

Minnesota Department of Public Safety State Fire Marshal Division

FCCP 41

Fire Code Change Proposal Form

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

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

Author/requestor: Bob Rexeisen

Date: 09/25/2025

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

Telephone number: 612/386-4657

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

Code or rule section to be changed (include code or rule title and edition year): 2024 IFC, Section 5606.6.1

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

YES: ☐ NO: ☒ UNKNOWN: ☐

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

General Information

Yes No

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

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

☒ Change language contained the model code book? If so, list section(s).
5606.6.1

☐ 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.

5606.6.1 Electrical. Areas within 3 feet (914mm) of reloading equipment shall be ~~Class I,~~
Division 2, Group A Class II, Division 2, Group E type.

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?

When the new model language was created in 2021, it was asked by ICC where this language came from. The respondent stated it came from “fireworks” with no further information given. NFPA 1124, 2024 Ed. Section 4.5.3.3 states in part that: *Wiring, switches and electrical fixtures shall meet Article 502 of NFPA 70.*



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Article 502 is specific to Class II hazard locations, not Class I. Furthermore, Group A is specific to acetylene whereas Group E is specific to atmospheres containing combustible dusts.

While NFPA 1124 is specific to fireworks manufacturing as testified at ICC, NFPA 495, 2023 Edition is specific to explosives and ammunition manufacturing. NFPA 495 (2023 Ed.) Section 5.4.5.2.2 requires Class II, Division 1 for Energetic Area 1 locations. NFPA 495 (2023 Ed.) 5.4.5.3.3 requires Class II, Division 2 for Energetic Area 2 locations.

For ammunition manufacturing, an Energetic Area 2 location is most appropriate given that nature of the operation.

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

By not correcting this section, the MSFC will require an improper and potentially hazardous electrical system.

3. What other considerations should the TAG consider?
None

Cost/Benefit Analysis

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

Regulatory Analysis

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

Persons who can lawfully manufacture ammunition.



Developed: April, 2022

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

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



Developed: April, 2022

Minnesota Department of Public Safety State Fire Marshal Division

FCCP 12

Fire Code Change Proposal Form

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

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

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

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

Email address: 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): [2020 MSFC 7511.1104.23, 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 Aisles ~~Minimum aisle and aisle accessways width.~~ Aisles ~~The minimum clear width of aisles and aisle accessways shall be in accordance with this section and Table 1104.23.~~

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 Table 1104.23.~~

1104.23.2 Aisle accessways. Aisle accessways shall be in accordance with Section 1018.



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TABLE 1104.23
MINIMUM AISLE AND AISLE ACCESSWAY WIDTHS

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. Further, it's been noted that the current provisions for aisle accessways in Table 1104.23 result in minimum widths that can exceed what's required for new construction, making a revision of this section necessary. The lack of aisle accessway provisions for non-seating areas has



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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 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 establishes minimum requirements for aisle accessways within existing buildings. Without this revision, fire code officials will continue to have no remedy to ensure aisle accessways are maintained to a minimum clear width, allowing for a safe and unobstructed egress pathway. Since aisle accessway widths are currently regulated under Section 1018 (as amended) for new construction, it's reasonable to also reference these provisions for existing buildings as opposed to arbitrarily setting minimum widths. Further, Section 1101.6 allows aisle accessway widths provided in accordance with the code in effect at the time to remain. This ensures existing buildings will not be mandated to comply with requirements that exceed what was required at the construction unless a distinct hazard determination is made.

1101.6 Previous codes. Protection features in existing buildings that comply with previous editions of the Fire Code or Building Code shall be considered as complying with IFC Chapter 11, as amended, unless the fire code official issues a written determination listing the conditions that constitute a distinct hazard to life.

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).



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4. Will the cost of complying with the proposed code change in the first year after the rule takes effect exceed \$25,000 for any one small business or small city? A small business is any business that has less than 50 full-time employees. A small city is any statutory or home rule charter city that has less than ten full-time employees. Please explain.
- 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?
- None
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
- No
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
- No
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
- No 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 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



Minnesota Department of Public Safety State Fire Marshal Division

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



Developed: April, 2022

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FCCP 34

Fire Code Change Proposal Form

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

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

Author/requestor: Bob Rexeisen

Date: 08/22/2024

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

Telephone number: 612/386-4657

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

Code or rule section to be changed (include code or rule title and edition year): Section 5606

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

Section 5606

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

N/A

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

N/A

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

N/A

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

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

No

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

5606.1 General.

Indoor storage and display of black powder, smokeless propellants, small arms primers, small arms ammunition and commercial reloading shall comply with this section and NFPA 495. For the purposes of this section the term black powder shall also include equivalent black powder substitutes.

