

Minnesota Department of Labor and Industry

Proposed Expedited Permanent Rules Regulating Adult Changing Stations

Memorandum Regarding Amendments to Chapter 1341

The purpose of this rulemaking is to amend chapter 1341, Minnesota Accessibility Code, to comply with state statutes requiring the adoption of requirements for adult changing stations as a part of the Minnesota State Building Code. The Minnesota Department of Labor and Industry ("Department") is proposing to adopt rules through the expedited rulemaking process to require adult changing stations in single user and family or assisted-use toilet rooms located in buildings and facilities with certain occupancies or uses and to provide criteria for their safe and sanitary use where they are required or otherwise provided.

I. Background

The Minnesota State Building Code consists of twenty-two separate chapters of Minnesota Rules. Chapter 1341 incorporates by reference the accessibility provisions found in the International Code Council ("ICC") model codes ("I-codes") and standards, including the International Building Code ("IBC") and the ICC A117.1 Accessible and Usable Buildings and Facilities standard ("ICC A117.1"). Minnesota Rule Chapter 1341 provides direction as to which building elements in newly designed and constructed buildings or existing buildings undergoing renovation are required to be accessible, the minimum number of required accessible elements, and the technical design of those elements to make commercial and public buildings readily accessible to and usable by individuals with disabilities. This chapter is updated every six years to adopt the latest edition of the model code and was last updated to adopt the 2018 edition of the IBC and the 2009 edition of the ICC A117.1 standard with amendments that became effective on March 31, 2020.¹

During the 2023 legislative session, the Minnesota Legislature amended the special requirements of the Minnesota State Building Code to direct the Commissioner of the Department of Labor and Industry ("Commissioner") to adopt rules requiring adult size changing facilities. The legislation was passed in response to the concerns of disability advocates that supported adding requirements for adult changing stations in the Minnesota State Building Code as well as the model codes to provide individuals with disabilities and their caregivers with a safe, sanitary space of sufficient size for changing. Most individuals who need adult changing stations have severe disabilities and are unable to leave their homes without the assistance of a caregiver, which is generally a family member. As a result of the lack of safe and sanitary changing facilities, many individuals with disabilities, and their caregivers and families, limit time away from home and are unable to participate in their communities and normal activities such as shopping and recreation. The proposed requirements for adult changing stations will reduce the isolation of individuals with disabilities and their families, and allow for more active participation in their communities.

¹ Minnesota law requires the Department to review and adopt the model codes every six years, beginning with the 2018 editions of the model codes. The Department is currently reviewing and in the process of adopting the 2024 editions of the I-codes. See [Minnesota Statutes, 326B.106, subdivision 1\(c\)](#)

The 2024 edition of the IBC requires adult changing stations be provided in buildings and facilities of certain occupancies, or uses, and the forthcoming 2023 edition of the ICC A117.1 includes technical criteria necessary for the safe and sanitary use of adult changing stations. The Department intends to adopt the accessibility requirements of the 2024 IBC, with amendments; however, the new editions of the I-codes are not anticipated to become effective in Minnesota until 2026. To allow for the earlier adoption of requirements for adult sized changing stations, the Minnesota Legislature directed the Department to adopt rules using the expedited rulemaking process:

Laws of Minnesota 2023, chapter 53, article 11, section 30.

(n) Adult-size changing facilities. The commissioner shall adopt rules requiring adult-size changing facilities as part of the State Building Code.

Laws of Minnesota 2023, chapter 53, article 11, section 33.

The commissioner of labor and industry shall adopt rules, using the expedited rulemaking process in Minnesota Statutes, section 14.389, that set forth adult-size changing facilities to conform with the addition of Minnesota Statutes, section 326B.106, subdivision 4, paragraph (n), under this act.

Minnesota Statutes, section 326B.106, subdivision 1, requires the Department to consult with the Construction Codes Advisory Council (“CCAC”) in connection with the adoption of rules, codes, and standards relating to building construction. Minnesota Statutes, section 326B.07, subdivision 1, sets forth the requirements for membership of the CCAC. Minnesota Statutes, section 326B.07, subdivision 2, directs the CCAC to review code changes and provide recommendations to the Commissioner on proposed changes to the rule chapters that comprise the Minnesota State Building Code.

In consultation with the CCAC, the Department appointed an Adult-Sized Changing Facilities Technical Advisory Group (“TAG”) to propose reasonable and necessary amendments to require adult changing stations in the Minnesota State Building Code. The Adult-Sized Changing Facilities TAG members were appointed by the CCAC and included the following represented experts and groups of stakeholders as TAG members: buildings officials; commercial building owners and operators; commercial design professionals; disability advocates; and department personnel. TAG members reviewed the 2024 IBC requirements for adult changing facilities and technical criteria proposed for the forthcoming 2023 edition of the ICC A117.1. Upon completion of the review by the Adult-Sized Changing Facilities TAG, a report was submitted to the CCAC detailing the TAG’s recommended changes to the current Minnesota Rules, chapter 1341, to add requirements for adult changing stations. After review, the CCAC forwarded this report, with comments, to the Commissioner for consideration in proposing amendments to chapter 1341.² The proposed amendments in this rulemaking incorporate changes proposed by the Adult-Sized Changing Facilities TAG members and approved by the CCAC.

