

CHAPTER 1301
DEPARTMENT OF LABOR AND INDUSTRY
BUILDING OFFICIAL CERTIFICATION AND EDUCATION

BUILDING OFFICIAL CERTIFICATION

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BUILDING OFFICIAL CERTIFICATION

1301.0100 PURPOSE.

The purpose of parts 1301.0100 to 1301.0600 is to establish procedures for certification of building officials and prerequisites for persons applying to be certified.

Statutory Authority: *MS s 16B.61; 326B.106*

History: *15 SR 74; L 2007 c 140 art 4 s 61; art 13 s 4*

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1301.0200 FORMS OF CERTIFICATION.

Subpart 1. **Certified building official.** This classification is granted to a person who has met the "certified building official" prerequisites of part 1301.0300 and successfully passed the written examination prepared by the state. A person with this certification may serve as the building official for any municipality.

Subp. 1a. [Repealed, 27 SR 1474]

Subp. 2. [Repealed, 19 SR 75]

Subp. 3. **Class I certification.** A Class I certification is identified as "Class I" on the certification card. This classification was granted to a person who met a prerequisite and passed a written examination. This classification restricts the holder to administering the code only for one- and two-family dwellings and

their accessory structures. As of July 1, 1990, this class is no longer issued. Persons with this classification may continue to hold this classification by submitting evidence of fulfilling the appropriate continuing education program established by part 1301.0900, item A.

Subp. 4. [Repealed, 19 SR 75]

Subp. 5. **Certified building official-limited.** This certification is identified as "certified building official-limited" on the certification card. This classification is granted to a person who has met the "certified building official-limited" prerequisites of part 1301.0300 and successfully passed the written examination prepared by the state. A person with this classification may perform code administration for one- and two-family dwellings, their accessory structures, and "exempt classes of buildings" as provided in part 1800.5000 of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, and Geoscience rules, as well as "facilities for persons with physical disabilities" provisions in chapter 1341 of the Minnesota State Building Code. Code administration for all other buildings must be performed by a certified building official as defined in subpart 1. However, the certified building official-limited may conduct inspections at the direction of a certified building official or the state building official.

Subp. 6. **Accessibility specialist.** This certification is identified as "accessibility specialist" on the certification card. This certification is granted to a person who has met the "accessibility specialist" prerequisites of part 1301.0300 and successfully passed the written examination prepared by the state. A person with this classification is limited to the administration of those provisions of the Minnesota State Building Code which provide access for persons with disabilities.

Use of this certification is restricted to municipalities that according to Minnesota Statutes, sections 16B.72 and 16B.73, do not administer the code. If a municipality adopts the Minnesota State Building Code, the responsibilities for code administration and enforcement are under the authority of the certified building official or the certified building official-limited.

Statutory Authority: *MS s 16B.59; 16B.61; 16B.64; 16B.65; 326B.101; 326B.106; 326B.13; 326B.133*

History: *15 SR 74; 19 SR 75; 27 SR 1474; L 2005 c 56 s 2; L 2007 c 140 art 4 s 61; art 13 s 4*

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1301.0300 CERTIFICATION PREREQUISITES.

Prior to making application for certification as a certified building official, a person shall accumulate a minimum of 100 points from the categories in items A to C.

Prior to making application for certification as a certified building official-limited, a person shall accumulate a minimum of 30 points from categories in items A to C. Prior to taking the examination for certification as a certified building official-limited, a person shall attend a course specified by the state building official.

Prior to taking the examination for certification as an accessibility specialist, a person shall attend a course specified by the state building official.

