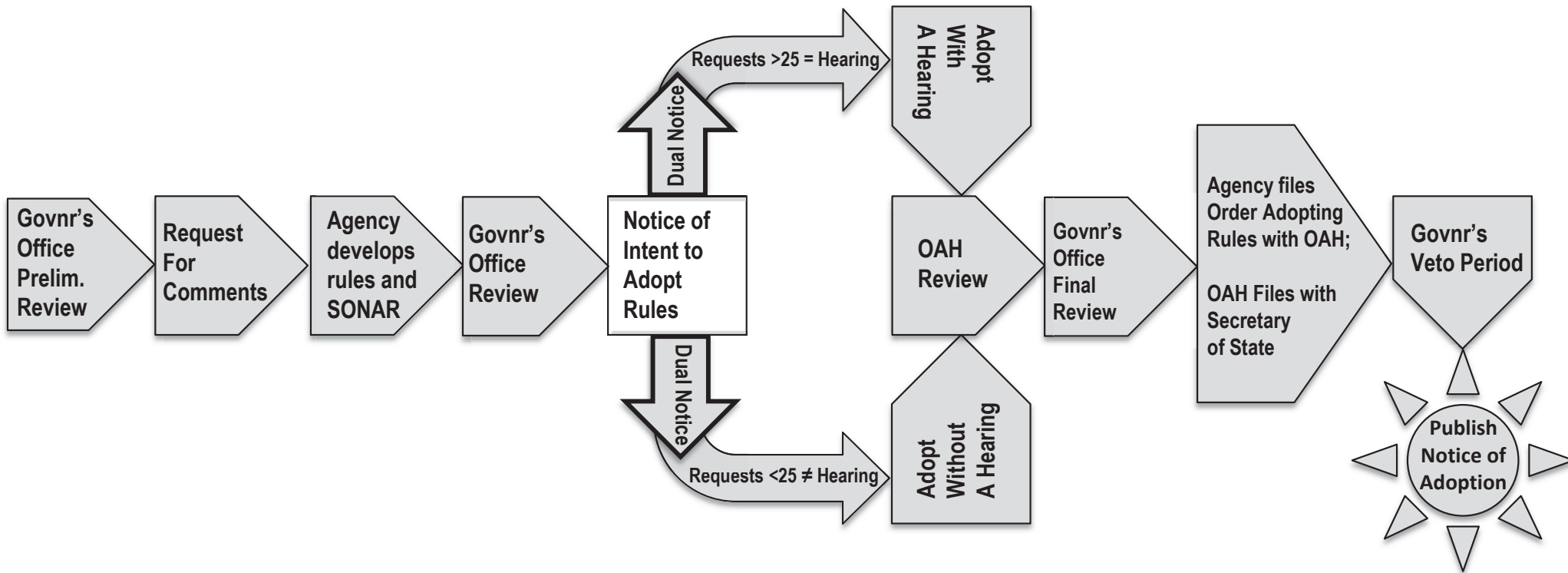
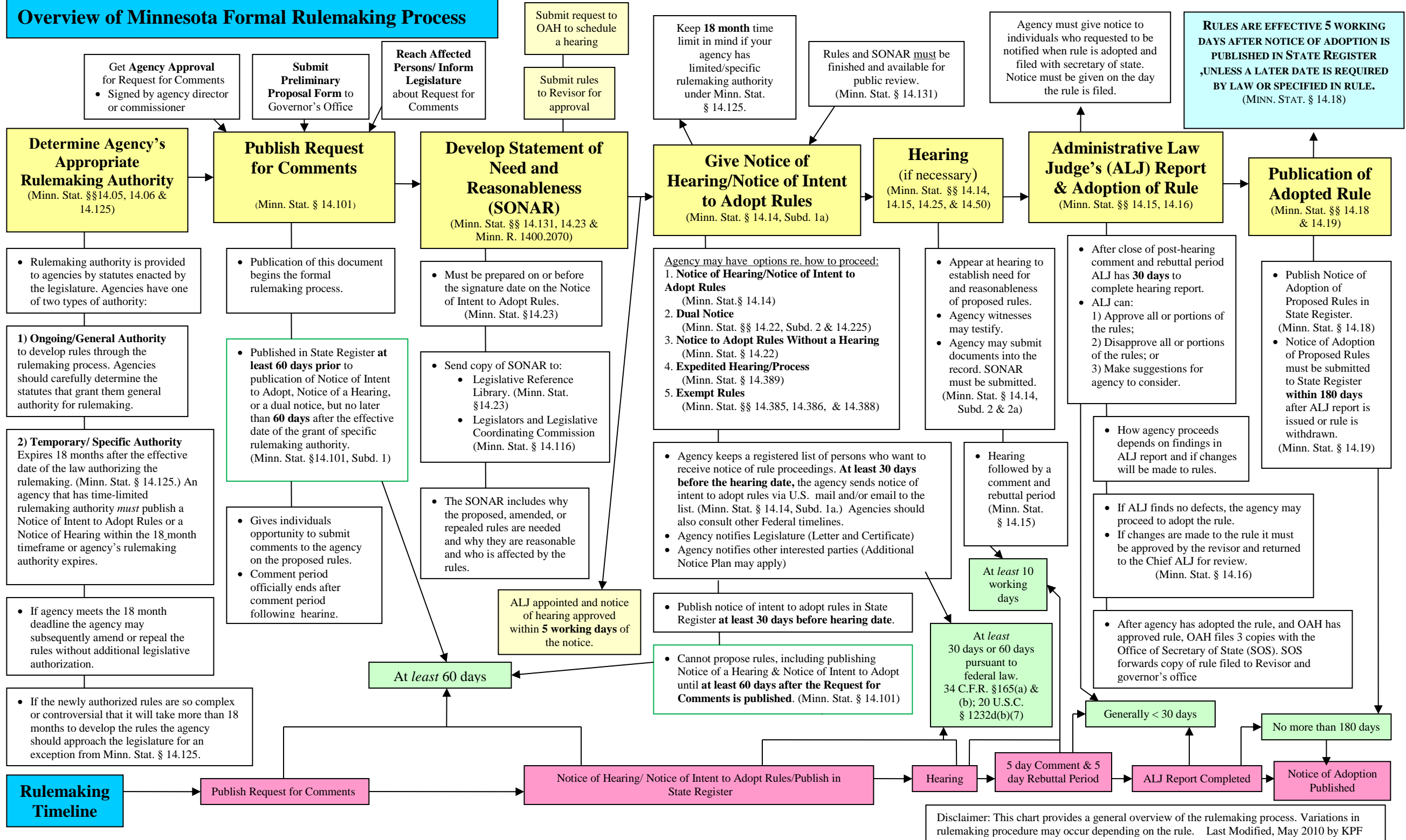


