

# Introduction to Data Practices and the Open Meeting Law

Alexis Johnson | Office of General Counsel

# Data Practices Act (DPA)

## What does the DPA do?

- Presumes government data is public
- Classifies data that is not public
- Provides certain access rights for the public and for the subject of the data
- Requires that data on individuals is accurate, complete, current, and secure

## Why is the DPA important?

- Balances (1) the public's right to know about government activities with (2) the data subject's privacy rights and (3) our need to have and use data to do our work

## What is government data?

- All data collected, created, received, maintained, or disseminated regardless of its physical form
  - Examples: emails, notes, drafts, computer records, saved phone messages
- Does not include mental impressions
- Does not include personal data

## How is government data classified?

- Public data (anyone can access)
- Not public data (either no one can access or only the data subject)

# Records Management

## What are the relevant laws?

- *The Official Records Act*: describes what government data the agency/entity must retain
- *The Records Management Statute*: describes when the agency/entity no longer needs to maintain official records and how to dispose of them

## What is an official record?

- Agencies must keep “. . .all records necessary to a full and accurate knowledge of their official activities”
- These are the records needed for the public to understand what DLI is doing and why
- Official records are a subset of government data
- Official records can be stored in any media

## Can a government entity destroy official records?

- Agencies must follow a process when disposing of official records that are no longer needed:
  - Establish record retention schedules
  - Document the destruction of official records
  - Protect not public information when records are destroyed

## What do you need to know as TAG members?

- You are working with government data
- Most of the government data you will be working with is public
- Most of the TAG documents will be available online
- If DLI receives a data request for data you might have, DLI will work with you directly to retrieve the data—if you receive a data request, refer it to the TAG leader
- TAG members will likely not be dealing with official records, but nevertheless TAG members should maintain government data (emails, handouts, notes, etc.) for at least 30 days after the TAG reports to the CCAC

# Open Meeting Law (OML)

## What does the Open Meeting Law do?

- With limited exceptions, all meetings of public bodies must be open to the public

## Why does the Open Meeting Law exist?

- It is important for a transparent government
- Prohibits secret meetings

## What is a meeting?

- ANY gathering of a quorum of the TAG when that quorum is transacting public business
- Interactions outside of formal TAG meetings *could* still qualify as a meeting for the OML if TAG topics are discussed

## Takeaway

- TAG meetings are open to the public
- Be mindful of interactions with other TAG members outside of formal TAG meetings, especially if a quorum of members are present and engaged
- Save your conversations and discussions about TAG topics for the public meetings

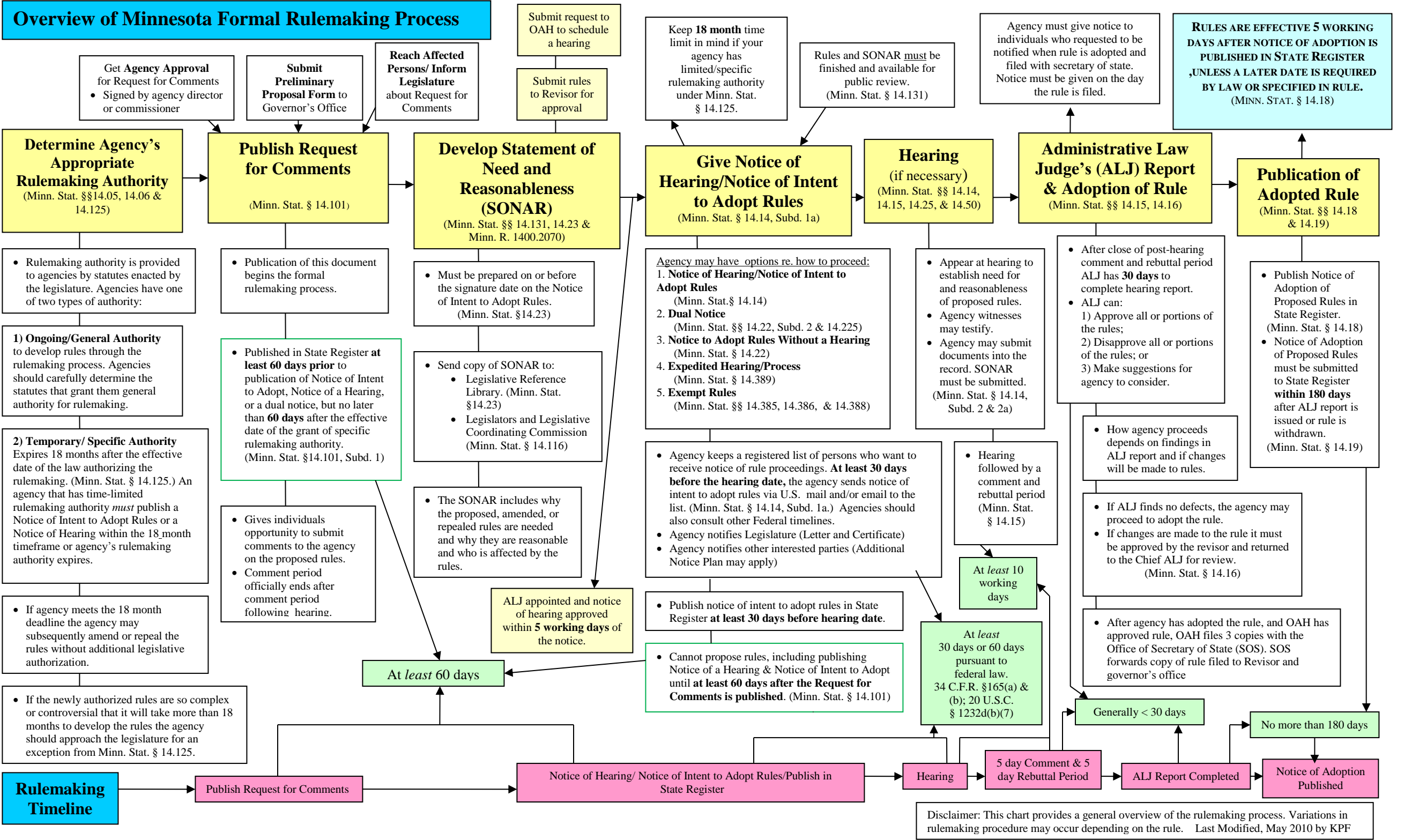
# Thank you!

Alexis Johnson

[alexis.johnson@state.mn.us](mailto:alexis.johnson@state.mn.us)

651-284-5205

# Overview of Minnesota Formal Rulemaking Process



## 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.

# Minnesota Department of Public Safety State Fire Marshal Division

FCCP 1

## Fire Code Change Proposal Form

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

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

Author/requestor: [Forrest Williams](#)

Date: [3-4-2024](#)

Email address: [forrest.williams@state.mn.us](mailto:forrest.williams@state.mn.us)

Telephone number: [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): [2024 IFC, Section 304.1.1 – Valet trash.](#)

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

2024 IFC, Section 304.1.1.

☐ 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.

