

Minnesota Department of Public Safety State Fire Marshal Division

FCCP 16

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: Bob Rexeisen

Date: 09/03/2024

Email address: Robert.Rexeisen@state.mn.us

Telephone number: 612/386-4657

Organization/Association/Agency, if any: MN State Fire Marshal Division

Code or rule section to be changed (include code or rule title and edition year): 2024 IFC, Section 5608

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

Change language contained the model code book? If so, list section(s).
5608.1, 5608.4

Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Delete language contained in the model code book? If so, list section(s).

Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

Minn. Stat. 624.20 Subd.1 and Minn. Stat. 624.22 Subd. 1.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Previously addressed above

5608.1 General. Outdoor fireworks displays, use of pyrotechnics before a *proximate audience* and pyrotechnic special effects in motion picture, television, theatrical and group entertainment productions shall comply with Sections 5608.2 through 5608.10 and [NFPA 160](#), NFPA 1123 or NFPA 1126.

[Note: Section 5608.1.1 to remain, as amended]

5608.4 Clearance. Spectators, spectator parking areas, and *dwellings*, buildings or structures shall not be located within the display site.

Exceptions:

1. This provision shall not apply to pyrotechnic special effects and fireworks displays using Division 1.4G materials before a *proximate audience* in accordance with [NFPA 160](#) or NFPA 1126.



Developed: April, 2022

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2. This provision shall not apply to unoccupied dwellings, buildings and structures with the approval of the building owner and the fire code official.
4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
No

Need and Reason

1. Why is the proposed code change needed?
Per statute, fireworks permits are required for NFPA 160, 1123 or 1126 displays. However, the model IFC language only addresses NFPA 1123 or 1126 which causes confusion between the fire code and statute.
2. Why is the proposed code change a reasonable solution?
By adding "NFPA 160" to this section, it provides the simplest solution to address the discrepancy allowing for uniform enforcement.
3. What other considerations should the TAG consider?
If not addressed, there will be a continued disconnect between the fire code and statute which is compounded by the industry trend to increasingly use NFPA 160 in lieu of NFPA 1126.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
N/A
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
N/A
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
N/A
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
N/A

Regulatory Analysis



Developed: April, 2022

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1. What parties or segments of industry are affected by this proposed code change?
Fireworks, entertainment and fire inspection industries.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
N/A
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
N/A
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
The only alternative would be a substantial rewrite of Minn. Stat. 624.20-624.25.
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
N/A
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?
N/A
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.
No
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.
No

***Please complete all sections. Incomplete forms may be returned for additional information.*



Developed: April, 2022

Minnesota Department of Public Safety State Fire Marshal Division

FCCP 17

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: Bob Rexeisen

Date: 09/03/2024

Email address: Robert.Rexeisen@state.mn.us

Telephone number: 612/386-4657

Organization/Association/Agency, if any: MN State Fire Marshal Division

Code or rule section to be changed (include code or rule title and edition year): 2024 IFC, Section 5601.1 Exception 4

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:

Change language contained the model code book? If so, list section(s).
5601.1 Exception 4



Minnesota Department of Public Safety State Fire Marshal Division

Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Delete language contained in the model code book? If so, list section(s).

Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

No

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

5601.1 Scope.

The provisions of this chapter shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials, fireworks and small arms ammunition.

Exceptions:

1. The Armed Forces of the United States, Coast Guard or National Guard.

2. Explosives in forms prescribed by the official United States Pharmacopoeia.

3. The possession, storage and use of small arms ammunition where packaged in accordance with DOTn packaging requirements.

4. The possession, storage and use of not more than 1 pound (0.454 kg) of commercially manufactured sporting black powder, 20 pounds (9 kg) of smokeless powder and 10,000 small arms primers for hand loading of small arms ammunition for personal consumption in Group R dwellings and dwelling units.

5. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.



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6. Special industrial explosive devices that in the aggregate contain less than 50 pounds (23 kg) of explosive materials.

7. The possession, storage and use of blank industrial-power load cartridges where packaged in accordance with DOTn packaging regulations.

8. Transportation in accordance with DOTn 49 CFR Parts 100–185.

9. Items preempted by federal regulations.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

Yes. This proposal allows for a linear approach to small arms ammunition found in Section 5606.

Need and Reason

1. Why is the proposed code change needed?

As written, the exemption implies that someone could possess for the purposes of handloading ammunition blackpowder, smokeless powder and primers in occupancies such as Group B and Group I. However, being only for personal consumption effectively removes this possession from commercial occupancies. The additional language clarifies the intent of this possession.

2. Why is the proposed code change a reasonable solution?

This code change clarifies the intent of the language while balancing the needs of fire safety, constitutional rights and housing rights.

3. What other considerations should the TAG consider?
None

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
N/A
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
N/A
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
N/A



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4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
N/A

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Persons who can lawfully possess firearms and the components thereof.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
N/A
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
N/A
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
No
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
N/A
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
N/A
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.
No
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.
No



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***Please complete all sections. Incomplete forms may be returned for additional information.*



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FCCP 18

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: Bob Rexeisen

Date: 09/03/2024

Email address: Robert.Rexeisen@state.mn.us

Telephone number: 612/386-4657

Organization/Association/Agency, if any: MN State Fire Marshal Division

Code or rule section to be changed (include code or rule title and edition year): 2024 IFC, Section 5606.4.2

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

Change language contained the model code book? If so, list section(s).

Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Delete language contained in the model code book? If so, list section(s).
5606.4.2

Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

No

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

5606.4.2 Smokeless propellants. ~~Smokeless propellants for personal use in quantities not exceeding 20 pounds (9 kg) shall be stored in original containers in occupancies limited to Group R-3. Smokeless propellants in quantities exceeding 20 pounds (9 kg) but not exceeding 50 pounds (23 kg) and kept in a wooden box or cabinet having walls of not less than 1 inch (25 mm) nominal thickness shall be allowed to be stored in occupancies limited to Group R-3. Quantities exceeding these amounts shall not be stored in any Group R occupancy.~~

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

Yes. This proposal allows for a linear approach to small arms ammunition found in Section beginning with the exemption found in 5601.1 Exception 4.

Need and Reason

1. Why is the proposed code change needed?

As written, the first sentence directly conflicts with Section 5601.1 Exception 4, which exempts the possession and storage of smokeless powder in quantities up to 20 pounds



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from the scope of Chapter 56. Yet, the first sentence in 5606.4.2 purports to regulate smokeless powder for personal use in quantities not exceeding 20 pounds.

By deleting this sentence, the conflict is resolved and clarifies that quantities of smokeless powder up to 20 pounds for personal use in Group R dwellings or dwelling units are exempt from Chapter 56.

2. Why is the proposed code change a reasonable solution?

This code change corrects a language conflict while providing quantity/occupancy limitations consistent with the IFC hazardous materials principals.

3. What other considerations should the TAG consider?
None

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
N/A
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
N/A
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
N/A
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
N/A

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Persons who can lawfully possess firearms and the components thereof.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
N/A
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?



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N/A

4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
No
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
N/A
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
N/A
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.
No
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.
No

***Please complete all sections. Incomplete forms may be returned for additional information.*



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Minnesota Department of Public Safety State Fire Marshal Division

FCCP 19

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: Bob Rexeisen

Date: 09/03/2024

Email address: Robert.Rexeisen@state.mn.us

Telephone number: 612/386-4657

Organization/Association/Agency, if any: MN State Fire Marshal Division

Code or rule section to be changed (include code or rule title and edition year): 2024 IFC, Section 5606.4.3

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

Change language contained the model code book? If so, list section(s).
5606.4.3

Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Delete language contained in the model code book? If so, list section(s).

Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

No

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

5606.4.3 Small arms primers. Not more than 10,000 small arms primers shall be stored in occupancies limited to Group R-~~3~~R dwellings and dwelling units.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

Yes. This proposal allows for consistency with Section 5601.1 Exception 4, as amended.

Need and Reason

1. Why is the proposed code change needed?

As written, the first sentence directly conflicts with Section 5601.1 Exception 4, as proposed to be amended. By modifying the language to include all Group R occupancies, it corrects this conflict.

2. Why is the proposed code change a reasonable solution?

This code change corrects a language conflict while providing quantity/occupancy limitations consistent with the IFC hazardous materials principals.



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3. What other considerations should the TAG consider?
None

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
N/A
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
N/A
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
N/A
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
N/A

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Persons who can lawfully possess firearms and the components thereof.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
N/A
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
N/A
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
No
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
N/A



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6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

N/A

7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.

No

8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

No

***Please complete all sections. Incomplete forms may be returned for additional information.*



Developed: April, 2022

Minnesota Department of Public Safety State Fire Marshal Division

FCCP 20

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: Bob Rexeisen

Date: 09/03/2024

Email address: Robert.Rexeisen@state.mn.us

Telephone number: 612/386-4657

Organization/Association/Agency, if any: MN State Fire Marshal Division

Code or rule section to be changed (include code or rule title and edition year): New section, 5601.1.6

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

- Change language contained the model code book? If so, list section(s).
- Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- Delete language contained in the model code book? If so, list section(s).
- Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- Add new language that is not found in the model code book or in Minnesota Rule.

