid-November recess, the Governor, House Speaker, and Senate President are working to resolve key fiscal and policy issues amid continued fallout from the federal government shutdown. A \$2.3 billion supplemental budget remains the top priority, as Comptroller William McNamara cautioned that delayed state financial reporting could risk federal funding. Alongside budget negotiations, legislators are advancing measures to protect transit workers, remove outdated and offensive statutory language, and safeguard access to library materials. The Governor also underscored the need to address rising health care costs through greater collaboration among insurers, providers, hospitals, and employers. Additional hearings this week will explore updates to gaming laws and higher education infrastructure investments, reflecting a busy and constructive close to the 2025 formal legislative session.

**AIA MA Bill Tracking**

To view the current status of all AIA MA tracked legislation, [please click here](#) (Files located under the banner *Bills Tracked for the 2025–2026 Legislative Session*)

A schedule of all Legislative Events can be found on the [Legislative Events](#) of AIA MA’s website.

To review previous Legislative or Regulatory Reports or minutes from GAC meetings, please click [here](#)

**Regulatory Update:**

A schedule of all construction board regulatory meetings can be found on the [Regulatory Events Calendar](#) of AIA MA's website.

**Notices of Public Review of Prospective Regulations (10/08/25 – 11/10/25)**

There have been no **Notices of Public Review of Prospective Regulations** since the last Legislative and Regulatory Update dated 10/08/2025

**New Regulations (10/08/25 – 11/10/2025)****248 CMR – Board of State Examiners of Plumbers and Gas Fitters**

- October 24 2025 – **248 CMR 3.0** – General Provisions governing the conduct of plumbing and gas fitting work performed in the Commonwealth – [Permanent Regulations](#) – **Effective Date: 10/24/2025**
- October 24 2025 – **248 CMR 11.0** – Education and Experience Standards and Requirements for Licensure – [Permanent Regulations](#) – **Effective Date: 10/24/2025**

CMR's tracked include: 105 CMR – State Sanitary Code; 225 CMR 22.00 – 26.00 – Energy Codes; 248 CMR – Plumbing/Gas Fitting Code; 257 CMR – Water Treatment; 271 CMR – Sheet Metal; 310 CMR – DEP; 314 CMR – Water Pollution Control; 521 CMR – Architectural Access; 522 CMR – Boiler Rules; 524 CMR – Elevator; 527 CMR – Fire Code; 528 CMR – Pipefitter and Refrigeration; 780 CMR – Building Code

Copies of all codes listed above can be found on the [State Boards and Construction Regulations](#) page of AIA MA's website

**Board of Building Regulation and Standards**

The November 5, 2025 meeting centered on improving administrative clarity, refining interpretation procedures, and addressing several active regulatory and policy matters. The Board approved prior meeting minutes and held a detailed discussion on establishing a formal interpretation process for code questions. Members agreed that the BBRS needs a transparent, written framework outlining how interpretation requests are received, reviewed, and issued – modeled in part on the Fire Prevention Regulations Board's (BFPR) approach. The process will distinguish between official BBRS interpretations and informal staff "guidance," require timely responses, and potentially reference ICC technical resources. Members suggested adding definitions of what qualifies as an interpretation, when one should be issued, and how to handle cases beyond existing Technical Advisory Committees. Staff were asked to revise and resubmit the draft for a formal vote at the December meeting. The Executive Director's report highlighted licensing statistics, encouraged greater BBRS participation in Building Code Appeals Board (BCAB) hearings, and reported progress on BFPR's adoption of Chapters 2–55 of the fire code. Members also discussed expanding BCAB participation through broader meeting invitations and received an update that CSL exam pass rates had risen to approximately 38% as test revisions continue.

Counsel reported that both the solar setback regulations remain under internal administrative review but confirmed that all required paperwork has been completed and that the matter remains active on the state's regulatory tracking list. In policy actions, the Board approved an interpretation clarifying that NFPA 72 (2019 edition) shall be considered equivalent to NFPA 720 (2015 edition) for carbon monoxide detection systems – resolving a lingering code reference conflict. The interpretation will be issued with a short explanatory cover letter to aid enforcement and design professionals. The Board also began reviewing several code change proposals, including updates to the state's definition of "high-rise" buildings (to align Massachusetts' 70-foot threshold with the 75-foot model code standard) and two proposals to permit single-stair multifamily residential buildings

up to six stories. Discussion recognized the connection to current housing-production initiatives and pending legislative efforts to form a study commission on single-egress buildings. AIA Massachusetts provided contextual remarks on that legislation and its stakeholder engagement process. Additional proposals reviewed included revisions to concrete personnel qualifications and structural language updates. No votes were taken on code proposals pending subcommittee deliberation. Overall, the meeting advanced procedural reforms, reaffirmed NFPA equivalency for carbon monoxide standards, confirmed that solar setback regulations remain pending but active, and continued discussions on aligning building codes with the state's housing and safety priorities.

### **MA Board of Registration of Architects (MBRA)**

The MBRA will not meet again until December 9, 2025.

### **Board of Fire Prevention Regulations (BFPR)**

On November 6, 2025 BFPR met to review progress on the upcoming 2026 edition of 527 CMR 1.00 (Massachusetts Comprehensive Fire Safety Code) and to receive updates from its administrative and technical committees.