**304.1.1 Valet trash.** Valet trash collection shall be permitted only where approved. The owner and valet trash collection service provider shall comply with the rules and limitations established by the jurisdiction. Combustible storage associated with valet trash collection is prohibited in corridors and exit stairs in accordance with Section 1031.3.

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.

N/A

## **Need and Reason**

1. Why is the proposed code change needed?

Minnesota has long-standing amendment that prohibits combustible storage within corridors and exit stairs (MN Rules 7511, Subp. 2, Section 1031.3). Although the 2024 IFC now permits local jurisdictions to adopt rules allowing for valet trash collection services, those rules cannot be less restrictive than the state fire code pursuant to M.S. 299F.011, Subd. 4. Therefore, regardless of local approval, combustible storage, including trash and recycling materials, are prohibited from being stored in corridors and exit stairs.



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

Without the added reference to MR 7511, Subp. 2, Section 1031.3, a local jurisdiction may inadvertently approve valet trash collection practices that result in the placement of combustible storage materials in corridors or exit stairs.

The prohibition of placing trash and recycling materials in corridors and stairs pursuant to MN Rule 7511, Subp. 2, Section 1031.3, has been adjudicated and affirmed by the MN Court of Appeals. (See MINNESOTA COURT OF APPEALS, Case No: A20-0817)

This amendment to IFC 304.1.1 does not have the effect of changing current code. Instead, it functions as a reminder to the reader that, should rules be adopted for valet trash collection, there's an existing provision under MN Rules preventing the storage of combustible materials in corridors and exit stairs. Thus, any rules adopted by a jurisdiction to allow valet trash collection services must also prohibit the placement of combustible storage in corridors or exit stairs.

Note that this change would not have the effect of prohibiting a local jurisdiction from adopting rules allowing for valet trash collection services, provided those rules prohibit the placement of combustible storage in corridors and exit stairs.

***MR 7511, Subp. 2, Section 1031.3 Obstructions.*** *A means of egress shall be free from obstructions that would prevent its use, including the accumulation of snow and ice. Means of egress shall remain free of any material or matter where its presence would obstruct or render the means of egress hazardous. No combustible storage is allowed in corridors or exit stairs.*

2. Why is the proposed code change a reasonable solution?  
By calling attention to a separate code section that prohibits the storage of combustible materials in corridors and exit stairs, the proposed change will prevent local jurisdictions from inadvertently adopting rules that are less restrictive than the state fire code.
3. Is there additional data or information that should be considered?  
None.

## **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
There will be no change in costs. The proposed change is for clarification purposes.
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.  
None.



# Minnesota Department of Public Safety

## State Fire Marshal Division

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 this change does not have the effect of adding a new requirement.
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?  
There are no probable costs, as this change does not have the effect of adding a new requirement.
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?  
There are no probable costs. However, not adopting the proposed change may result in local jurisdictions inadvertently adopting rules that are less restrictive than the fire code, which is not permitted under MN Statutes, 299F.011, Subd. 4.
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



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

*\*\*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 2

## Fire Code Change Proposal Form

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

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

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

Date: [2-6-2024](#)

Email address: [forrest.williams@state.mn.us](mailto:forrest.williams@state.mn.us)

Telephone number: [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): [2024 IFC, Section 314.4.](#)

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).





# Minnesota Department of Public Safety State Fire Marshal Division

## 2024 IFC, Section 314.4

- ☐ 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.  
N/A
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.

### 314.4 Vehicles.

Liquid-fueled or gaseous-fueled vehicles, aircraft, boats or other motorcraft shall not be located indoors except as follows:

1. The engine starting system is made inoperable or ignition batteries are disconnected except where the fire code official requires that the batteries remain connected to maintain safety features.
2. Fuel in fuel tanks does not exceed any of the following:
  - 2.1 Class I, II and III liquid fuel does not exceed one-quarter tank or 5 gallons (19 L), whichever is less.
  - 2.2 LP gas does not exceed one-quarter tank or 6.6 gallons (25 L), whichever is less.
  - 2.3 CNG does not exceed one-quarter tank or 630 cubic feet (17.8 m3), whichever is less.
  - 2.4 Hydrogen does not exceed one-quarter tank or 2,000 cubic feet (57 m3), whichever is less.
3. Fuel tanks and fill openings are closed and sealed to prevent tampering.



Updated July 2022

# Minnesota Department of Public Safety

## State Fire Marshal Division

4. Vehicles, aircraft, boats or other motorcraft equipment are not fueled or defueled within the building.

**Exception:** Item 1 shall not apply to vehicles located in motor vehicle sales showrooms where conditions and practices are in place to prevent unauthorized personnel from starting a vehicle.

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 intent of this proposal is to eliminate an impractical and perhaps unreasonable code provision that's not uniformly nor commonly enforced by fire code officials in the context of motor vehicle sales showrooms. Such showrooms are used for the indoor display of vehicles in a convenient and climate-controlled environment. It's common practice for these vehicles to be available for test drives, where an employee will retrieve the ignition key or starting fob and drive the vehicle outdoors through an overhead door.

It's also common practice for sales staff to demonstrate the electrical and electronic features of a vehicle. However, both activities are impractical when ignition batteries are disconnected, and not all vehicles are equipped with the ability to disable the starting system while still allowing for the demonstration of the electrical and electronic features. The intent of the exception is to allow vehicles to remain available for test drives and other demonstrations provided safeguards are in place that prevent unauthorized persons from starting the vehicle, such as employees maintaining control of ignition keys, fobs or other starting methods. Note that this exception only applies to item 1. All other safeguards would still apply to motor vehicle sales showrooms.

Based on the IFC code commentary, it appears the focus of Section 314.4 is for the indoor display of vehicles in covered malls, retail stores, and convention centers, as opposed to vehicle sales showrooms. The commentary states:

*□ It has become commonplace for covered malls and larger retail stores to have various types of gas- or liquid-fueled vehicles on inside display, such as for promotional events or fire apparatus displays during Fire Prevention Week (see Commentary Figure 314.4). Because the hazards of such displays in a public building are similar to those in residential buildings, Section 314.4 parallels Section 313.1, Exception 2 (see commentary, Section 313.1).*

Although it's possible there may be a limited number of jurisdictions who are actively enforcing this section in motor vehicle sales showrooms, SFM is not aware of any.



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

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

If a code provision is found to be impractical and/or unreasonable, it's our obligation to amend or clarify the language where appropriate. The proposed exception allows auto-sales showrooms to function as intended by providing a reasonable alternative to item 1 (the disconnecting of batteries or the disabling of starting systems) while still accomplishing the goal of preventing unauthorized persons from starting a vehicle. This change is reasonable as it offers an alternative method in achieving the intent of the code. It should be noted that this exception/alternative is specific to motor vehicle sales showrooms, and all additional safeguards listed this section still apply.