New section, 5601.1.6

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.
No
3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

5601.1.6 Occupancy and allowable quantity of explosive materials. Tables 5003.1.1(1) and 5003.8.2 shall be used for the purposes of establishing occupancy classifications and maximum allowable quantities of explosives materials.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

No. Section 5001.1 Exception 8 sends readers to Chapter 56 for explosives yet Chapter 56 does not establish MAQ's or occupancy limitations. By adding this new section, it refers readers back to the appropriate Tables without fundamentally changing Chapter 50 or 56.

Need and Reason

1. Why is the proposed code change needed?

Section 5001.1 Exception 8 sends readers to Chapter 56 for explosives yet Chapter 56 does not establish MAQ's or occupancy limitations. By adding this new section, it refers readers back to the appropriate Tables without fundamentally changing Chapter 50 or 56.



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As written, there is no clear way to establish the occupancy classification when handling explosive materials. As a results, there are numerous entities handling explosives in prohibited occupancies and locations.

2. Why is the proposed code change a reasonable solution?

This code addition provides for uniform enforcement throughout the State of Minnesota.

3. What other considerations should the TAG consider?
None

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
N/A
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
N/A
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
N/A
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
N/A

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Explosives industry.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
N/A
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
N/A



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4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.

No

5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?

As this is an operational chapter IAW 1.2.2(2), the possession in approved occupancies may require an NFPA 13 system. For those entities previously approved in a non-complying location, MS 299F.011 Subd. 5 and MSFC Section 109 provides for variance requests.

6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

N/A

7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.

No

8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

No

***Please complete all sections. Incomplete forms may be returned for additional information.*



Developed: April, 2022

Minnesota Department of Public Safety State Fire Marshal Division

FCCP 21

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: Tony Clifton

Date: 7/17/2024

Email address: tony.clifton@state.mn.us

Telephone number: 218-206-1864

Organization/Association/Agency, if any: Minnesota State Fire Marshal Division

Code or rule section to be changed (include code or rule title and edition year): 2020 MSFC
MN Rule 7511, Section 1103.8 as amended

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to: develop more consistent and equitable fire alarm installation across the state within state licensed properties.



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- Change language contained the model code book? If so, list section(s).
 - Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
 - Delete language contained in the model code book? If so, list section(s).
 - Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
 - Add new language that is not found in the model code book or in Minnesota Rule.
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.
No
3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

1103.8 Single- and multiple-station smoke alarms. Single and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Table 1103.8.

Exception: In state licensed dwellings and dwelling units of Group I-1 and R occupancies, interconnected smoke alarms shall be installed in each of the following locations:

1. Outside of each separate sleeping area in the immediate vicinity of sleeping rooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling or dwelling unit, including basements.

Smoke alarm power supplies shall be in accordance with Table 1103.8.

1103.8.1 Replacement of smoke alarms. Single- and multiple-station smoke alarms shall be replaced when:

1. They fail to respond to operability tests.
2. They exceed ten years from the date of manufacture.

Smoke alarms shall be replaced with smoke alarms having the same type of power supply.



Minnesota Department of Public Safety State Fire Marshal Division

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

No

Need and Reason

1. Why is the proposed code change needed?

This change would provide clarity and consistent fire safety standards across all state licensed Group R and I-1 facilities. Not all properties licensed by the State of Minnesota are inspected by a fire code official. This language would provide clear guidance to licensing authorities and provide consistency across multiple license types. The effect of this change will be to require interconnected smoke alarms and additional smoke alarm locations in all state-licensed dwellings and dwelling units regardless of the year of construction. Interconnected smoke alarms would be required: 1) within each sleeping room, 2) in areas giving access to sleeping rooms, and 3) on each level.

This simple change ensures that all alarms will sound if just one detects smoke, giving occupants faster warning and more escape time, especially in cases where the fire is distant from where people are located. This additional response time is especially important in those state licensed facilities where occupants may require evacuation assistance. For example, a single-family dwelling can be licensed by DHS as a group family daycare for up to 14 children.

2. Why is the proposed code change a reasonable solution?

Wireless interconnection technologies have provided an opportunity to increase fire- and life-safety standards in state licensed facilities with a much lesser financial impact than was possible in the past.

3. Is there additional data or information that should be considered?

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.

The proposed change could pose a modest increase in cost for locations that do not have hardwired connections available. A cost example for a 3-bedroom, 2-level dwelling unit with basement: \$150-\$320 to purchase new wireless alarms with replacement every 7 to 10 years (based on battery-operated, wireless interconnection smoke alarms or combination smoke/carbon monoxide alarms). Whereas the 7-to-10-year replacement for battery operated, non-interconnected smoke alarms or combination smoke/carbon monoxide alarms for the same dwelling would cost approximately \$120-240. Thus, the net ongoing cost increase would be in the approximate range of \$30-\$80 every 7 to 10 years.



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2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.

The added cost to provide interconnection will increase the level of early notification and detection for older group R occupancies that become licensed by the State of MN.

3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No

4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Fire code officials, existing state licensed facilities classified as Group R or I-1, and state licensing agencies (e.g., DHS and MDH).

2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?

No

3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?

No

4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.

Although these provisions could be adopted under specific licensing rules or statutes, it's not practical to expect the various licensing agencies to accomplish this simultaneously and with uniform language. Adopting these changes to Chapter 7511 is by far the preferred method, as smoke alarm requirements for existing occupancies are regulated by, and fall within the scope of, the Minnesota State Fire Code.

5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?

The proposed change could pose a modest increase in cost for locations that do not have hardwired connections available. A cost example for a 3-bedroom, 2-level dwelling unit with basement: \$150-\$320 to purchase new wireless alarms with replacement every 7 to 10 years (based on battery-operated, wireless interconnection smoke alarms or combination smoke/carbon monoxide alarms). Whereas the 7-to-10-year replacement for battery



Minnesota Department of Public Safety State Fire Marshal Division

operated, non-interconnected smoke alarms or combination smoke/carbon monoxide alarms for the same dwelling would cost approximately \$120-240. Thus, the net ongoing cost increase would be in the approximate range of \$30-\$80 every 7-to-10 years.

6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

The cost of not adopting this proposal will be inconsistent smoke alarm requirements across licensed facilities and further confusion among county and state licensing agencies.

7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.

No

8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

N/A

***Please complete all sections. Incomplete forms may be returned for additional information.*



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Minnesota Department of Public Safety State Fire Marshal Division

FCCP 22

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: Forrest Williams

Date: 1-31-2023 (revised 4-16-2025)

Email address: forrest.williams@state.mn.us

Telephone number: 651-769-7784

Organization/Association/Agency, if any: SFMD

Code or rule section to be changed (include code or rule title and edition year): 2020 MSFC
1104.21 Stairway discharge identification (as amended)

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

- Change language contained the model code book? If so, list section(s).
- Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
7511.1104, Subp. 14
- Delete language contained in the model code book? If so, list section(s).
- Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- Add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

No

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

1104.21 Stairway discharge identification. A stairway in an exit enclosure that continues below the level of exit discharge shall be arranged and marked to make the direction of egress to a public way readily identifiable. ~~Stairs that continue one-half story beyond the level of exit discharge need not be provided with barriers where the exit discharge is obvious.~~ Where a stairway continues more than one-half story below the level of exit discharge and the direction of egress travel cannot be made readily identifiable, the fire code official may require an approved barrier to prevent persons from unintentionally continuing into levels below.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

No

Need and Reason

1. Why is the proposed code change needed?



Developed: April, 2022

Minnesota Department of Public Safety State Fire Marshal Division

The added language is for clarification. The last sentence of Section 1104.21 implies that a stairway barrier would normally be required by stating, “stairs that continue one-half story beyond the level of exit discharge need not be provided with barriers where the exit discharge is obvious.” However, the preceding section language fails to specifically require a barrier, unlike what’s required in new construction per Section 1023.8. This creates confusion for the reader. The IFC code commentary listed below provides guidance on the intent of Section 1104.21, explaining that Section 1104.21 is intended to be less stringent compared to new construction that specifically requires a barrier.

IFC Code Commentary: The requirements of this section are less stringent than the discharge identification requirements for new construction in Section 1023.8. The new construction provisions require that a barrier be placed within the stairway to prevent persons from unintentionally continuing into the levels below the exit discharge. The exception in this section is also not included in the requirements for new construction.

Therefore, this revision is necessary to better clarify intent and proper application. Based on the language, the intent of Section 1104.21 is to ensure exit stairway enclosures that continue below the level of exit discharge are arranged and marked to make the direction of egress travel readily identifiable. This is to prevent occupants from missing the exit door and inadvertently continuing below the level of exit discharge in the event of a fire or other emergency. However, there may be situations in existing buildings where, due to their design, a stairway’s exit cannot be properly arranged and marked without the use of a physical barrier. In such cases, the revised language allows the code official to then require a barrier when the stairway continues more than ½ story below the level of exit discharge.

2. Why is the proposed code change a reasonable solution?
The new language does not substantively change the current requirements but instead clarifies the section’s intent to eliminate confusion. Without this clarification, code officials may interpret the existing language as requiring a barrier for all existing exit stairway enclosures that continue more than ½ story below the level of exit discharge, even when the direction of exit travel is readily identifiable and obvious.
3. What other considerations should the TAG consider?
n/a

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
No change, though it could decrease costs for those instances where a code official misinterprets the intent of this section and requires barriers for all stairways that continue more than ½ story below the level of exit discharge.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
n/a



Minnesota Department of Public Safety State Fire Marshal Division

3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No change

4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?