II. Proposed Rule Amendments

² The report detailing the Adult-Sized Changing Facilities review can be found at: <https://www.dli.mn.gov/sites/default/files/pdf/ccac-110823-TAG-report.pdf>.

DLI is proposing amendments to Minnesota Rules, parts 1341.0011, subpart 8, and 1341.0603, in addition to proposing new part 1341.0613, to comply with the state statute directing the Department to adopt rules requiring adult-size changing facilities as part of the Minnesota State Building Code. These rule amendments require adult changing stations in buildings and facilities with certain occupancies, or uses, and provide technical criteria for the adult changing station and the room where it is located. Whenever possible TAG members recommended adoption of criteria similar to the requirements of the 2024 IBC and the forthcoming 2023 edition of the ICC A117.1.

The proposed rule amendments will increase the cost of new construction toilet facilities in locations where adult changing stations are required. An adult changing station in a location required by the proposed rule must be installed in a single user toilet room or family or assisted use toilet room. The cost of construction for a single user toilet room or family or assisted use toilet room is \$35,000. Many of the locations where adult changing stations are required by the proposed rule provide single user toilet rooms or family or assisted use toilet rooms. The additional cost to include an adult changing station in a single user toilet room or family or assisted use toilet room is approximately \$13,000 to \$14,000. This estimate includes the cost of an adjustable height adult changing station and its installation, an additional 22 square feet of floor space within the toilet room to accommodate the station, and finishes such as signage. The cost of an adjustable height adult changing station is between \$3,000 to \$4,000. The costs of the proposed rule will likely be borne by the building owners of large mercantile and assembly occupancies, colleges and universities with buildings containing large lecture halls or several classrooms, schools through the 12th grade with large assembly spaces, hospitals and ambulatory care facilities, large outpatient clinics, the Minnesota Department of Transportation, and the Minnesota Department of Natural Resources.

The proposed rule may increase the costs for alterations of some existing buildings with occupancies or uses where adult changing tables are required. The Minnesota Accessibility Code requires areas undergoing alteration to comply with the requirements for new construction and be provided with an accessible route, which includes toilet facilities serving the primary area undergoing alteration. The code provides exceptions from accessibility requirements where compliance is technically infeasible due structural conditions and other existing physical or site constraints. Additionally, the code does not require the cost of providing an accessible route to exceed 20 percent of the costs of the alteration of the primary area. For many existing buildings it may be technically infeasible to provide the additional square footage necessary to install an adult changing station. Furthermore, a toilet facility that is part of the accessible route is likely only required to be provided with an adult changing station if the renovations to the primary area it serves are extensive and it is technically feasible to do so.

It is difficult to estimate the cost to provide an adult changing station in an existing toilet room where it is technically feasible to do so because the costs depend on the building's design, use, age and condition, and the extent of the alteration. The costs vary dependent upon whether the existing toilet room has sufficient space to accommodate the station and required clearances at accessible fixtures and elements. A toilet room without sufficient space must undergo more costly and extensive renovations to enlarge the space to accommodate the adult changing station.

PART 1341.0011 IBC CHAPTER 11.

Subpart 8. IBC Section 1109, Other features and facilities.

D. 1109.2.4 Adult-sized changing stations. Existing subitem D through subitem K are re-lettered to subitem E through subitem L, respectively, to add new subitem D. New subitem D modifies section 1109.2 of the 2018 IBC to add a new section with requirements for adult changing stations. It is reasonable to modify section 1109.2 to add a new section with requirements for adult changing stations because section 1109.2 contains the accessibility requirements for toilet and bathing rooms and the proposed rule requires adult changing stations be located in toilet rooms in buildings with certain occupancies or uses.

The proposed rule requires all adult changing stations to be accessible and those in locations required by the proposed rule must comply with additional criteria in sections 1109.2.4.1 through 1109.2.4.4. The Minnesota Accessibility Code generally requires building elements that are accessible to individuals with disabilities unless the element is specifically exempted so it is reasonable to require all adult changing stations be accessible. Adult changing stations in locations where required by the proposed rule must be installed in a single user toilet room or family or assisted use toilet room and comply with additional criteria so access to adult changing station is similar to the access provided for other toileting facilities. Adult changing stations where provided in other locations are not required to comply with this additional criteria to allow for design flexibility and their placement in locations such as nurses' work areas, therapist work areas, or special education classrooms. The proposed requirements of this section for adult changing stations in locations where required by the proposed rule and adult changing stations that are otherwise provided are consistent with the requirements of 2024 IBC.³

1109.2.4.1 Where required. The proposed rule requires adult changing stations be installed in certain locations based on occupancy classification or use of the building and the number of water closets required for that use. Occupancy classification, or group, is the formal designation of the primary purpose or use of a building, structure, or portion of a building that is described in chapter 3 of the IBC as incorporated by reference in part 1305.0011 and modified by parts 1305.0302 and 1305.0305. The code requires an occupancy to be provided with water closets based on both the use of the space and the number of persons the space may accommodate.⁴ Items 1 through 8 require an adult changing station to be installed in buildings or spaces used for certain purposes in order to improve access to normal activities outside of the home for individuals that require changing facilities.