A review of the MN Fire Incident Reporting System (MFIRS) data from 2004 to present-day (approximately 20 years) found no (zero) fire incidents involving a vehicle displayed in a motor vehicle display showroom.

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

A review of the MN Fire Incident Reporting System (MFIRS) data from 2004 to present-day (approximately 20 years) found no (zero) fire incidents involving a vehicle displayed in a motor vehicle display showroom.

### **Cost/Benefit Analysis**

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

No change.

#### 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.

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?

Fire code officials and motor vehicle sales facility owners and operators.



# Minnesota Department of Public Safety State Fire Marshal Division

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?  
None. No costs.
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.  
I feel this is the preferred method, utilizing succinct and unambiguous language in commonly used exception format.
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?  
The intent of this proposal is to eliminate an impractical and perhaps unreasonable code provision that's not uniformly nor commonly enforced by fire code officials in the context of motor vehicle sales showrooms. Without this proposed change, this section will continue go unenforced or ignored in motor vehicle sales showrooms. It also prevents the unequal application of the code where a small number of jurisdictions choose to enforce item 1 in auto-sales showrooms, while most jurisdictions do not. The intent of having a state fire code is to help ensure equal application across the state.
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 3

## Fire Code Change Proposal Form

(Submit via email to: [fire.code@state.mn.us](mailto: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](mailto: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): [7511.0405](#)

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).

[2024 IFC 405.8](#)



# 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).

7511.0405

☐ 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.

**7511.0405 SECTION 405, EMERGENCY EVACUATION DRILLS.**

IFC Section ~~405.7~~ 405.8 is amended by adding an exception to read:

## **405.8 Initiation.**

Where a fire alarm system is provided, emergency evacuation drills shall be initiated by activating the fire alarm system.

**Exception:** In Group A and R-1 occupancies where only employees are required to participate in drills as specified in Table 405.23.

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 existing state amendment exempting Group R-1 from the requirement to initiate fire evacuation drills through activation of the fire alarm system is reasonable because Group R-1s are typically occupied by guests 24/7. However, the current amendment also exempts



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

Group A occupancies, which are not continuously occupied by guests. As such, there's no reason that the fire alarm signal should be used to initiate fire evacuation drills since only employees are required to participate and drills can be conducted when the building is not normally occupied by patrons or guests. Activating the building's fire alarm system during a drill realistically simulates the conditions of an actual fire emergency. This helps building occupants become familiar with the sound of the alarm and how to respond without panicking. Knowing what to expect and having practiced the evacuation process can significantly reduce confusion and ensure a more orderly and efficient evacuation during a real event. This practice also allows for periodic testing of the system and teaches familiarity of the building's fire alarm signal and system operation. The model code language requires that all occupancies initiate evacuation drills with the fire alarm system. Removing the current Group A exception coordinates closer to nationally accepted code language.

It is unknown why Group A occupancies were included in the original amendment. The rationale in the 2003 SONAR appears to be directed towards Group R-1 hotels and motels occupied 24 hours per day. With very few exceptions, assembly occupancies are not occupied by the public 24 hours a day.

As fire alarm system become more complex and technologically advanced, staff training becomes even more important, especially in the case of voice/alarm evacuation systems which automatically transmit prerecorded voice announcements and instructions based on the nature of the emergency and allow for real-time voice instructions. It's essential for employees to be trained in the proper use of the fire alarm system and voice/alarm communications.

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](#)
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](#)





# Minnesota Department of Public Safety

## State Fire Marshal Division

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?  
Assembly occupancy owners/operators and fire code officials.
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 costs. The consequences of not adopting this change is that Group A occupancies will continue to be allowed to conduct fire evacuation drills without initiating the fire alarm system, which will hinder staff's understanding of the alarm signal and how the system functions.
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



Updated July 2022



# Minnesota Department of Public Safety State Fire Marshal Division

*\*\*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 4

## Fire Code Change Proposal Form

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

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

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

Date: [5/20/2024](#)

Email address: [forrest.williams@state.mn.us](mailto:forrest.williams@state.mn.us)

Telephone number: [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): [2024 IFC Section 510.1 - 510.2](#)

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

## 2024 IFC Sections 510.1 – 510.2

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

MR 7511.0510

☐ 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.

This proposal replaces MR 7511.0510 with the following:

### **SECTION 510 EMERGENCY RESPONDER COMMUNICATIONS ENHANCEMENT SYSTEMS**

*2024 IFC Sections 510.1 and 510.2 are deleted and replaced with the following:*

#### **510.1 Where required.**

Approved in-building emergency responder communications enhancement system (ERCES) for emergency responders shall be provided as required in jurisdictions where Appendix Q has been adopted via ordinance or where otherwise required by law or ordinance.

#### **510.2 Installation.**

All newly installed emergency responder communications enhancement systems shall comply with Sections 510.3 through 510.6.4.

*[Note: Appendix Q will be updated to include 2024 IFC Section 510 in its entirety.]*



Updated July 2022

# 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.  
2024 IEBC Section 908 will need to be amended to coordinate with the MN State Fire Code (likely by deleting Section 908).

## **Need and Reason**

1. Why is the proposed code change needed?  
Currently, MR 7511.510 deletes Section 510 in its entirety and places it in an optional appendix (currently Appendix P, but to be renamed as Appendix Q) for local adoption via ordinance. However, removing the entire section text has the effect of removing the permit and technical installation requirements. This means that when such systems are installed voluntarily outside the scope of the optional appendix or local ordinance, there are no governing installation, performance, and maintenance provisions. This has resulted in emergency responder communications enhancement system installations that do not function as intended. This change will ensure that whether an ERCES is installed voluntarily, or as required by ordinance, such systems will be designed and installed consistently throughout the state to ensure proper performance and operability.
2. Why is the proposed code change a reasonable solution?  
This change is reasonable because it's imperative that emergency responder communications enhancement systems, where installed, operate and perform as intended. Since these systems can cost anywhere from \$0.50 to \$2.00 per square foot, correcting deficiencies after-the-fact can pose an additional financial hardship for property owners.
3. Is there additional data or information that should be considered?  
n/a

## **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.  
n/a
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No. In those jurisdictions that choose to require a permit, the permit fee should offset the cost of plan review and inspection.
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



# Minnesota Department of Public Safety State Fire Marshal Division

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, building code officials, ERCES designers and installation contractors, building owners and operators.
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
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?  
Without adoption of this proposal there will continue to be no governing installation and performance provisions for voluntarily installed ERCESs, resulting in systems that do not function as intended.
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



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

*\*\*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 5**

## Fire Code Change Proposal Form

(Submit via email to: [fire.code@state.mn.us](mailto: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: [4-8-2025](#)

Email address: [Thomas.Jenson@state.mn.us](mailto: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): [7511.0503](#)

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).

7511.0503 Subdivision 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).

7511.0503 Subdivision 1

☐ 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.

Subpart 1. IFC section 503.1.1. IFC section 503.1.1 is amended to read as follows:

**503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building, or portion of a building hereafter constructed or moved into or moved within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

**Exception:** Fire apparatus access roads need not be provided where there are two or fewer Group R-3 or Group U occupancy buildings.

