
FIRE PREVENTION AND BUILDING SAFETY COMMISSION
Department of Homeland Security

Written Interpretation of the State Building Commissioner

Interpretation #: CEB-2020-38-2020 IRC-R310.6

Building or Fire Safety Law Interpreted

[675 IAC 14-4.4](#) 2020 Indiana Residential Code, Section R310.6 Alterations or repairs of existing basements. An emergency escape and rescue opening is not required where existing *basements* undergo alterations or repairs.

Exception: New sleeping rooms created in an existing *basement* shall be provided with emergency escape and rescue openings in accordance with Section R310.1.

Issue

Whether Section R310.6 of the 2020 Indiana Residential Code (IRC) requires one or more emergency escape and rescue openings in an existing basement that is undergoing alteration, and which will not include sleeping rooms.

Interpretation of the State Building Commissioner

Section R310.6 of the 2020 IRC does *not* require one or more emergency escape and rescue openings in an existing basement undergoing alteration, and which will not include sleeping rooms.

Rationale

Section R310.6 is clear in its stated intent: when altering or repairing an existing basement, the owner is not required to install emergency escape and rescue openings, unless one or more sleeping rooms are being newly created as part of the alteration or repair work.

This statement may appear to some as a conflict with Section R310.1, which calls for all basements to have at least one operable emergency escape and rescue opening. However, that is incorrect – a conflict does not exist between the two sections. While it might have been clearer if the content of R310.6 had appeared as an exception within R310.1, this is not necessary in order to understand the code's intent because the two sections apply to two different scenarios, i.e., new basements and existing basements.

There is no general requirement in Indiana to bring an existing Class 2 structure into compliance when a new Class 2 code is adopted, so there is no blanket applicability of R310.1 to an existing basement. The new rules apply only to new construction, whether that is a) an entirely new structure, or b) new construction on or within an existing structure. For emergency escape and rescue openings, the IRC contains provisions for each case: R310.1 applies to new basements, and R310.6 applies to existing basements undergoing alteration or repair. They have different purposes and apply to different conditions, and as such, they are not in conflict.

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