Item 1 requires an adult changing station be provided in assembly ("Group A") and mercantile ("Group M") occupancies where an aggregate of six or more male and female water closets are required. The requirements of item 1 are substantively similar to the requirements of the 2024 IBC for where adult changing stations are required in assembly and mercantile occupancies.⁵ Group A occupancies are places where people gather in groups such as concert halls, theaters, restaurants, places of religious worship, amusement arcades, museums, arenas, and stadiums.⁶ Group M occupancies are spaces used for the display and sale of merchandise including stores and sales rooms.⁷ Assembly and mercantile occupancies are currently required to provide a family or assisted use toilet

³ See [2024 IBC, section 1110.4](#).

⁴ See [2018 IBC Table 2902.1](#) and [Minnesota Rules, part 1305.2902, subpart 2](#).

⁵ See [2024 IBC, section 1110.4.1](#).

⁶ See [2018 IBC, section 303](#) for a complete description of assembly occupancies.

⁷ See [2018 IBC, section 309.1](#) for a complete description of mercantile occupancies.

room where an aggregate of six or more male and female water closets are required. Therefore, the proposed rule requires an adult changing station to be provided in these occupancies where a family or assisted use toilet room is required. Family or assisted toilet rooms have a single adult size water closet and lavatory for the privacy for an individual requiring assistance. The proposed item is reasonable because it provides safe changing facilities in toilet rooms intended for use by individuals requiring assistance with toileting functions, which will allow individuals that require changing facilities to participate more fully in normal activities outside of the home.

Item 2 requires an adult changing station in Group B occupancies providing educational facilities for students above the 12th grade, where an aggregate of twelve or more male and female water closets are required to serve classrooms and lecture halls. The requirements of item 2 are substantively the same as the requirements of the 2024 IBC for where adult changing stations are required in education facilities for students above the 12th grade.⁸ Group B occupancies are business group occupancies that are buildings or portions of buildings used for office, professional, or service-type transactions, which include educational facilities for students above the 12th grade such as colleges and universities.⁹ The proposed rule only requires college and university buildings that have classrooms and lecture halls with large student occupant loads to provide an adult changing station. Other college and university buildings that are primarily used by staff for administrative or other purposes are not required comply with item 2. The proposed requirement that an adult changing station be provided in buildings with large student occupant loads is reasonable to provide access to safe, sanitary toilet facilities where individuals spend significant amounts of time.

Item 3 requires an adult changing station be provided where an aggregate of six or more male and female water closets are required for a room or space used for assembly purposes in Group E occupancies. Group E occupancies are buildings or portions of buildings used for educational purposes through the 12th grade.¹⁰ These occupancies often include large spaces such as auditoriums that are used for community and civic activities such as plays and sporting events. The 2024 IBC also requires an adult changing station be provided for areas of Group E occupancies used for assembly purposes.¹¹ The proposed rule and the 2024 IBC require these large assembly spaces be provided with an adult changing station because individuals may spend a significant amount of time in these spaces to participate in activities. Individuals that use an adult changing station may require changing every two to three hours and often leave activities early or are unable to participate due to the distance from their homes because adequate changing facilities are not provided. The proposed requirement is reasonable because it applies to rooms and spaces used for community and civic activities and will help individuals who need changing facilities and their families to participate in these activities more fully.

Item 4 requires adult changing stations be provided at Minnesota Department of Transportation (“MnDOT”) rest areas with plumbing and electricity at toileting locations. This is similar to the 2024 IBC requirement that an adult changing station be provided at highway rest stops and highway service plazas.¹² The proposed rule revises the 2024 IBC language to provide clear, enforceable requirements

⁸ See [2024 IBC, section 1110.4.1.](#)

⁹ See [2018 IBC, section 304.1.](#)

¹⁰ See [2018 IBC, section 305.](#)

¹¹ See [2024 IBC, section 1110.4.1.](#)

¹² See [2024 IBC, section 1110.4.1.](#)

specific to rest areas in Minnesota. The reference to “highway service plazas” is omitted because Minnesota does not have those facilities which are located along toll roads and turnpikes. Additionally, the proposed rule specifies that only MnDOT rest areas are required to provide an adult changing station to avoid confusion with other facilities near highways that provide services and amenities for travelers. Lastly, the proposed rule clarifies that only MnDOT rest areas with plumbing and electricity at toileting locations are required to provide an adult changing station. The clarification is necessary because an adult changing station in a location required by the proposed rule must have an adjustable height changing surface that operates using electricity and be installed in a toilet room with a lavatory. Many MnDOT rest areas provide vault or primitive toileting facilities, if any toileting facilities are provided, and do not have the utilities necessary for the safe and sanitary use of an adult changing station.¹³

Currently, MnDOT includes an accessible family use toilet room in new rest areas and existing rest areas undergoing renovation where it is technically feasible. To further improve access to toileting facilities in rest areas, MnDOT intends to include adult changing stations in new rest areas as well as those undergoing renovation wherever possible. The requirements of the proposed rule are reasonable to provide individuals with disabilities a safe, sanitary, and private area for changing when traveling and are consistent with MnDOT’s planned improvements to rest areas.