**503.1.1.1 Increases allowed.** The 150-foot distance shall be permitted to be increased for the following:

1. When the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2, or 903.3.1.3.

~~2. For Group R occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2, or 903.3.1.3, the fire apparatus access road shall extend to within 600 feet (183 m).~~

3. Where fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades, or other similar



Updated July 2022



# Minnesota Department of Public Safety State Fire Marshal Division

conditions, and an approved alternative means of fire protection is provided, ~~the fire apparatus access road shall extend to within 300 feet (91.4 m).~~

**503.1.1.2 Solar Photovoltaic power generation facilities.** Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

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, 7511.0503 Subdivisions 2 and 3 remain unchanged.

## **Need and Reason**

1. Why is the proposed code change needed?

The first change in Section 503.1.1 is adding the word “moved” to clarify the intent of the code that a building could be moved into a jurisdiction or moved within the jurisdiction. The second change is deleting item 2 in Section 503.1.1.1 that applied to Group R only occupancies with no other occupancy type such as Group S parking garage. The original intent of this rule was to encourage the installation of fire sprinkler systems in Group R occupancies. This rule is no longer necessary as the code requires sprinklers in Group R-1 or R-2 buildings over 4,500 sf. From a cost perspective and profitability, these occupancies are not constructed under this size. Therefore, the majority of these occupancies are protected with sprinklers and therefore Section 503.1.1.1 item 1 addresses the apparatus access road requirements and allows the fire code official to increase the distance with sprinklers installed. In addition, deleting this mandatory 600-foot distance for Group R-2 occupancies addresses fire department access for the proposed single stair four story buildings and defaults to item 1 in this section that is the same language in the model code, 2024 IFC.

The third change is deleting the 300-foot requirement in Section 503.1.1.1 item 3, now item 2, and defaulting to the model IFC language. Each of these building sites addressed in this item are unique and must be addressed separately. The final change adds a new subsection to incorporate a new exception from the model code for solar photovoltaic power generator facilities.

2. Why is the proposed code change a reasonable solution?  
Sprinkler incentives for Group R occupancies are no longer necessary.
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.  
Unknown, but anticipate no change to cost.



# Minnesota Department of Public Safety State Fire Marshal Division

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

Providing fire apparatus access road within 150 feet of proposed single stair four story apartments.

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?

Building owners, architects, building and fire code officials, 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?

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

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?

With single stair residential buildings being added to model building codes the existing rule mandates the 600-foot distance and this will impact fire department operations if this rule item is not repealed.



# Minnesota Department of Public Safety State Fire Marshal Division

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 6

## Fire Code Change Proposal Form

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

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

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

Date: [3-29-2024](#)

Email address: [forrest.williams@state.mn.us](mailto:forrest.williams@state.mn.us)

Telephone number: [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): [MR 7511.0705](#)

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).

MR 7511.0705

☐ 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.

**705.2 Inspection and maintenance.** Opening protectives in *fire-resistance-rated* assemblies shall be inspected and maintained in accordance with NFPA 80. *Opening protectives* in *smoke barriers* shall be inspected and maintained in accordance with NFPA 80 and NFPA 105. Openings in smoke partitions shall be inspected and maintained in accordance with NFPA 105. Fire doors and smoke and draft control doors shall not be blocked, obstructed, or otherwise made inoperable. Fusible links shall be replaced promptly whenever fused or damaged. *Opening protectives* and smoke and draft control doors shall not be modified.

~~**Exception:** Periodic testing and inspection in accordance with NFPA 80 and NFPA 105 is not required for swinging fire door and smoke door assemblies. Swinging fire door and smoke door assemblies shall be maintained in an operable condition in accordance with NFPA 80 and NFPA 105. Damaged or defective swinging fire door and smoke door assemblies shall be repaired or replaced.~~

**Exception:** Unless otherwise required by local ordinance, periodic inspection and testing of swinging fire door and smoke door assemblies may be performed by the property owner or owner's representative without the need for specialized training, experience or certifications required by NFPA 80 and NFPA 105.

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.



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

No.

## **Need and Reason**

### 1. Why is the proposed code change needed?

This section of the model code was previously amended to exempt swinging fire doors from the annual inspection and testing requirement in NFPA 80 due to the qualifications requirement of the standard being defined as: "A person who, by possession of a recognized degree, certificate, professional standing, or skill, and who, by knowledge, training, and experience, has demonstrated the ability to deal with the subject matter, the work, or the project."

The original concern was that the vast majority of property owners or their representatives would not possess a recognized certificate nor the training and experience necessary to inspect and test swinging fire doors. Thus, compelling them to hire a third-party contractor to perform this service and incur an additional and significant annual expense. For example, a 100-unit apartment building could have an estimated 120 swinging fire doors (one door per dwelling unit plus additional doors serving exit enclosures, fire area separations, and incidental use areas). Assuming a third-party service cost of \$20.00 per door, the cost of inspection and testing would be approximately \$2,400 per a year.

However, by allowing the property owner or owner's representative (e.g., a building manager or maintenance staff) to complete the annual testing and inspection without the need for specialized training, experience or certification, this revision ensures that swinging fire door and smoke door assemblies are inspected and tested annually for proper operation, as intended by the national model code, while limiting the imposition of a significant financial cost to the property owner and/or building tenants.

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

This change is reasonable because it serves as a compromise between the intent of the model code – which is to ensure that all fire and smoke door assemblies are inspected and tested annually – and the intent of the existing state amendment – which is to limit the financial cost associated with periodic inspection and testing of the most common type of fire and smoke door assemblies.

Of the various types of fire and smoke door assemblies, swinging doors (a.k.a. side-hinged) are the simplest in design and operation, and are also the most ubiquitous. To ensure that a swinging fire door or smoke door assembly is operating correctly, the two primary factors related to fire and life-safety are: (1) conducting a visual check for damage, missing components, or alterations; and (2) verifying that the door closes and latches when released from a fully opened position. Therefore, it's reasonable to allow property owners or their representatives to conduct these inspections without the need for specialized training, experience, or certifications.

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



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

One of the conclusions of the State Fire Marshal division's *Lessons Learned Report* for the Cedar-Riverside high-rise fire in Minneapolis (2019), which caused the death of 5 people, involved the failure of an apartment unit swinging fire door to close.

"Although the corridor/apartment separation doors were equipped with self-closing devices, the closing feature was rendered ineffective by the placement of seals at the bottom of the doors that prevented the doors from closing."

"Had the door between the corridor and apartment been able to close, it is the SFMD's opinion that the fire would have been contained to the apartment of origin and the loss of life would have been reduced and possibly only involved the occupant of that apartment."