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?

As defined by Merriam-Webster and 27 CFR Part 555, "black powder" consists of potassium nitrate, sulfur and charcoal whereas most black powder substitutes do not contain charcoal or sulfur in lieu of other components. However, these substitutes are classified as 1.4 explosives. Without this change, the code prohibits commonly used black powder substitutes, brands like Pyrodex, Triple Seven, and Blackhorn 209, from being sold



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in Group M occupancies or being stored within residential occupancies. This problem is resolved by including equivalent black powder substitutes.

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

This change corrects a significant oversight without creating an entirely new definition for the term "black powder." The State of Kansas has updated their Administrative Regulations, Section 22-4-5, to include black powder substitutes under the definition of "Small arms ammunition and components of small arms ammunition." Further, the Bureau of Alcohol, Tobacco, and Firearms (ATF) now includes black powder substitutes in their black powder definition.

3. What other considerations should the TAG consider?
N/A

Cost/Benefit Analysis

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

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Manufacturers, wholesalers, retailers and 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



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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.
None
5. What are the probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals?
None
6. What are the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals?
None
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.
27 CFR Part 555 does not address black powder substitutes and this code change would not affect any USDoT transportation requirements.
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.
This change will address an oversight in the code allowing the continued use of antique firearms for sporting use consistent with 27 CFR Part 555.

***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 35

Fire Code Change Proposal Form

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

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

Author/requestor: Bob Rexeisen

Date: 09/06/2024

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

Telephone number: 612/386-4657

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

Code or rule section to be changed (include code or rule title and edition year): IFC Section 5604.6.5

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:



Minnesota Department of Public Safety State Fire Marshal Division

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

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

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

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

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

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.

5604.6.5 Signs and placards.

Property on which Type 1 magazines and outdoor magazines of Types 2, 4 and 5 are located shall be posted with signs stating: “NO SMOKING” and “EXPLOSIVES—KEEP OFF.” These signs shall be of contrasting colors with a minimum letter height of 3 inches (76 mm) with a minimum brush stroke of $\frac{1}{2}$ inch (12.7 mm). The signs shall be located to minimize the possibility of a bullet shot at the sign hitting the magazine.

Exception: For sites that are not constantly attended and where a permit is issued in accordance with Minnesota Statutes, Section 299F.73 or 299F.74, the posting of signs shall not be required.

5604.6.5.1 Access road signs.

At the entrance to explosive material manufacturing and storage sites, all access roads shall be posted with the following warning sign or other approved sign:

DANGER!

NEVER FIGHT EXPLOSIVE FIRES.



Developed: April, 2022

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EXPLOSIVES ARE STORED ON THIS SITE
CALL _____

The sign shall be weather resistant with a reflective surface and have lettering not less than 2 inches (51 mm) high.

Exception: For storage sites that are not constantly attended and where a permit is issued in accordance with Minnesota Statutes, Section 299F.73 or 299F.74, the posting of access road signs shall not be required.

5604.6.5.2 Placards.

Type 5 magazines containing Division 1.5 blasting agents shall be prominently placarded as required during transportation by [DOTn 49 CFR Part 172](#) and [DOTy 27 CFR Part 555](#).

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?

Due to the potential and continued risk of theft or illicit destruction of explosives materials, placarding should only be applied when the site is under constant occupation. Unattended locations with placarded buildings and magazines are a known target for exploitation.

Per an agreement between the Minnesota State Fire Marshal and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), compliance with this section shall not be required if the site is not constantly occupied and a permit is issued in accordance with Minn. Stat. 299F.73 or 299F.74. This change will codify this agreement into MN Rules.

