

Department of Labor and Industry**Proposed Permanent Rules Relating to Adopting Changes to the Accessibility Code****1341.0005 INCORPORATION OF ~~CHAPTER 11 OF THE 2012~~ INTERNATIONAL BUILDING CODE AND INTERNATIONAL EXISTING BUILDING CODE BY REFERENCE.**

For purposes of this chapter, "IBC" means the ~~2012~~ 2018 edition of the International Building Code as promulgated by the International Code Council, Inc., Washington, D.C. Chapter 11 of the IBC is incorporated by reference and made part of the Minnesota State Building Code except as amended in this chapter. Portions of this rule chapter reproduce excerpts from the ~~2012~~ 2018 IBC, International Code Council, Inc., Washington, D.C., copyright ~~2012~~ 2017, reproduced with permission, all rights reserved. The IBC is not subject to frequent change and a copy of the IBC, with amendments for use in Minnesota, is available in the office of the commissioner of labor and industry.

For purposes of this chapter, "IEBC" means the 2018 edition of the International Existing Building Code as promulgated by the International Code Council, Inc., Washington, D.C. Section 305 of the IEBC is incorporated by reference and made part of the Minnesota State Building Code except as amended in this chapter. Portions of this rule chapter reproduce excerpts from the 2018 IEBC, International Code Council, Inc., Washington, D.C., copyright 2017, reproduced with permission, all rights reserved. The IEBC is not subject to frequent change and a copy of the IEBC, with amendments for use in Minnesota, is available in the office of the commissioner of labor and industry.

1341.0011 IBC CHAPTER 11.

Subpart 1. **IBC section 1101, General.** Section 1101 is amended by adding a section ~~1101.3~~ 1101.2 to read as follows:

~~1101.3~~ **1101.2 Equity.** Where not all similar type facilities and spaces are required to be accessible, accessible facilities and spaces shall be provided with the same or equivalent elements as provided in the nonaccessible facilities and spaces.

Subp. 1a. **IBC section 1101, General.** Section 1101 is amended by adding a section ~~1101.4~~ 1101.3 to read as follows:

~~1101.4~~ **1101.3 Calculation of percentages.** Where the required number of elements or facilities to be provided is determined by calculations of ratios or percentages and remainders or fractions result, the next greater whole number of such elements or facilities shall be provided. Where the determination of the required size or dimension of an element or facility involves ratios or percentages, rounding down for values less than one-half is permitted.

Subp. 2. [See repealer.]

Subp. 2a. [See repealer.]

Subp. 3. **IBC section 1103, Scoping requirements.**

A. Section 1103.2.1, ~~Specific requirements~~, is amended to read as follows:

1103.2.1 Specific requirements. Accessibility is not required in buildings and facilities, or portions thereof, to the extent permitted by sections 1104 to ~~1113~~ 1111.

B. Section 1103.2.2, ~~Existing buildings~~, is amended to read as follows:

~~1103.2.2 Existing buildings.~~ Existing buildings shall comply with sections ~~1111 to 1113~~ as applicable.

B. Section 1103.2.8, Areas in places of religious worship, is deleted in its entirety.

C. Section 1103.2.12, Day care facilities, is deleted in its entirety.

D. ~~Section 1103.2.13, Live/work units, is deleted in its entirety.~~

~~E D.~~ Section 1103.2.16, Recreational facilities 1103.2, General exceptions, is amended by adding a section to read as follows:

~~1103.2.16~~ **1103.2.15 Recreational facilities.** Recreational equipment such as play structures, amusement rides, and miniature golf are not required to be accessible.

Subp. 3a. **IBC section 1103, Scoping requirements.** Section 1103 is amended by adding a section to read as follows:

1103.2.16 Existing buildings. Existing buildings shall comply with IEBC section 305 as amended by Minnesota Rules, part 1341.0030, as applicable.

Subp. 4. **IBC section 1104, Accessible route.**

~~A. Section 1104.3, Connected spaces, is amended by deleting exception 2.~~

~~B A.~~ Section 1104.4, ~~Multilevel buildings and facilities~~, is amended to read as follows:

1104.4 Multilevel buildings and facilities. Multilevel buildings and facilities shall comply with Sections 1104.4.1 to 1104.4.4 as applicable.

1104.4.1 General. At least one accessible route shall connect each level, ~~including mezzanines~~, accessible story, mezzanine, and occupied roof in multilevel buildings and facilities.

Exceptions:

1. An accessible route is not required to stories ~~and~~, mezzanines, or occupied roofs that have an occupant load of not more than 30 and are located above or below accessible levels.
2. ~~Levels~~ Stories, mezzanines, or occupied roofs that do not contain accessible elements or other spaces as determined by Section 1107 or 1108 are not required to be served by an accessible route from an accessible level.

3. In air traffic control towers, an accessible route is not required to serve the cab and the floor immediately below the cab.

~~4. Vertical access to elevated employee work stations within a courtroom is not required at the time of initial construction, provided a ramp, lift, or elevator can be installed without requiring reconfiguration or extension of the courtroom or extension of the electrical system.~~

1104.4.2 Specific public areas. At least one accessible route shall connect each level that is open to the public, including mezzanines, in the following multilevel buildings and facilities:

1. group M occupancies;
2. health care providers; (Group B or I occupancies);
3. nongovernment passenger transportation and airport facilities; (Group A-3 or B occupancies); and
4. government facilities.

Exception: In air traffic control towers, an accessible route is not required to serve the cab and the floor immediately below the cab.

1104.4.3 Musical risers. An accessible route shall be provided to the main floor level and to at least one riser level of built-in or fixed riser assemblies designed for instrumental or choral use.