None

2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?

None

3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?

n/a

4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.

No

5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?

None

6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?

None

7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.

No

8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.



Developed: April, 2022

Minnesota Department of Public Safety State Fire Marshal Division

No

***Please complete all sections. Incomplete forms may be returned for additional information.*



Developed: April, 2022

Minnesota Department of Public Safety State Fire Marshal Division

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: Bill Beumer, Deputy Fire Marshal (MGFD)

Date: 8/22/2024

Email address: bbeumer@maplegrovern.gov

Telephone number: 763-494-6095

Organization/Association/Agency, if any: [Maple Grove Fire Department](#)

Code or rule section to be changed (include code or rule title and edition year): 2024 IFC
3201.3.2

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:

Change language contained the model code book? If so, list section(s).



Minnesota Department of Public Safety State Fire Marshal Division

- Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- Delete language contained in the model code book? If so, list section(s).
- Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- Add new language that is not found in the model code book or in Minnesota Rule.
[IFC 3201.3.2](#)

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.
[No](#)
3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

3201.3.2 Approved storage layout.

A floor plan, of legible size, shall be provided, mounted on a wall and protected from damage. The floor plan shall be mounted in an approved location and show the following:

1. Locations, dimensions and rack layout of high-piled storage areas.
2. Design storage height for each storage area.
3. Types of commodities.
4. Commodity clearance between top of storage and the sprinkler deflector for each storage arrangement.
5. Aisle dimensions between each storage array.
6. For palletized and solid-piled storage, the maximum pile volume for each storage array.
7. Location and classification of commodities in accordance with Section 3203.
8. Location of required fire department access doors.
9. Location of valves controlling the water supply of ceiling and in-rack sprinklers.
10. Location of fire extinguishers required by Section 3206.11.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
[No](#)

Need and Reason

1. Why is the proposed code change needed?



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Knowing the location of fire extinguishers can be critical when there is a fire. Including the locations of the fire extinguishers on the storage plan can help the building occupants and the fire department if there is a fire in the building.

The intent of the storage layout plan is stated in the 2018 IFC code commentary. The 2018 IFC code commentary states: "It is intended to provide specific, readily accessible information about the facility by showing the location details of the approved storage configuration and the required building features listed. This layout serves both the occupants of the building or structure and the fire department by providing a constant reference of the exact layout arrangement that has been approved. The layout is to be mounted in the building at an approved location for use by the fire code official or fire department during inspections."

Including the locations of fire extinguishers on the storage plan can also help the fire extinguisher service companies locate all fire extinguishers in the warehouse so that none get missed during the annual service.

2. Why is the proposed code change a reasonable solution?

Since the storage plan is already required to be located for both building occupant and fire department use, it makes sense to include the locations of the fire extinguishers on the storage plan. There is no additional cost.

The locations of fire extinguishers are already required by the code and including them on the storage plan may assist in the plan review of the high piled storage areas.

The building occupants can also use the storage plan for staff safety training.

3. Is there additional data or information that should be considered?

No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.

No change in costs.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.

3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No

4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.



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No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Building owners, Architects, Racking Installers
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
No
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
No
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
None
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
Possible delay in locating and accessing a fire extinguisher when there is a fire.
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.
No
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.
None

***Please complete all sections. Incomplete forms may be returned for additional information.*



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Minnesota Department of Public Safety State Fire Marshal Division

FCCP 24

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: Scott Futrell

Date: 08/29/24

Email address: safutrell@kfi-eng.com

Telephone number: 763.425.1001

Organization/Association/Agency, if any: KFI Engineers/Society of Fire Protection Engineers

Code or rule section to be changed (include code or rule title and edition year): Table 3203.8
IFC 2024

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

Change language contained in the model code book? If so, list section(s).
2024 IFC Table 3203.8

Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Delete language contained in the model code book? If so, list section(s).

Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.



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HIGH-PILED COMBUSTIBLE STORAGE

TABLE 3203.8—EXAMPLES OF COMMODITY CLASSIFICATION		
PRODUCT CATEGORY	PRODUCT	CLASSIFICATION
Aerosols	Level 1	Class III (See Chapter 51)
	Level 2	Class IV (See Chapter 51)
	Level 3	High-hazard (See Chapter 51)
Batteries	Dry cells (excludes lithium, lithium-ion and other similar exotic metals or combustible electrolyte); without blister packing (if blister packed, refer to the commodity classification definitions)	Class I
	Dry cells (nonlithium or similar exotic metals); in blister packing; cartoned	Class II
	Vehicle; any size (for example, automobile or truck); empty plastic casing	High-hazard (Group A unexpanded)
	Vehicle; large (in other words, truck or larger); dry or wet cells (excludes lithium-ion and other cells containing combustible electrolytes)	High-hazard (Group A unexpanded)
	Vehicle; small (for example, automobile); wet cells (excludes lithium-ion and other cells containing combustible electrolytes)	Class I
	Lithium-ion	High-hazard
Biomass	Circular baled corn stover	Class IV
	Rectangular baled corn stover	Class III
	Rectangular baled switchgrass	High-hazard
Empty containers	Noncombustible	Class I
	PET	Class IV
	Rigid plastic (not including PET)	High-hazard (Group A unexpanded)
	Wood; solid sided (such as crates, boxes)	Class II

Revise “high hazard (**Group A unexpanded**)” to be consistent with NFPA 13 and FM Data sheets. The NFPA 13 and FM Data sheets indicate rigid plastic as Group A Expanded for greater than 32 oz containers. Replace the current cell with two cells as written below.

- Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
No.

Need and Reason

- Why is the proposed code change needed?
There is inconsistency and potential for confusion between the Fire Code, NFPA 13, and FM data sheets. Expanded Group A plastics are a more significant fuel load than unexpanded (now nonexpanded in the standards) commodities. Fire protection requires a more significant water supply to protect expanded Group A plastics.
- Why is the proposed code change a reasonable solution?
It provides consistency with standards such as NFPA 13, which is a nationally accepted and recognized standard.
- Is there additional data or information that should be considered?
No.

Rigid plastic (not including PET), up to 32 oz (1L)

High-hazard Group A unexpanded

Rigid plastic (not including PET), greater than 32 oz (1L)

High-hazard Group A expanded



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Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
It will increase costs for protecting Rigid plastic, as the commodity will be considered expanded group A, which has different design requirements.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
While there is an increased cost, NFPA 13 already requires rigid plastic to be considered expanded. The benefit is the requirements are consistent through the various enforced codes. Additionally, the costs will be offset by increased safety and fire protection.
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No.
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
No. This requirement would affect current systems designers.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Fire protection engineers and fire sprinkler designers.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
No.
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
No.
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
No.
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?



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There will be no costs related to governmental units. The only potential associated costs is building owners having a higher fire protection system cost.

6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?
The consequences are designers being confused whether to follow the requirements of the Fire Code or NFPA 13 or FM Data Sheets. They may need to reach out to the AHJ for clarification, which in turn takes up the AHJ's time. Additionally, any time there is a conflict between the fire code and the design standards there is a risk that the less costly might be implemented incorrectly.
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.
No.
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.
None.

***Please complete all sections. Incomplete forms may be returned for additional information.*



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Minnesota Department of Public Safety State Fire Marshal Division

FCCP 25

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: [Tom Jenson, Code Specialist SFM](#)

Date: [6-20-2025](#)

Email address: Thomas.Jenson@state.mn.us

Telephone number: [651-201-7221](#)

Organization/Association/Agency, if any: [DPS – State Fire Marshal](#)

Code or rule section to be changed (include code or rule title and edition year): [2024 IFC 4106](#)

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:

Change language contained the model code book? If so, list section(s).



Minnesota Department of Public Safety State Fire Marshal Division

4106

- Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

 - Delete language contained in the model code book? If so, list section(s).

 - Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

 - Add new language that is not found in the model code book or in Minnesota Rule.
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.
[No](#)
3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.
[See amended IFC Section 4106 at end of document.](#)
4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
[No](#)

Need and Reason

1. Why is the proposed code change needed?
[The 2024 IFC created new Section 4106 for mobile food preparation vehicles moving requirements previously contained in the 2020 MSFC / 2018 IFC Section 319. In addition, the IFC committee added a new requirement to section 4106.1 \(general\) to mandate compliance with the 2024 edition of NFPA 96. The rationale from the IFC code change proposal documents was to remove several of the existing provisions from the IFC and instead adopt the mobile cooking provisions in NFPA 96. However, there are a significant amount of new operational and maintenance requirements in NFPA 96 not previously contained in the 2020 MSFC / 2018 IFC Section 319. Adopting NFPA 96 specific to mobile fuel preparation vehicles would implement significant changes to the current rules, including many additional operational provisions. As the rulemaking agency, we feel it would be unreasonable to move forward with the adoption of NFPA 96 without first having the opportunity to review and analyze the new requirements with input from the industry](#)



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(i.e., food preparation vehicle owners and operators). Therefore, it's reasonable to maintain and update the current language until a proper review of NFPA 96 can be completed by the rulemaking agency, local fire code officials, and the mobile food preparation vehicle industry.