2. Why is the proposed code change a reasonable solution?
This addresses the security needs of the explosive materials while offsetting the risk by referencing Minnesota Statutes.
3. What other considerations should the TAG consider?
N/A

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain.
None



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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.
None
3. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
None
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.
None

Regulatory Analysis

1. What parties or segments of industry are affected by this proposed code change?
Explosives industry and emergency services
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
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. Tying this to Minnesota Statute is a reasonable solution.
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?
None
7. Are you aware of any federal regulation or federal requirement related to this proposed code change? If so, please list the federal regulation or requirement and your assessment of any differences between the proposed rule and the federal regulation or requirement.



Minnesota Department of Public Safety State Fire Marshal Division

See previous comments regarding the Bureau of Alcohol, Tobacco, Firearms and Explosives.

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.
This information box will aid in the uniform enforcement between state and federal agencies.

***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 36

Fire Code Change Proposal Form

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

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

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

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

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

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

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

Code or rule section to be changed (include code or rule title and edition year): [7511.5704](#),
[7511.0202](#)

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

YES: ☐ NO: ☒ UNKNOWN: ☐

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

General Information

Yes No

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

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

- ☐ Change language contained the model code book? If so, list section(s).
- ☐ Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
- ☐ Delete language contained in the model code book? If so, list section(s).
- ☒ Delete language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
[7511.5704](#), [7511.0202](#)
- ☐ 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.

~~**INTERMEDIATE BULK CONTAINER.** A storage container meeting the requirements of and containing products authorized by the United States Department of Transportation Hazardous Materials Regulations, Code of Federal Regulations, title 49, or by Part 6 of the United Nations Recommendations on the Transport of Dangerous Goods for classes 31H1, 31H2, and 31HZ1.~~

~~**5704.3.1.2 Rigid nonmetallic intermediate bulk containers.** The design, construction and capacity of rigid nonmetallic intermediate bulk containers for the storage of flammable and combustible liquids shall be in accordance with this section and NFPA 30. When inside buildings, rigid nonmetallic intermediate bulk containers containing flammable or combustible liquids shall be subjected to a standard fire test that demonstrates acceptable inside storage fire performance and shall be listed and labeled in accordance with UL 2368, Standard for Fire Exposure Testing of Intermediate Bulk Containers for Flammable and Combustible Liquids, 2014.~~

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.



Minnesota Department of Public Safety State Fire Marshal Division

No

Need and Reason

1. Why is the proposed code change needed?

These rules first appeared in the 2007 MSFC. The rule included a definition of “intermediate bulk containers (IBC)” and a reference to UL 2368, 2001 edition. The scope of UL 2368 is as follows:

“1 Scope 1.1 This Standard includes fire test methods and associated requirements to investigate the ability of rigid nonmetallic or composite rigid nonmetallic intermediate bulk containers (IBCs) to contain combustible liquids when exposed to fire while protected with an automatic wet-pipe sprinkler system installed in accordance with the Flammable and Combustible Liquids Code, NFPA 30.”

The 2024 IFC Section 5704.3.1 states: The design, construction and capacity of containers for the storage of Class I, II and IIIA liquids shall be in accordance with this section and Section 9.4 of NFPA 30. NFPA 30 Section 9.4.1, item 6, covers rigid nonmetallic intermediate bulk containers and Section 9.4.1.1 references UL 2368, FM 6020 or an equivalent test procedure. Thus, the current rule is now obsolete and no longer necessary as the model code references NFPA 30, including 2018 edition of UL 2368. In summary, this topic is fully regulated under NFPA 30 which is referenced in IFC 5704.3.1.

Further, the state amendment for the definition of Intermediate Bulk Container is also repealed in deference to its nationally recognized definition in NFPA 30.

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

The original rule required compliance with UL 2368, as UL 2368 was not referenced in the 2003 edition of NFPA 30 adopted as part of the 2007 MSFC. However, this state amendment is now obsolete and no longer necessary, as this specific topic is now addressed by the model code via NFPA 30.

In addition, as the current rule is flawed because it can be interpreted that fire sprinklers are not required for the indoor storage of flammable and combustible liquids in rigid nonmetallic intermediate bulk containers. The rule appears to only require a proper listing. However, sprinkler protection is assumed as part of the UL testing for these IBCs.

Finally, without repealing these current state amendments, the 2026 MSFC will be conflict with NFPA 30, both in definition of IBCs and in fire protection requirements for rigid nonmetallic IBCs.

