

# MINNESOTA CODE OF AGENCY RULES

## RULES OF THE BOARD OF ELECTRICITY

1982 Reprint



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Prepared by

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## BOARD OF ELECTRICITY

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## **State Board of Electricity Rules and Regulations**

### **CHAPTER ONE: ELEC 1-10**

#### **INSPECTIONS**

##### **Elec 1 Request for Inspection**

(a) Filing. At or before commencement of any electrical installation which is required by law to be inspected (See Elec 5) the person responsible for the installation shall forward a request for inspection to the Board completed in the manner prescribed by the Board.

(b) Periodic Filing. On installations requiring more than 6 months in process of construction and in excess of \$300,000 total inspection fees, the persons responsible for the installation may, after a minimum filing fee of \$100, pay a prorated fee for each month and submit it with an order for payment, initiated by the electrical inspector.

(c) Request for inspection certificates on installations of fees \$100 or less are void 18 months from the original filing date. A new request for inspection shall be filed on all unfinished work.

**Elec 2 Rough-in Inspection** Where wiring is to be concealed, the inspector must be notified in reasonable time to complete a rough-in inspection prior to concealment, exclusive of Saturdays, Sundays, and Holidays. In the event wiring is concealed before rough-in inspection without adequate notice having been given to the inspector, the person responsible for having enclosed the wiring shall be responsible for all costs resulting from uncovering and replacing the cover material.

**Elec 3 Inspectors.** All inspectors for the Board shall hold licenses as Master or Journeyman electricians under M.S. 326.242, Subd 1 or Subd 2 and shall give bond in the amount of \$1,000.00 conditioned upon the faithful performance of their duties.

**4 MCAR § 11.004 Inspection Fees.**

A. Payment of fees. Except as provided in Elec 1 (b), all state electrical inspection fees are due and payable to the board at or before commencement of the installation and shall be forwarded with the request for inspection.

B. Fee schedule. State electrical inspection fees shall be paid according to the following schedule.

1. The minimum fee for each separate inspection of an installation, replacement, alteration, or repair limited to one inspection only is \$8.

2. Services, changes of services, temporary services, additions, alterations, or repairs on either primary or secondary services shall be computed separately.

The inspection fee for electrical services shall be:

- a. 0 to and including 200 ampere capacity \$10;
- b. For each additional 100 ampere capacity or fraction thereof \$4.

3. Circuit installations, additions, alterations or repairs of each circuit or subfeeder shall be computed separately including circuits fed from subfeeders and including the equipment served, except as provided for in items a.-k. The inspection fee for electrical circuits shall be:

0 to and including 30 ampere capacity \$3. The maximum number of 0 to 30 ampere circuits for which a fee is charged is 30 in any one cabinet;

31 to and including 100 ampere capacity \$4;

For each additional 100 ampere capacity or fraction thereof \$1.

a. The maximum fee on a farmstead wired as a single installation, or on a single family dwelling, shall not exceed \$40 if the electrical services are not over 200 ampere capacity. The fee includes service, feeders, circuits, fixtures, and equipment. This maximum fee includes not more than three inspections. Additional inspections shall be charged the reinspection fee specified in 5. Pole top current metering and pole top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

b. The maximum fee on a farmstead wired as a single installation, or on a single family dwelling, shall not exceed \$80 if the electrical services are not over 400 ampere capacity. If more than one service entrance is installed on a single family dwelling, the maximum fee for each service shall not exceed \$40. This fee includes services, feeders, circuits, fixtures, and equipment. This maximum fee includes not more than four inspections. Additional inspections shall be charged the reinspection fee specified in 5. Pole top current metering and pole top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

c. The maximum fee on an apartment building shall not exceed \$18 per dwelling unit for the first 20 units and \$14 per dwelling unit for each unit in excess of 20. This maximum fee does not include any circuits other than those in the individual dwelling units. All other circuits shall be calculated as

specified in this rule. The maximum fee for each house panel shall not exceed \$40. The maximum fee for a two-unit dwelling or duplex shall be the same as for two single family dwellings.