Item 5 and item 6 require adult changing stations be provided in both state park campgrounds and state park visitor centers which have plumbing and electricity at toileting locations. The 2024 IBC does not include similar requirements, but TAG members recommended that adult changing stations be provided at these locations to improve access to outdoor recreation areas operated by the State of Minnesota. The proposed rule only requires adult changing stations be provided at state park campgrounds and state park visitor centers with electricity and plumbing because an adult changing station in a location required by the proposed rule must have an adjustable height changing surface that operates using electricity and be installed in a toilet room with a lavatory. Currently, DNR includes an accessible family use toilet room in new state park buildings with plumbing and electricity, as well as in existing buildings undergoing renovation where it is technically feasible. The proposed rule requirement is reasonable to further improve access to toileting facilities in state park buildings so individuals who use adult changing stations and their families are able to participate in outdoor recreation activities that they may not otherwise be able to enjoy due to a lack of a safe and sanitary place to change.

Item 7 requires adult changing stations be provided in hospitals and ambulatory care facilities where an aggregate of six or more male and female water closets are required. Ambulatory care facilities and hospitals provide medical care to individuals who may not be capable of self-preservation or rendered incapable of self-preservation by the services provided.¹⁴ These facilities are often required to be provided with family or assisted use toilet rooms due to the occupant load of waiting areas. The 2024 IBC does not require medical facilities to provide an adult changing station, but TAG members who are disability advocates recommended that they be required to do so because individuals that use adult changing tables spend significant time at medical facilities and may require changing every two to three

¹³ A description of the four different types of rest areas that MnDOT operates is available at:

<https://www.dot.state.mn.us/restareas/types.html>.

¹⁴ See [2018 IBC, chapter 2, “Hospitals and psychiatric hospitals”](#) and [Minnesota Rules, part 1305.0202, subpart 1, “Ambulatory care facility.”](#)

hours. Medical facilities have beds and exam tables, but they are not a safe or sanitary alternative to adult changing stations because they are not intended for toileting purposes and do not have the same functionality as an adult changing station. An adult changing table required by the proposed rule reduces the risk of injury because it is height adjustable and equipped with safety rails or other features to prevent falls. Furthermore, beds and exam tables are generally not available to individuals who need toileting facilities while waiting to receive care.

Ultimately, TAG members recommended an adult changing station be required in hospitals and large ambulatory care facilities where an aggregate of six or more male and female water closets are required. This is consistent with the requirements of the 2024 IBC and the proposed rule for where adult changing stations are required in large assembly and mercantile occupancies. Large hospitals and ambulatory care facilities are where individuals who use adult change stations are likely to have multiple healthcare appointments or lengthy visits. It is reasonable to require adult changing stations in these medical facilities so individuals who need adult changing stations are provided with a safe and sanitary space for changing when attending appointments in medical care facilities.

Item 8 requires an adult changing station be provided in Group B outpatient clinics where an aggregate of six or more male and female water closets are required. Outpatient clinics are buildings or portions of buildings used to provide medical care on a less than 24-hour basis to individuals not rendered incapable of self-preservation by the services provided.¹⁵ As discussed above, individuals who need adult changing stations require frequent medical care and spend significant amounts of time at medical facilities. Like hospitals and ambulatory care facilities, large Group B clinics are often required to provide a family or assisted use toilet room due to the occupant load of waiting areas. Individuals who need adult changing stations often see several different healthcare providers at outpatient clinics in a single day and may travel a significant distance for specialized care at clinics. Because of the time individuals whose use adult changing tables spend at large outpatient clinics, including travel time, it is reasonable to require safe and sanitary toileting facilities be provided that reduce the risk of injury or infection to the user.

1109.2.4.2 Room. The proposed section addresses requirements for the room where the required adult changing station is located, which are substantively similar to the room requirements of the 2024 IBC.¹⁶ The requirements are necessary to provide users of adult changing stations with access to a room with privacy for toileting functions. The proposed rule requires building occupants to have access to the room containing the required adult changing station when the building is occupied to ensure access is not limited or restricted while the building is in use. The adult changing station must be located in a toilet room with only one water closet and one lavatory. In other words, the required adult changing station must be located in a toilet room intended for a single user and cannot be installed in multistall toilet rooms. It is reasonable not to permit the installation of adult changing stations in multistall toilet rooms because they do not provide sufficient privacy for an individual who needs an adult changing station. Furthermore, single user toilet rooms are not designated by sex, which allows a caregiver of another gender to assist the user.¹⁷

¹⁵ See [2018 IBC, chapter 2, "Outpatient clinic."](#)

¹⁶ See [2024 IBC, section 1110.4.2.](#)

¹⁷ See 2018 IBC sections [2902.1.2](#), and [2902.2.1](#).