Exception: An accessible route is not required to risers where performers are positioned on the main floor level at the base of the risers.

1104.4.4 Tiered areas. Tiered areas without fixed seats shall comply with Section 1104.4.4.1 or 1104.4.4.2.

1104.4.4.1 Small tiered areas utilizing the floor area at the base of the tier.

Where a tiered area has no more than five tiers, the tier assembly has an occupant load of not more than 300, and the floor level at the base of the tier is utilized for the same use as the tiers, an accessible route shall be provided to the floor level at the base of the tier.

1104.4.4.2 Other tiered areas. Tiered areas not complying with Section 1104.4.4.1 shall provide an accessible route to the floor level at the base of the tier and to 10 percent, but not less than one level, of the tiered levels. Accessible tiers shall be separated by a minimum of five intervening tiers.

Exceptions:

1. An accessible route shall not be required to tiers where the depth of each tier is 36 inches (915 mm) maximum.
2. An accessible route shall not be required to tiers where the floor level at the base of the tier is not utilized for the same use as the tiers, provided: there are no more than five tiers; the tier assembly has an occupant load of not more than 300; individuals are intended to sit directly on the tier surface; and, a clear floor space is provided adjacent to the tier which allows a transfer onto a tier.

€ B. Section 1104.5, ~~Location~~, is amended to read as follows:

1104.5 Location. Accessible routes shall be the shortest route possible and coincide with a primary use general circulation path. Where the circulation path is interior, the accessible route shall also be interior. Where the circulation path is within a tenant space in a multitenant facility, the accessible route shall also be within the tenant space. Where only one accessible route is provided, the accessible route shall not pass through kitchens, storage rooms, restrooms, closets, or similar spaces.

Exceptions:

1. Accessible routes from parking garages contained within and serving Type B dwelling units are required to be interior only when the garage provides required accessible parking and where dwelling units not providing accessible parking are provided with interior routes.
2. A single accessible route is permitted to pass through a kitchen or storage room in an Accessible unit, Type A unit, or Type B unit.
3. Where the accessible route cannot coincide with a general circulation path, the accessible route shall be located in the same area as the general circulation path.

Subp. 5. IBC section 1105, Accessible entrances.

A. Section ~~1105.1, Public entrances,~~ 1105 is amended to read as follows:

1105.1 Public entrances. In addition to accessible entrances required by sections 1105.1.1 to 1105.1.5, at least 60 percent of all public entrances to each building, facility, and tenant space shall be accessible.

Exceptions:

1. An accessible entrance is not required to areas not required to be accessible.
2. Loading and service entrances that are not the only entrance to a tenant space.

B. Subsection 1105.1.6 is deleted in its entirety.

~~B. C.~~ C. Section ~~1105.1.6~~ 1105.1.7, Tenant spaces, dwelling units and sleeping units, is renumbered and amended to read as follows:

1105.2 Dwelling unit and sleeping unit entrances. At least one accessible entrance shall be provided to each dwelling unit and sleeping unit required to be an Accessible unit, Type A unit, or Type B unit.

[For text of subparts 5a and 5b, see Minnesota Rules]

Subp. 6. **IBC section 1107, Dwelling units and sleeping units.**

A. Section ~~1107.4~~ 1107.3, Accessible route, ~~is spaces~~ is amended to read as follows: by deleting exception 3.

~~**1107.4 Accessible route.** At least one accessible route shall connect accessible building or facility entrances with the primary entrance of each Accessible unit, Type A unit, and Type B unit within the building or facility and with those exterior and interior spaces and facilities that serve the units.~~

~~**Exception:** If, due to circumstances outside the control of the owner, either the slope of the finished ground level between accessible facilities and Type B units exceeds one unit vertical in 12 units horizontal (1:12), or where physical barriers or legal restrictions prevent the installation of an accessible route, a vehicular route with parking that complies with section 1106 at each public or common use facility or building is permitted in place of the accessible route.~~

B. Section 1107.5, ~~Group I~~, is amended to read as follows:

1107.5 Group I. Accessible units and Type B units shall be provided in Group I occupancies in accordance with Sections 1107.5.1 to 1107.5.5. Dwelling units and sleeping units intended to be used by guests in Groups I-1 and I-2 occupancies providing Accessible units or Type B units shall comply with Sections 1107.6.1.1, 1107.6.1.3, and 1107.6.1.5.

C. Section 1107.5.1, ~~Group I-1~~, is amended to read as follows:

1107.5.1 Group I-1. In Group I-1 occupancies not licensed by the Department of Health, Accessible units and Type B units shall be provided in accordance with Sections 1107.5.1.1 and 1107.5.1.2. Group I-1 boarding care facilities licensed by the Department of Health shall be provided in accordance with Section 1107.5.1.3.

D. Section ~~1107.5.1.3, Boarding care~~ 1107.5.1, Group I-1, is amended by adding a section to read as follows:

1107.5.1.3 Boarding care. All boarding care resident rooms and common use bathing rooms provided only for boarding care resident use shall comply with Minnesota Rules, chapter 4660. All other rooms and spaces shall comply with the applicable provisions of this code.

E. Section 1107.5.2, ~~Group I-2 nursing homes~~, is amended to read as follows:

1107.5.2 Group I-2 nursing homes. In Group I-2 nursing homes licensed by the Department of Health, at least ~~ten~~ 50 percent, but not less than one room of all nursing home resident rooms, and all common use toilet rooms and bathing rooms provided only for nursing home resident use, shall comply with Minnesota Rules, part 4658.4150. All other rooms and spaces shall comply with the applicable provisions of this code.

Subsections 1107.5.2.1 and 1107.5.2.2 are deleted in their entirety.