# Rulemaking Progress Chart



# Overview of Minnesota Formal Rulemaking Process



## Rulemaking Timeline



Disclaimer: This chart provides a general overview of the rulemaking process. Variations in rulemaking procedure may occur depending on the rule. Last Modified, May 2010 by KPF

## CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

*Author/requestor:*

*Date:*

*Email address:*

*Model Code:*

*Telephone number:*

*Code or Rule Section:*

*Firm/Association affiliation, if any:*

*Topic of proposal:*

*Code or rule section to be changed:*

*Intended for Technical Advisory Group ("TAG"):*

### General Information

**Yes   No**

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

### 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).
  
- 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 ~~striethrough~~ words proposed for deletion. Include the entire code (sub) section or rule subpart that contains your proposed changes.
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.

### **Need and Reason**

1. Why is the proposed code change needed? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)
2. Why is the proposed code change a reasonable solution?
3. What other factors should the TAG consider?

### **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain. If the benefit is quantifiable (for example energy savings), provide an estimate if possible.
3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
5. 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 ([Minn. Stat. § 14.127](#))? 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.

### **Regulatory Analysis**

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

2. Can you think of other means or methods to achieve the purpose of the proposed code change? What might someone opposed to this code change suggest instead? Please explain what the alternatives are and why your proposed change is the preferred method or means to achieve the desired result.
  
3. What are the probable costs or consequences of not adopting the code change, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?
  
4. Are you aware of any federal or state regulation or requirement related to this proposed code change? If so, please list the federal or state regulation or requirement and your assessment of any differences between the proposed code change and the federal regulation or requirement.