The exception permits the adult changing stations to be located in family or assisted use toilet rooms that are required in assembly and mercantile occupancies where an aggregate of six or more male and female water closets are required. Family and assisted use toilet rooms are permitted to have additional plumbing fixtures, specifically a urinal and child size fixtures. The exception is reasonable because the family or assisted use toilet rooms are for use by individuals that require assistance, including individuals with disabilities and families with small children, and the additional fixtures do not adversely affect the privacy of the individual that requires assistance.

The section also clarifies that the fixtures (water closet and lavatory) in the toilet room with the adult changing station are to be included when determining the number of fixtures provided in an occupancy. The State Building Code requires occupancies to be provided with fixtures based on occupancy type and permitted occupancy load. The fixtures in the room with the adult changing station are to be included when determining compliance with fixture requirements because the room may be used by all building occupants and is not reserved for the exclusive use of individuals requiring changing facilities. Furthermore, the State Building Code permits fixtures in family and assisted use toilet rooms to be included when determining the required number of fixtures that are provided, so it is reasonable to permit the fixtures in toilet rooms with an additional element to count towards the required number of fixtures.¹⁸ Finally, the cost burden of providing an adult changing station in a toilet room is reduced because additional fixtures are not required.

1109.2.4.3 Prohibited location. The proposed rule prohibits the accessible route from public and employee toilet rooms to an adult changing station from requiring travel through security checkpoints. The 2024 IBC includes a similar provision that prohibits the accessible route to the adult changing station from requiring travel through a security checkpoint.¹⁹ This provision is necessary to ensure that access to an adult changing station is provided on the same side of a security checkpoint as other toileting facilities. The Minnesota Accessibility Code prohibits the accessible route from toilet rooms to the family and assisted use toilet rooms from passing through security checkpoints, so a similar prohibition on travel through security checkpoints to reach an adult changing facility is reasonable and needed to provide the same access to all toileting facilities.²⁰

1109.2.4.4 Travel distance. The proposed rule requires the adult changing station to be located on an accessible route and the path of travel to the facility is not to exceed 1,000 feet, with an exception that permits a longer path of travel in large assembly occupancies. It is reasonable to provide requirements for the travel distance to an adult changing station because the Minnesota State Building Code regulates the distance of the path of travel for toileting facilities, including family or assisted use toilet rooms. The 2024 IBC requires the adult changing station to be located on an accessible route so that a person is not more than two stories above or below the story with the adult changing station and the path of travel is not to exceed 2,000 feet.²¹ TAG members did not recommend the adoption of the 2024 IBC requirements for path of travel requirements because a travel distance of 2,000 feet is excessive for most occupancies and inequitable since the code generally requires a path of travel of no

¹⁸ See [2018 IBC, sections 1109.2.1](#) and [section 2902.1.2](#).

¹⁹ See [2024 IBC, section 1110.4.3](#).

²⁰ See [Minnesota Rules, part 1341.0011, subpart 8, subitem B](#).

²¹ See [2024 IBC, section 1110.4.4](#).

more than 500 feet to toileting facilities.²² TAG members recommended eliminating the travel distance requirements based on stories and to require the travel distance to an adult changing station be no more than 1,000 feet, unless the adult changing station is located in an A-4 or A-5 occupancy. A travel distance of 1,000 feet to an adult changing station is reasonable because fewer people need to use adult changing stations compared to other toileting facilities, but a travel distance of 2,000 feet and additional time spent waiting for an elevator to access another story may be difficult for individuals with mobility challenges. The proposed rule does not limit the path of travel to two stories above or below the adult changing station because the distance is limited to 1,000 feet both horizontally and vertically.

The proposed exception permits a path of travel to an adult changing station of not more than 2,000 feet in Group A-4 and Group A-5 occupancies, which are occupancies used as recreational event locations. Group A-4 occupancies include facilities such as arenas and Group A-5 occupancies include stadiums and grandstands.²³ These large facilities are generally required to provide a family or assisted use toilet room every 1,000 feet, so the proposed rule requires the path of travel to an adult changing station not to exceed 2,000 feet to effectively provide an adult changing station in every other family or assisted use toilet room. The proposed requirement for Group A-4 and Group A-5 occupancies is reasonable because access is provided to adult changing stations while reducing the cost of burden of providing these facilities in every family or assisted use toilet room.

1341.0603 A117.1 SECTION 603, TOILET AND BATHING ROOMS.

Subpart 1a. Section 603.2.2 Door swing. The proposed subpart modifies exception 2 to clarify that family or assisted use toilet rooms are toilet rooms intended for individual use for purposes of the exception and do not have to comply with door swing requirements of section 603.2.2.²⁴ Exception 2 permits the door swing into the clear floor space or clearance for fixtures where an individual in a wheelchair can enter the toilet room and move directly into clear floor space beyond the arc of the door swing. This allows for a reduction in the square footage of the individual use toilet room because the arc of the door swing does not have to be accommodated. The modification is necessary to clarify that the exception applies to any toilet room where a required adult changing station is permitted to be installed. The clarification is reasonable and will allow additional flexibility in the design of family or assisted use toilet rooms equipped with an adult changing station as well as reduce the cost burden of providing additional square footage to accommodate the arc of the door swing.