F. Section ~~1107.5.5.1, Group I-3 sleeping units~~, is amended to read as follows:

~~**1107.5.5.1 Group I-3 sleeping units.** In Group I-3 occupancies, at least 3 percent of the total number of dwelling units and sleeping units in the facility, but not less than one unit in each classification level, shall be Accessible units.~~

~~G~~ F. Section 1107.6, ~~Group R~~, is amended to read as follows:

1107.6 Group R. Dwelling units and sleeping units shall be provided in Group R occupancies in accordance with Sections 1107.6.1 to 1107.6.4, except as provided in subitems (1) to (3). Bedrooms within student facilities and congregate living facilities shall be considered sleeping units for the purpose of determining the number of units.

(1) Dwelling units and sleeping units intended to be used by guests in Groups R-2, R-3, and R-4 occupancies providing Type B units shall comply with Sections 1107.6.1.1, 1107.6.1.3, and 1107.6.1.5.

(2) Facilities that provide student housing shall be considered sleeping units and comply with Sections 1107.6.1.1 to 1107.6.1.5.

(3) Crew quarters that are used exclusively as a residence by emergency response personnel of a government entity and the kitchens and bathrooms exclusively serving those quarters shall, at a minimum, comply with the provisions for Type B units.

HG. Section 1107.6.1, ~~Group R-1~~, is amended to read as follows:

1107.6.1 Group R-1. Accessible units, Type B units, and units with communication features shall be provided in Group R-1 occupancies in accordance with Sections 1107.6.1.1 to 1107.6.1.4. Units not required to be Accessible units or Type B units shall comply with Section 1107.6.1.5.

HH. Section 1107.6.1.1, ~~Accessible units~~, is amended to read as follows:

1107.6.1.1 Accessible units. Accessible dwelling units and sleeping units shall be provided in accordance with Table 1107.6.1.1. ~~All dwelling units and sleeping units on a site shall be considered to determine the total number of Accessible units. Table 1107.6.1.1 in the code applies to this part.~~ On a multiple-building site, where structures contain more than 50 dwelling units or sleeping units, the number of Accessible units shall be determined per structure. On a multiple-building site, where structures contain 50 or fewer dwelling units or sleeping units, all dwelling units and sleeping units on a site shall be considered to determine the total number of Accessible units.

HI. Section 1107.6.1, Group R-1, is amended by adding a section to read as follows:

1107.6.1.3 Communication features. Dwelling units and sleeping units with accessible communication features shall be provided in accordance with Table 1107.6.1.3 and shall provide the following:

1. audible and visual alarms complying with ICC A117.1; and
2. visual notification devices to alert room occupants of a door knock or bell. Notification devices shall not be connected to visual alarm signal appliances.

TABLE 1107.6.1.3

**DWELLING OR SLEEPING UNITS WITH
ACCESSIBLE COMMUNICATION FEATURES**

Total number of dwelling or sleeping units provided	Minimum required number of dwelling or sleeping units with accessible communication features
1	1
2 to 25	2
26 to 50	4
51 to 75	7
76 to 100	9
101 to 150	12
151 to 200	14
201 to 300	17
301 to 400	20
401 to 500	22
501 to 1,000	5 percent of total
Over 1,000	50, plus 3 for each 100 over 1,000

K. Section 1107.6.1, Group R-1, is amended by adding a section to read as follows:

1107.6.1.4 Dispersion. Units required to comply with Sections 1107.6.1.1 and 1107.6.1.3 shall be dispersed to multiple floors in multistory facilities having more than two stories or providing more than 100 total units. Units required to comply with Sections 1107.6.1.1 and 1107.6.1.3 shall be dispersed among the various classes of rooms. Where the minimum number of units required to comply with Sections 1107.6.1.1 and 1107.6.1.3 is not sufficient to allow for complete dispersion, units shall be dispersed in the following priority: room type, number of beds, and amenities. At least one unit required to comply with Section 1107.6.1.1 shall also comply with Section 1107.6.1.3. Not more than 10 percent of units required to comply with Section 1107.6.1.1 shall be used to satisfy the minimum number of units required to comply with Section 1107.6.1.3.

~~U~~ K. Section 1107.6.1, Group R-1, is amended by adding a section to read as follows:

1107.6.1.5 Passage doors. Passage doors into and within units not required to comply with Section 1107.6.1.1 or 1107.6.1.2 shall provide a clear width in compliance with ICC A117.1.

Exception: Shower and sauna doors.

~~M~~ L. Section 1107.6.2, ~~Group R-2~~, is amended to read as follows:

1107.6.2 Group R-2. Dwelling units and sleeping units shall be provided in Group R-2 occupancies in accordance with Sections ~~1107.6.2.1~~ 1107.6.2.2 and ~~1107.6.2.2~~ 1107.6.2.3.

Subsection 1107.6.2.1, Live/work units, is deleted in its entirety.

~~N~~ M. Section ~~1107.6.2.1.1, Type A units,~~ 1107.6.2.2.1 is amended to read as follows:

~~1107.6.2.1.1~~ **1107.6.2.2.1 Type A units.** In Group R-2 occupancies containing more than seven dwelling units or sleeping units, at least 2 percent but not less than one of the units shall be a Type A unit. All Group R-2 units within a contiguous parcel of land development, irrespective of lot lines and public rights-of-way within the development, shall be considered to determine the total number of units and the required number of Type A units. Type A units shall be dispersed among the various classes of units. Where three or more Type A units are required, at least one Type A unit shall be provided with an accessible roll-in shower.

Exceptions:

1. The number of Type A units is permitted to be reduced in accordance with Section 1107.7.
2. Existing Group R-2 units shall not contribute to the total number of units considered to determine the number of Type A units required.