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

Repealing the rule maintains the requirements to adopt a model code where the model code now addresses all the requirements in the original rule.



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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, industry using IBCs.
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?
None



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.
None
8. Please include an assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.
None

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



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Minnesota Department of Public Safety State Fire Marshal Division

FCCP 38

Fire Code Change Proposal Form

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

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

Author/requestor: Forrest Williams

Date: 9/29/2025

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

Telephone number: 651-769-7784

Organization/Association/Agency, if any: MN Dept. of Public Safety – State Fire Marshal

Code or rule section to be changed (include code or rule title and edition year): MR
7511.1101.1 Scope

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

YES: ☐ NO: ☒ UNKNOWN: ☐

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

General Information

Yes No

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

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

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

☒ Change language contained in an existing amendment in Minnesota Rule? If so, list Rule part(s).
7511.1101.1

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

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

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

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

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.

1101.1 Scope. The provisions of IFC Chapter 11, as amended, shall apply to existing buildings constructed prior to the adoption of this code. The provisions of this chapter shall not be construed to allow for the elimination of existing fire protection systems or existing construction and design features, except where permitted by Section 102.1.1

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 language intends to reference an important provision for existing buildings contained within Chapter 1, Section 102.2.1 (as amended), which reads as follows:



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Existing construction and design features that exceed the requirements for existing structures or facilities but are equal to or less than the requirements for new structures or facilities shall not be further diminished. Existing construction and design features that exceed the requirements for new structures or facilities are allowed to be removed.

Section 102.1.1 ensures that existing construction and design features are not removed, even though they may exceed the minimum requirements for existing buildings. However, nowhere in Chapter 11, Construction Requirements for Existing Buildings, is this provision referenced. Therefore, this amended language provides important information to the reader to help prevent the inadvertent and unlawful removal or decommissioning of a required construction or design feature based solely on a reading of Chapter 11.

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

The change provides important information to the reader to help prevent the inadvertent and unlawful removal or decommissioning of a required construction or design feature.

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

No

Cost/Benefit Analysis

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

No change

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

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?
Property owners and managers, fire code officials, and design professionals.



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?
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, this is the simplest solution.
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 misapplication of Chapter 11 and the inadvertent removal of a required building construction or design 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.
n/a

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



Updated July 2022



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: Dean Mau

Date: 9/18/25

Email address: dean.mau@state.mn.us

Model Code: IFC

Telephone number: (651) 284-5335

Code or Rule Section: 7511

Firm/Association affiliation, if any:

Topic of proposal: **Definition: Reliable Power Source**

Code or rule section to be changed: **IFC Section 202**

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

Yes

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

(Derived from NFPA 20 section A9.3.2 and NEC Article 695)

Reliable Power Source: The Reliable Power Source shall possess the following characteristics:

1. The source power plant has not experienced any shutdowns longer than 4 continuous hours in the year prior to plan submittal.
 2. Power outages have not routinely been experienced in the area of the protected facility caused by failures in generation or transmission.
 3. The normal source of power is not supplied by overhead conductors outside the protected facility.
 4. Only the disconnect switches and overcurrent protection devices permitted by NFPA 20 section 9.2.3 are installed in the normal source of power.
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.
IFC section 913.2 (Fire Pumps)

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.)
This definition will create an easy to find definition, clarification, and consistent enforcement of the meaning of "reliable power source".
2. Why is the proposed code change a reasonable solution?
Allows an easily understood and accessed definition of an often confusing term.
3. What other factors should the TAG consider?
This language has also been approved by the State Electrical Department. (Dean Hunter)

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.
No
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?
Architects, engineers, fire sprinkler system designers, electricians.
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.
No
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.
No

***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.



CODE CHANGE PROPOSAL FORM

(Must be submitted electronically)

Author/requestor: David Martin

Date: 9/25/2025

Email address: david.martin4@kgsolutions.com

Model Code: IFC

Telephone number: 954-610-4636

Code or Rule Section:

Firm/Association affiliation, if any:

Topic of proposal: Smoke Alarms

Code or rule section to be changed: IFC Table 1103.8

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 checked="" type="checkbox"/> |
| B. Is the proposed change required due to climatic conditions of Minnesota? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Will the proposed change encourage more uniform enforcement? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. Will the proposed change remedy a problem? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E. Does the proposal delete a current Minnesota Rule, chapter amendment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Would this proposed change be appropriate through the ICC code development process? | <input checked="" 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).
IFC Table 1103.8

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

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

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

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

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

No

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

See attached

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? Please provide a general explanation as well as a specific explanation for any changes to numerical values (heights, area, etc.)