## **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
There would be the potential of an indirect increase in cost based on the time and resources involved in conducting and documenting annual inspection and testing. However, this cost would be significantly less than adopting the national model code language without amendment, as most property owners would likely need to hire a qualified, third-party vendor to provide the service.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.  
Yes, the minor cost increase is greatly offset by ensuring that swinging fire and smoke door assemblies are inspected and tested at least annually, as the proper operation of these doors offer significant fire- and life-safety protection.
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
There is no foreseen increase in the cost of enforcement. Regarding compliance, there would be an indirect/potential increase in cost based on the time spent conducting and documenting annual inspection and testing. However, this cost would be significantly less than adopting the national model code language without amendment, as most property owners would likely need to hire a qualified, third-party vendor to provide the service.
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

Commercial building owners in general, as the majority of commercial and multi-family buildings incorporate swinging fire and/or smoke door assemblies.

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. This proposed change is intended to prevent additional maintenance costs to property owners and tenants.
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?  
There would be the potential of an indirect increase in cost based on the time and resources involved in conducting and documenting annual inspection and testing. However, this cost would be significantly less than adopting the national model code language without amendment, as most property owners would likely need to hire a qualified, third-party vendor to provide the service.
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?  
There are no probable costs associated with not adopting the proposed change, however there would be consequences; the result being an increasing number of damaged and/or inoperable swinging fire and smoke door assemblies that remain unabated, directly affecting the fire- and life-safety of building occupants.
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





# Minnesota Department of Public Safety State Fire Marshal Division

*\*\*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 7

## Fire Code Change Proposal Form

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

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

Author/requestor: Ryan Kunst

Date: 10/23/2024

Email address: [Ryan.Kunst@state.mn.us](mailto:Ryan.Kunst@state.mn.us)

Telephone number: 612-710-6178

Organization/Association/Agency, if any: SFMD

Code or rule section to be changed (include code or rule title and edition year): 2020 MSFC  
7511.903.3.1.6.5 – Vestibules, 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:

☐ 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).

- MN Admin. Rules 7511.903, Section 903, Automatic Sprinkler Systems

☐ 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.

**903.3.1.6.5 Vestibules.** Sprinkler protection is not required in vestibules that meet all of the following conditions:

1. the vestibule is 225 square feet or less in floor area;
  2. the vestibule walls and ceiling materials are surfaced with ~~is of~~ noncombustible or limited combustible ~~construction~~ materials;
  3. the vestibule has glazing allowing vision into vestibule;
  4. the vestibule's only purpose is ingress and egress; and
  5. the vestibule contains no fueled equipment, flammable or combustible liquids, or furniture. Incidental combustible storage in the vestibule is limited to five cubic feet of material.
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.
    - This change proposal affects both the Minnesota Building and Fire Codes, Section 903.3.1.6.5 (2).



Developed: April, 2022

# Minnesota Department of Public Safety State Fire Marshal Division

## Need and Reason

1. Why is the proposed code change needed?
  - The proposed change provides clarity to delineate the need for noncombustible or limited combustible exposed surfaces within the space and not to restrict the use of this section to construction types utilizing only combustible materials.
2. Why is the proposed code change a reasonable solution?
  - The proposed change only seeks to clarify the need for exposed interior finishes to be either noncombustible or limited combustibles. It is reasonable to make the distinction that the entire structure is not required to be constructed of noncombustible or limited combustible materials in order for this section to apply.
3. What other considerations should the TAG consider?
  - Based on the original 2015 MN Fire Code SONAR provided with Section 903.3.1.6.5, the intention was to reduce the number of fire sprinkler freeze-ups due to placement within vestibules, where maintaining above-freezing temperatures may be difficult. In exchange for omitting sprinkler protection, many fire prevention requirements were noted, including the use of noncombustible and limited combustible materials. However, the materials used to construct the building do not play an immediate role in the development of fire within the vestibule space, so long as the finishes covering the structure materials do not propagate fire. Based on the current language "The vestibule is of noncombustible or limited combustible construction," it could be argued the interior finishes could be combustible, so long as the building materials were either noncombustible or limited combustibles. It is for this reason that we seek the language change to clearly delineate the importance of the combustibility of the interior finish and its ability to propagate a fire within the vestibule when compared to the building materials protected behind.

## Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
  - We foresee a decreased cost associated with the sprinkler system, based on a reduction of sprinklers installed within vestibules meeting the requirements. We foresee a neutral cost impact to any interior finishes, as the structure would have required an interior finish regardless of this section.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
  - Does not apply.
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.



Developed: April, 2022

# Minnesota Department of Public Safety State Fire Marshal Division

- 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?  
AHJ's
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?  
0
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
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.
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?  
0
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?  
Inconsistent application of the provisions.
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



# Minnesota Department of Public Safety State Fire Marshal Division

*\*\*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 8

## Fire Code Change Proposal Form

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

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

Author/requestor: Jeff Hemenway

Date: 10/30/2024

Email address: [Jeff.Hemenway@JCI.com](mailto:Jeff.Hemenway@JCI.com)

Telephone number: 612-385-9619

Organization/Association/Agency, if any: FMAM

Code or rule section to be changed (include code or rule title and edition year): 2020 MSFC  
7511.903.3.1.6.5 – Vestibules, 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:

☐ 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).

- MN Admin. Rules 7511.903, Section 903, Automatic Sprinkler Systems

☐ 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.

**903.3.1.6.5 Vestibules.** Sprinkler protection is not required in vestibules that meet all of the following conditions:

1. the vestibule is 225 square feet or less in floor area;
2. the vestibule is of noncombustible or limited combustible construction;
3. the vestibule has glazing allowing vision into the vestibule from both the exterior and the interior;
4. the vestibule's only purpose is ingress and egress; and
5. the vestibule contains no fueled equipment, flammable or combustible liquids, or furniture. Incidental combustible storage in the vestibule is limited to five cubic feet of material.

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.
  - This change proposal affects both the Minnesota Building and Fire Codes, Section 903.3.1.6.5 (2).



Developed: April, 2022



# Minnesota Department of Public Safety State Fire Marshal Division

## **Need and Reason**

1. Why is the proposed code change needed?
  - The proposed change provides clarity to where the glazing is required
2. Why is the proposed code change a reasonable solution?
  - The proposed change is to ensure that both the egress and ingress have a clear vision into an unprotected area.
3. What other considerations should the TAG consider?

## **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.
  - may be a slight increase in cost. The majority of the time this requirement has already been satisfied during construction. This would affect a small number of times that glazing was only provided for one side
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
  - Yes, this will add a level of safety to both responders and occupants
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?  
AHJ's
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?  
0



# Minnesota Department of Public Safety State Fire Marshal Division

3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
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.
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?  
0
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?  
Inconsistent application of the provisions.
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.*



Developed: April, 2022

# Minnesota Department of Public Safety State Fire Marshal Division

FCCP 9

## Fire Code Change Proposal Form

(Submit via email to: [fire.code@state.mn.us](mailto: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: [8-19-2025](#)

Email address: [Thomas.Jenson@state.mn.us](mailto: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): [IFC 904.3.5](#)

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).