~~Ø N.~~ Section ~~1107.6.2.2, Group R-2 other than apartment houses, monasteries, and convents,~~ 1107.6.2.3 is amended to read as follows:

~~1107.6.2.2~~ **1107.6.2.3 Group R-2 other than apartment houses, monasteries, and convents.** In Group R-2 occupancies, other than apartment houses, monasteries, and convents, dwelling units and sleeping units shall be provided in accordance with Sections 1107.6.1.1 to 1107.6.1.5. Bedrooms within congregate living facilities, dormitories, sororities, fraternities, and boarding houses shall be counted as sleeping units for the purpose of determining the number of units. Where the bedrooms are grouped into dwelling or sleeping units, only one bedroom in each dwelling or sleeping unit shall be permitted to count toward the number of required Accessible units.

Subsections ~~1107.6.2.2.1~~ 1107.6.2.3.1, Accessible units, and ~~1107.6.2.2.2~~ 1107.6.2.3.2, Type B units, are deleted in their entirety.

P.O. Section 1107.6.3, ~~Group R-3 occupancies~~, is amended to read as follows:

1107.6.3 Group R-3. Group R-3 occupancies shall comply with Section 1107.6.3.1, 1107.6.3.2, or 1107.6.3.3 as applicable.

1107.6.3.1 Dwelling units and sleeping units. In occupancies where there are four or more dwelling units or sleeping units intended to be occupied as a residence in a single structure, every dwelling unit and sleeping unit intended to be occupied as a residence shall be a Type B unit.

Exception: The number of Type B units is permitted to be reduced in accordance with Section 1107.7.

1107.6.3.2 Congregate living facilities, dormitories, sororities, fraternities, boarding houses, and care facilities. Congregate living facilities, dormitories, sororities, fraternities, boarding houses, and care facilities that have four or more sleeping units in each facility shall comply with Sections 1107.6.4.1 and 1107.6.4.2. Bedrooms within congregate living facilities, dormitories, sororities, fraternities, boarding houses, and care facilities shall be counted as sleeping units for the purpose of determining the number of units.

1107.6.3.3 Care facilities. Care facilities that provide accommodations for less than 24 hours are not required to be accessible.

Q.P. Section 1107.7, ~~General exceptions~~, is amended to read as follows:

1107.7 General exceptions. Where specifically permitted by Section 1107.5 or 1107.6, the required number of Type A and Type B units is permitted to be reduced in accordance with Sections 1107.7.1 to 1107.7.6.

R Q. Section 1107.7, General exceptions, is amended by adding a section to read as follows:

1107.7.6 Owner occupied units. Type A units are not required in dwelling units or sleeping units where sale of the unit occurs prior to construction of the unit and the dwelling unit owner declines the Type A provisions. The dwelling units and sleeping units shall be Type B units.

[For text of subpart 7, see Minnesota Rules]

Subp. 8. **IBC section 1109, Other features and facilities.**

[For text of items A and B, see Minnesota Rules]

C. Section 1109.2.2, ~~Water closet compartment~~, is amended to read as follows:

1109.2.2 Water closet compartment. Where water closet compartments are provided in a toilet room or bathing room, at least ~~one~~ five percent of the total number of compartments shall be wheelchair-accessible compartment shall be provided compartments. Where two or more water closet compartments are provided in a toilet room or bathing room, at least ~~one~~ five percent of the total number of compartments shall be ambulatory-accessible water closet compartment shall be provided compartments in addition to the wheelchair-accessible ~~compartment~~ compartments.

[For text of items D and E, see Minnesota Rules]

F. Section ~~1109.6, Swimming pools, wading pools, hot tubs, spas, saunas, and steam rooms,~~ is amended to read as follows:

~~1109.6 Swimming pools, wading pools, hot tubs, spas, saunas, and steam rooms.~~

~~Common use and public use swimming pools, wading pools, hot tubs, spas, saunas, and steam rooms shall be accessible.~~

~~**Exception:** Where hot tubs, spas, saunas, or steam rooms are clustered at a single location, at least 5 percent but not less than one of each type in each cluster shall be accessible.~~

G F. Section 1109.7, ~~Elevators~~, is amended to read as follows:

1109.7 Elevators. Passenger elevators on an accessible route shall be accessible and comply with Minnesota Rules, chapter 1307, Minnesota Elevators and Related Devices.

H G. Section 1109.8, ~~Lifts~~, is amended to read as follows:

1109.8 Lifts. Platform (wheelchair) lifts are permitted to be a part of a required accessible route in new construction where indicated in items 1 to ~~H~~ 10. Platform (wheelchair) lifts shall be accessible and comply with Minnesota Rules, chapter 1307, Minnesota Elevators and Related Devices.

1. An accessible route to a performing area and speaker platforms ~~in Group A occupancies~~.
2. An accessible route to wheelchair spaces required to comply with the wheelchair space dispersion requirements of Sections 1108.2.2 to 1108.2.6 or the accessible route requirements of Sections 1104.4.3 and 1104.4.4.
3. An accessible route to spaces that are not open to the general public with an occupant load of not more than five.
4. An accessible route within a dwelling or sleeping unit.
- ~~5. An accessible route to wheelchair seating spaces located in outdoor dining terraces in Group A-5 occupancies where the means of egress from the dining terraces to a public way are open to the outdoors.~~

~~6~~ 5. An accessible route to jury boxes and witness stands; raised courtroom stations including judges' benches, clerks' stations, bailiffs' stations, deputy clerks' stations, and court reporters' stations; and to depressed areas such as the well of the court.

~~7~~ 6. An accessible route to load and unload areas serving amusement rides.