d. The maximum number of 0 to 30 ampere circuits for which a fee is charged on any one athletic field lighting standard is ten.

e. The maximum fee on mobile home park stalls shall not exceed \$6 per unit stall for the first 20 stalls and \$3 per each additional stall.

f. In addition to the above fees, a charge of \$1 will be made for each street lighting standard, and a charge of \$2 will be made for each traffic signal standard. Circuits originating within the standard will not be used when computing the fee.

g. In addition to the above fees the fees for all transformers and generators for light, heat, and power shall be computed separately at \$3 per unit plus 20 cents per kilovolt-ampere up to and including 100 kilovolt-amperes, 101 kilovolt-amperes and over at ten cents per kilovolt-ampere. The maximum fee for any transformer or generator in this category is \$25.

h. In addition to the above fees the inspection fees for all transformers for signs and outline lighting shall be computed at \$3 for the first 500 volt amperes or fraction thereof per unit, plus 30 cents for each additional 100 volt amperes or fraction thereof.

i. In addition to the above fees (unless included in the maximum fee filed by the initial installer) the inspection fee for remote control, signal circuits, and circuits of less than 50 volts shall be computed at \$3 per each ten openings or devices of each system plus \$1 for each additional ten or fraction thereof.

j. In addition to the above fees, the inspection fee for each separate inspection of a swimming pool shall be computed at \$13. Reinforcing steel for swimming pools requires a rough-in inspection.

k. In addition to the above fees, the fees for all wiring on center pivot irrigation booms shall be computed at \$25. The fees for all other wiring shall be computed separately as specified in this rule.

4. For the review of plans and specifications of proposed installations, there shall be a minimum fee of \$100, up to and including \$30,000 of electrical estimate, plus one-tenth of one percent on any amount in excess of \$30,000 to be paid by persons or firms requesting the review.

5. When reinspection is necessary to determine whether unsafe conditions have been corrected and such conditions are not the subject of an appeal pending before the board or any court, a reinspection fee of not to exceed the original unit fee or \$8, whichever is less, may be assessed in writing by the inspector.

6. For inspections not covered herein, or for requested special inspections or services, the fee shall be \$17 per man hour, including travel time, plus 24 cents per mile traveled, plus the reasonable cost of equipment or material consumed. This provision is also applicable to inspection of empty conduits and such other jobs as determined by the board.

7. For inspection of transient projects, including but not limited to

carnivals and circuses, the inspection fees shall be computed as follows:

The fee for inspection of power supply units shall be that fee specified in 2. A like fee will be required on power supply units at each engagement during the season, except that a fee of \$17 per hour will be charged for additional time spent by the inspector if the power supply is not ready for inspection at the time and date specified on the request for inspection as required by law.

Rides, devices, or concessions shall be inspected at their first appearance of the season, and the inspection fee shall be \$8 per unit.

8. The handling fee to pay the cost of printing and handling the form requesting an inspection shall be \$1.

9. For purposes of interpretation of the provisions of this chapter the most recently published edition of the National Electrical Code shall be prima facie evidence of the definitions, interpretations and scope of words and terms used in this chapter.

Effective date. This rule is effective May 1, 1982.

**Elec 5 Minor Repair Work Defined** Minor repair work as used in M.S.

326.244 shall mean the adjustment or repair and replacement of worn or defective parts of electrical fixtures, switches, receptacles and other equipment provided that such minor repairs are made in compliance with accepted standards of construction for safety to life and property as defined in M.S. 326.243 and do not require replacement of the wiring to them. The Board's inspectors or agents may inspect any such minor repairs at the request of the owner or person making such repairs.

The effective date of modifications to Elec 1 and Elec 4 Chapter One shall be March 15, 1976.