A. Education: BIT refers to building inspection technology programs offered in the community college system. Points must be awarded as follows for successful completion of the programs or courses listed:

- (1) BIT AAS degree, 100 points;

(2) BIT certificate, 60 points;

(3) BIT code-related courses:

(a) field inspection, nonstructural plan review, building department administration, and building codes and standards, 20 points total for all four courses; zero points if any of the courses in this unit have not been successfully completed;

(b) upon successful completion of the courses named in unit (a), additional BIT building code courses, four points each up to a maximum accumulation of 40 points;

(4) postsecondary courses in building construction, building construction-oriented architecture or engineering, or public administration, one point each up to a maximum accumulation of 30 points;

(5) an associate's degree in building construction, building construction-oriented architecture or engineering, or public administration, 30 points;

(6) a bachelor's degree in building construction-oriented architecture or engineering, 60 points. If points are claimed in this category, additional points may not be claimed in subitem (4) or (5).

B. Certifications: Points must be awarded for certifications obtained as follows:

(1) Council of American Building Officials building officials examination:

(a) legal and management module, 50 points;

(b) technology module, 50 points;

(2) International Conference of Building Officials examination:

(a) building inspector, 40 points;

(b) plans examiner, 60 points;

(3) Minnesota Class I certification, 10 points;

(4) Minnesota certified building official-limited certification, 20 points.

C. Experience: Points shall be awarded for experience obtained as follows:

(1) municipal building code inspection or plan review experience under the supervision of a currently certified building official. Twenty points must be awarded for each 12-month period of employment, with a maximum accumulation of 80 points;

(2) experience in the design of buildings or in the construction of buildings with specific skilled participation in the construction of foundations, superstructures, or installation of the building's mechanical, plumbing, electrical, or fire suppression systems. Ten points must be awarded for each 12-month period of employment, with a maximum accumulation of 30 points.

D. Other education, certifications, and experience relating to the field of the construction industry that is not enumerated in items A to C must be given credit as determined by the state building official based on comparison with the prerequisites in items A to C.

Statutory Authority: *MS s 16B.59; 16B.61; 16B.64; 16B.65; 326B.101; 326B.106; 326B.13; 326B.133*

History: *15 SR 74; 19 SR 75; 27 SR 1474; L 2007 c 140 art 4 s 61; art 13 s 4*

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1301.0400 APPLICATION FOR CERTIFICATION.

A person seeking certification shall submit a completed application to the state building official on an application form provided by the commissioner, along with a nonrefundable \$70 fee payable to the commissioner of management and budget. The state building official shall review applications for compliance with prerequisites in part 1301.0300. If the prerequisites are satisfied, the state building official shall schedule the applicant to take the applicable examination.

Statutory Authority: *MS s 16B.59; 16B.61; 16B.64; 16B.65; 326B.101; 326B.106; 326B.13; 326B.133*

History: *15 SR 74; 19 SR 75; 27 SR 1474; L 2003 c 112 art 2 s 50; L 2007 c 140 art 4 s 61; art 13 s 4; L 2009 c 101 art 2 s 109*

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1301.0500 [Repealed, L 2010 c 347 art 3 s 75]

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1301.0600 EDUCATION AND TRAINING.

The commissioner shall provide educational programs designed to train and assist building officials in carrying out their responsibilities, according to Minnesota Statutes, section 326B.133, subdivision 3. Within limitations of personnel and funds, the state building official may provide training programs for legislative bodies, administrative staff persons, design professionals, the construction industry, and the general public.

Information concerning available training programs may be obtained from the state building official by written, electronic mail, or telephone inquiry. Training program information is also available on the department's Web site.

Statutory Authority: *MS s 16B.59; 16B.61; 16B.64; 16B.65; 326B.101; 326B.106; 326B.13; 326B.133*

History: *15 SR 74; 27 SR 1474; L 2007 c 140 art 4 s 61; art 13 s 1*

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CONTINUING EDUCATION AND RECERTIFICATION**1301.0700 AUTHORITY AND PURPOSE.**

Parts 1301.0700 to 1301.1200 establish the guidelines for building official certification maintenance under Minnesota Statutes, section 326B.133, subdivision 7.