~~8~~ 7. An accessible route to play components or soft contained play structures.

~~9~~ 8. An accessible route to team or player seating areas serving areas of sport activity.

~~10~~ 9. An accessible route where existing exterior site constraints make use of a ramp or elevator infeasible.

~~11~~ 10. An accessible route within a tenant space as required in Section 1104.5 where the area accessed by the lift has an occupant load of 150 maximum or where the structural limitations make use of an elevator impracticable.

~~I~~ H. Section 1109.10, ~~Detectable warnings~~, is amended to read as follows:

1109.10 Detectable warnings. Passenger transit platform edges bordering a drop-off and not protected by platform screens or guards and circulation paths that cross tracks shall have a detectable warning.

Exception: Detectable warnings are not required at bus stops.

~~J~~ I. Section 1109.12.3, ~~Point of sale and service counters~~, is amended to read as follows:

1109.12.3 Point of sale and service counters. Where counters are provided for sales or distribution of goods or services, at least one of each type provided in each area shall be accessible. Where such counters are dispersed throughout the building or facility, accessible counters shall also be dispersed.

~~K~~ J. Section 1109.14, Fuel dispensing systems, is deleted in its entirety.

~~E~~ K. Section 1109, Other features and facilities, is amended by adding four sections to read as follows:

1109.16 Automatic teller and fare vending machines. Where automatic teller and fare vending machines are provided, at least one machine at each location shall be accessible. Where bins are provided for envelopes, wastepaper, or other purposes, at least one of each type shall be accessible.

1109.17 Public telephones. Where coin-operated public pay telephones, coinless public pay telephones, public closed-circuit telephones, courtesy telephones, or other types of public telephones are provided, public telephones shall be provided in accordance with Section 1109.17 for each type of public telephone provided. For purposes of this section, a bank of telephones shall be considered two or more adjacent telephones. For purposes of this section, "public building" means a building or portion of a building constructed by, on behalf of, or for the use of the state of Minnesota or any local government and any department, agency, public school district, special purpose district, or other instrumentality of the state or local government.

1109.17.1 Wheelchair accessible telephones. Where public telephones are provided, telephones complying with ICC A117.1 shall be provided in accordance with Table 1109.17.1.

Exception: Drive-up only public telephones.

TABLE 1109.17.1

WHEELCHAIR ACCESSIBLE TELEPHONES

Number of Telephones Provided on a Floor, Level, or Exterior Site	Minimum Required Number of Wheelchair Accessible Telephones
1 or more single units	1 per floor, level, and exterior site
1 bank	1 per floor, level, and exterior site
2 or more banks	1 per bank

1109.17.2 Volume controls. All public telephones shall have volume controls complying with ICC A117.1.

1109.17.3 TTYs. TTYs complying with ICC A117.1 shall be provided in accordance with Section 1109.17.3.

1109.17.3.1 Bank requirement. Where four or more public pay telephones are provided at a bank of telephones, at least one public TTY complying with ICC A117.1 shall be provided at that bank.

Exception: TTYs shall not be required at banks of telephones located within 200 feet (61 m) of, and on the same floor as, a bank containing a public TTY.

1109.17.3.2 Floor requirement. TTYs in public buildings shall be provided in accordance with Section 1109.17.3.2.1. TTYs in private buildings shall be provided in accordance with Section 1109.16.3.2.2.

1109.17.3.2.1 Public buildings. Where at least one public pay telephone is provided on a floor of a public building, at least one public TTY shall be provided on that floor.

1109.17.3.2.2 Private buildings. Where four or more public pay telephones are provided on a floor of a private building, at least one public TTY shall be provided on that floor.

1109.17.3.3 Building requirement. TTYs in public buildings shall be provided in accordance with Section 1109.17.3.3.1. TTYs in private buildings shall be provided in accordance with Section 1109.17.3.3.2.

1109.17.3.3.1 Public buildings. Where at least one public pay telephone is provided in a public building, at least one public TTY shall be provided in the building.

1109.17.3.3.2 Private buildings. Where four or more public pay telephones are provided in a private building, at least one public TTY shall be provided in the building.

1109.17.3.4 Exterior site requirement. Where four or more public pay telephones are provided on an exterior site, at least one public TTY shall be provided on the site.

1109.17.3.5 Rest stops, emergency roadside stops, and service plazas. Where a public pay telephone is provided at a public rest stop, emergency roadside stop, or service plaza, at least one public TTY shall be provided.

1109.17.3.6 Hospitals. Where a public pay telephone is provided serving a hospital emergency room, hospital recovery room, or hospital waiting room, at least one public TTY shall be provided at each location.

1109.17.3.7 Transportation facilities. In addition to the requirements of Sections 1109.17.3.1 to 1109.17.3.4, in transportation facilities, where one public pay telephone serves a particular entrance to a bus or rail facility, a TTY shall be provided to serve that entrance. In airports, in addition to the requirements of Sections 1109.17.3.1 to 1109.17.3.4, if four or more public pay telephones are located in a terminal outside the security areas, a concourse within the security areas, or a baggage claim area in a terminal, at least one public TTY shall also be provided in each location.

1109.17.3.8 Detention and correctional facilities. In detention and correctional facilities, where a public pay telephone is provided in a secured area used only by detainees or inmates and security personnel, then at least one TTY shall be provided in at least one secured area.

1109.17.4 Shelves for portable TTYs. Where a bank of telephones in the interior of a building consists of three or more public pay telephones, at least one public pay telephone at the bank shall be provided with a shelf and an electrical outlet in accordance with ICC A117.1.