## CHAPTER TWO: ELEC 11-20

### ENFORCEMENT, PROCEDURES

**Elec 11 Condemnation of Hazardous Installations.** When ordered: When an electrical inspector finds that a new installation or part of a new installation that is not energized is not in compliance with accepted standards of construction as required by M.S. 326.243 Safety Standards of the Minnesota Electrical Act the inspector shall if the installation or the non-complying part thereof is such as to seriously and proximately endanger human life and property if it was to be energized, order with the approval of his superior, immediate condemnation of the installation or non-complying part. When the person responsible for making the installation condemned hereunder is notified he shall promptly proceed to make the corrections cited in this condemnation order.

**Elec 12 Disconnection of Hazardous Installation.** When ordered: If while making an inspection the electrical inspector finds that a new installation that is energized is not in compliance with accepted standards of construction as required by M.S. 326.243 Safety Standards of the Minnesota Electrical Act, the inspector shall, if the installation or the non-complying part thereof is such as to seriously and proximately endanger human life and property order immediate disconnection of the installation or non-complying part. When the person responsible for making the installation ordered disconnected hereunder is notified he shall promptly proceed to make the corrections cited in this disconnect order.

**Elec 13 Correction of Non-Complying Installations.** When a non-complying installation whether energized or not, is not proximately dangerous to human life and property the inspector shall issue a correction order, ordering the owner or contractor to make the installation comply with accepted standards of construction for safety to life and property, noting specifically what changes are required. The order of the inspector shall specify a date not less than 10 nor more than 17 calendar days from the date of the order when a final inspection shall be made. If at the time of the final inspection the installation has not been brought into compliance, a condemnation or disconnect order may be issued by the inspector with the approval of his superior. If such installation was installed by any person licensed by the Board, and on the date of the final inspection the licensee has not corrected the deficiencies noted in the correction order, the Board may notify the licensee's statutory bonding company of such default. The Board may assist the owner in retaining another person licensed and qualified to correct the deficiencies noted. When the installation is brought into compliance, to the satisfaction of the inspector such correction order shall be immediately countermanded.

**Elec 14 Countermand of Correction Order.** A correction order of an inspector properly issued under Elec 13 may be countermanded or extended by the inspector or his supervisor. Any interested party may demand that an outstanding order be countermanded or extended. Such demand shall be in writing and shall be addressed to the Area Electrical Field Representative. If the request to countermand an order is rejected it shall be done so in writing within ten days.

**Elec 15 Procedures**

(a) The procedures prescribed by Elec 11, 12 and 13 constitute the exclusive administrative remedies for preventing connection or requiring disconnection of the supply of electrical power to a premises.

(b) **FORMS.** Condemnation, disconnect and correction orders shall be issued on forms prescribed by the Board.

(c) **SERVICE.** A correction order made pursuant to Elec 13 shall be served personally or by mail only upon the contractor, installer, special electrician or owner. All other orders shall be served personally or by mail upon the property owner, and electrical contractor, installer or special electrician making the installation.

The bonding company may, in either case also be served when deemed necessary by the Board.

The Power Supplier shall be served any time an order requires immediate disconnection or prohibits energizing an installation.

Service by mail is complete upon mailing but three days shall be added to the prescribed time whenever the party served is required to do some act or entitled to respond thereto.

**Elec 16** Any political subdivision having an ordinance similar to the Minnesota Electrical Act as it now exists or is hereafter amended or any aggrieved owner may obtain the name and address of the statutory bonding company of any person licensed by the Board by making written request to the Board for such information.



## Chapter Three: Elec 21-25

### Appeals

#### **Elec 21 Appeals to Board: Stay of Order**

(a) Appellant. Any person aggrieved by a condemnation or disconnect order issued hereunder may appeal therefrom by filing a written notice of appeal with the Board within ten days after the date the order was served upon the owner or within ten days after the order was filed with the Board, whichever is later.

(1) Condemnation or disconnect order due to the electrical installation being seriously or proximately dangerous to life and property, issued pursuant to Elec 11 and 12.

Upon receipt of the notice of appeal by the Board the order appealed from shall not be stayed, unless countermanded by the Board.