1341.0613 A117.1 SECTION 613, ADULT CHANGING STATIONS.

613.1 General. This new rule part modifies chapter 6 of the 2009 edition of the ICC A117.1 to add a new section with technical criteria for adult changing stations and the rooms where they are installed.²⁵ The forthcoming 2023 edition of the ICC A117.1 includes similar technical criteria, which was developed by an ICC A117.1 Committee appointed work group that included participation by DLI staff.²⁶ TAG members reviewed the language drafted by the ICC A117.1 Committee and the workgroup and

²² See [2018 IBC, sections 1109.2.1.4](#) and [2902.3.3](#).

²³ See 2018 IBC [section 303.5](#) and [section 303.6](#) for a complete description of Group A-4 and A-5 occupancies, respectively.

²⁴ See [2009 ICC A117.1, section 603.2.2](#).

²⁵ The 2009 edition of the ICC A117.1 is available at: <https://codes.iccsafe.org/content/icca117-12009>.

²⁶ Additional information about the ICC A117.1 Committee is available at: <https://www.iccsafe.org/icc-asc-a117-1/>.

recommended requirements for Minnesota that are reasonably consistent with the forthcoming national standards, as well as necessary for the safe and sanitary use of adult changing stations.

613.2 Installation location. Adult changing stations in rooms required by the proposed rule must comply with section 613.2.1 and adult changing stations that are provided in rooms or spaces are permitted to comply with either section 613.2.1 or 613.2.2. Sections 613.2.1 and 613.2.2 list components for the safe and sanitary use of the adult changing station that must be included in the room or space.

613.2.1 Single-user or family or assisted use toilet room. The proposed rule requires the single-user and family or assisted use toilet rooms to be provided with components for the safe and sanitary use of the required adult changing station. Items 1 and 2 require the toilet room with the adult changing station be provided with a soap dispenser and hand towel dispenser or hand dryer, which are necessary for sanitation and cleanliness. The proposed rule requires the soap dispenser and a hand towel dispenser or hand dryer to comply with ICC A117.1 accessibility requirements because the toilet room where the required adult changing station is located is not reserved only for use by those who need an adult changing station and may be used by any building occupant. Therefore, it is reasonable that room components necessary for the sanitary use of the toilet room be accessible to any user. Item 3 requires a coat hook be provided near the changing surface, so the caregiver does not have to leave the user unattended on the table surface to reach changing supplies. Item 4 requires a waste receptacle be provided for sanitary purposes.

Items 5 and 6 require the room be provided with signage to indicate the toilet room where the adult changing station is located and provide instructions for its safe use. Item 5 requires the entrance of the room be provided with signage indicating “adult changing station” and the sign must comply with the requirements for visual characters in section 703.2. The proposed signage requirement is reasonable so individuals can identify the toilet room with an adult changing station and the signage can be read by individuals with visual impairments. Item 6 requires the signage within the room to indicate the weight capacity and instructions for operation of the changing station. The proposed rule requires the weight capacity be indicated because excess weight can damage the adult changing station and result in injury to the user. The instructions for the operation of the adult changing station must also be provided and are necessary for the safe use of the station, including functions for adjusting the table surface.

613.2.2 Room or space other than a toilet room. The proposed section requires rooms or spaces provided with adult changing stations that are not toilet rooms to include components for the safe and sanitary use of the changing stations. Rooms or spaces that are not toilet rooms that may be provided with adult changing stations include nurses’ work areas, therapist work areas, or special education classrooms. The proposed rule permits adult changing stations to be provided in rooms or spaces other than toilet rooms to allow schools and other facilities flexibility to locate stations where necessary.

Item 1 requires the compartment or room with the adult changing station be provided with walls, partitions, or curtains, which are necessary for the privacy of the user. Item 2 requires the room or compartment be provided with a turning space that complies with section 304 so individuals who use wheelchairs are able to maneuver within the space with the adult changing station. Item 3 requires the compartment or room be provided with either a lavatory or an alcohol-based hand sanitizer dispenser

for sanitation purposes. The proposed rule allows the room to be provided with an alcohol-based hand sanitizer dispenser because a room or compartment that is not a toilet room may not have the plumbing necessary to provide a lavatory for handwashing purposes and an alcohol-based hand sanitizer dispenser is a reasonable alternative. If the room or space includes a lavatory, then it must be provided with a soap dispenser and hand towel dispenser or hand dryer for cleanliness purposes. The proposed rule requires the provided lavatory, soap dispenser, and hand towel dispenser or hand dryer to comply with ICC A117.1 accessibility requirements. Lastly, item 6 requires a waste receptacle be provided for sanitary purposes.

613.3 Room clearances. The proposed rule requires the adult changing station in the operational position not to obstruct the required clear floor spaces and clearances at accessible elements, maneuvering clearances at doors, or at wheelchair turning spaces. The requirements for room clearances are necessary to provide access to the room and its elements to other individuals with disabilities who use the toilet room but not the adult changing station. The exception to section 613.3 permits the clearance for wheelchair turning to include a toe clearance of 9 inches minimum above the floor that extends a maximum of 6 inches below the table surface when in the lowest operational position. The exception is reasonable to clarify that the required clearance can include area below the table surface where sufficient toe clearance is provided for individuals using wheelchairs.