Keeping the majority of 2018 IFC Section 319 and renumbering to fit into the new 2024 IFC Section 4106 maintains important requirements such as limitation on fuel gas quantities, cylinder protection, and gas detection alarms to notify occupants of an explosive gas leak. The proposed rule change also incorporates the 2024 IFC provisions on fuel gas system maintenance, including improved language on who performs cylinder and gas piping inspections, annual leak testing, and inspection tag placement. History has shown that fuel-gas leaks are the primary fire- and life-safety hazard associated with mobile food preparation vehicles.

Finally, new language regarding manual system operation is taken from 2024 IFC Section 4106.5 (renumbered to 4106.4.1.1). This new provision removes the requirement in 904.14.1 to locate manual activation devices at least 10 feet from the exhaust system, which isn't always practical or possible in a mobile food preparation vehicle.

2. Why is the proposed code change a reasonable solution?
Without this change, Minnesota food truck operators would have to make changes to their operations and where they can be located throughout Minnesota. This requires more study of NFPA 96 prior to adoption and not practical to do so now. In addition, the current 2020 MSFC Section 319 has worked to maintain safe operations since adoption on March 31, 2020.
3. Is there additional data or information that should be considered?
No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
No anticipated increase or decrease to owners of these vehicles.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
No
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.



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No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Fire code official, mobile food preparation vehicle owners, Minnesota Department of Health for licensing.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
No
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
No
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
No new costs anticipated
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
The 2024 IFC Section 4106.1 requires compliance with all the applicable sections in 2024 edition of NFPA 96 including Section 17 on vehicle locations to buildings and other food trucks not currently regulated in the MSFC. This would be a dramatic change to how this industry currently operates and requires further study for the next fire code adoption cycle.
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.
No
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.
None

[2024 IFC Section 4106 is deleted in its entirety and replaced with the following]



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NOTES:

- Black underlined text: current 2020 MSFC language from 2018 IFC Section 319 – Mobile Food Preparation Vehicles.
- Red underlined text: updated language from 2024 IFC Section 4106 – Mobile Food Preparation Vehicles.
- Blue text: explanatory notes and commentary.

SECTION 4106 MOBILE FOOD PREPARATION VEHICLES

4106.1 General. Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease-laden vapors for the purpose of preparing, cooking or serving food shall comply with this section.

4106.2 Permit required. Permits shall be required as set forth in Section 105.5.

4106.3 Exhaust hood. Cooking equipment that produces grease-laden vapors shall be provided with a kitchen exhaust hood in accordance with Section 606.

4106.4 Fire protection. Fire protection shall be provided in accordance with Sections 4106.4.1 and 4106.4.2.

4106.4.1 Fire protection for cooking equipment. Cooking equipment shall be protected by automatic fire extinguishing systems in accordance with Section 904.14.

[The following new language regarding manual system operation is taken from 2024 IFC Section 4106.5. This new provision removes the requirement in 904.14.1 to locate manual activation devices at least 10 feet from the exhaust system, which isn't always practical or possible in a mobile food preparation vehicle.]

4106.4.1.1 Manual system operation for the automatic fire extinguishing system(s).

A manual actuation device required by Section 904.14.1 shall be provided for the automatic fire extinguishing system(s) provided for the cooking appliance(s). The manual actuation device shall be unobstructed and in view from the means of egress, located at or near a means of egress from the cooking area, and at a location acceptable to the fire code official. The manual actuation device shall be installed not more than 48 inches (1200 mm) nor less than 42 inches (1067 mm) above the walking surface of the means of egress and shall clearly identify the hazard protected. The manual actuation shall require a maximum force of 40



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pounds (178 N) and a maximum movement of 14 inches (356 mm) to actuate the fire suppression system.

4106.4.2 Fire extinguisher. Portable fire extinguishers shall be provided in accordance with Section ~~906.4~~ **906**.

[The reference to section 906.4 is replaced with section 906 in its entirety as not all mobile food preparation vehicles will have extinguishing systems and not all processes will involve solid fuels, vegetable oils or animal fats. Further, 906.4 does not include necessary provisions for extinguisher location, mounting heights and methods, accessibility, size and ratings, etc. These provisions are instead located throughout section 906.]

4106.5 Appliance connection to fuel supply piping. Gas cooking appliances shall be secured in place and connected to fuel-supply piping with an appliance connector complying with ANSI Z21.69/CSA 6.16. The connector installation shall be configured in accordance with the manufacturer's installation instructions. Movement of appliances shall be limited by restraining devices installed in accordance with the connector and appliance manufacturers' instructions.

4106.6 Cooking oil storage containers. Cooking oil storage containers within mobile food preparation vehicles shall have a maximum aggregate volume not more than 120 gallons (454 L), and shall be stored in such a way as to not be toppled or damaged during transport.

4106.7 Cooking oil storage tanks. Cooking oil storage tanks within mobile food preparation vehicles shall comply with Sections 4106.7.1 through 4106.7.5.2.

4106.7.1 Metallic storage tanks. Metallic cooking oil storage tanks shall be *listed* in accordance with UL 80 or UL 142, and shall be installed in accordance with the tank manufacturer's instructions.

4106.7.2 Nonmetallic storage tanks. Nonmetallic cooking oil storage tanks shall be installed in accordance with the tank manufacturer's instructions and shall comply with both of the following:

1. Tanks shall be *listed* for use with cooking oil, including maximum temperature to which the tank will be exposed during use.
2. Tank capacity shall not exceed 200 gallons (757 L) per tank.



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4106.7.3 Cooking oil storage system components. Metallic and nonmetallic cooking oil storage system components shall include, but are not limited to, piping, connections, fittings, valves, tubing, hose, pumps, vents and other related components used for the transfer of cooking oil.

4106.7.4 Design criteria. The design, fabrication and assembly of system components shall be suitable for the working pressures, temperatures and structural stresses to be encountered by the components.

4106.7.5 Tank venting. Normal and emergency venting shall be provided for cooking oil storage tanks.

4106.7.5.1 Normal vents. Normal vents shall be located above the maximum normal liquid line, and shall have a minimum effective area not smaller than the largest filling or withdrawal connection. Normal vents are not required to vent to the exterior.

4106.7.5.2 Emergency vents. Emergency relief vents shall be located above the maximum normal liquid line, and shall be in the form of a device or devices that will relieve excessive internal pressure caused by an exposure fire. For nonmetallic tanks, the emergency relief vent shall be allowed to be in the form of construction. Emergency vents are not required to discharge to the exterior.

4106.8 LP-gas systems. Where LP-gas systems provide fuel for cooking appliances, such systems shall comply with Chapter 61 and Sections 4106.8.1 through 4106.8.5.

4106.8.1 Maximum aggregate volume. The maximum aggregate capacity of LP-gas containers transported on the vehicle and used to fuel cooking appliances only shall not exceed 200 pounds (91 kg) propane capacity.

4106.8.2 Protection of container. LP-gas containers installed on the vehicle shall be securely mounted and restrained to prevent movement.

4106.8.3 LP-gas container construction. LP-gas containers shall be manufactured in compliance with the requirements of NFPA 58.

4106.8.4 Protection of system piping. LP-gas system piping, including valves and fittings, shall be adequately protected to prevent tampering, impact damage, and damage from vibration.

4106.8.5 LP-gas alarms. A listed LP-gas alarm shall be installed within the vehicle in the vicinity of LP-gas system



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components, in accordance with the manufacturer's instructions.

4106.9 CNG systems. Where CNG systems provide fuel for cooking appliances, such systems shall comply with Sections 4106.9.1 through 4106.9.4.

4106.9.1 CNG containers supplying only cooking fuel. CNG containers installed solely to provide fuel for cooking purposes shall be in accordance with Sections 4106.9.1.1 through 4106.9.1.3

4106.9.1.1 Maximum aggregate volume. The maximum aggregate capacity of CNG containers transported on the vehicle shall not exceed 1,300 pounds (590 kg) water capacity.

4106.9.1.2 Protection of container. CNG containers shall be securely mounted and restrained to prevent movement. Containers shall not be installed in locations subject to a direct vehicle impact.

4106.9.1.3 CNG container construction. CNG containers shall be an NGV-2 cylinder.

4106.9.2 CNG containers supplying transportation and cooking fuel. Where CNG containers and systems are used to supply fuel for cooking purposes in addition to being used for transportation fuel, the installation shall be in accordance with NFPA 52.

4106.9.3 Protection of system piping. CNG system piping, including valves and fittings, shall be adequately protected to prevent tampering, impact damage and damage from vibration.

4106.9.4 Methane alarms. A listed methane gas alarm shall be installed within the vehicle in accordance with manufacturer's instructions.

4106.10 Maintenance. Maintenance of systems on mobile food preparation vehicles shall be in accordance with Sections 4106.10.1 through 4106.10.3.

4106.10.1 Exhaust system. The exhaust system, including hood, grease-removal devices, fans, ducts and other appurtenances, shall be inspected and cleaned in accordance with Section 606.3.