(2) Condemnation or disconnect order due to the electrical installation not being in compliance with the accepted standards of construction for safety to life and property, issued pursuant to Elec 13.

Upon receipt of notice of appeal by the Board the order appealed from shall be stayed until final decision of the Board and the Board shall notify the property owner, and the electrical contractor or installer or special electrician making the installation and also the Statutory Bonding Company of such fact. The power supplier is also to be notified in those instances where the power supplier has been served.

(b) Hearing and Review. Upon receipt of a notice of appeal the chairman or executive secretary of the Board may designate a hearing officer from among the Board Members to hear the appeal, or may set the matter for hearing before the full Board at its next regular meeting. A majority of the Board shall make the decision.

(c) NOTICE. Upon receiving the notice of appeal the Board shall notify all persons served with the order appealed from. Such persons may join in the hearing and give testimony in their own behalf. The Board shall set the hearing date on a date not more than 14 days after receipt of the notice of appeal herein unless otherwise agreed by the interested parties and the Board.

(d) Appeals from any order of the Board shall be handled as expeditiously as possible and conducted in accordance with M.S. § 15.0418 to 15.0423.

**CHAPTER FOUR: ELEC 26-35****LICENSES**

**Elec 26 Revocation.** The Board may revoke, suspend or refuse to renew any license granted pursuant to M.S. 326.242 when the holder of such a license,

(1) Does any of the acts specified in M.S. 326.246; provided that proof of criminal conviction shall not be necessary for revocation, denial or refusal to renew.

(2) fails or refuses to pay any examination or license renewal fee required by law.

(3) is an installer or electrical contractor and fails or refuses to furnish and maintain a valid and enforceable installer's or electrical contractor's bond, as required by M.S. 326.242.

(4) is an electrical contractor and fails or refuses to provide and keep in force a public liability insurance policy, as required by M.S. 326.242.

**Elec 27** The effective date of these regulations shall be **March 1, 1968.**

**Elec 28 Qualifying time for a Class A Journeyman Electrician.** A maximum of one year of experience credit will be allowed for the successful completion of a two year Post High School electrical course approved by the Board, provided that all other required experience be equal to that acquired in wiring for, installing and repairing electrical wiring apparatus or equipment under the personal on-the-job supervision of a properly licensed electrician.

The effective date of Elec 28 shall be May 1, 1969.

**Elec 29 Maintenance Electrician**

(a) Definition - The term Maintenance Electrician means a person having the necessary qualifications, training, experience and technical knowledge to properly maintain and repair electrical wiring, apparatus and equipment, who is licensed as such by the State Board of Electricity, or who is otherwise exempt by the Act.

(b) A person licensed as a Maintenance Electrician may maintain and repair electrical wiring, apparatus and equipment while in the employ of an Electrical Contractor, or as a full time employee of a single employer while engaged in the maintenance and repair of electrical wiring, apparatus and equipment owned or leased by his employer and located within the limits of property owned or leased by his employer.

(c) An applicant for a Maintenance Electrician's license shall have had at least four years experience acceptable to the Board, in maintaining and repairing electrical wiring, equipment and apparatus, providing however, a maximum of one year of experience credit will be allowed for the successful completion of a two-year Post High School technical course approved by the Board.

(d) In addition to the requirements imposed herein and except as herein otherwise provided, as a pre-condition to issuance of a maintenance electrician's license, each applicant must pass a written examination given by the Board to insure the competence of each applicant for license, except a person heretofore licensed as a Shopman Electrician may be issued a Maintenance Electricians license in lieu of a Shopman Electrician license by application.

No person failing an examination may retake it for sixty days thereafter. Any licensee failing to renew his license for two years or more after its expiration shall be required to re-take the examination before he is issued a new license.

The effective date of Elec 29 shall be May 1, 1969, amended 12-28-71 and 3-15-76.