Exceptions:

1. Secured areas of detention and correctional facilities where shelves and outlets are prohibited for purposes of security or safety shall not be required to comply with Section 1109.17.4.
2. The shelf and electrical outlet shall not be required at a bank of telephones with a TTY.

1109.18 Airplane hangars. An accessible route and accessible entrance shall be provided to 5 percent of all airplane hangars in a facility, but not less than one hangar used for the storage or repair of private aircraft.

1109.19 Two-way communication systems. Where a two-way communication system is provided to gain admittance to a building or facility or to restricted areas within a building or facility, the system shall comply with ICC A117.1.

Subp. 8a. **IBC section 1110, Recreational facilities.**

- A. Section 1110.4.8 is amended to read as follows:

1110.4.8 Amusement rides. Amusement rides that move persons through a fixed course within a defined area shall comply with Sections 1110.4.8.1 and 1110.4.8.2.

Exception: Mobile or portable amusement rides shall not be required to be accessible.

- B. Section 1110.4.8.2 is amended to read as follows:

1110.4.8.2 Wheelchair spaces, ride seats designed for transfer, and transfer devices. Where amusement rides are in the load and unload position, the position serving a wheelchair space shall be on an accessible route.

C. Section 1110.4.8.3, Minimum number, is deleted in its entirety.

D. Section 1110.4.12, Miniature golf facilities, and its subsections are deleted in their entirety.

Subp. 9. **IBC section ~~1110~~ 1111, Signage.** Section ~~1110~~ 1111 is deleted in its entirety and replaced with the following:

SECTION ~~1110~~ 1111

SIGNAGE

A.

~~1110.1~~ **A. 1111.1 General.** Signs shall be provided in accordance with Section ~~1110~~ 1111 and shall comply with ICC A117.1.

Exceptions:

1. Building directories, menus, seat and row designations in assembly areas, occupant names, building addresses, and company names and logos shall not be required to comply.
2. Temporary, seven days or less, signs shall not be required to comply.
3. In detention and correctional facilities, signs not located in public use areas shall not be required to comply.

B.

~~1110.2~~ **B. 1111.2 Designations.** Interior and exterior signs identifying toilet rooms, bathing rooms, locker rooms, dressing rooms, fitting rooms, room numbers, and room names shall

comply with ICC A117.1, section 703.3. Where pictograms are provided, they shall comply with ICC A117.1, section 703.5 and include text descriptors. The International Symbol of Accessibility complying with ICC A117.1, section 703.6.3.1 shall be provided at the following locations:

1. Accessible passenger loading zones.
2. Accessible toilet and bathing rooms where not all such rooms are accessible.
3. Accessible dressing, fitting, and locker rooms where not all such rooms are accessible.
4. Accessible lockers located in recreational facilities.

~~1110.2.1~~ 1111.2.1 Exterior signs. Exterior signs that are not located at the door to the space they serve shall comply with ICC A117.1, section 703.2.

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~~1110.3 C.~~ 1111.3 Directional and informational signs. Signs that provide direction to or information about interior spaces and facilities of the site shall comply with the visual character requirements in ICC A117.1, section 703.2.

1111.3.1 Directional signs. Directional signage indicating the route to the nearest like accessible element shall be provided at the following locations and shall include the International Symbol of Accessibility and sign characters shall meet the visual character requirements in accordance with ICC A117.1.

1. Inaccessible public toilets and bathing facilities.
2. Elevators not serving an accessible route.
3. At each separate-sex toilet and bathing room indicating the location of the nearest family/assisted use toilet or bathing room where provided in accordance with Section 1109.2.1.

4. Where drinking fountains for persons using wheelchairs and drinking fountains for standing persons are not located adjacent to each other, directional signage shall be provided indicating the location of the other drinking fountains.

5. At amusement rides where accessible unload areas also serve as accessible load areas, signs indicating the location of the accessible load and unload areas shall be provided at entries to queues and waiting lines.

~~D.~~

1110.4 D. 1111.4 Means of egress. Signage providing instructions for the operation of exit doors shall comply with ICC A117.1, section 703.2. Floor designations within exit stairways shall comply with ICC A117.1, section 504.9. Other signs for accessible means of egress shall comply with IBC chapter 10.

~~E.~~

1110.5 E. 1111.5 Parking. Accessible parking spaces shall be identified by signs complying with ICC A117.1, section 502.7.

~~Exception~~ Exceptions:

1. Where the total number of parking spaces provided is four or less, identification of accessible parking spaces is not required.

2. In residential facilities Group I-1, R-2, R-3, and R-4, where parking spaces are assigned to specific residential dwelling units or sleeping units, identification of accessible parking spaces shall not be required.

~~F.~~

1110.6 F. 1111.6 Entrances. Where not all entrances are accessible, accessible entrances shall be identified by the International Symbol of Accessibility complying with ICC A117.1,

section 703.6.3.1. Directional signs complying with ICC A117.1, section 703.2, that indicate the location of the nearest accessible entrance shall be provided at all nonaccessible entrances.

~~G.~~

~~1110.7~~ **G. 1111.7 TTYs.** TTY identification and directional signs shall be provided in accordance with Section ~~1110.7~~ 1111.7.

~~1110.7.1~~ **1111.7.1 Identification signs.** Public TTYs shall be identified by the International Symbol of TTY complying with ICC A117.1, section 703.6.3.2.

~~1110.7.2~~ **1111.7.2 Directional signs.** Directional signs indicating the location of the nearest public TTY shall be provided at all banks of public pay telephones not containing a public TTY. In addition, where signs provide direction to public pay telephones, they shall also provide direction to public TTYs. Directional signs shall comply with ICC A117.1, section 703.2, and shall include the International Symbol of TTY complying with ICC A117.1, section 703.6.3.2.