4106.10.2 Fire protection systems and devices. Fire protection systems and devices shall be maintained in accordance with Section 901.6.

4106.10.3 Fuel gas systems.



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[The following is updated language from the 2024 IFC regarding the maintenance of fuel-gas systems. The updated language has been divided into 4 subcategories, including LP-Gas systems, CNG systems, annual leak testing, and inspection tags, in order to better clarify the specific maintenance provisions. The corresponding section from the 2018 IFC Section 319.10.3 included similar provisions under a single subsection and paragraph, which could prove confusing to the reader. The updated language also clarifies that inspections may be performed by an approved inspection agency, person, or special expert who is qualified. Conversely, the corresponding language from the 2018 IFC only allows for 'an approved inspection agency', which has caused significant confusion in determining who is allowed to conduct this service.]

Fuel gas systems shall be maintained in accordance with Sections 4106.10.3.1 through 4106.10.3.4.

4106.10.3.1 LP-gas systems.

LP-gas containers installed on the vehicle and fuel gas piping systems shall be inspected annually by an approved inspection agency, person or special expert who is qualified to ensure that system components are free from damage, suitable for the intended service and not subject to leaking.

4106.10.3.2 CNG systems.

CNG containers and fuel gas piping systems shall be inspected annually by an approved inspection agency, person or special expert who is qualified to ensure that system components are free from damage, suitable for the intended service and not subject to leaking.

4106.10.3.3 Annual leakage test.

All fuel gas piping systems and appliances shall be checked annually for leakage at the operating pressure of the system using a manometer or pressure gauge. Where leakage is indicated, the gas supply shall be turned off until repairs have been made and the system no longer leaks.

4106.10.3.4 Inspection tag.

Upon a satisfactory annual inspection, the approved inspection agency, person or special expert shall affix a tag on the fuel gas system or within the vehicle indicating the name of the inspection agency and the date of the satisfactory inspection.

***Please complete all sections. Incomplete forms may be returned for additional information.*



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FCCP 26

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: [Forrest Williams, Supervisor \(SFM\)](#)

Date: [9/16/2024](#)

Email address: forrest.williams@state.mn.us

Telephone number: [651-769-7784](tel:651-769-7784)

Organization/Association/Agency, if any: [DPS – State Fire Marshal](#)

Code or rule section to be changed (include code or rule title and edition year): [2020 MSFC, 7511.5306.6 Domestic storage and use of medical gases.](#)

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

[MBC Section 427](#) contains provisions for medical gas systems in health care related facilities, and also references Chapter 53 of the state fire code. However, Section 427 does not appear to regulate domestic use and storage of medical gases.

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?



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Proposed Language

1. The proposed code change is meant to:

Change language contained the model code book? If so, list section(s).

Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

7511.5306.6 Domestic storage and use of medical gases

Delete language contained in the model code book? If so, list section(s).

Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

No

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

5306.6 Domestic storage and use of medical gases. The storage and use of nonflammable medical gases for personal use within a dwelling or dwelling unit shall be in accordance with Section 5306.6.1 ~~comply with NFPA 99.~~

5306.6.1 Maximum allowable quantity of compressed gases. The storage and use of not more than 300 cubic feet of nonflammable medical gases shall be allowed for personal use within individual dwellings and dwelling units without being counting toward the maximum allowable quantity set forth in Table 5003.1.1(1).

[Note: The storage and use of liquid oxygen for home health care is covered in Chapter 63, specifically Section 6306 – Liquid Oxygen in Home Health Care.]

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

No



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Need and Reason

1. Why is the proposed code change needed?

This revision of an existing state amendment seeks to clarify language in NFPA 99 that's being referenced specific to the storage and use of medical gases within dwellings and dwelling units. The current language is too vague, and leaves confusion as to which sections in NFPA 99 are intended to apply to the personal storage and use of medical gasses. Adding to the confusion is that NFPA 99, Chapter 11, doesn't specifically refer to dwellings and dwelling units, and instead focuses on patient care areas.

To fix this essentially broken section, the reference to NFPA 99 is removed and the maximum allowable quantities for the personal use and storage of nonflammable medical gases are taken from NFPA 99 and added directly to Section 5306.6. The revision also clarifies that medical gases for personal use under the scope of this section do not count towards the maximum allowable quantity (MAQ) set forth in Table 5003.1.1(1). This ensures the sum of all medical gas quantities for personal use within dwellings are not counted toward the MAQ, which is not the intent of this section. For example, Chapter 11 of NFPA 99 allows gaseous oxygen cylinders for patient care in quantities up to 300 cubic feet to be stored outside the protection of a separate enclosure. However, if the MAQ in Table 5003.1.1(1) were to apply, only 5 dwellings in a multi-dwelling building would be allowed to store and use medical gases, as additional quantities would exceed the MAQ of 1,500 cubic feet in a non-sprinklered building. Exceeding the MAQ would then require the construction of separate control areas within existing dwellings or multi-dwelling buildings, making the storage and use of a personal in-home medical gas supply impractical.

2. Why is the proposed code change a reasonable solution?

The change is reasonable because it clarifies the intent and application of an existing state amendment and eliminates the possibility of an unintended and unreasonable interpretation that medical gas storage in individual dwellings for personal use would count against the maximum allowable quantity in Table 5003.1.1(1).

3. Is there additional data or information that should be considered?

No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.

No change. Clarification only.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.

N/A

3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.



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No

4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Occupants of residential buildings, assisted living facilities, and senior living facilities.
Property owners, fire and building code officials, and design professionals.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
No
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
No
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
None
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
By not adopting this code change, the intent and application of Section 5306.6 (as amended) will remain ambiguous and open to differing interpretations.
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.
No
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.
N/A



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***Please complete all sections. Incomplete forms may be returned for additional information.*



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Minnesota Department of Public Safety State Fire Marshal Division

FCCP 27

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: [Tom Jenson, Code Specialist SFM](#)

Date: [10-18-2024](#)

Email address: Thomas.Jenson@state.mn.us

Telephone number: [651-201-7221](#)

Organization/Association/Agency, if any: [DPS – State Fire Marshal](#)

Code or rule section to be changed (include code or rule title and edition year): [MR 7511.6101, 2020](#)

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:



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- Change language contained the model code book? If so, list section(s).
- Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
[7511.6101](#)
- Delete language contained in the model code book? If so, list section(s).
- Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- Add new language that is not found in the model code book or in Minnesota Rule.
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.
[No](#)
3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

[MR 7511.6101 is deleted in its entirety and 7511.6102 is amended as follows]

SECTION 6101

NFPA STANDARD NO. 58 INCORPORATED

6101.1 Incorporation by reference. ~~The storage, handling, transportation, and use of liquefied petroleum gas and the installation of all equipment pertinent to systems for such uses shall be designed, constructed, installed, operated, and maintained in accordance with the provisions of NFPA Standard No. 58, Liquefied Petroleum Gas Code (Quincy, Massachusetts, 2017). Standard No. 58, as amended by Section 6102, is incorporated by reference, is not subject to frequent change, and is available at the State Law Library, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, Minnesota 55155.~~

SECTION 6102

AMENDMENTS TO NFPA STANDARD NO. 58

6102.1 Amendments. NFPA 58 shall apply to the storage, handling, transportation, and use of liquefied petroleum gas and the installation of all equipment pertinent to systems for such uses, except as amended by this section.

6101.1.1 Amendments to NFPA 58.



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1. Section 6.5.3.8 of NFPA Standard No. 58 is amended to read:

6.5.3.8. No horizontal separation shall be required between aboveground LP-Gas containers and underground tanks containing flammable or combustible liquids installed in accordance with Chapter 57 of the International Fire Code.

2. Section 6.5.3.11 of NFPA Standard No. 58 is amended to read:

6.5.3.11 The minimum separation between LP-Gas containers and liquefied hydrogen containers shall be in accordance with Chapter 53 and 55 of the International Fire Code.

~~3. Footnote "b" of Table 6.7.2.1 of NFPA Standard No. 58 is amended to read:~~

~~b. Walls constructed of noncombustible materials having a fire rating of at least one hour as determined by the Building Code.~~

[Note: This item is deleted because footnote (b) regarding test methods for building construction has been eliminated in the 2024 edition of NFPA 58]

~~43. Section 6.8.7.4 6.8.9.1 of NFPA Standard No. 58 is amended to read:~~

~~**6.8.7.4. 6.8.9.1.** Installation of containers on roofs of buildings shall be prohibited.~~

~~54. Section 6.8.7.2 6.8.9.2 of NFPA Standard No. 58 is deleted.~~

~~65. Section 6.22.11.4 6.23.11.1 of NFPA Standard No. 58 is deleted.~~

~~76. Section 6.25.2.4 6.26.2.1 of NFPA Standard No. 58 is amended to read:~~

~~**6.25.2.4 6.26.2.1** Electrical equipment and wiring shall be of a type specified by and shall be installed in accordance with the Minnesota Electrical Code for ordinary locations except that fixed electrical equipment in classified areas shall comply with Section 6.25.2.2 6.26.2.2.~~

~~87. The first sentence of Section 6.25.2.2 6.26.2.2 of NFPA Standard No. 58 is amended to read:~~

~~**6.25.2.2 6.26.2.2** Fixed electrical equipment and wiring installed within the classified areas specified in Table 6.25.2.2 6.26.2.2 shall comply with Table 6.25.2.2 6.26.2.2 and 6.26.2.3 through 6.26.2.5 and shall be installed in accordance with the Minnesota Electrical Code.~~

~~98. Section 10.2.3 of NFPA Standard No. 58 is amended to read:~~

~~**10.2.3 Structure or building heating.** Heating shall be by steam or hot water radiation or other heating transfer medium, with the heat source located outside the building or structure (see Section 6.25 6.26, ~~Ignition Source Control~~), or by electrical appliances listed for Class I, Group D, Division 2 locations, in accordance with the Minnesota Electrical Code.~~



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4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
No

Need and Reason

1. Why is the proposed code change needed?

Since the adoption of the first state fire code in 1975, rules published in the model code for liquified petroleum gas had been deleted and NFPA 58 adopted as part of the rule. The original rationale from 1975 is not available and later SONARs indicate involvement with Minnesota Propane Association and adoption of current NFPA 58 codes. It was time to review the 2024 IFC Chapter 61 to see if deleting this chapter should be continued or more beneficial to the local fire code official to keep the model code language. Based on the review, there is a benefit to the local fire code official and no conflicts with NFPA 58. In addition, NFPA 58 is adopted in its entirety as part of Chapter 61.