Statutory Authority: *MS s 16B.59; 16B.61; 16B.64; 16B.65; 326B.101; 326B.106; 326B.13; 326B.133*

History: *15 SR 74; 19 SR 75; 27 SR 1474; L 2007 c 140 art 4 s 61; art 13 s 1*

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1301.0800 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to parts 1301.0700 to 1301.1200.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of labor and industry.

Subp. 3. [Repealed, 27 SR 1474]

Subp. 4. **State building official.** "State building official" means the individual appointed by the commissioner of labor and industry to administer the code.

Subp. 5. [Repealed, 27 SR 1474]

Statutory Authority: *MS s 16B.59; 16B.61; 16B.64; 16B.65; 326B.101; 326B.106; 326B.13; 326B.133*

History: *15 SR 74; 27 SR 1474; L 2007 c 140 art 1 s 1; art 4 s 61; art 13 s 4*

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1301.0900 [Repealed, L 2010 c 347 art 3 s 75]

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1301.1000 CONTINUING EDUCATION CREDIT.

Subpart 1. **Approved education programs.** The following programs are approved for the number of continuing education units indicated:

- A. Annual Building Official Institute of Minnesota, 2.5 units for each full day of attendance;
- B. Department of Labor and Industry seminars, 2.5 units for each full day of attendance;
- C. International Conference of Building Officials seminars, 2.5 units for each full day of attendance;
- D. International Conference of Building Officials annual education and code development conference, 2.5 units for each full day of attendance;
- E. State Building Code development committee meetings, 0.42 unit for each hour of attendance;
- F. State International Conference of Building Officials chapter meetings, one unit for each meeting with a minimum three-hour educational program;
- G. regional building official meetings, one unit for each meeting with a minimum three-hour educational program;
- H. area building official luncheon meetings, 0.25 unit for each meeting;
- I. college building inspection technology and other related college courses, four units for each credit earned;
- J. postsecondary training courses in construction, management, or supervision, one unit for every three hours of instruction received or related shop work completed;
- K. certification in an International Conference of Building Officials certification program received after January 1, 1985, four units for each certificate;

L. certification as a certified building official by the Council of American Building Officials after January 1, 1985, six units;

M. teaching a course at the community college level in the building inspection technology program or teaching a course at a technical college, one unit for every four hours of instruction provided during a three-year reporting period; and

N. maintenance of an International Conference of Building Officials certification, one unit.

Subp. 1a. **Credit for repeated continuing education.** Credit must be awarded only once for each course taught or education program attended during a three-year cycle, despite the number of times the same course is taught or the same education program is attended.

Subp. 2. **Other continuing education.** Continuing education offered by other states, correspondence schools, universities, or other institutes of learning that offer building code administration and enforcement-related courses must be considered on an individual basis. Each building official must prearrange for unit approval with the state building official to receive credit. Units must be approved on the basis of comparison with the items in subpart 1. The state building official shall award 0.42 continuing education units for each hour of continuing education rounded to the nearest full or half unit.

Subp. 3. **Mandatory continuing education.** The state building official shall require that specific courses be taken, if necessary, to insure continuing education in relevant code application, administration, or enforcement practices. The requirements may include training courses when new codes or legislative mandates are adopted.

Subp. 4. [Repealed, 27 SR 1474]

Subp. 5. **Review of continuing education.** All continuing education is subject to periodic review and evaluation by the commissioner or the commissioner's agent.

Statutory Authority: *MS s 16B.59; 16B.61; 16B.64; 16B.65; 326B.101; 326B.106; 326B.13; 326B.133*

History: *15 SR 74; L 1989 c 246 s 2; 19 SR 75; 27 SR 1474; L 2007 c 140 art 1 s 1; art 4 s 61; art 13 s 4*

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1301.1100 REQUIREMENTS FOR RECERTIFICATION.

Subpart 1. **Submission of information.** Each person certified under this chapter must provide evidence to the state building official on forms provided by the state building official of attendance or participation in an approved continuing education program and units earned.