[904.3.5](#)



# 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.

**904.3.5 Monitoring.** Where a building fire alarm system or a dedicated function fire alarm system for automatic sprinkler system monitoring is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm system or the dedicated function fire alarm system in accordance with NFPA 72.

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?

There is confusion amongst the fire alarm industry and AHJ's as to whether monitoring of the alternative fire extinguishing systems is required when Minnesota does not require a "fire alarm system" in buildings protected with sprinklers. The International Fire and Building Codes require fire alarm systems in many of the occupancies that would have alternative fire extinguishing systems installed per Section 904. Section 904.3.5 assumes a fire alarm system is installed and therefore requires monitoring of these alternative extinguishing systems.



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

Minnesota amends most of the model codes sections 907.2 and 1103.7 and does not require a fire alarm system when automatic sprinklers are installed. Automatic sprinkler system monitoring is required per Section 903.4 with a “dedicated function fire alarm system” installed per NFPA 72.

In some situations, the systems in Section 904 are installed in lieu of automatic sprinklers in certain parts of the building such as commercial kitchen cooking equipment and exhaust hoods. Therefore, it is important to include “dedicated function fire alarm system” monitoring when a fire activates the system similar to automatic sprinklers to suppress a fire and dispatch the fire department.

2. Why is the proposed code change a reasonable solution?  
Clarifies the intent of the model code that this type of fire extinguishing system must be monitored in buildings protected with sprinklers when a fire is detected.
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 dedicated function fire alarm system is already required for new occupancies.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.  
If there is an increase it is offset by automatic dispatching of the fire department when a fire activates the fire extinguishing system.
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?  
Local AHJ and fire alarm 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?



# Minnesota Department of Public Safety State Fire Marshal Division

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?

Continued misinterpretation of the code by fire alarm contractors and local AHJs.

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 10**

## Fire Code Change Proposal Form

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

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

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

Date: [10/28/2024](#)

Email address: [forrest.williams@state.mn.us](mailto:forrest.williams@state.mn.us)

Telephone number: [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): 2024 IFC  
1103.9 – carbon monoxide detection in existing buildings

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

2024 IFC 1103.9

- ☐ 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.

## **1103.9 Carbon monoxide detection.**

Carbon monoxide detection shall be installed in existing buildings where any of the conditions identified in Section 915.1.1 exist. Carbon monoxide alarms shall be installed in the locations specified in Section 915.2 and the installation shall be in accordance with Section 915.4.

### **Exceptions:**

1. Carbon monoxide alarms are permitted to be solely battery operated and without interconnection where the code that was in effect at the time of construction did not require carbon monoxide detectors to be provided.
2. Carbon monoxide alarms are permitted to be solely battery operated and without interconnection in dwelling units that are not served from a commercial power source.
3. A carbon monoxide detection system in accordance with Section 915.5 shall be an acceptable alternative to carbon monoxide alarms.



Updated July 2022



# 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?  
2024 IFC Section 1103.9 now retroactively requires most existing buildings to be provided with carbon monoxide (CO) detection. In order to make this retroactive provision more tenable and less of a financial burden, there are exceptions that allow existing buildings to be equipped with battery operated CO alarms as opposed to installing a CO detection system which is typically required for newly constructed commercial occupancies. However, 1103.9 also requires compliance with 915.4, which includes alarm interconnection per 915.4.4. And although wireless CO alarm interconnection is available, such products are typically limited to a maximum number of devices that can be interconnected (typically between 10 and 20). This may be more than enough within an individual dwelling unit, but not within many commercial occupancies with multiple areas served by a forced-air furnace. For example, an existing Group B office building may have 30 enclosed rooms or spaces served by one or more forced-air furnaces, requiring the installation of 30 separate CO alarms. Yet it wouldn't be possible for 30 CO alarms to comply with the interconnection requirement in 915.4.4, and so property owners would have no choice but to install more expensive CO detection systems. Therefore, exception 1 of 1103.9 is amended to exclude the interconnection requirement.

Similarly, exception 2 is also amended to exclude the interconnection requirement as the state's CO alarm statute, M.S. 299F.51, regulates CO alarms in existing dwelling units and does not require interconnected units. Without this change, existing dwelling units that were made compliant with M.S. 299F.51 would be required to replace previously installed CO alarms with interconnected models.

2. Why is the proposed code change a reasonable solution?  
This change provides a single-station CO alarm option for existing buildings and rooms served by forced-air furnaces while maintaining the intent of this section by providing an alarm signal in areas where carbon monoxide gas is present. Whereas without this change, larger buildings with multiple rooms would only have the option of installing a CO detection system because there are limits to the number of CO alarms that can be wirelessly interconnected.
3. Is there additional data or information that should be considered?  
An alternative to the above proposal would be to simply delete the text in 1103.9 and replace it with the following:

**1103.9 Carbon monoxide detection.**



# Minnesota Department of Public Safety State Fire Marshal Division

Carbon monoxide detection shall be installed in existing buildings in accordance with Minnesota Statutes, Sections 299F.50 and 299F.51 ~~where any of the conditions identified in Section 915.1.1 exist. Carbon monoxide alarms shall be installed in the locations specified in Section 915.2 and the installation shall be in accordance with Section 915.4.~~

This change is reasonable as it recognized the state legislature has recently decided where CO alarms are to be installed in existing buildings, and thus defers to the requirements of the CO alarm statute. Per M.S. 299F.51, CO alarms are required in single-family dwellings, dwelling units in multi-family buildings, and in sleeping rooms of hotels and boarding houses.

## **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
The proposed change should have a net decrease in cost, as installing multiple single-station CO alarms in existing buildings will generally be less costly than installing a CO detection system.
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.  
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 and building code officials, home owners, and commercial 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



# Minnesota Department of Public Safety State Fire Marshal Division

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.

[See item #3 under the Need and Reason section.](#)

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?

[By not adopting the proposed change, larger existing buildings with multiple rooms served by forced-air furnaces will not have the less costly option of installing battery powered CO alarms. Instead, the only option will be to install a more costly CO detection system.](#)

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.*



# Minnesota Department of Public Safety State Fire Marshal Division

**FCCP 11**

## Fire Code Change Proposal Form

(Submit via email to: [fire.code@state.mn.us](mailto: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: [7-3-2024](#)

Email address: [Thomas.Jenson@state.mn.us](mailto: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 7511.1104, MSFC Section 1104.17.4](#)

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).



# 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).

7511.1104

☐ 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.

**1104.17.4 Dead ends.** Where more than one exit or exit access doorway is required, the exit access shall be arranged such that dead ends do not exceed the limits specified in Section 1104.17.4.1 and Table 1104.17.4.

**Exception:** Where alternations are made in accordance with the *International Existing Building Code (IEBC)*, existing dead-end corridors shall be permitted to comply with lengths established in Section 804.8 of the IEBC. Any newly constructed dead-end corridors within an existing building shall be limited to the lengths allowed by the *International Building Code*.

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?