Providing a 10-year sealed battery option and clarification for the smoke alarm requirements provides a more reliable and, in some cases, cost effective option. It has been shown that when using a DC powered, 1 year alarm, many times consumers will remove the unit from the wall and remove the battery due to nuisance alarms. The consumer then forgets to reinstall the battery and the alarm, leaving the household vulnerable. 10-yr sealed battery alarms mitigate this with “hush” features and the inability to remove the battery.

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

Provides more safety and can be more flexible and cost-effective option.

3. What other factors should the TAG consider?

Widely available and easier to install and maintain, mitigates instances of consumers disabling the alarm due to nuisance alarms and then forgetting to re-enable the alarm. The National Association of State Fire Marshals (NASFM) has had [guidance on residential alarms being powered by a 10-year sealed battery since at least 2012](#). Several states and many jurisdictions have followed suit since then to better protect residents.

Cost/Benefit Analysis

1. Will the proposed code change increase or decrease costs? Please explain and provide estimates if possible.

For hard-wired it would decrease the cost. In the case of battery only requirement – requiring a sealed battery would minimally increase the cost and mitigates instances of consumers disabling the alarm due to nuisance alarms or low battery chirps and then forgetting to re-enable the alarm

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.

Yes, in the case of a battery only requirement – requiring a 10-year sealed battery would minimally increase the cost at purchase. That initial cost is offset by not needing to buy/replace batteries every year and will also increase safety as it mitigates instances of consumers disabling the alarm due to nuisance alarms or low-battery chirps and then forgetting to re-enable the alarm

3. If there is a cost increase, who will bear the costs? This can include government units, businesses, and individuals.
Individuals
4. Are there any enforcement or compliance cost increases or decreases with the proposed code change? Please explain.
No
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.

No, cost to change from a 1 yr DC alarm to a 10 yr DC alarm is minimal. Average cost per alarm is \$10-\$20.

Regulatory Analysis

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

Building/homeowners.

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.

There are no other methods. The suggestion would be to leave the code as it is today, which means that we continue to hope that homeowners and tenants will replace the battery annually, or replaces the battery when the consumer removes the battery due to a nuisance alarm.

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?

If the battery is not changed in unsealed device, the smoke alarm will not perform and could cause immense damage to life and property in the case of a fire.

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.

No.

***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.

MN Code Change Proposal from Kidde 9/25/25

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.

TABLE 1103.8

SMOKE ALARM REQUIREMENTS

CONDITION	LOCATION	POWER SUPPLY	INTERCONNECTION REQUIRED
Existing buildings that do not have any smoke alarms (same as new).	In hallways outside sleeping rooms. In sleeping rooms. On each level of the building and in basements. On ceiling or wall (less than 12 inches below ceiling). On center of ceiling above stairways.	If constructed on or after 8/1/1989, smoke alarms are required to be hard-wired (120 volt). If constructed before 8/1/1989, smoke alarms can be battery-powered. <u>Alarms that are solely battery powered shall have a nonreplaceable, nonremovable battery that is capable of powering the alarm for a minimum of 10 years.</u>	No interconnection is required for battery-powered alarms.
Existing buildings (constructed on or after 8/1/1989).	In hallways outside sleeping rooms. On each level and in basements. On ceiling or wall (less than 12 inches below ceiling).	Smoke alarms are required to be hard-wired (120 volt) <u>or battery powered provided they have a nonreplaceable, nonremovable battery that is capable of powering the alarm for a minimum of 10 years.</u>	No interconnection is required.
Existing buildings (constructed before 8/1/1989).	In hallways outside sleeping rooms. On each level and in basements. On ceiling or wall (less than 12 inches below ceiling).	Smoke alarms can be battery powered. <u>Alarms that are solely battery powered shall have a nonreplaceable, nonremovable battery that is capable of powering the alarm for a minimum of 10 years.</u>	No interconnection is required.
Replacement of smoke alarms in existing buildings.	Smoke alarms must be installed in same locations as originally installed.	Power supply must be the same as the smoke alarms being replaced.	Interconnection must be provided if the smoke alarms being replaced were interconnected.