~~H.~~

~~1110.8~~ **H. 1111.8 Assistive listening systems.** Each assembly area required to provide assistive listening systems shall provide signs informing patrons of the availability of the assistive listening system. Assistive listening signs shall comply with ICC A117.1, section 703.2, and shall include the International Symbol of Access for Hearing Loss complying with ICC A117.1, section 703.6.3.3.

Exception: Where ticket offices or windows are provided, signs shall not be required at each assembly area provided that signs are displayed at each ticket office or window informing patrons of the availability of assistive listening systems.

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~~1110.9~~ **1111.9 Check-out aisles.** Where not all check-out aisles are accessible, accessible check-out aisles shall be identified by the International Symbol of Accessibility complying with ICC A117.1, section 703.6.3.1. Signage at accessible check-out aisles shall be located in the same location as the nonaccessible check-out aisle identification.

Exception: Where all check-out aisles serving a single function are accessible, signs complying with ICC A117.1, section 703.6.3.1, shall not be required.

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~~1110.10~~ **1111.10 Variable message signs.** Where provided in the locations in sections ~~1110.10.1~~ 1111.10.1 and ~~1110.10.2~~ 1111.10.2, variable message signs (VMS) shall be accessible.

~~1110.10.1~~ **1111.10.1 Transportation facilities.** Where provided in transportation facilities, variable message signs conveying transportation-related information shall comply with section ~~1110.10~~ 1111.10.

~~1110.10.2~~ **1111.10.2 Emergency shelters.** Where provided in buildings that are designated as emergency shelters, variable message signs conveying emergency-related information shall comply with section ~~1110.10~~ 1111.10.

Exception: Where equivalent information is provided in an audible manner, VMS signs are not required to comply with section ~~1110.10~~ 1111.10.

Subp. 10. [Repealed, 39 SR 95]

Subp. 11. [See repealer.]

Subp. 12. [See repealer.]

Subp. 13. [See repealer.]

1341.0030 IEBC SECTION 305, ACCESSIBILITY FOR EXISTING BUILDINGS.

Subpart 1. IEBC section 305.1. Scope. Section 305.1 is amended by adding a section to read as follows:

305.1.2 References to other International Code Council codes. References to the International Building Code in section 305 means the Minnesota Accessibility Code, Minnesota Rules, part 1341.0011.

Subp. 2. IEBC section 305.4.2, Complete change of occupancy. Section 305.4.2 is amended to read as follows:

305.4.2 Complete change of occupancy. Where an entire building undergoes a change of occupancy, it shall comply with Section 305.4.1 and shall have all of the following accessible features:

1. Not fewer than one accessible building entrance.
2. Not fewer than one accessible route from an accessible building entrance to primary function areas.
3. Signage complying with IBC Section 1111.
4. Accessible parking, where parking is being provided.
5. Not fewer than one accessible passenger loading zone, where loading zones are provided.
6. Not fewer than one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.
7. Not fewer than one accessible family or assisted-use toilet room or bathing room, or one accessible male and one accessible female toilet room or bathing room, shall be located on an accessible route not more than one story above or one story below a floor without such facilities. At the inaccessible toilet and bathing

rooms, directional signs indicating the location of the nearest family or assisted-use toilet room or bathing room shall be provided. These directional signs shall include the International Symbol of Accessibility, and sign characters shall meet the visual character requirements in accordance with ICC A117.1.

Where it is technically infeasible to comply with the new construction standards for any of these requirements for a change of group or occupancy, items 1 to 7 shall conform to the requirements to the maximum extent technically feasible.

Exception: The accessible features listed in items 1 to 7 are not required for an accessible route to Type B units.

Subp. 3. **IEBC section 305.7, Alterations affecting an area containing a primary function.** Section 305.7 is amended to read as follows:

305.7 Alterations affecting an area containing a primary function. Where an alteration affects the accessibility to or contains an area of primary function, the route to the primary function area shall be accessible. The accessible route to the primary function area shall include toilet facilities, parking facilities, and drinking fountains serving the area of primary function.

Exceptions:

1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of primary function.
2. This provision does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets, and signs.
3. This provision does not apply to alterations limited solely to mechanical systems, electrical systems, installation or alteration of fire protection systems, and abatement of hazardous materials.

4. This provision does not apply to alterations undertaken for the primary purpose of increasing the accessibility of a facility.

5. This provision does not apply to altered areas limited to Type B dwelling and sleeping units.

Subp. 4. **IEBC section 305.8, Scoping for alterations.**

A. Section 305.8.2 is amended to read as follows:

305.8.2 Elevators. Altered elements of existing elevators shall comply with Minnesota Rules, chapter 1307, Minnesota Elevators and Related Devices, and ICC A117.1. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

B. Section 305.8.3 is amended to read as follows:

305.8.3 Platform lifts. Platform (wheelchair) lifts complying with ICC A117.1 and installed in accordance with Minnesota Rules, chapter 1307, Minnesota Elevators and Related Devices, shall be permitted as a component of an accessible route. Standby power shall be provided where a platform lift provides the only accessible route from a space listed in IBC Section 1109.8.

C. Section 305.8.7 is amended to read as follows:

305.8.7 Type A dwelling or sleeping units. Where more than seven Group R-2 dwelling or sleeping units are being altered or added, the requirements of IBC Section 1107 for Type A units apply only to the quantity of the spaces being altered or added.

D. Section 305.10.1 is amended by adding subsections to read as follows:

305.8.10.1 Ambulatory compartment. In addition to the provisions of Section 305.8.10, an ambulatory compartment shall be provided within the existing toilet room or bathing room, unless technically infeasible.