The information must be submitted to the state building official before the last day of the third calendar year following the date of the last certification issued.

Subp. 2. [Repealed, L 2010 c 347 art 3 s 75]

Subp. 3. [Repealed, L 2010 c 347 art 3 s 75]

Subp. 4. [Repealed, L 2010 c 347 art 3 s 75]

Statutory Authority: *MS s 16B.59; 16B.61; 16B.64; 16B.65; 326B.101; 326B.106; 326B.13; 326B.133*

History: *15 SR 74; 19 SR 75; 27 SR 1474; L 2007 c 140 art 4 s 61; art 13 s 4; L 2010 c 347 art 3 s 75*

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1301.1200 [Repealed, 27 SR 1474; 27 SR 1791]

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1301.1201 [Repealed, L 2012 c 295 art 1 s 17]

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CONSTRUCTION CODE INSPECTORS EDUCATION AND COMPETENCY

1301.1300 AUTHORITY AND PURPOSE.

The purpose of parts 1301.1300 to 1301.1600 is to establish competency criteria, establish and approve education programs, and establish continuing education requirements for construction code inspectors pursuant to Minnesota Statutes, section 326B.135. Parts 1301.1300 to 1301.1600 shall be administered by the supervising designated building official.

Statutory Authority: *MS s 16B.655; 326B.135*

History: *32 SR 1933; L 2008 c 337 s 64*

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1301.1310 DEFINITIONS.

Subpart 1. **Generally.** The definitions in this part apply to parts 1301.1300 to 1301.1600.

Subp. 2. **Building construction.** "Building construction" means soils supporting buildings, foundations, superstructures, the entire building envelope, and site work regulated by the State Building Code, but not mechanical systems or plumbing systems.

Subp. 3. **Building inspection technology course or BIT course.** "Building inspection technology course" or "BIT course" means a building inspection technology course offered for college or university credit from an accredited college or university.

Subp. 4. **Building inspector.** "Building inspector" means an individual who, under the supervision of a designated building official, inspects building construction and meets the requirements of part 1301.1400, subpart 2.

Subp. 5. **Combination inspector.** "Combination inspector" means an individual who, under the supervision of a designated building official, inspects building construction, mechanical systems, and plumbing systems and meets the requirements of part 1301.1400, subpart 5.

Subp. 6. **Construction code inspector.** "Construction code inspector" means a building inspector, mechanical inspector, plumbing inspector, or combination inspector who, under the supervision of a designated building official, performs building, plumbing, or mechanical inspections.

Subp. 7. **Designated building official.** "Designated building official" means an individual who, as a certified building official or building official limited, has been designated by a municipality pursuant to Minnesota Statutes, section 326B.133, subdivision 1.

Subp. 8. **Mechanical inspector.** "Mechanical inspector" means an individual who, under the supervision of a designated building official, inspects mechanical systems and meets the requirements of part 1301.1400, subpart 3.

Subp. 9. **Mechanical system.** "Mechanical system" means a system within the scope of chapter 1346 that is composed of devices, appliances, or equipment.

Subp. 10. **One year of experience.** "One year of experience" means 1,800 hours of time occurring within 12 consecutive months.

Subp. 11. **Plumbing inspector.** "Plumbing inspector" means an individual who, under the supervision of a designated building official, inspects plumbing systems and meets the requirements of part 1301.1400, subpart 4.

Subp. 12. **Plumbing system.** "Plumbing system" means a system within the scope of chapter 4714 that is composed of devices, appliances, or equipment.

Statutory Authority: *MS s 16B.655; 326B.135*

History: *32 SR 1933; L 2007 c 140 art 4 s 61; art 13 s 4; L 2008 c 337 s 64; 40 SR 71*

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1301.1400 MINIMUM COMPETENCY CRITERIA.