613.4 Changing surface. Proposed sections 613.4 through sections 613.4.5.2 address specific technical criteria for adult changing station surfaces, which are necessary for the safe and sanitary use of the adult changing station.

613.4.1 Safety and performance. The proposed rule requires the adult changing station to comply with six items for safety and performance to mitigate the risk of injury to the user and the caregiver.

Item 1 requires the adult changing station be provided with a means to prevent the user from falling along the open long sides such as retractable safety rails. This requirement applies to both adult changing tables in locations required by the proposed rule and those that are provided. The safety rails or other means of preventing the user from falling is necessary to protect the user from injury.

Item 2 requires the surface of the adult changing station to support a weight of not less than 400 pounds. The weight limitation applies to both adult size changing tables required by the proposed rules and those that are provided. The 400-pound weight limitation is reasonable to support the weight of the user as well any pressure applied to the surface by the caregiver during the changing process. Furthermore, it is reasonable as it is consistent with the weight capacities of adult changing stations that are commercially available.

Item 3 specifies that adult changing stations required by the proposed rule must be anchored in place in accordance with section 903.6. That section provides requirements for the fastening of benches attached to walls, specifically the allowed stresses that may be applied to the fastener mounting device or supporting structure. The proposed item is necessary to ensure that the adult changing station is provided with sufficient structural support to prevent damage or collapse.

Item 4 requires the changing surface of the adult changing station to have a surface that is smooth, non-absorbent, and resistant to corrosion. The proposed requirement is reasonable and necessary to provide a surface that is durable and easy to clean and sanitize.

Item 5 requires any electrical components of the adult changing station to comply with the Minnesota Electrical Code. The Minnesota Electrical Code is the industry standard which directs and regulates all electrical work in the state and is part of the Minnesota State Building Code. Therefore, it is reasonable to require any electrical components used to adjust the height of the changing surface to comply with the standard for electrical installations and safety.

Item 6 specifies that any operable controls for required adult changing stations must comply with accessibility requirements for operable parts. The proposed item is needed and reasonable so that individuals with mobility and hand-function disabilities are able to operate the controls.

613.4.2 Size. The proposed rule requires the changing surface to be a minimum of 70 inches in length and 30 inches in width. The proposed requirements are based on the draft requirements for the size of the changing surface prepared by the adult changing facilities work group that was appointed by the ICC A117.1 Committee. The proposed rule requires the changing surface to have a width of 30 inches minimum to provide sufficient space for an individual to lie on the surface. The proposed length requirement of 70 inches is reasonable because it is consistent with the height of an average adult male. Furthermore, the proposed size requirements are also consistent with the dimensions of commercially available adult changing stations.

613.4.3 Height adjustability. The proposed rule requires the changing surface height to be adjustable at variable heights from 17 inches minimum to 38 inches maximum above the floor. The requirement that that an adjustable height changing surface be provided is reasonable to allow the caregiver to transfer the user from a wheelchair to the changing surface and adjust the height as needed for changing. The minimum height of the changing surface is 17 inches above the floor because it allows for the lateral transfer of an individual from a wheelchair with a seat 19 inches above the floor. The maximum height is 38 inches above the floor because that is the maximum height that commercially available adult changing tables may be adjusted to.

The two exceptions to section 613.4.3 allow for the installation of an adult changing station with a fixed-height changing surface. Exception 1 permits the installation of a fixed-height changing surface where adult changing stations are required in locations with prior incidents of vandalism and with the approval of the administrative authority. The first exception is consistent with the recommendations of the adult changing facilities work group that was appointed by the ICC A117.1 Committee. The work group recommended that the installation of fixed-height changing surfaces be permitted in locations where there is a high likelihood of vandalism because damage to an adult changing station with an adjustable height changing surface, particularly its electric components and controls, could render it unusable. Therefore, it is reasonable to provide a fixed-height changing surface in these locations to ensure that at a minimum, a safe, usable surface is provided.

Exception 2 permits the installation of a fixed-height changing surface in locations where adult changing stations are not required by the proposed rule. See proposed rule part 1341.011, subpart 8, subitem D. Fixed-height changing surfaces are less costly than adjustable height changing surfaces that rely on electrical components to adjust the height. The proposed exception is reasonable because it

permits the installation of fixed-height changing surfaces in locations where adult changing stations are not required and may not otherwise be installed due to cost concerns as well as unmonitored locations where vandalism is a concern.

Both Exception 1 and 2 require the fixed-height changing surface be mounted so that the top of the surface is between 19 inches and 23 inches above the floor. The changing facilities work group appointed by the ICC A117.1 Committee recommended the top of the fixed-height changing surface be mounted within that height range because wheelchair seat heights are generally within between 19 inches and 23 inches above the floor. The mounting of a fixed-height changing surface at a similar height as the wheelchair seat allows the caregiver to transfer the user back and forth from the wheelchair to the changing surface with minimal lifting, which reduces the risk of injury to both the caregiver and user. The proposed requirement for the placement of the top of the fixed-height changing is reasonable for the safety of both the user and caregiver and is consistent with requirements of the forthcoming edition of the ICC A117.1.