305.8.10.2 Ambulatory compartment. Where it is technically infeasible to alter the existing toilet rooms and bathing rooms to be accessible or provide a family or assisted-use toilet room or bathing room in compliance with Section 305.8.10, an ambulatory compartment with a minimum clear floor space of 48 inches in front of the water closet shall be provided in the existing toilet room or bathing room, unless technically infeasible.

E. Section 305.8.13, Fuel dispensers, is deleted in its entirety.

F. Section 305.8.15, Amusement rides, is deleted in its entirety.

G. Section 305.8, Scoping of alterations, is amended by adding a section to read:

305.8.16 Addition of pedestrian route. Where a pedestrian route is installed where none existed previously, an accessible route shall be provided.

H. Section 305.8, Scoping of alterations, is amended by adding a section and subsections to read as follows:

305.8.17 Assembly areas. Assembly areas shall comply with Sections 305.8.17.1 and 305.8.17.2.

305.8.17.1 Wheelchair seating. Where it is technically infeasible to disperse accessible seating throughout an altered assembly area, accessible seating areas shall be permitted to be clustered. Each accessible seating area shall provide for companion seating and shall be located on an accessible route.

305.8.17.2 Performance area. Where it is technically infeasible to alter all performing areas to be on an accessible route, at least one of each type of performing area shall be made accessible.

I. Section 305.8, Scoping of alterations, is amended by adding a section to read as follows:

305.8.18 Check-out aisles. Where check-out aisles are altered, at least one of each type of check-out aisle serving each function shall be made accessible until the number of accessible check-out aisles complies with IBC Section 1109.12.2.

J. Section 305.8, Scoping of alterations, is amended by adding a section to read as follows:

305.8.19 Parking restriping. Renewing existing parking striping shall be allowed. New striping, due to resurfacing, reconfiguration of parking spaces, or other reasons, shall provide accessible spaces as applicable in IBC Sections 1106.1 to 1106.7.

1341.0406 A117.1 SECTION 406, CURB RAMPS AND BLENDED TRANSITIONS.

A117.1 section 406 is amended to add a section to read as follows:

406.15 Parallel curb ramps. Parallel curb ramps shall comply with Section 406.15.

406.15.1 Landing. A landing 48 inches (1,220 mm) minimum by 48 inches (1,220 mm) minimum shall be provided at the bottom of the curb ramp and shall be permitted to overlap pedestrian routes and clear spaces. Where the landing is constrained on two or more sides, the landing shall be 48 inches (1,220 mm) minimum by 60 inches (1,525 mm) minimum. The 60 inches (1,525 mm) dimension shall be provided in the direction of the pedestrian street crossing. The slope of the landing shall be 1:48 maximum in all directions.

406.15.2 Running slope. The running slope of the curb ramp shall be in-line with the direction of sidewalk travel. The running slope of the curb ramp shall be 1:20 minimum and 1:12 maximum. The curb ramp run length shall not exceed 7 feet (2,134 mm).

406.15.3 Width. The clear width of curb ramp runs at parallel curb ramps shall be 48 inches (1,220 mm) minimum.

1341.0904 A117.1 SECTION 904, SALES AND SERVICE COUNTERS.

Subpart 1. A117.1 section 904.2, Approach. A117.1 section 904.2 is amended to read as follows:

904.2 Approach. All portions of counters required to be accessible shall be located where transactions or services are customarily provided and be adjacent to a walking surface complying with section 403.

Subp. 2. A117.1 section 904.3, Sales and service counters. A117.1 section 904.3 is amended to read as follows:

904.3 Sales and service counters and windows. Sales and service counters and windows shall comply with Section 904.3.1 and either Section 904.3.2 or 904.3.3. Where counters are provided, the accessible portion of the countertop shall extend the same depth as the public portion of the sales and service countertop provided for standing customers.

Exception: In alterations, when the provision of a counter complying with this section would result in a reduction of the number of existing counters at work stations or a reduction of the number of existing mail boxes, the counter shall be permitted to have a portion which is 24 inches (610 mm) minimum in length complying with Section 904.3.2, provided that the required clear floor space is centered on the accessible length of the counter.

904.3.1 Vertical barriers. At service windows or service counters, any vertical barrier between service personnel and customers shall be at a height of 43 inches (1,090 mm) maximum above the floor.

Exception: Transparent security glazing shall be permitted above the 43 inches (1,090 mm) maximum height.

904.3.2 Parallel approach. A portion of the public use side of the counter surface 36 inches (915 mm) minimum in length and 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor shall be provided. A clear floor space positioned for a parallel approach adjacent to the accessible counter shall be provided. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum.

Exception: Where the counter surface is less than 36 inches (915 mm) in length, the entire counter surface shall be 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor.

904.3.3 Forward approach. A portion of the public use side of the counter surface 30 inches (760 mm) minimum in length and 36 inches (915 mm) maximum in height above the floor shall be provided. A clear floor space positioned for a forward approach to the accessible counter shall be provided. Knee and toe clearance complying with Section 306 shall be provided under the accessible counter. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum.

1341.1002 A117.1 SECTION 1002, ACCESSIBLE UNITS.

A117.1 section 1002.15 is amended by adding a subsection to read as follows:

1002.15.3 Bed height. At least one bed shall measure 17 inches (430 mm) minimum to 23 inches (585 mm) maximum high from the floor to the top of the uncompressed mattress.

REPEALER. Minnesota Rules, part 1341.0011, subparts 2, 2a, 11, 12, and 13, are repealed.

EFFECTIVE DATE. Minnesota Rules, parts 1341.0005 to 1341.1002, are effective March 31, 2020, or five business days after publication of the Notice of Adoption in the State Register, whichever is later.