- **Code Development and Coordination:**

The Board continued coordination with the BBRS to align the fire and building codes and reduce potential conflicts prior to promulgation. Approximately 27 proposals remain under review, with an additional meeting scheduled for November 20 to complete the review process.

- **Administrative Committee:**

The Administrative Committee (Chapters 1–9) was unable to take formal action due to a lack of quorum but reviewed the latest draft chapters. Discussion centered on confirming the correct publication years for referenced standards (e.g., NFPA documents) and relocating several provisions—such as those addressing fake sprinkler heads and alarms—to the appropriate technical chapters. The committee will reconvene before the December meeting to finalize its recommendations.

### **Technical Committee Updates:**

- The **Equipment Code Committee** voted to adopt the **2026 edition of NFPA 85**, with corresponding updates to Chapter 52 underway.
- The **Hazardous Materials Committee** and **Hazardous Work Group** finalized permit and storage threshold tables consistent with **NFPA 1**, improving clarity and consistency across material classifications.
- The **Electrical Interpretations Committee** approved several formal code interpretations on photovoltaic systems, working clearances, waterproof connectors, and emergency system wiring, while deferring a few questions for further review.

### **Dedication and Implementation Timeline:**

The Board unanimously voted to dedicate the 2026 edition of 527 CMR 1.00 to Deputy State Fire Marshal Thomas Ferraro, recognizing his long-standing service to fire prevention and code education. In response to a public inquiry from AIA Massachusetts, the Board noted that—while the timeline ultimately depends on state review and approval — the new fire code could become effective approximately six months after submission, potentially by mid-2026.

The meeting concluded with appreciation for the committee's work and a reaffirmed goal to complete all remaining administrative edits prior to the December meeting.

### **Board of Elevator Regulation**

The next meeting of the board is December 2, 2025.

**Massachusetts Sheet Metal Board**

The next meeting of the board is November 19, 2025.

**Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters**

The next meeting of the board is November 19, 2025.

**Board of State Examiners of Plumbers and Gas Fitters**

The next meeting of the board is anticipated for November 19, 2025.

**MAAB**

The MAAB met on November 3, 2025, to review multiple variance requests and compliance issues related to accessibility in both public and private developments across the Commonwealth.

The Board began with several hearings on accessibility compliance and variance requests. Topics included the installation of a vertical wheelchair lift in a medical office renovation, the accessibility of entrances and interior routes, and verification that accessible pathways do not segregate users. Variance petitions included projects such as Heritage Apartments (seeking a five-year time variance to address ADA and FHA noncompliance findings) and the National Council for Incarcerated and Formerly Incarcerated Women and Girls (requesting approval for a vertical platform lift connecting multiple levels on a sloped site). Board discussion emphasized ensuring inclusive access routes, the adequacy of turning radii, and compliance of toilet room layouts. The Board granted several variances—with conditions such as annual progress reporting for multi-year compliance plans—and reaffirmed its expectation that all publicly accessible spaces meet 521 CMR standards. Later discussion addressed numerous municipal curb-cut cases concerning slope, drainage, and visual cues, with motions either granting relief, continuing cases for additional design information, or conditioning approval on improved water-management and tactile demarcation.

The Board reconvened after lunch for a variance hearing on 233 Massachusetts Avenue, Cambridge. The Chair formally opened proceedings, confirmed recording protocols, and introduced members. This session primarily established the official record for the afternoon's major case involving MIT's investment management company. The Board conducted an extended variance hearing regarding MIT's mixed-use building at 233 Massachusetts Avenue, which includes fraternity housing and ground-floor retail. MIT's representatives and their architects sought variances related to inaccessible entrances, the lack of an elevator, noncompliant door widths, restroom upgrades, and mobility-accessible sleeping rooms. Estimated accessibility upgrade costs totaled over \$2 million, with the full elevator alone projected at \$1.25 million due to micropile foundations and structural implications. MIT proposed a limited-use lift to serve the second floor instead of full-building access. City of Cambridge representatives, including the ADA Coordinator, and the state access analyst challenged the request, arguing that MIT's investment and ownership structure triggered full compliance under 521 CMR 3.3 and that the retail spaces were improperly excluded from the variance scope. Board members questioned whether excessive-cost grounds were justified given MIT's resources and encouraged at least one fully accessible entrance, elevator or lift access to the second floor, and accessible sleeping rooms. The hearing concluded with acknowledgment that MIT would revisit design feasibility and cost documentation before the Board rendered a final decision.

The Board closed with hearings on smaller residential and condominium matters, including Stone Hill Farms and the LEX development. The Stone Hill case involved noncompliant dwelling conditions identified by inspectors, leading the Board to reaffirm its prior denial. In the LEX condominium matter, the Board accepted the developer's protocol requiring each buyer to select accessible fixture options during design coordination, ensuring at least one compliant configuration per unit type. Administrative items included approval of the October 20 meeting minutes and several final variance decisions (e.g., Lloyd House, Salem YMCA), with minor date corrections noted.

Throughout the day, the MAAB reinforced its commitment to ensuring equitable access in both public and private projects, balancing technical feasibility and financial practicality with the principle of full inclusion. Multiple projects received conditional approvals or continuances pending design clarification, while the MIT case prompted significant discussion about ownership accountability and the threshold for “excessive cost” under 521 CMR. The meeting adjourned with all scheduled business completed and decisions formally recorded.

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