Subpart 1. **Generally.** An individual conducting construction code inspections must meet the minimum competency criteria in this part, except that an individual holding a current certification as a building official under Minnesota Statutes, section 326B.133, is exempt from this part and part 1301.1600. All construction code inspectors hired on or after January 1, 2008, shall within one year of hire, be in compliance with the competency criteria of this part.

Subp. 2. **Building inspector.** To conduct the activities of a building inspector, an individual must meet at least one of the following minimum competency criteria:

- A. three years' experience in construction with specific skilled participation in the construction of foundations and superstructures;
- B. five years' experience in the complete design of buildings;
- C. successful completion of two or more BIT courses in building construction;
- D. vocational or trade school diploma or equivalent education related to building construction;
- E. bachelor's degree or more in architecture, engineering, or construction management;
- F. current certification by a national model building code group or a national standards writing group as a building inspector; or
- G. two years' experience conducting building construction inspections while under the supervision of a Minnesota designated building official.

Subp. 3. **Mechanical inspector.** To conduct the activities of a mechanical inspector, an individual must meet at least one of the following minimum competency criteria:

- A. three years' experience in the installation or design of mechanical systems;
- B. successful completion of two or more BIT courses, with at least one course specifically related to mechanical systems;
- C. vocational or trade school diploma or equivalent education related to the construction of mechanical systems;
- D. bachelor's degree or more in architecture or engineering; or
- E. current certification by a national model building code group or a national standards writing group in mechanical system inspections.

Subp. 4. **Plumbing inspector.** To conduct the activities of a plumbing inspector, an individual must meet at least one of the following minimum competency criteria:

- A. three years' qualifying experience in the installation or design of plumbing systems that is obtained in compliance with Minnesota's plumbing licensure laws;
- B. successful completion of two or more BIT courses, with at least one course specifically related to plumbing systems;
- C. vocational or trade school diploma or equivalent education related to the construction of plumbing systems;
- D. bachelor's degree or greater in architecture or engineering; or
- E. current certification by a national model building code group or a national standards writing group in plumbing system inspection.

Subp. 5. **Combination inspector.** To conduct the activities of a combination inspector, an individual must meet the minimum competency criteria of subparts 2, 3, and 4.

Statutory Authority: *MS s 16B.655; 326B.135*

History: *32 SR 1933; L 2007 c 140 art 4 s 61; art 13 s 4; L 2008 c 337 s 64*

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1301.1500 EDUCATION AND TRAINING.

Subpart 1. **Education programs provided.** The commissioner shall provide educational programs designed to train and assist construction code inspectors pursuant to Minnesota Statutes, section 326B.135, subdivision 2.

Subp. 2. **Program evaluation.** The commissioner shall evaluate code-related education programs offered by other states, correspondence schools, universities, or other educational or code-related entities which must be considered on an individual basis and shall award one continuing education hour per 50-minute contact hour. Continuing education programs completed by correspondence must be evaluated based upon the program content and the work the participant is required to successfully complete and submit in order to complete the program.

Statutory Authority: *MS s 16B.655; 326B.135*

History: *32 SR 1933; L 2008 c 337 s 64*

Published Electronically: *February 19, 2009*

1301.1600 CONTINUING EDUCATION.

Subpart 1. **Mandatory continuing education.** Each construction code inspector must annually meet the requirements for continuing education in subpart 2 or 3, and provide verifiable evidence of completed continuing education credits to the designated building official. The designated building official must retain evidence of compliance for three years.

Subp. 2. **Building, mechanical, and plumbing inspectors.** Each building inspector, mechanical inspector, or plumbing inspector must complete 15 hours of continuing education annually, of which six hours must be in the discipline in which the individual meets the competency criteria.

Subp. 3. **Combination inspectors.** Each combination inspector must complete 20 hours of continuing education annually, of which six hours must be in each discipline.

Statutory Authority: *MS s 16B.655; 326B.135*

History: *32 SR 1933; L 2008 c 337 s 64*

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