In the current MSFC and MCCEB, there is a conflict in the distance of dead-end corridors in existing buildings. The MSFC is more restrictive in certain occupancies compared to buildings that are subject to alterations under the MCCEB. The dead-end lengths date back to the development of the International family of codes and a previous code allowed the



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

dead-end lengths that were placed into the 2000 IEBC. For years there has been a disconnect between the IFC and IEBC code committees leading to the code change proposal ([F-247-16](#)) and approval for the 2018 IFC to reference the IEBC dead-end lengths.

2. Why is the proposed code change a reasonable solution?  
[Adding this exception maintains the existing rule for dead-end corridor lengths in MSFC Table 1104.17.4 enforced since the 2003 MSFC and provides reference to the MCCEB that has allowed these less restrictive distances in buildings subject to previous editions of the MCCEB.](#)
3. Is there additional data or information that should be considered?  
[SFM considered changing MSFC Table 1104.17.4 but felt better to leave as is not knowing what changes may occur in future editions of the IFC and IEBC.](#)

## **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
[May decrease costs to a building owner where the fire code official issues correction orders for existing dead-end corridors that were allowed to exist under the MCCEB.](#)
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 and building code officials, architects, building and business 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](#)



# Minnesota Department of Public Safety State Fire Marshal Division

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?  
Increased cost to building owner having to correct dead-end corridors under the MSFC.
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 12

## Fire Code Change Proposal Form

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

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

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

Date: [2-14-2023](#)

Email address: [forrest.williams@state.mn.us](mailto:forrest.williams@state.mn.us)

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

Organization/Association/Agency, if any: [DPS -SFM](#)

Code or rule section to be changed (include code or rule title and edition year): [MSFC Table 1104.23 - MINIMUM AISLE AND AISLE ACCESSWAY WIDTHS](#)

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).

MR 7511.1104, Subp.15

☐ 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 7511.1104, Subp.15 (2020 MSFC Section 1104.23) is amended as follows:

**1104.23 Minimum aisle width.** The minimum clear width of aisles and aisle accessways shall be in accordance with this section and Tables 1104.23(1) and 1104.23(2).

**1104.23.1 Aisle and aisle accessway width.** Aisles and aisle accessway widths shall be as determined by the occupant load calculations in Section 1005.3, but not less than the widths shown in Tables 1104.23(1) and 1104.23(2).

**TABLE 1104.23(1)**  
**MINIMUM AISLE AND AISLE ACCESSWAY WIDTHS IN AREAS WITHOUT**  
**SEATING**

<b><u>Condition</u></b>	<b><u>Minimum Width (in inches)</u></b>
<u>Aisle accessways serving fewer than 50 occupants</u>	<u>24 inches</u>
<u>Aisle accessways serving 50 or more occupants</u>	<u>30 inches</u>
<u>Aisles</u>	<u>36 inches</u>



Developed: April, 2022

# Minnesota Department of Public Safety State Fire Marshal Division

**TABLE 1104.23(2)**  
**MINIMUM AISLE AND AISLE ACCESSWAY WIDTHS IN SEATING AREAS**

Condition	Minimum Width (in inches)
Aisle accessways serving seating areas having 50 or fewer seats, tables, or desks	24 inches (610 mm)
Aisle accessways serving seating areas more than 50 seats, tables, or desks	30 inches (760 mm)
Aisle accessways serving employee areas only	24 inches (610 mm)
Level or ramped aisles having seating on each side and serving 50 or fewer seats	36 inches (914 mm)
Level or ramped aisles having seating on each side and serving more than 50 seats	42 inches (1,067 mm)
Level or ramped aisles having seating on one side and serving 60 or fewer seats	30 inches (760 mm)
Level or ramped aisles having seating on one side and serving more than 60 seats	36 inches (914 mm)
Aisle stairs having seating on each side and serving 50 or fewer seats	36 inches (914 mm)
Aisle stairs having seating on each side and serving more than 50 seats	42 inches (1,067 mm)
Aisle stairs having seating on one side and serving 60 or fewer seats	30 inches (760 mm)
Aisle stairs having seating on one side and serving more than 60 seats	36 inches (914 mm)
Aisle stair - distance between seating and aisle handrail or guard when the aisle is subdivided	20 inches (508 mm)

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?

Currently, MSFC Chapter 11 for existing buildings only provides minimum aisle and aisle accessway widths for areas with seating, leaving non-seating areas unregulated. This has been a point of confusion for both fire code officials and property owners/managers. A common example is when fire code officials receive a public complaint regarding extremely narrow aisle and aisle accessway widths within mercantile/retail occupancies. Without



Developed: April, 2022

# Minnesota Department of Public Safety State Fire Marshal Division

established minimum egress widths the code official is unable to abate a potential hazard by issuing a lawful corrective order. Local fire code officials and SFMD have received numerous complaints throughout the state regarding narrow and obstructed aisle and aisle accessways associated with a national retail chain.

2. Why is the proposed code change a reasonable solution?  
This change is reasonable because it corrects an oversight. The fire code intends to provide minimum aisle and aisle accessway widths for all areas, whether seated or non-seated (see MSFC Section 1018 for new construction).
3. What other considerations should be considered?  
None

## **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
No significant additional costs are expected. Objects and/or merchandise that often create and define aisles and aisle-accessways typically are not fixed in place and can be adjusted as necessary.
2. If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.  
No significant costs are expected (see item 1 above). Any minor costs would be superseded by the need for public safety. Clear and unobstructed aisle and aisle accessways having minimum widths that allow for rapid egress and building evacuation is a primary principle of fire- and life-safety.
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.  
No significant costs are expected (see items 1 and 2 above).
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?  
Building owners and managers; fire code officials.
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?



Developed: April, 2022

# Minnesota Department of Public Safety State Fire Marshal Division

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.

An alternative would be to adopt the minimum aisle and aisle accessway width provisions for new construction in MSFC Section 1018. However, this language would generally be more restrictive than the proposed language for existing buildings, specifically in fixed seating areas of assembly spaces where aisle and aisle accessway cannot be easily changed.

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 probable costs are expected.

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 probable costs are expected. However, not adopting the proposed rule would allow potential egress hazards associated with insufficient aisle and aisle accessway widths to go unabated.

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.*



Developed: April, 2022

# Minnesota Department of Public Safety State Fire Marshal Division

FCCP 13

## Fire Code Change Proposal Form

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

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

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

Date: [6/25/2024](#)

Email address: [forrest.williams@state.mn.us](mailto:forrest.williams@state.mn.us)

Telephone number: [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): [MR 7511.1104.7](#)

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).

MR 7511.1104.7

☐ 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.

**1104.7 Doors—general.** Except where modified by Section 1010.1.2, doors shall be of the side-hinged swing type. Doors shall swing in the direction of egress travel when serving an occupant load of 50 or more persons. The minimum width of each door opening shall be sufficient for the occupant load thereof. ~~Locks and latches~~ Door operations shall comply with Sections 1010.1.9 through 1010.1.11.4. Gates used as a component in a means of egress shall conform to the applicable requirements for doors.