613.4.4 Clearances. The proposed rule requires clearances be provided adjacent to the adult changing stations to allow for the transfer of the user from a wheelchair to the surface and provide sufficient space for the caregiver to perform the changing. The clearances are determined based on when the table is in an operational position because the proposed rule does not permit folding changing tables and surfaces.

613.4.4.1 Side clearance. The proposed rule requires a 36-inch deep minimum side clearance along the open long side of the changing surface. This side clearance is necessary to provide an accessible route that includes space for a wheelchair and allows the user to be transferred from a wheelchair to the changing surface. The exception permits the side rail of the changing surface to overlap the side clearance when the changing surface is in a raised position. The proposed exception is reasonable because the side clearance is necessary when the side rails are not in use and the table is in the lowered position to allow the transfer of the user from the wheelchair to the changing surface. The full 36-inches of side clearance is not needed once the user is transferred to the table and the side rails are raised.

613.4.4.2 End clearance. The proposed rule requires a 36-inch wide minimum end clearance be provided along the depth of one end of the changing surface and the width of the clearance must extend beyond the depth of the changing surface and the side clearance. The proposed end clearance requirement is reasonable to allow space for the caregiver to change the user and provides a location for the placement of the wheelchair while the table is in use. Furthermore, the proposed end clearance requirement is consistent with the recommendations of adult changing facilities work group that was appointed by the ICC A117.1 Committee.

The proposed rule includes two exceptions from end clearance requirements. Exception 1 permits a reduced end clearance that is 24-inches in width where there is sufficient space beyond the clearance required for the changing table to place a wheelchair while the table is in use. The reduction in the end clearance is reasonable because 24-inches provides sufficient space for the caregiver to perform the changing where there is clear floor space elsewhere to place a wheelchair.

Exception 2 does not require any end clearance for adult changing stations that are provided in a room or space other than toilet rooms. As previously discussed, the proposed rule permits adult

changing stations to be located in rooms other than toilet rooms so they may be installed in locations such as nurses' work areas, therapist work areas, or special education classrooms. Exception 2 exempts adult changing stations in locations other than toilet rooms from end clearance requirements to allow additional flexibility in the installation of adult changing stations in locations where they are needed. The proposed exception is reasonable to allow for the installation of adult changing stations in locations where they are needed but may not otherwise be provided due to space constraints.

613.4.5 Side rail. The proposed rule requires any side rails that are provided at the changing surface to comply with requirements for size, location, and rail positioning. The proposed requirements are necessary so that the side rails protect the user of the adult changing station from falling or rolling off the changing surface.

613.4.5.1 Size and location. The proposed rule requires the side rails to be a minimum of 2/3 of the length of the changing surface and be centered within 3 inches along the long open sides of the changing surface. The length of the side rails is dependent upon the length of the changing surface to ensure adequate side rail protection is provided for longer changing surfaces and that shorter changing surface are not provided with side rails that are so long as to impeded access to the changing surface. The side rails must be within 3 inches of the open sides to provide adequate space for the user while providing protection from accidental falls.

613.4.5.2 Rail positioning. This section requires the side rails of the adult changing table to be capable of being raised and lowered and the top of the side rail to extend a minimum of 5 inches above the top of the changing surface. It is reasonable to require that the rails be capable of being lowered to minimize the lifting necessary to transfer of the user from the wheelchair to the changing surface. The side rails must be fixed in place when in the raised position, so they remain in place while the user is on changing surface. Lastly, side rails must extend a minimum of 5 inches above the changing surface to prevent the user from rolling or falling. The proposed requirements for side railing positioning are reasonable and needed for the protection of adult changing station users.

1341.0902 A117.1 SECTION 902, DINING SURFACES AND WORK SURFACES.

902.1 General. The proposed rule modifies section 902.1 to add exception 2, but no other substantive changes are made to this section. Exception 2 is added to clarify that adult changing surfaces are not required to comply with the ICC A117.1 requirements for accessible dining surfaces and work surfaces. The proposed exception is necessary because adult changing stations must be installed to comply with weight capacity and stability requirements, and it is technically difficult to comply with those requirements while still providing the knee and toe clearance that is required for accessible work surfaces.

III. Conclusion

As discussed in this memorandum, the proposed rules meet the intent of Laws of Minnesota 2023, chapter 53, article 11, section 30, to adopt expedited rules that require adult-size changing facilities as a part of the Minnesota State Building Code. The proposed rule requires adult changing stations in certain locations and provides technical criteria for the station and the room where it is

located. Adult changing stations are required in locations similar to those required by the model code, but additional locations associated with travel, recreation, and medical care are added as well. The proposed location requirements will allow users of adult changing stations and their caregivers and families to participate more fully in their communities and in normal activities outside the home. The technical criteria are reasonable and necessary to provide a safe and sanitary space for adult changing stations that protect the privacy and safety of the user and caregivers.