Minnesota Department of Public Safety State Fire Marshal Division

FCCP 40

Fire Code Change Proposal Form

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

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

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

Date: [3-26-2025](#)

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

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

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

Code or rule section to be changed (include code or rule title and edition year): [2024 IFC 403.9.3 and Table 405.3](#)

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

YES: ☐ NO: ☒ UNKNOWN: ☐

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

General Information

Yes No

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

Proposed Language

1. The proposed code change is meant to:



Minnesota Department of Public Safety State Fire Marshal Division

☒ Change language contained the model code book? If so, list section(s).
[403.9.3, Table 405.3](#)

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

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

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

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

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

[No, but work in conjunction with Statute 144G.45 Subdivision 2](#)

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.

403.9.3 Group R-4 occupancies and state licensed Group R-3 care facilities.

An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group R-4 occupancies and state licensed Group R-3 care facilities. Group R-4 occupancies and state licensed Group R-3 care facilities shall comply with Sections 403.9.3.1 through 403.9.3.4.

TABLE 405.3—FIRE AND EVACUATION DRILL FREQUENCY AND PARTICIPATION

GROUP OR OCCUPANCY	FREQUENCY	PARTICIPATION
Group A	Quarterly	Staff
Group B ^a	Annually	All occupants
Group B (Ambulatory care facilities)	Quarterly on each shift	Staff
Group B ^a (Clinic, outpatient)	Annually	Staff
Group E	Monthly	All occupants
Group F	Annually	Employees
Group I-1 ^c	Semiannually on each shift	All occupants
Group I-2	Quarterly on each shift	Staff
Group I-3	Quarterly on each shift	Staff



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Group I-4	Monthly on each shift	All occupants
Group R-1	Quarterly on each shift	Employees
Group R-2 ^b	Four annually	All occupants
Group R-4 ^c	Semiannually on each shift	All occupants
<u>Group R-3 state licensed care facilities^c</u>	<u>Semiannually on each shift</u>	<u>All occupants</u>
<p>a. Emergency evacuation drills are required in Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.</p> <p>b. Emergency evacuation drills in Group R-2 college and university buildings shall be in accordance with Section 403.9.2.1. Other Group R-2 occupancies shall be in accordance with Section 403.9.2.2.</p> <p>c. In Groups I-1, and R-4, <u>and R-3 state licensed care facilities</u>, see Sections 403.7.1.4 and 403.9.3.4 for additional drills for staff.</p>		

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

Need and Reason

- Why is the proposed code change needed?
Minnesota statute and rules require some Group R-3 occupancies to be state licensed where supervised custodial care is provided with five or fewer persons. Such care facilities have the potential to include care recipients or residents who may require evacuation assistance during an emergency. As such, it's prudent for these occupancies to develop and maintain approved fire safety and evacuation plans and conduct periodic fire evacuation drills. Further, this change will coordinate with Minnesota Statutes, 144G.45, Subdivision 2, which includes requirements to develop and maintain fire safety and evacuation plans and conduct evacuation drills in assisted living facilities, which can be classified as Group R-3.
- Why is the proposed code change a reasonable solution?
It incorporates state licensed care facilities classified as Group R-3, which is a condition unique to Minnesota and not foreseen by the model code.
- Is there additional data or information that should be considered?
No

Cost/Benefit Analysis

- Will the proposed code change increase or decrease costs? Please explain.
No
- If there is an increased cost, will this cost be offset by a safety or other benefit? Please explain.
No



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State Fire Marshal Division

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 and operators, MDH
2. What are the probable costs to the agency and to any other State agencies of implementing and enforcing of the proposed rule? Is there an anticipated effect on state revenues?
No
3. Are there less costly intrusive methods for achieving the purpose of the proposed rule?
No
4. Can you think of other means or methods to achieve the purpose of the proposed code change? If so, please explain what they are and why your proposed change is the preferred method or means to achieve the desired result.
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?
These smaller licensed care facilities would not be required to have an emergency plan and provide staff and resident training in case of fire or other emergency occurring that requires taking action to evacuate the residents.
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



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

None

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



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