**Exception:** Panic or fire exit hardware shall not be required in existing electrical equipment rooms in accordance with Section 1010.1.10 unless required by the code in effect at the time of construction.

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?



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

Currently, for existing buildings in MSFC Chapter 11, there are no fire- and life-safety provisions for indoor or outdoor gates that are used within a means of egress, similar to what's found in MSFC Section 1010.2. Such an oversight could pose a distinct hazard for occupants in existing buildings. For example, a required building exit could discharge to an enclosed outdoor yard or area where a gate is provided between the enclosed space and the pathway leading to a public way where the means of egress system terminates. Chapter 11 as written could be interpreted to allow gates to swing against the direction of egress travel, have operating hardware installed at any height or that requires special knowledge or effort to release, thus inhibiting access to the required egress pathway. Although most code officials would likely cite such conditions under MSFC Section 1031.2 – Egress reliability, this section may be too vague and non-specific when applied to the operation of gates within the means of egress. This proposal will clarify that gates, when used as a component of egress, must operate the same as doors. The sentence, "Gates used as a component in a means of egress shall conform to the applicable requirements for doors." is borrowed from Section 1010.2.

The term "locks and latches" is replaced with "door operations" to provide clarity and accuracy. "Door operations" better describes the content of Sections 1010.1.9 through 1010.1.11.4.

Finally, an exception is added to clarify that the mandate for panic or fire exit hardware in electrical equipment rooms pursuant to Section 1010.1.10 is not a retroactive requirement for existing buildings where such hardware wasn't required at the time of construction or renovation. This qualification is necessary to prevent the application of a relatively new code requirement from being applied retroactively to all existing buildings.

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

This proposed change is reasonable because it will specifically clarify how gates are to operate when used as an egress component. Thus, eliminating ongoing confusion over interpretation and enforcement of such gates and ensuring uniform application. Also, the solution is reasonable because it eliminates an unreasonable condition (i.e., a distinct life-safety hazard) where an egress gate may hinder or outright obstruct a required means of egress.

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

n/a

## **Cost/Benefit Analysis**

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

It's anticipated that the vast majority of existing egress gates are compliant, as gates within the means of egress have been required to function as egress doors by the fire and building codes for decades. Thus, there should be no compliance costs for most property owners. However, it may be the case that some existing gates that were installed during the pre-code era (prior to 1975) may need to be altered. The estimated cost would likely be





# Minnesota Department of Public Safety State Fire Marshal Division

anywhere from \$200 for a simple hardware modification to \$2000 for a gate replacement and installation.

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

Yes. However, the increased cost is justified by the elimination of a potential life-safety hazard and conformance with a primary and long-standing principle of building egress that occupants must have access to a clear and unobstructed egress pathway leading to a public way, so occupants are able to evacuate a safe distance from the building.

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 and property owners/operators.

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?

It's anticipated that the vast majority of existing egress gates are compliant, as gates within the means of egress have been required to function as egress doors by the fire and building codes for decades. Thus, there should be no compliance costs for most property owners. However, it may be the case that some existing gates that were installed during the pre-code era (prior to 1975) may need to be altered. The estimated cost would likely be





# Minnesota Department of Public Safety State Fire Marshal Division

anywhere from \$200 for a simple hardware modification to \$2000 for a gate replacement and installation.

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?

Without adopting this change proposal there will be continued confusion over interpretation and enforcement of gates used within the means of egress for existing buildings, allowing the potential for a building's egress system to be hindered or outright obstructed, contrary to the intent of Chapter 11 and the basic principles of egress and life-safety.

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.*



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

FCCP 14

## Fire Code Change Proposal Form

(Submit via email to: [fire.code@state.mn.us](mailto: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

Email address: [forrest.williams@state.mn.us](mailto: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  
1103.8 Single- and multiple-station smoke alarms (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:

☐ 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).

7511.1103, Subp. 8

☐ 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.

**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. Existing smoke alarms installed in accordance with the code in effect at the time of construction or where required by the building code due to building alterations shall be continuously maintained and shall not be removed except where replacement is necessary.

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 will clarify that smoke alarms installed in accordance the code in effect at the time of construction, or as required by the building code due to a building alteration, are to be maintained and cannot be removed even where they exceed the minimum requirements for existing buildings.

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



Developed: April, 2022

# Minnesota Department of Public Safety State Fire Marshal Division

This change does not add a new requirement, but instead offers clarity. The 2020 MSFC 102.1.1 already states that existing features which exceed the minimum requirements for existing buildings, but are equal to or less than the requirements for new construction, shall not be diminished. This change will reduce misinterpretation and misapplication of the code in cases where the reader is not aware of MSFC 102.1.1.

3. What other considerations should the TAG consider?  
None

## **Cost/Benefit Analysis**

1. Will the proposed code change increase or decrease costs? Please explain.  
No change
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.  
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?  
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



# Minnesota Department of Public Safety State Fire Marshal Division

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?

There's the potential cost of a property owner having to reinstall smoke alarms that were installed as required by the building code, but removed because the owner mistakenly believed they were no longer required.

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.*



Developed: April, 2022

# Minnesota Department of Public Safety State Fire Marshal Division

FCCP 15

## Fire Code Change Proposal Form

(Submit via email to: [fire.code@state.mn.us](mailto: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: [10-25-2024](#)

Email address: [Thomas.Jenson@state.mn.us](mailto: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): [7511.1103](#)

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).

7511.1103

☐ 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.

Maybe, 299F.362

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.** Listed sSingle and multiple-station smoke alarms complying with UL 217 shall be installed in existing Group I-1 and R occupancies in accordance with Table 1103.8, NFPA 72 and the manufacturer's instructions.

**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. Where interconnected smoke alarms are replaced, the replacement alarms shall also be interconnected.

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?



Updated July 2022

# Minnesota Department of Public Safety State Fire Marshal Division

Without this change requiring smoke alarms listed to UL 217, any type of smoke alarm could be installed without this important listing requirement. The International Fire Code Section 1103.8 references the requirements in Section 907.2.11 for new smoke alarms. This change will match the model code requirement for existing residential occupancies.

For Section 1103.8.1, adding language about interconnected smoke alarms that have been required since 1995 will ensure that replacement of smoke alarms will continue to have this important feature for early notification. Language on interconnection is in Table 1103.8, but this revision clarifies that when alarms are replaced, this feature must be maintained.

2. Why is the proposed code change a reasonable solution?  
It ensures listed smoke alarms are installed, replacement will be with listed smoke alarms, and interconnected smoke alarms will be maintained in the residence when replaced.
3. Is there additional data or information that should be considered?  
Only that working smoke alarms save lives.

## **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, building owners, general 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?  
None





# Minnesota Department of Public Safety State Fire Marshal Division

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?  
Smoke alarms could be replaced with unlisted devices. In addition interconnected smoke alarms could be replaced with smoke alarms without this important early warning feature.
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