Many of the provisions in Chapter 61 are common issues the local fire code official might have to address without having to review another code such as NFPA 58.

The revisions to Section 6102 are to reflect updated language in the standard and to coordinate with renumbering in the 2024 edition of NFPA 58. Finally, section 6102 is renumbered to 6101.1.1 to fit into the scoping section of IFC Chapter 61.

2. Why is the proposed code change a reasonable solution?

It eliminates an outdated existing rule and adopts the model code language as required by statute. For the local fire code official, they can address storage, resale, prohibited locations, separation distances, dispensing, safety precautions, fire protection, and parking and garaging of LP-Gas tank vehicles.

It also updates state amendments to the 2024 edition of NFPA 58. For the amendments, item 2 adds IFC Chapter 53 because NFPA 58 references NFPA 55 for compressed gasses and cryogenic fluids.

Item 3 of the rule is deleted because footnote “b” has been removed from NFPA 58 Table 6.7.2.1 Part A and B. Unknown why it was removed at this time. Reference was to ASTM E119.

Item 8 deleting reference to first sentence as there is only one sentence in the 2024 edition. Also added these references to Sections 6.26.2.3 through 6.26.2.5 as this is new with the 2024 edition.

Item 9 removes the words “Ignition Source Control” as they are no longer in NFPA 58.



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3. Is there additional data or information that should be considered?

No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.

No

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.

No

3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

No

4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?

Fire code officials, business owners, propane industry, and public.

2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?

No

3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?

No

4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.

No

5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?

None



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6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

No costs, just educating those using the fire code that Chapter 61 should be their first place to look for LP-Gas requirements. This has not been the case since 1975.

7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.

None

8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

None

***Please complete all sections. Incomplete forms may be returned for additional information.*



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Minnesota Department of Public Safety State Fire Marshal Division

FCCP 28

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: [Tom Jenson, Code Specialist SFM](#)

Date: [11-19-2024](#)

Email address: Thomas.Jenson@state.mn.us

Telephone number: [651-201-7221](#)

Organization/Association/Agency, if any: [DPS – State Fire Marshal](#)

Code or rule section to be changed (include code or rule title and edition year): [7511.7900 Appendix O](#)

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

- Change language contained the model code book? If so, list section(s).
 - Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
7511.7900 Appendix O
 - Delete language contained in the model code book? If so, list section(s).
 - Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
 - Add new language that is not found in the model code book or in Minnesota Rule.
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.
No
3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

APPENDIX ~~O~~P

FIRES OR BARBECUES ON BALCONIES OR PATIOS

The provisions contained in this appendix are not mandatory unless specifically referenced in the local adopting ordinance.

SECTION 1

BARBECUES, OPEN FLAME AND FUEL STORAGE PROHIBITED

1.1 Barbeques and Open Flame Prohibited. In any structure containing three or more dwelling units, no person shall kindle, maintain, or cause any fire or open flame, or operate a barbeque grill or similar cooking equipment, on any balcony above ground level, or on any ground floor patio within 15 feet (4,572 mm) of the structure.

~~**1.2 Fuel Storage Prohibited.** No person shall store or use any fuel, barbecue, torch, or other similar heating or lighting chemical or device in the locations designated in Section 1.1.~~



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Minnesota Department of Public Safety State Fire Marshal Division

1.2 Fuel Storage Prohibited. No person shall store or use any combustible or flammable fuels, including charcoal, firewood, woodchips, wood pellets, liquid fuels, fuel-gas containers, or similar materials in the locations designated in Section 1.1.

~~**Exception:** Listed electric or gas-fired barbecue grills that are permanently mounted and wired or plumbed to the building's gas supply or electrical system and that maintain a minimum clearance of 18 inches (457 mm) on all sides, unless listed for lesser clearances, may be installed on balconies and patios when approved by the fire chief.~~

Exception to 1.1 and 1.2: Permanently mounted electric or gas-fired barbecue grills and similar outdoor cooking equipment may be operated on a balcony or patio in accordance with all of the following:

1. Electric barbecue grills and similar cooking equipment shall be provided with a dedicated electrical receptacle installed on the balcony in accordance with the Electrical Code, Minnesota Rules, Chapter 1315.
 2. Gas-fired barbecue grills and similar cooking equipment shall be provided with a dedicated natural gas or LP-gas outlet connection located on the balcony and supplied from the building's gas supply piping. The gas piping installation shall be in accordance with the Minnesota Mechanical Code, Minnesota Rules, Chapter 1346.
 3. Barbecue grills and similar cooking equipment shall be listed and labeled by a nationally recognized testing laboratory and installed and operated in accordance with the manufacturer's instructions.
 4. A minimum clearance of 18-inches shall be maintained on all sides of cooking appliances unless lesser clearances are permitted by the manufacturer's instructions.
4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
No

Need and Reason

- Why is the proposed code change needed?
Rules regarding barbecue grills and open flames on balconies and patios of apartment buildings first appeared in the 1988 Minnesota Uniform Fire Code and was moved to an optional appendix in the 1991 Minnesota Uniform Fire Code. This appendix is not adopted as part of the state fire code but instead is an optional appendix available for local adoption through ordinance. The language has remained unchanged since 1991, yet the barbecue



Minnesota Department of Public Safety State Fire Marshal Division

technology options have changed significantly over the years. This has caused a steady increase in the number of interpretation-based questions posed to local jurisdictions and the State Fire Marshal division. The update is also intended to improve readability, flow, and comprehension.

“Barbecue grills and similar cooking equipment” is added to Section 1.1 to clarify what activities are being regulated. Further, Section 1.2 is rewritten to include an updated list of prohibited fuels.

The exceptions to Sections 1.1 and 1.2 are also rewritten to improve prescriptive clarity. Exception items 1 and 2 identify what types of cooking equipment is allowed and how they’re to be connected to fuel and power sources. Item 3 requires appliances to be listed and labeled, while item 4 addresses installation clearances

2. Why is the proposed code change a reasonable solution?
It updates the appendix to address changes in the grilling industry over the past three decades since the appendix was first written.
3. Is there additional data or information that should be considered?
No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
No
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
No
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Fire code officials, apartment owners, condo HOAs



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2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
No
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
No
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
None
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?
No additional costs. The consequences of not adopting the change is continued confusion on what is or isn't allowed and inconsistent interpretation and enforcement.
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.
No
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.
None

***Please complete all sections. Incomplete forms may be returned for additional information.*



Updated July 2022

Minnesota Department of Public Safety State Fire Marshal Division

FCCP 29

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: [Tom Jenson, Code Specialist SFM](#)

Date: [10-22-2024](#)

Email address: Thomas.Jenson@state.mn.us

Telephone number: [651-201-7221](#)

Organization/Association/Agency, if any: [DPS – State Fire Marshal](#)

Code or rule section to be changed (include code or rule title and edition year): [2310.4.1, 2024 IFC](#)

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

- Change language contained the model code book? If so, list section(s).
- Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- Delete language contained in the model code book? If so, list section(s).
- Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- Add new language that is not found in the model code book or in Minnesota Rule.
[2310.4.1](#)

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.
[No](#)

Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

2310.4 Fueling of marine vehicles at other than approved marine motor fuel-dispensing facilities. Fueling of floating marine craft at other than a marine motor fuel-dispensing facility shall comply with Sections 2310.4.1 and 2310.4.2.

2310.4.1 Class I liquid fuels. Fueling of floating marine craft with Class I fuels at other than a marine motor fuel-dispensing facility is prohibited.

Exception: When fueling floating marine craft for personal use from docks on privately owned, non-commercial property, dispensing from safety cans listed to UL 30 is permitted.

3. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
[Not in Mn Rule 7511. Not aware of any rule language with DNR or MPCA.](#)

Need and Reason

1. Why is the proposed code change needed?



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This model code prohibition is unrealistic for recreational boat owners in Minnesota who doc their boat from privately owned residential property such as cabins and lake-homes. As a result, this code section is likely violated multiple time each day during boating season. Therefore, it's appropriate to provide reasonable language that would allow for non-commercial, private use fueling from metal safety cans listed to UL 30. A UL 30 listing provides several safety features, including but not limited to: 1) a maximum container size of 5.3 gallons, 2) provides a spring-closing lid and spout cover designed to relieve internal pressure when subjected to fire exposure, and 3) metallic construction to help limit static buildup when dispensing. The specific requirement to dispense from a safety can listed to UL 30 is consistent with IFC Section 5005.1.10, which mandates a UL 30-listed safety can for the transfer of liquids having a hazard ranking of 3 or 4 in accordance with NFPA 704. Note that gasoline is a Class I liquid having a flammability hazard ranking of 3.

2. Why is the proposed code change a reasonable solution?
See above.
3. Is there additional data or information that should be considered?
A search of the MN Fire Incident Reporting System (MFIRS) did not find any incidents regarding dispensing from private docs.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
No significant increase or decrease in costs. For those who don't already own an approved portable container, the typical cost of a 5-gallon Type 1 safety can listed to UL 30 is between \$65 and 85\$. However, this is not considered a cost increase as the activity in question is currently prohibited.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
None
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?



Minnesota Department of Public Safety State Fire Marshal Division

Fire code officials, property owners

2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
No
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
None
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
None
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?
Boat owners continue to violate current MSFC Section 2310.4.1.
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.
No
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.
None

***Please complete all sections. Incomplete forms may be returned for additional information.*



Updated July 2022

Minnesota Department of Public Safety State Fire Marshal Division

FCCP 30

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: [Tom Jenson, Code Specialist SFM](#)

Date: [9/22/2025](#)

Email address: Thomas.Jenson@state.mn.us

Telephone number: [651-201-7221](#)

Organization/Association/Agency, if any: [DPS – State Fire Marshal](#)

Code or rule section to be changed (include code or rule title and edition year): [MR 7511.0901](#)

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:

Change language contained the model code book? If so, list section(s).



Minnesota Department of Public Safety State Fire Marshal Division

Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

7511.0901

Delete language contained in the model code book? If so, list section(s).

Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

No

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

7511.0901 SECTION 901, GENERAL.

[Subpart 1. IFC section 901.6.1. IFC section 901.6.1 is amended by adding a new subsection to read:]

Section 901.6.1.1 Inspection, testing and maintenance of NFPA 13D systems in licensed care facilities. In licensed care facilities as defined in Table 202.1, NFPA 13D sprinkler systems shall be inspected, tested, and maintained annually in accordance with Sections 33.2.3.5.8.1 through 33.2.3.5.8.15 of NFPA 101. All weekly, monthly, quarterly and semiannual inspections, tests, and maintenance requirements listed in Sections 33.2.3.5.8.1 through 33.2.3.5.8.15 of NFPA 101 need only be conducted annually. Any observed deficiencies shall be noted on the inspection report.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.

No

Need and Reason

1. Why is the proposed code change needed?



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An NFPA 13D system is the only type of sprinkler system that doesn't require periodic inspection, testing and maintenance (ITM) to ensure the system remains operable and functions as designed. While this may be considered reasonable when installed voluntarily in one- and two-family dwellings, it's inconsistent with the level of fire- and life-safety protection expected for state-licensed care facilities. As a primary fire- and life-safety feature, it's unreasonable to rely on a required fire suppression system that's only inspected once, at the time of installation, and never again thereafter.

NFPA 101 (2024) has taken steps to address this issue by requiring NFPA 13D systems installed in existing residential board and care occupancies to undergo periodic inspection, testing and maintenance (33.2.3.5.8). This change adopts the same requirements for NFPA 13D systems installed in state-licensed care facilities. However, consistent with current state amendment (7511.0901.6.1), the ITM frequencies as prescribed in NFPA 101 are increased to annual, meaning that all weekly, monthly, and semiannual activities are rolled into the annual inspection.

2. Why is the proposed code change a reasonable solution?

It ensures that this important life safety device is inspected once a year just as NFPA 13 and 13R systems require.

3. Is there additional data or information that should be considered?

The following is from the handbook for the 2023 edition of NFPA 25 Section 16.2 explaining the rationale to have what is termed per NFPA 101 "small residential board and care occupancies", inspected.

"Because there are very minimal maintenance requirements for sprinkler systems installed in accordance with NFPA 13D, and because the scope of NFPA 25 excludes NFPA 13D sprinkler systems, 33.2.3.5.8 of NFPA 101 specifies a series of testing and maintenance requirements for such systems where installed in small board and care occupancies. Where NFPA 13D is utilized outside its originally intended scope (one- and two-family dwellings and manufactured homes), NFPA 101 supplements the requirements of NFPA 13D to ensure a high level of reliability, because the system is either a mandatory system or it is being used to modify some other requirement.

The testing and maintenance requirements of 33.2.3.5.8 in NFPA 101 are not onerous. Several of the provisions, such as monthly visual inspection of control valves, can be accomplished by the facility's owner or operator. Such routine visual inspection will help to ensure a control valve is not inadvertently closed, which could lead to the system's failure in the event of a fire."

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.

Increase. This is not currently required in the Minnesota State Fire Code.

2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.



Minnesota Department of Public Safety State Fire Marshal Division

It will increase the safety of the residents and employees working in these facilities. Sprinklers have proven over time to control fires, prevent flashover, and give occupants additional time to escape including those that may need assistance by staff.

3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.

Unknown

4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
It is unknown currently how many buildings have this type of sprinkler system, but typically these are installed in homes or small apartments with less than 17 residents. Estimated annual sprinkler inspection fee is \$500. Fast response sprinklers are required to be tested at 20 years and the cost for the testing is estimated at \$1,800.

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?

Facility owners, fire code officials, sprinkler contractors.

2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?

None

3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?

No

4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.

No

5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?

Estimated annual sprinkler inspection fee is \$500. Fast response sprinklers are required to be tested at 20 years and the cost for the testing is estimated at \$1,800.

6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?

Consequences are that this important life safety system required by code to protect the vulnerable residents would lack important annual maintenance to ensure it will function at the time of a fire.



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7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.

No

8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

N/A

***Please complete all sections. Incomplete forms may be returned for additional information.*



Updated July 2022

Minnesota Department of Public Safety State Fire Marshal Division

FCCP 31

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: [Tom Jenson, Code Specialist SFM](#)

Date:

Email address: Thomas.Jenson@state.mn.us

Telephone number: 651-201-7221

Organization/Association/Agency, if any: [DPS – State Fire Marshal](#)

Code or rule section to be changed (include code or rule title and edition year): [MR 7511.0901](#)

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:

Change language contained the model code book? If so, list section(s).



Minnesota Department of Public Safety State Fire Marshal Division

IFC 901.6

- Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
 - Delete language contained in the model code book? If so, list section(s).
 - Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
 - Add new language that is not found in the model code book or in Minnesota Rule.
[IFC 901.6, MR 7511.0901](#)
2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.
[No](#)
3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

Section 901.6.1.1.1. NFPA 25 inspection, testing and maintenance requirements.

The following are the annual inspection requirements for NFPA 13D systems required by Section 901.6.1.1. Systems installed in accordance with NFPA 13D shall be inspected, tested, and maintained in accordance with items 1 through 15 where applicable which reference specific sections of NFPA 25. The frequency of the inspection, test, or maintenance shall be in accordance with this section, whereas the purpose and procedure shall be from NFPA 25.

1. Control valves shall be inspected annually in accordance with 13.3.2 of NFPA 25.
2. Gauges shall be inspected annually in accordance with 13.2.7.1.1 of NFPA 25.
3. Alarm devices shall be inspected annually in accordance with 5.2.4 of NFPA 25.
4. Alarm devices, if installed, shall be tested annually in accordance with 5.3.2 of NFPA 25.
5. Valve supervisory switches, if installed, shall be tested annually in accordance with 13.3.3.5 of NFPA 25.
6. Visible sprinklers shall be inspected annually in accordance with 5.2.1 of NFPA 25.
7. Visible pipe shall be inspected annually in accordance with 5.2.2 of NFPA 25.
8. Visible pipe hangers shall be inspected annually in accordance with 5.2.3 of NFPA 25.



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9. Buildings shall be inspected annually prior to the onset of freezing weather to ensure that there is adequate heat wherever water-filled piping is run in accordance with 4.1.2 of NFPA 25.

10. A representative sample of fast-response sprinklers shall be tested once the sprinklers in the system are 20 years old in accordance with 5.3.1.1.1.3 of NFPA 25.

(A) If the sample fails the test, all of the sprinklers represented by that sample shall be replaced.

(B) If the sprinklers pass the test, the test shall be repeated every 10 years thereafter.

11. A representative sample of dry-pendent sprinklers shall be tested once the sprinklers in the system are 10 years old in accordance with 5.3.1.1.1.6 of NFPA 25.

(A) If the sample fails the test, all of the sprinklers represented by that sample shall be replaced.

(B) If the sprinklers pass the test, the test shall be repeated every 10 years thereafter.

12. Antifreeze solutions shall be tested annually in accordance with 5.3.3 of NFPA 25.

13. Control valves shall be operated through their full range and returned to normal annually in accordance with 13.3.3.1 of NFPA 25.