**4 MCAR § 11.030** Requirements for securing an electrical contractors license. Definitions of responsibility of performance for Class "A" or Class "B" Master license holders who are employed by an electrical contractor to satisfy Minn. Stat. § 326.242, subd. 6.

A. Each contractor shall designate the responsible electrician employed by him on his application for an electrical contractor's license. The Board shall not grant a new contractor's license if it appears that the responsible electrician so designated is also employed in the same capacity by any other electrical contractor. In the event that more than one previously licensed electrical contractor has designated the same responsible electrician on his application for a license renewal, the Board shall return the application to the contractors who shall have 15 days to resubmit their applications. If upon resubmission of the license application, it still appears that the same responsible electrician has been designated by more than one contractor, the Board shall institute proceedings pursuant to Minn. Stat. § 326.242, subd. 9 of this section for non-renewal of the licenses of each contractor by whom the same responsible electrician is employed.

B. In addition to all other requirements of Minn. Stat. § 326.242, subd. 6 the applicant for an electrical contractor's license shall supply the following information where required by law, before a contractor's license is issued:

1. Employer's Social Security account number,
2. Workers' compensation insurance account number,
3. Unemployment insurance account number,
4. State withholding tax account number,
5. Federal withholding tax account number,
6. The name and address of:

- a. Each Partner or Venturer, if the applicant is a partnership or joint venture.
- b. The Owner, if the applicant is an individual proprietorship.
- c. The Corporate Officers if the applicant is a corporation.

**4 MCAR § 11.031** Definitions of personal "on-the-job" supervision as applied to Minn. Stat. § 326.242, subd. 5, Apprentices. Personal on-the-job supervision shall require that the unlicensed person will have a licensed person present on the job and providing supervision the entire working day.

4 MCAR 11.032 Licenses, expiration, fees.

A. Expiration. Except as otherwise provided in this rule, all licenses issued or renewed under this rule expire two years from the date of issuance or renewal. Class "A" Master and Class "B" Master licenses issued or renewed before March 1, 1982, expire one year from the date of issuance or renewal. Class "A" Master and Class "B" Master licenses issued or renewed on or after March 1, 1982 expire March 1 of the next even-numbered year after issuance or renewal. Electrical contractor licenses issued or renewed after August 31, 1981, but before September 1, 1982, expire September 1, 1982. Electrical contractor licenses issued or renewed after August 31, 1982, expire March 1 of the next even-numbered year after issuance or renewal.

B. Examination, issuance, and renewal fees. The following fees shall be payable for examination, issuance, and renewal:

1. For examination for each class of electrician's license. . . . . \$25.00
2. For issuance of original license and renewal:
  - a. Class "A" Master. . . . . \$35.00 a year
  - b. Class "B" Master. . . . . \$20.00 a year
  - c. Class "A" Journeyman, Class "B" Journeyman, Class A or B Installer or Special Electrician. . . . . \$10.00 a year
  - d. Electrical Contractor . . . . . \$75.00 a year

3. If a Class "A" Master or Class "B" Master license is issued or renewed in accordance with A. for less than two years, the fee for the license shall be prorated on a monthly basis for each month or part of a month that the license is issued or renewed. The electrical contractor's license fee shall be prorated on a quarterly basis for each quarter or part of a quarter that the license is issued or renewed in accordance with A.

4. A license fee may not be refunded after a license is issued or renewed. However, if the fee paid for a license was not prorated in accordance with the requirements of B.3., the amount of the overpayment shall be refunded.

C. Reissuance fee. Any electrical contractor who seeks reissuance of his or her license after it has been revoked or suspended pursuant to rule Elec 26 of the Board of Electricity shall submit a reissuance fee of \$100 before the license is reinstated.

D. Duplicate license fee. The fee for the issuance of each duplicate license is \$3.

Repealer. Rule 4 MCAR § 11.032 as adopted at 6 State Register 233 is repealed on the effective date of this 4 MCAR § 11.032.

Effective date. The amendments to 4 MCAR § 11.032 are effective November 1, 1981.