\*\*\*Note: The information you provide in this code change proposal form is considered Public Data and used by the TAG to consider your proposed modification to the code. Any code change proposal form submitted to DLI may be reviewed at public TAG meetings and used by department staff and the Office of Administrative Hearings to justify the need and reasonableness of any proposed rule draft subject to administrative review and is available to the public.

\*\*\*\*Note: Incomplete forms will be returned to the submitter with instruction to complete the form. Only completed forms will be accepted and considered by the TAG. The submitter may be asked to provide additional information in support of the proposed code change.

**1300.0040 SCOPE.**

Subpart 1. **Applicability.** The code applies to the design, construction, addition, alteration, moving, replacement, demolition, repair, equipment, installation, use and occupancy, location, maintenance, and inspection of any building, structure, or building service equipment in a municipality, except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in the code, and hydraulic flood control structures.

**Exception:** When approved by the building official, buildings, structures, or portions thereof, used exclusively by military personnel, police, fire, or first responders for training purposes may be designed to reflect actual conditions that may be encountered in field operations, maneuvers, or tactics, however, structural provisions must apply.

Subp. 2. **Compliance.** Structures classified under part 1300.0070, subpart 12b, as IRC-1, IRC-2, IRC-3, and IRC-4 occupancies not more than three stories above grade plane in height with a separate means of egress shall comply with chapter 1309 and other applicable rules. Other buildings and structures and appurtenances connected or attached to them shall comply with chapter 1305 and other applicable rules.

**Exception:** The following structures that meet the scope of chapter 1305 shall be permitted to be designed to comply with Minnesota Rules, chapter 1311:

- (1) existing buildings undergoing repair, alteration, change of occupancy, addition, or being moved; and
- (2) historic buildings.

If different provisions of the code specify different materials, methods of construction, or other requirements, the most restrictive provision governs. If there is a conflict between a general requirement and a specific requirement, the specific requirement applies.

If reference is made in the code to an appendix, the provisions in the appendix do not apply unless specifically adopted by the code. Optional appendix chapters of the code identified in part 1300.0060 do not apply unless a municipality has specifically adopted them.

**Statutory Authority:** *MS s 16B.59; 16B.61; 16B.64; 326B.02; 326B.101; 326B.106; 326B.13*

**History:** *27 SR 1471; 32 SR 5; L 2007 c 140 art 4 s 61; art 13 s 4; 39 SR 91*

**Published Electronically:** *January 23, 2015*

**1311.0010 ADOPTION BY REFERENCE OF THE INTERNATIONAL EXISTING BUILDING CODE.**

Subpart 1. **General.** For the purposes of this chapter, "IEBC" means the 2018 edition of the International Existing Building Code as promulgated by the International Code Council (ICC), Washington, D.C. The IEBC is incorporated by reference and made a part of the Minnesota State Building Code, except as qualified by the applicable provisions in Minnesota Rules, chapter 1300, and as amended in this chapter. Portions of this publication reproduce excerpts from the 2018 IEBC, International Code Council (ICC), Washington, D.C., reproduced with permission, all rights reserved. The 2018 IEBC is not subject to frequent change and a copy of the 2018 IEBC, with amendments for use in Minnesota, is available in the office of the commissioner of labor and industry.

Subp. 1a. **Deleted appendices.** The appendices to the IEBC are deleted and are not made a part of this code.

Subp. 2. **Mandatory chapters.** IEBC chapters 2 to 16 are required and are incorporated into the Minnesota State Building Code, except as qualified by the applicable provisions in Minnesota Rules, chapter 1300, and as amended by this chapter. Amendments to IEBC section 305 are incorporated by reference in this chapter, but the amendments to that section are located in Minnesota Rules, chapter 1341, the Minnesota Accessibility Code. Referenced documents cited in IEBC section 305, and Minnesota Rules, chapter 1341, apply, unless otherwise stated or deleted. For the complete application and mandatory requirements relating to IEBC section 305, see Minnesota Rules, chapter 1341.

Subp. 3. **Replacement chapters and provisions.** The following IEBC chapters or sections are deleted and replaced with the provisions listed in items A to D:

A. **Administration.** Chapter 1 of the 2018 IEBC and any references to code administration in this code are deleted and replaced with Minnesota Rules, chapter 1300, Administration of the State Building Code.

