

## What Is A “Voluntary Standard”?

There seems to be a great deal of confusion with regard to the concept of a “voluntary standard”. That’s probably because in everyday conversation, we think of the word “voluntary” in terms of free choice without constraint or willingness. But in standards-setting parlance, that’s not really how the word is understood.

While “voluntary standards” may not seem to be compulsory, in fact, they often are and are only *theoretically* voluntary. In practice, voluntary standards are widely adopted for the sake of safety, uniformity, and interchangeability, and many regulatory bodies, legal bodies, building code bodies, or other entities expect compliance with industry standards, whether they are voluntary or not. These standards are generally created by industry associations to establish minimum requirements that should be met to achieve industry best practices. They also establish a common language with which manufacturers, installing dealers and customers can communicate and learn.

For the most part, associations cannot require compliance with voluntary standards due to antitrust laws, and all entities have the freedom to follow or reject an association’s standards, no matter how ill-advised such a rejection may be. While there are no legal penalties for non-compliance, there is an expectation that consensus industry standards will be followed, and government agencies may choose to monitor industries for compliance in order to determine if future rulemaking is warranted.

Naomi Angel, AAADM legal counsel, offers this advice:

“A voluntary standard is voluntary from the manufacturer’s perspective. The manufacturer chooses whether it wishes to comply with the standard, and if so, which product will comply. That product should then be installed according to the manufacturer’s written installation instructions that have incorporated the voluntary standard’s criteria.”

“AAADM always encourages distributors, installing dealers, and service technicians to follow the manufacturers’ installation instructions, and does not support installation-related deviations from any applicable industry standard.”

She further cautions that these matters should be taken up between manufacturers and individual installing distributors and dealers.