14. Operating stems of OS&Y valves, if installed, shall be lubricated annually in accordance with 13.3.4 of NFPA 25.

15. Dry-pipe systems that extend into the unheated portions of the building shall be inspected, tested, and maintained in accordance with 13.4.5 of NFPA 25.

4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
No

Need and Reason

1. Why is the proposed code change needed?
This change is connected to the code change proposal adding Section 901.6.1.1 for NFPA 13D inspection requirements for licensed facilities located in Group R-3 or R-4 occupancies with vulnerable adults. NFPA 25 Section 16.2 requires inspection, testing and maintenance to be in accordance with NFPA 101 for small residential board and care occupancies. Sprinkler contractors and building owners may not have access to NFPA 101 requirements. This code change adds the language from 2024 edition NFPA 101 Sections 33.2.3.5.8 through 33.2.3.5.8.15 to the Minnesota State Fire Code.
2. Why is the proposed code change a reasonable solution?
Places the inspection requirements from NFPA 25 and NFPA 101 into the MSFC for better access for sprinkler contractors that don't own a copy of NFPA 101.
3. Is there additional data or information that should be considered?
No



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Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
[See code change proposal for 901.6.1.1](#)
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
[See code change proposal for 901.6.1.1](#)
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
[See code change proposal for 901.6.1.1](#)

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
[Facility owners, fire code officials, sprinkler contractors](#)
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
No
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
No
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
[See code change proposal for 901.6.1.1](#)
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?



Minnesota Department of Public Safety State Fire Marshal Division

Consequences are that this important life safety system required by code to protect the vulnerable residents would lack important annual maintenance to ensure it will function at the time of a fire.

7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.

No

8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

N/A

***Please complete all sections. Incomplete forms may be returned for additional information.*



Updated July 2022

Minnesota Department of Public Safety State Fire Marshal Division

FCCP 32

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: [Tom Jenson, Code Specialist SFM](#)

Date: [3-28-2024](#)

Email address: thomas.jenson@state.mn.us

Telephone number: [651-201-7221](#)

Organization/Association/Agency, if any: [DPS – State Fire Marshal](#)

Code or rule section to be changed (include code or rule title and edition year): [7511.0906](#)

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:

Change language contained the model code book? If so, list section(s).



Minnesota Department of Public Safety State Fire Marshal Division

IFC 906.1

Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

7511.0906

Delete language contained in the model code book? If so, list section(s).

Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

[A second exception is added 906.1, Item 1]

906.1 Where required. Portable fire extinguishers shall be installed in the following locations:

1. In all Group A, B, E, F, H, I, M, R-1, R-2, R-4, and S occupancies.

Exceptions:

1. In Group E occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, fire extinguishers shall be required only in laundry and soiled linen rooms, boiler and furnace rooms, mechanical and electrical rooms, garages, stages, projection booths, shops, laboratories, kitchens, locker rooms, custodial closets, trash-collection rooms, storage rooms greater than 100 square feet, and similar areas.

2. In Group S parking garages, fire extinguishers shall only be required in stairways and elevator lobbies on each story.



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4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
No

Need and Reason

1. Why is the proposed code change needed?
Vehicle fires inside parking ramps are one of the most dangerous types of fire to fight, as burning vehicles produce highly toxic smoke and gases and often within a confined space. The placement of fire extinguishers within a parking ramp also encourages public use, which could prove hazardous to an untrained person who doesn't understand the hazards involved and the effective limits of a typical fire extinguisher. This proposed change also has the effect of protecting fire extinguishers from theft, vandalism and vehicular damage, while still allowing for reasonable access by trained individuals.

Comments from the Metropolitan Airports Commission (MAC) Fire Marshal:

Portable fire extinguishers for untrained people are meant to extinguish a small controllable fire, when they can safely do so, not a vehicle fire. We have taught people for decades that the first thing to do is to ensure you have an exit path and to exit the area. Placing fire extinguishers at or near exits provides people the option, exit the area and call 911, or call 911 and safely use the fire extinguisher on small fires, but always maintain your exit and escape path.

2. Why is the proposed code change a reasonable solution?
This proposal better protects the general public from undue injury while still allowing access to required fire extinguishers from a safe location.
3. Is there additional data or information that should be considered?
No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
It will most likely reduce costs to the owner due to not having to replace stolen extinguishers. In addition, there will be fewer fire extinguishers and therefore reduce the costs of required maintenance for annual inspection, 6-year dry powder replacement, and 12-year hydrostatic test of the cylinder.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
No
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.



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No

4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.

No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Owners. No anticipated impact on fire extinguisher companies.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
No
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
No
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
None
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
Continued costs to replace missing extinguishers required by the current codes and code required annual inspection, testing and maintenance.
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.
No
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.
None



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***Please complete all sections. Incomplete forms may be returned for additional information.*



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FCCP 33

Fire Code Change Proposal Form

(Submit via email to: fire.code@state.mn.us)

***Please complete all sections. Incomplete forms may be returned for additional information.*

Author/requestor: [Tom Jenson, Code Specialist SFM](#)

Date: [4-11-2024](#)

Email address: Thomas.Jenson@state.mn.us

Telephone number: [651-201-7221](#)

Organization/Association/Agency, if any: [DPS – State Fire Marshal](#)

Code or rule section to be changed (include code or rule title and edition year): [7511.0906](#)

Is the subject matter of the proposed change also regulated by the Minnesota Building Code?

YES: NO: UNKNOWN:

***If yes, a [building code change proposal](#) must also be completed and submitted to the Minnesota Department of Labor and Industry – Construction Codes and Licensing Division.*

General Information

Yes No

- A. Is the proposed change unique to the State of Minnesota?
- B. Is the proposed change required due to climatic conditions of Minnesota?
- C. Will the proposed change encourage more uniform enforcement?
- D. Will the proposed change remedy a problem?
- E. Does the proposal delete a current Minnesota Rule, chapter amendment?
- F. Would this proposed change be appropriate through the ICC code development process?

Proposed Language

1. The proposed code change is meant to:

Change language contained the model code book? If so, list section(s).



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IFC 906.6

Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

7511.0906.1

Delete language contained in the model code book? If so, list section(s).

Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).

Add new language that is not found in the model code book or in Minnesota Rule.

2. Is this proposed code change required by Minnesota Statute? If so, please provide the citation.

In effect, yes. Minnesota Statutes, Section 144G.45 for assisted living facilities added language for fire extinguishers in Group R-3 occupancies. This conflicts with the state fire code which only requires portable fire extinguishers in Group R-3 occupancies used as family day care, group family day care, foster care, adult family day services, and residential hospices.

3. Provide *specific* language you would like to see changed. Indicate proposed new words with underlining and words proposed to be deleted. Include the entire code (sub) section or rule subpart that contains your proposed changes.

906.1 Where required. Portable fire extinguishers shall be installed in the following locations:

7. ~~R-3 occupancies used as family day care, group family day care, foster care, adult family day services, and residential hospices.~~ Group R-3 occupancies licensed as a care facility as defined in Table 202.1.

906.6 Unobstructed and unobscured. Portable fire extinguishers shall not be obstructed or obscured from view. In rooms or areas in which visual obstruction cannot be completely avoided, means shall be provided to indicate the locations of extinguishers.

Exception:

In Group R-3 and R-4 licensed care facilities as defined in Table 202.1, and where approved by the fire code official, portable fire extinguishers may be mounted in locations that are obstructed from view.



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4. Will this proposed code change impact other sections of a model code book or an amendment in Minnesota Rule? If so, please list the affected sections or rule parts.
No

Need and Reason

1. Why is the proposed code change needed?
The change to **7511.0906.1** is needed because Minnesota Statutes, Section 144G.45 for assisted living facilities added language to require fire extinguishers in Group R-3 occupancies. This conflicts with the state fire code which requires portable fire extinguishers in Group R-3 occupancies licensed as family day care, group family day care, foster care, adult family day services, and residential hospices, but not in assisted living facilities. Instead of adding yet another type of care facility to the list, this change will simply require portable fire extinguishers in all state-licensed care facilities classified as Group R-3. This way, any subsequent changes in state licensing statute or rules will not trigger an additional rule change in Chapter 7511. It's prudent to require portable fire extinguishers in Group R-3 care facilities so staff are provided the opportunity to extinguish small, incipient fires as the first line of defense in the protection of care recipients, staff, and property.

Regarding the change to **IFC 906.6**, the added exception is needed to allow fire extinguishers to be hidden from view to prevent care recipients from vandalizing or otherwise removing the fire extinguisher. Examples include children in family daycare homes or those with cognitive disabilities in adult care programs. A common alternative extinguisher placement would be within a closet immediately adjacent to an exit door. This exception is reasonable, as staff and care providers will be aware of the location and proper use of the extinguisher, and the placement must ultimately be approved by the fire code official.

2. Why is the proposed code change a reasonable solution?
See above
3. Is there additional data or information that should be considered?
No

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
No, already required by statute and rule.



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2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No
4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
No

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
None as already required by existing statute and rule.
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
No
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
None
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
None
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
None
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.



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No

8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

None

***Please complete all sections. Incomplete forms may be returned for additional information.*



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