B. **Elevators and platform lift provisions.** Reference to elevator and platform lift provisions in the IEBC mean Minnesota Rules, chapter 1307, Minnesota Elevators and Related Devices, adopted pursuant to Minnesota Statutes, section 326B.106, subdivision 1.

C. **Flood hazard or floodproofing provisions.** Any flood hazard or floodproofing provisions in the IEBC and any reference to those provisions are deleted in their entirety. Requirements for floodproofing are located in Minnesota Rules, chapter 1335, Floodproofing Regulations.

D. **Construction safeguards.** IEBC chapter 15, Construction Standards, is deleted and replaced with IBC chapter 33 as adopted and amended in Minnesota Rules, chapter 1305, Safeguards During Construction.

Subp. 4. **Seismic or earthquake provisions.** Any seismic or earthquake provisions of the IEBC and any references to them are deleted and are not made a part of this code.

**Statutory Authority:** *MS s 16B.59; 16B.61; 16B.64; 326B.02; 326B.101; 326B.106; 326B.13*

**History:** 27 SR 1479; L 2007 c 140 art 1 s 1; L 2007 c 140 art 4 s 61; art 13 s 4; 39 SR 95;  
44 SR 487

**Published Electronically:** *March 31, 2020*



**1311.0020 REFERENCES TO OTHER INTERNATIONAL CODE COUNCIL CODES.**

Subpart 1. **General.** References to other codes and standards promulgated by the International Code Council in the IEBC are modified as established in this part.

Subp. 2. **Building code.** References to the "building code," the "Minnesota Building Code," the "International Building Code," or "IBC" in this code mean Minnesota Rules, chapter 1305, Adoption of the International Building Code, adopted pursuant to Minnesota Statutes, section 326B.106, subdivision 1.

Subp. 3. **Fire code.** References to the "International Fire Code" do not apply and are deleted.

Subp. 4. **Property maintenance code.** References to the "property maintenance code" or the "International Property Maintenance Code" in this code do not apply and are deleted.

Subp. 5. **Fuel gas code.** References to the "fuel gas code" or the "International Fuel Gas Code" in this code mean Minnesota Rules, chapter 1346, Minnesota Mechanical and Fuel Gas Codes, adopted pursuant to Minnesota Statutes, section 326B.106, subdivision 1.

Subp. 6. **Mechanical code.** References to the "mechanical code" or the "International Mechanical Code" in this code mean Minnesota Rules, chapter 1346, Minnesota Mechanical and Fuel Gas Codes, adopted pursuant to Minnesota Statutes, section 326B.106, subdivision 1.

Subp. 7. **Plumbing code.** References to the "plumbing code" or the "International Plumbing Code" in this code mean Minnesota Rules, chapter 4714, Plumbing Code, adopted pursuant to Minnesota Statutes, section 326B.43.

Subp. 8. **Energy conservation code.** References to the "energy conservation code" or the "International Energy Conservation Code" in this code mean Minnesota Rules, chapters 1322 and 1323, Minnesota Residential and Commercial Energy Codes, adopted pursuant to Minnesota Statutes, section 326B.106, subdivision 1.

Subp. 9. **Residential code.** References to the "residential code" or the "International Residential Code" in this code do not apply and are deleted.

Subp. 10. **Private sewage disposal code.** References to the "private sewage disposal code" or the "International Private Sewage Disposal Code" in this code mean Minnesota Rules, chapter 7080, the Minnesota Pollution Control Agency's minimum standards and criteria for individual sewage treatment systems adopted pursuant to Minnesota Statutes, chapters 103F, 103G, 115, and 116.

Subp. 11. **Electrical code.** References to the "electrical code" or NFPA 70's "National Electrical Code" in this code mean Minnesota Rules, chapter 1315, Minnesota Electrical Code, adopted pursuant to Minnesota Statutes, section 326B.35.

Subp. 12. **Minnesota State Building Code.** References to the "Minnesota State Building Code" in this chapter shall have the same meaning as "code" in part 1300.0070, subpart 8.

**Statutory Authority:** *MS s 326B.02; 326B.101; 326B.106*

**History:** *39 SR 95; 40 SR 71; 44 SR 487*

**Published Electronically:** *March 31, 2020*